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Cabinet

Monday 14 October 2019 at 4.00 pm
Boardrooms 3-5 - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Membership:

Lead Member Councillors:	Portfolio
M Butt (Chair)	Leader of the Council
McLennan (Vice-Chair)	Deputy Leader of the Council and Lead Member for Resources
Agha	Lead Member for Schools, Employment and Skills
Farah	Lead Member for Adult Social Care
Hirani	Lead Member for Public Health, Culture & Leisure
Miller	Lead Member for Community Safety and Engagement
M Patel	Lead Member for Children's Safeguarding, Early Help and Social Care
Krupa Sheth	Lead Member for Environment
Southwood	Lead Member for Housing & Welfare Reform
Tatler	Lead Member for Regeneration, Property & Planning

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

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The press and public are welcome to attend this meeting

recycle for Brent

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

(a) **Employment, etc. -** Any employment, office, trade, profession or vocation carried on for profit gain.

(b) **Sponsorship -** Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.

(c) **Contracts -** Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.

(d) **Land -** Any beneficial interest in land which is within the council's area.

(e) **Licences-** Any licence to occupy land in the council's area for a month or longer.

(f) **Corporate tenancies -** Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.

(g) **Securities -** Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

Item Page

1 Apologies for Absence

2 Declarations of Interest

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

3 Minutes of the Previous Meeting 1 - 8

To approve the minutes of the previous meeting held on 9 September 2019 as a correct record.

4 Matters Arising (if any)

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

5 Petitions (if any)

To discuss any petitions from members of the public, in accordance with Standing Order 66.

6 Reference of item considered by Scrutiny Committees (if any)

a) **Outcome of Call-in - Future School Organisation Arrangements of Roe Green Infant School** To Follow

To consider a report detailing the outcome of a call-in considered by the Community & Wellbeing Scrutiny Committee on 2 October 2019. The call-in related to the decision taken by Cabinet on 9 September 2019 in respect of the Formal Consultation on School Organisation Arrangements of Roe Green Infant School.

Ward Affected:
Barnhill; Fryent; Kenton; Northwick Park; Preston; Queensbury; Welsh Harp

Lead Member: Lead Member for Schools, Employment & Skills (Councillor Amer Agha MB BS, MSc, PHCM)
Contact Officer: Brian Grady, Operational Director, Safeguarding, Partnerships & Strategy
Tel: 0208 937 4173 Brian.Grady@brent.gov.uk

b) **Knife Crime Scrutiny Task Group Report** 9 - 42

The report sets out the findings and recommendations of the Knife Crime Scrutiny Task Group, as recommended to Cabinet by the Resources & Public Realm Scrutiny Committee

Ward Affected:
All Wards

Lead Member: Lead Member for Community Safety & Engagement (Councillor Tom Miller)
Contact Officer: Pascoe Sawyers, Head of Strategy and Partnerships
Tel: 020 8937 1045
pascoe.sawyers@brent.gov.uk

c) **Affordable Housing Task Group report** 43 - 78

This report sets out the findings and recommendations of the Affordable Housing Task Group, as recommended to Cabinet by the Resources & Public Realm Scrutiny Committee.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood), Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Pascoe Sawyers, Head of Strategy and Partnerships
Tel: 020 8937 1045
pascoe.sawyers@brent.gov.uk

Chief Executive's reports

7 Quarter 2 Financial Report 2019/20 79 - 98

This report sets out the current forecasts of income and expenditure against the budget for 2019/20 and other key financial data.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Minesh Patel, Director of Finance
Tel: 020 8937 4043 minesh.patel@brent.gov.uk

8 Brent Together- Draft Volunteering Strategy for 2019-2023 99 - 112

This report presents the draft Brent Together Volunteering Strategy for 2019- 2023 for approval. The strategy sets out our ambitions for a vibrant volunteering culture across the borough. It also details options for taking this workstream forward.

Ward Affected:
All Wards

Lead Member: Lead Member for Community Safety & Engagement (Councillor Tom Miller)
Contact Officer: Pascoe Sawyers, Head of Strategy and Partnerships
Tel: 020 8937 1045
pascoe.sawyers@brent.gov.uk

9 Financing Purchase of Residential Block by i4B or First Wave Housing 113 - 118

This report requests Cabinet approval of equity investment in i4B's existing street purchases programme, as agreed in principle by Cabinet when approving i4B's business plan in February 2019.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Craig Lane, Strategy and Delivery Lead
Craig.Lane@brent.gov.uk

10 Preparing Brent for the UK leaving the EU with or without a deal update 119 - 180

The purpose of this report is to update the Cabinet with the council's preparations for the UK leaving the EU including identified risks.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Anne Kittappa,
anne.kittappa@brent.gov.uk

Community Well-being reports

11 Selective and Additional Licensing in the Private Rented Sector in Brent 181 - 500

In April 2014 the Executive approved the introduction of an Additional Licensing scheme, covering all Houses in Multiple Occupation (HMOs) in the borough and in August 2014 approved the introduction of a Selective Licensing scheme, covering all private rented housing in the wards of Harlesden, Wembley Central and Willesden Green. Both schemes came into effect in January 2015 and run to 31st December 2019. In June 2018 the selective licensing scheme was extended to the electoral wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park. This latter designation will run until May 2023.

This report makes recommendations in relation to the operation of Additional & Selective Licensing Schemes within the Borough beyond 31 December 2019.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Spencer Randolph, Head of Private Housing Services
Tel: 020 8937 2546
spencer.randolph@brent.gov.uk

12 Continued Use of Retained Right to Buy Receipts 501 - 508

In 2015, Cabinet decided how Right to Buy (RTB) receipts were to be distributed in order to deliver affordable housing for Brent residents. This report recommends the Council continues to retain RTB receipts in line with the Brent Retention Agreement (2012) in accordance with the strategy identified and to the update of delegated authorities permitted under the strategy.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Emily-Rae Maxwell, Housing Partnerships Manager
Emily-Rae.Maxwell@brent.gov.uk

Digital and Customer Services reports

13 Digital Strategy and Business Case 2019-2023 509 - 632

The purpose of this report is to present Cabinet with the draft Digital Strategy and draft Cyber Security Strategy 2019-23 for agreement. The draft strategy builds on the 2017-20 strategy which was agreed in June 2017 and is aligned to the 2019-23 Borough Plan. The report also presents an Outline Business Case (OBC) for capital investment to deliver the strategy for Cabinet agreement. In addition, the report seeks Cabinet approval to procure a digital development partner.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Rehana Ramesh, Digital Transformation Lead
Tel: 020 8937 1935
Rehana.Ramesh@brent.gov.uk

Regeneration and Environment reports

14 South Kilburn Queens Park (SKQP) LLP - Termination and the Option to Acquire Falcon Land 633 - 642

This report provides an update on the South Kilburn Queens Park Limited Liability Partnership (SKQP LLP) and seeks Cabinet's authority to

terminate the SKQP LLP Project Agreement and Members Agreement should it not be possible for the parties to resolve matters by 30 October 2019.

Ward Affected: Kilburn; Queens Park

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Olga Bennet, Head of Finance (Commecial and Projects)
olga.bennet@brent.gov.uk

15 Brent Local Plan Publication and Submission for Examination 643 - 670

This report seeks Cabinet approval for the draft Brent Local Plan to go through the next statutory stages required for its adoption. This includes publishing the Plan for consultation and subsequently after considering the consultation responses recommending to Full Council that the Local Plan is submitted for Examination by a Planning Inspector appointed by the Secretary of State. The report also seeks approval of an updated Local Development Scheme, the document that sets out a work programme for planning related documents for the next 3 years.

Ward Affected: All Wards

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Gerry Ansell, Head of Planning and Development
gerry.ansell@brent.gov.uk

16 Article 4 Directions to Remove Permitted Development Rights for Changes of Use from Office and Light Industrial to Residential and also from Residential to Houses in Multiple Occupation 671 - 688

The purpose of the report is to seek Cabinet approval to proceed with non-immediate Article 4 Directions. Once set, this will seek to remove permitted development rights for change of use from offices and light industrial to residential. This will apply to areas not already covered by Article 4s the Council previously introduced, which became effective on 10th August 2018. The other will also seek to remove the permitted development rights between residential dwellings and houses in multiple occupation. This will apply to the whole borough where the Council is local planning authority.

Ward Affected: All Wards

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Gerry Ansell, Head of Planning and Development
gerry.ansell@brent.gov.uk

17 Secondary School Expansion Programme - Update and Approval of Capital Funding 689 - 700

This report proposes and seeks approval to move forward with plans to meet the projected demand for secondary school places as set out in the School Place Planning Strategy 2019-2023.

Ward Affected:
All Wards

Lead Member: Lead Member for Schools, Employment & Skills (Councillor Amer Agha MB BS, MSc, PHCM)
Contact Officer: Brian Grady, Operational Director, Safeguarding, Partnerships & Strategy
Tel: 0208 937 4173 Brian.Grady@brent.gov.uk

Children and Young People reports

18 Development of Family Hubs 701 - 812

To provide information regarding ongoing work to develop the existing 17 Children's Centres into eight integrated Family Hubs for Brent families with children aged 0-18 years, and to 25 years for those with children with disabilities. The new Family Hubs will build on existing children's centre services and the local authority statutory responsibilities regarding the provision of children's centres. Services for young children and their families will continue to be met. This Cabinet paper details the potential delivery opportunities and sets out the recommended option.

Ward Affected:
All Wards

Lead Member: Lead Member for Children's Safeguarding, Early Help and Social Care (Councillor Mili Patel)
Contact Officer: Nigel Chapman, Operational Director Integration & Improved Outcomes
Tel: 020 8937 4456
nigel.chapman@brent.gov.uk

19 Consultation on Admissions Arrangements for Community Schools for 2021/22 813 - 828

This reports seeks Cabinet approval to consult on proposed changes to the Admission Arrangements for Brent Community Schools for 2021/22.

Ward Affected:
All Wards

Lead Member: Lead Member for Schools, Employment & Skills (Councillor Amer Agha MB BS, MSc, PHCM)
Contact Officer: Brian Grady, Operational Director, Safeguarding, Partnerships & Strategy
Tel: 0208 937 4173 Brian.Grady@brent.gov.uk

20 Exclusion of Press and Public

The following items are not for publication as they relate to the following category of exempt information as specified under Part 1, Schedule 12A of the Local Government Act 1972, namely: : paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- Item 13, Digital Strategy and Business Case 2017-23, Appendix 2a and 2b (appendices to Appendix 2, the Outline Business Case).

- Item 14, Appendix 2, Financial Implications.

21 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. Any decisions taken urgently under this heading must comply with the provisions outlined in paragraph's 12 and 39 of the Council's Access to Information Rules (part 2 of the Constitution).

Date of the next meeting: Monday 11 November 2019



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 9 September 2019 at 4.00 pm

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

Also present: Councillors S Choudhary, Kennelly, Stephens, Thakkar and Long

1. **Apologies for Absence**

   There were no apologies for absence.

2. **Declarations of Interest**

   There were no declarations of interest.

3. **Minutes of the Previous Meeting**

   RESOLVED:

   that the minutes of the previous meeting be approved as an accurate record of the meeting.

4. **Matters Arising (if any)**

   There were no matters arising.

5. **Petitions (if any)**

   None.

6. **Reference of item considered by Scrutiny Committees (if any)**

   None.

7. **Formal Consultation on School Organisation Arrangements of Roe Green Infant School**

   Councillor Muhammed Butt, Leader of the Council, informed the meeting that a number of requests to speak from members of the public and Councillors on this item had been received. He informed the meeting that he intended to allow those speakers to speak first after which he would ask Councillor Amer Agha, Cabinet Member for Education, Skills & Employment, to introduce the report and respond to the points raised.

   Councillor Butt welcomed Mary Adossides, Chair, Brent Trades Council, to the meeting. Ms Adossides urged the Cabinet to reconsider the proposed closure of the

Strathcona unit and the potential subsequent loss of jobs and educational provision. She highlighted the need for SEN provision and pleaded with the Cabinet to reaffirm its commitment to state education.

Councillor Butt welcomed Gloria Amadi, Chair of the Roe Green Infant / Strathcona School Governing Body to the meeting. Ms Amadi stated that she felt no counter arguments put forward during the consultation process had been seriously considered by Brent Council. She stated that the proposals, if approved, would impact negatively on the most disadvantaged in society and the life chances of children. She stated that the pupils and parents at Roe Green Infant / Strathcona wanted the school to remain open. She blamed the current situation on the Council's poor school admission planning process.

Mrs Nicole Lobo, Executive Head Teacher, drew Cabinet Members' attention to the report appendices stating that 542 responses to the consultation had been received. She stated that 99.8% of those responses disagreed with the closure.

Ms Marina Aziz, Assistant Head Teacher, read excerpts from a letter sent by a pupil to Councillor Butt which spoke of the positive experiences of pupils attending the school.

Ms Noreen Ahmed, a parent at the school, informed the meeting she was speaking on behalf of all the parents. She spoke of the friendly teaching staff and how the teachers help children. She stated that all children are treated equally stating that the school is more than a school, it is a family and community.

Marisa Malgieri said that she had been a teacher at Roe Green for the past ten years. She stated that the teaching corps had worked to maintain consistency and cohesion across the two sites. She stated that the proposed closure had deterred parents from applying during the admissions process. She stated that the proposed closure was soul destroying for the children.

Mrs J Sidhu, Head of School, Roe Green Strathcona, spoke of the alternative v additional use of the site. She stated that the Strathcona site was perfect for educating children with moderate learning difficulties given the good site access. She informed the meeting that the site could also be used as a family respite centre.

Ms E McLaren, Deputy Head Teacher, spoke to Cabinet of the length of the process leading to today's Cabinet decision. She spoke of the informal and formal process. She stated that at no point did the school community feel it had been listened to. She stated that the report being considered by Cabinet contained flaws and inaccuracies and that some core issues had been ignored.

Councillor Daniel Kennelly, Preston Ward, urged Cabinet Members to reconsider any proposed closure. He stated that he felt the decision has been rushed, based solely on the financial implications. The impact on the children had not been taken into account. He stated his concern that the school was not advertised on the Council's website which, he presumed, led to a fall in admissions.

Councillor Anita Thakkar, Preston Ward, spoke in recognition of the hard work of the staff. She stated that the viability of the site is evident from the Council report.

She welcomed the proposed phased closure approach but urged Cabinet Members to ensure teachers, parents, pupils were adequately supported by the Council. She urged the Cabinet to ensure that there were no compulsory redundancies for teaching staff.

Councillor Muhammed Butt, Leader of the Council, thanked all the speakers and invited Councillor Agha to introduce the report.

Councillor Amer Agha, Cabinet Member for Education, Skills & Employment, introduced the report and stated that the report provided Cabinet with a summary of the formal consultation undertaken between 26 June 2019 and 24 July 2019 on a change in the age range of Roe Green Infant School and the closure of primary provision on the Roe Green Strathcona site from September 2020.

In response to questions from Councillor Harbi Farah, Cabinet Member for Adult Social Care, and Councillor Krupesh Hirani, Cabinet Member for Public Health, Culture and Leisure, Councillor Agha explained that the Roe Green Strathcona provision was established in response to increasing demand for places across the Borough, as set out in the Brent School Place Planning Strategy 2014-18. He stated that the Roe Green Strathcona provision was initially opened as temporary provision for 210 places in total, 30 in each year group from Reception to Year 6. He stated that, since 2017, there has been a reduction in the number of children applying for primary school places in the Borough that was not anticipated when the provision was established.

He stated that, in January 2019, there were 557 pupils on roll at Roe Green Infant School, of whom 110 were on the Roe Green Strathcona site. There were only 7 pupils in Reception on the Roe Green Strathcona site and all year groups, other than Year 5, had significantly lower numbers than 30.

Councillor Agha informed Cabinet that, for the purposes of admissions, when applying for a place at Roe Green Infant School, parents could make a preference for either the Roe Green Infant School Princes Avenue site or the Strathcona Road site. He stated that applications for Reception places on the Strathcona site for September 2019 were also low, with only 3 pupils expected to attend the Reception year group in September 2019

Councillor Agha informed Cabinet the Strathcona site is supported by the local funding formula. The school receives approximately £5,300 per pupil funding plus a split site allocation of £200k. With 110 pupils this totals £786k of funding that Roe Green Infant School receives to deliver school places at the Strathcona site.

Councillor Agha stated that funding was provided by the Dedicated Schools Grant (DSG), and equated to nearly £7,100 per pupil for children at this site. This compared to an average of £5,000 per primary pupil across the borough. Given that there were spaces in other schools, the closure of the site would lead to more efficient use of DSG.

In response to a question from Councillor Tom Miller, Cabinet Member for Community Safety and Engagement, about use of Brent Council's consultation portal, Brian Grady, Operational Director, Safeguarding, Partnerships and Strategy,

stated that Central Government had a prescribed consultation framework that Local Authorities must use in such circumstances.

Councillor Muhammed Butt, Leader of the Council, thanked Cabinet Members for their contributions. He stated that he had met with parents, children and the teaching staff and that local authorities, such as Brent, were forced into situations such as these because of the reduction in funding from central government. He outlined the central government funding cuts experienced by Brent.

RESOLVED: that Cabinet determined the proposal published in a statutory notice on 26 June 2019 to:

i) change the age range of Roe Green Infant School from 3-11 to 3-7

ii) reduce the school's Published Admission Number (PAN) from 150 to 120 for September 2020

iii) implement a phased closure of the provision on the Roe Green Infant School Strathcona site so that no new admissions were made into any Reception cohort from September 2020 and the site be fully closed at the end of July 2022.

8. **Public Spaces Protection Order (PSPO) for Open Spaces, Graveyards and Cemeteries**

Councillor Muhammed Butt, Leader of the Council, welcomed Ms Philippa Hutchinson, to the meeting.

Ms Hutchinson stated that she is a Brent resident and lives a few minutes' walk from Paddington Old Cemetery. She spoke in support of the proposal to adopt a borough-wide Public Spaces Protection Order (PSPO) for graveyards and cemeteries.

Councillor Tom Miller, Cabinet Member for Community Safety and Engagement, thanked Ms Hutchinson for her support for the proposals.

Councillor Miller stated that Brent Council is committed to maintaining a clean and safe environment and it is the Council's responsibility to keep our parks, open spaces, graveyards and cemeteries and local environment clear of litter and obstructions and deal with other local environmental quality issues including anti-social behaviour.

Councillors Hirani, Butt and Southwood spoke in support of option 1 in the proposals.

Councillor Krupa Sheth, Cabinet Member for Environment, suggested an additional recommendation delegating authority to add any additional parks to the PSPO regarding the consumption of alcohol.

RESOLVED: that Cabinet

i) approved option 1 in respect of the introduction and implementation of the proposed PSPO in the draft terms and the options as set out in appendix one for a period of three years.

ii) delegated authority to the Strategic Director for Regeneration and Environment to set the date on which the PSPO will become effective and in force.

iii) noted that the previous delegation provided by Cabinet to the Chief Operating Officer (now the Strategic Director of Regeneration and Environment) in consultation with the lead member for Community Safety and Engagement for the function of making Public Spaces Protection Order under the Anti-Social Behaviour Crime and Policing Act 2014 remains in place for future PSPO proposals.

iv) Noted that a separate review and update report will be submitted to Cabinet in due course reviewing the decision making process for the PSPOs made to date and considering whether to have alternative arrangements for making a PSPO.

v) Noted that the Council's bye laws relating to its parks, open spaces, cemeteries and graveyards will no longer be in force when the proposed PSPO comes into force.

vi) delegated to the Strategic Director for Regeneration and Environment in consultation with the Lead Members for Environment and Community Safety and Engagement the authority to add any additional parks to the PSPO regarding the consumption of alcohol.

9. **Tenant Management Organisations in Brent: Renewal of Modular Management Agreement**

Councillor Ellie Southwood, Cabinet Member for Housing and Welfare Reform, stated that there were two Tenant Management Organisations (TMO), Kilburn Square TMO (KSTMO) and Watling Gardens TMO (WGTMO). She stated that, following the transition from Brent Housing Partnership (BHP) to in-house management, the Council has sought to review the arrangements in place between the Council and each TMO. This was to ensure they are reflective of the latest statutory guidance and will be achieved by entering into new Modular Management Agreements (MMA)s.

Councillor Southwood stated that the report provides Cabinet with an overview of the proposed agreements, with a view to enter into a new MMA with each TMO. The report sets out which services KSTMO and WGTMO have selected under the Right to Manage (RTM) and how this will be managed by the Council.

RESOLVED: that Cabinet

vii) noted the options selected by KSTMO and agreed to enter into a new MMA by delegating authority to the Strategic Director of Community Wellbeing, in conjunction with the Director of Finance and the Cabinet Member for

Housing and Welfare Reform to enter into a new Modular Management Agreement retrospectively

viii) noted the options selected by WGTMO and agreed to enter into a new MMA by delegating authority to the Strategic Director of Community Wellbeing, in conjunction with the Chief Finance Officer and the Cabinet Member for Housing and Welfare Reform to enter into a new Modular Management Agreement retrospectively.

10. **NNDR Applications for Discretionary Rate Relief**

Councillor Margaret McLennan, Deputy Leader of the Council, informed Cabinet Members that the Council has the discretion to award rate relief to charities or non-profit making bodies. She stated that the Council also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The award of discretionary rate relief is based on policy and criteria agreed by Cabinet on 15 November 2016. New applications for relief have to be approved by the Cabinet.

Councillor McLennan stated that the report details new applications for relief received since Cabinet last considered such applications in January 2019.

RESOLVED: that the applications for discretionary rate relief detailed in Appendix 2 to this report from the Strategic Director of Customer and Digital Services be approved.

11. **Brent Neighbourhood Community Infrastructure Levy (NCIL) Projects**

Councillor Shama Tatler, Cabinet Member for Regeneration, Property and Planning, introduced the report requesting Cabinet approve the allocation of Neighbourhood CIL (NCIL) funds to eight community projects from round one of the 2019/20 NCIL programme.

Councillor Tatler stated that the Community Infrastructure Levy (CIL) is a charge applied to eligible developments to help fund strategic (borough-wide) and neighbourhood infrastructure related to development. Brent's CIL was formally introduced on 1 July 2013.

Councillors Butt, Hirani, McLennan, Agha and Krupa Sheth welcomed the report and the funding for worthwhile neighbourhood projects.

RESOLVED: that Cabinet

i) Approved the NCIL allocation of:
   a. **£366,975** to support the refurbishment of a new building for the Refugee Support Network in Harlesden.
   b. **£250,000** to support the refurbishment of Challenge House in Harlesden for Crisis UK.
   c. **£210,000** to support the refurbishment of the Silver Jubilee Park Clubhouse for Kingsbury Town Management Co. Ltd and Hendon Youth FC in Willesden.

d. **£109,833** to support the running of The Sanctuary Café for Hestia Housing and Support across neighbourhoods.
e. **£134,800** to support the installation of central heating of a community facility for St Michael and All Angels Church in Harlesden.
f. **£170,000** to support the refurbishment of a community hall for St Cuthbert's Church in Wembley
g. **£150,000** to support the building of a new Community Café and outdoor space for St Catherine's Church in Neasden
h. **£80,000** to support tree planting in the Dudden Hill area. This would be in addition to £30,000 allocated to tree planting in this area in NCIL's 2018/19 round one, bringing the total spent by NCIL on tree planting in Dudden Hill to £110,000.

ii) noted the total allocation of **£417,400** (including the £80,000 for tree planting in Dudden Hill, subject to Cabinet approval) to tree-planting projects in this NCIL funding round.

12. **Brent Community Lottery Proposal - Cabinet variation report**

Councillor Tom Miller, Cabinet Member for Community and Engagement, introduced the report seeking to inform and obtain Cabinet approval for a variation to the Cabinet report titled 'Brent Community Lottery Proposal' approved on 17 June 2019.

RESOLVED: that Cabinet:

i) noted the content of the report from the Assistant Chief Executive;

ii) agreed that the Head of Strategy and Partnerships awards a contract to Gatherwell in the form agreed by them.

13. **2018/19 Treasury Management Outturn Report**

Councillor Margaret McLennan, Deputy Leader of the Council, introduced the report updating members on Treasury Management activity and confirming that the Council has complied with its Prudential Indicators for 2018/19.

RESOLVED: that having considered the 2018/19 Treasury Management outturn report, Cabinet requested that it be forwarded to Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).

14. **Exclusion of Press and Public**

None

15. **Any other urgent business**

None

The meeting ended at 5.35 pm

COUNCILLOR MUHAMMED BUTT
Chair

Brent	**Cabinet** 14 October 2019
	Report from the Assistant Chief Executive

Knife Crime Task Group

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer:	Pascoe Sawyers, Head of Strategy and Partnerships, pascoe.sawyers@brent.gov.uk 020 8937 1045

1.0 Purpose of the Report

1.1 The report sets out the findings and recommendations of the Knife Crime Task Group.

2.0 Recommendation

2.1 That Cabinet review and agree the recommendations in the task group's report.

3.0 Detail

3.1 Through its work, the task group sought to gain a better understanding of knife crime in Brent, how interventions could reduce it, and which interventions might work locally. In particular, the group looked at partnership working arrangements and reviewed what could be done to complement the wider public health approach. The task group held a series of evidence-gathering sessions with internal and external partners and experts.

3.2 The task group has made 13 recommendations which it puts to Brent Cabinet and the Safer Brent Partnership to affect change. These are set out in the main report.

4.0 Financial Implications

4. There are no financial implications arising from this report

5.0 Legal Implications

5.1 There are no legal implications arising from this report

6.0 Equality Implications

6.1 There are no equality implications arising from this report.

7.0 Consultation with Ward Members

7.1 Ward members who are members of the Resources & Public Realm Scrutiny Committee will be involved in scrutinising this report at committee.

REPORT SIGN-OFF

Peter Gadsdon
Assistant Chief Executive



Knife Crime

An inquiry into knife crime in Brent

A report of the Resources & Public Realm Scrutiny Committee

September 2019

Knife Crime Task Group – Membership
Councillor Sandra Kabir (Chair)
Councillor Elliott Chappell
Councillor Liz Dixon
Councillor Erica Gbajumo
Councillor Robert Johnson
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The Knife Crime Task Group was set up by Brent Council's Resources and Public Realm Scrutiny Committee on 23 January 2019.

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Contents

Chair's Foreword 3

Methodology 4

Recommendations 4

Chapter 1: Knife Crime 6
- Background 6
- The Pan-London picture 7
- The Brent picture 9
- A public health approach to knife crime 11

Chapter 2: Task Group Findings 12

Appendices
- A – Participants 27
- B – Terms of reference 28

Chair's Foreword



This is not a time for complacency or platitudes. Too many lives have been lost or blighted by knife crime. Both offenders and victims are becoming younger and younger. Individuals, families and whole communities are facing the risks and consequences of violent crime.

I welcomed the news that a task group on knife crime was going to be set up, to examine the problem in detail. Brent Council is committed to tackling knife crime and working in partnership, both internally and externally, to understand the problem and enable a targeted response. The goal for us was to put forward a series of recommendations which would add something significant towards the fight against knife crime, and the group has worked very hard from the beginning to achieve this.

The task group has made recommendations for the council and its partners, all of whom have a moral, legal and statutory obligation to make resources available and to take impactful action to reduce knife crime.

This report must be the spur for further urgent action to be taken by the council and its partners to reduce, if not end, the scourge of knife crime in Brent.

I would like to thank the many individuals and organisations that have contributed to the work of the task group and formation of the recommendations. This report would not have been possible without their time, experience and insight. This collaboration is very much in the spirit of what we are trying to achieve going forward – knife crime is not a problem for organisations to tackle on their own; real progress will come through working together.

The causes of knife crime are multi-faceted and we know that finding a solution will be far from easy. However, if this report could contribute towards saving the life of only one person, then we can consider this work a success.

Councillor Sandra Kabir, Chair

Methodology

Task group members held a series of meetings and evidence-gathering sessions with a wide range of internal and external partners. This included meetings with the Metropolitan Police Service (MPS), the Violence Reduction Unit/ Greater London Authority (VRU/GLA), London Community Rehabilitation Centre (CRC), the NHS, local schools and voluntary organisations. This work was supplemented by desktop research, interviews, surveys and visits to community-based projects. The task group convened regularly for feedback sessions, to share their findings.

The group's recommendations were drafted and sent to partners for review. Following this, the final recommendations were determined. These were developed in accordance with the existing legislation for local authority scrutiny.

The task group notes that an external body or local authority executive is not compelled to act on a recommendation; however, an executive must respond within two months, and NHS organisations are expected to give a meaningful response within 28 days of the recommendations being agreed by a scrutiny committee.

Recommendations

Recommendation 1
A multi-agency, contextual safeguarding approach must be taken by the council to address knife crime, and to overcome barriers in information sharing and collaboration between agencies.

Recommendation 2
The Brent Knife Crime Action Plan and the Brent Knife Crime and Serious Violence action plan should be refreshed to join up actions and strategies across early health, family solutions and other children and young people's services with community protection to derive one action plan going forward.

Recommendation 3
The council to support and encourage community projects that aim to prevent 'at risk' young people from being drawn into knife crime, and are set up with measureable evaluation outcomes.

Recommendation 4
A graphic and hard-hitting media project be funded, which involves ex-offenders, role models and victims and focuses on knife crime's impact on individuals, families and communities.

Recommendation 5
The MPS must improve relations with local communities. This may be achieved by providing a more visible presence in neighbourhoods and adopting a more empathetic method of stop and search.

Recommendation 6
Brent CCG to work with statutory partners (including the council) to enable the provision of more services at hospital A&E departments at the 'teachable moment', such as RedThread. Stakeholders in primary and tertiary care should be educated in how to approach knife crime issues.

Recommendation 7
The council to support and encourage schools and other community organisations to make their facilities available for youth-focused activities after school hours and during holidays, to keep young people engaged in positive activities and deterred from crime.

Recommendation 8
The council to work with Brent primary and secondary schools, the Brent School Partnership (BSP) and the Safer Brent Partnership, to develop and implement a Schools Safety Charter.

Recommendation 9
The council must enhance the way it works with Brent youth offending services, London CRC and the National Probation Service in order to support offenders who can be rehabilitated, and continue to manage and assess risk.

Recommendation 10
The council to facilitate more collaborative working between the voluntary and community sector (VCS) and religious organisations, to raise funds for projects and training to prevent knife crime.

Recommendation 11
The council to make representations to Government to put guidance in place on the handling of housing needs cases for those at risk of violence (through gangs/ county lines) and reconsider the threshold at which someone who is deemed to be at sufficient risk gets re-housing support.

Recommendation 12
The council to make representations to the GLA/ Mayor's Office for Policing and Crime/ Violence Reduction Unit advising that the county lines programme is running at full capacity with an increasing unmet need. More intensive, longer-term funding needs to be provided.

Recommendation 13
The council to further explore bids for external funding for innovative council and CVS projects, to tackle the risks associated with young people becoming involved in crime.

Chapter 1: Knife Crime

Background

1. It was acknowledged by the task group that it is not only knife crime which blights communities. There are other, equally serious forms of weapons-based crime – such as gun crime and the use of corrosive substances – which are prevalent in Brent. However, knife crime is having a unique, considerable impact: Approximately 37 per cent of homicides over the last decade involved the use of a knife or other sharp instrument, compared to (amongst men), 8 per cent involving firearms and another 8 per cent using blunt instruments (ONS, 2018).

2. Whilst the task group's findings may be applicable across other forms of weapons-based crime, knife crime was the group's focus. 'Knife crime' is used as a collective term throughout this report and may refer to a number of different offences; for example, knife possession. As defined by the London Knife Crime Strategy, knife crime is "Any offence which satisfies both of the following criteria:

- Is classified as an offence of homicide, attempted murder, assault with intent to cause harm, assault with injury, threats to kill, sexual offences and robbery

- Where a knife or sharp instrument has been used to injure, used as a threat, or the victim was convinced a knife was present during the offence."

3. Whilst the problem of knife crime in the capital is nothing new, it is generally accepted that the current situation is more serious than ever before. London is in the midst of an endemic cycle of violence, with rising murder and violent attack levels across the city. There are genuine concerns that for many young people, violent crime and possession of a knife are now a way of life.

4. In England and Wales, knife crime has been steadily on the rise since 2014. There were 43,516 knife crime offences in the 12 months ending March 2019. This is an 80% increase from the low point in the year ending March 2014 – when there were 23,945 offences – and is the highest number since comparable data was compiled. (BBC News; Figures exclude Greater Manchester).

5. The year ending March 2019 saw 22,041 knife and offensive weapon offences formally dealt with by the CJS. This was a 34% increase since the year ending March 2015, and the highest number since March 2010.

Knife and offensive weapon sentencing statistics, England and Wales – Year ending March 2019 (Ministry of Justice, 2019)

The Pan-London picture

Figure 1: Number of knife offences across London (Met Police Data, accessed Nov 2018)

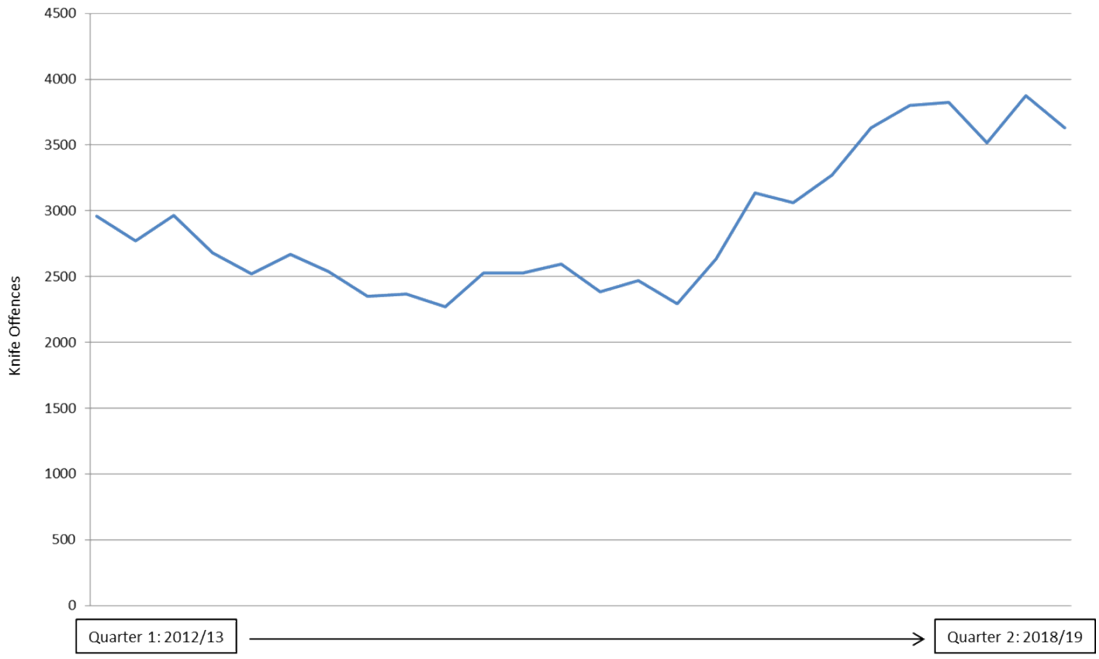
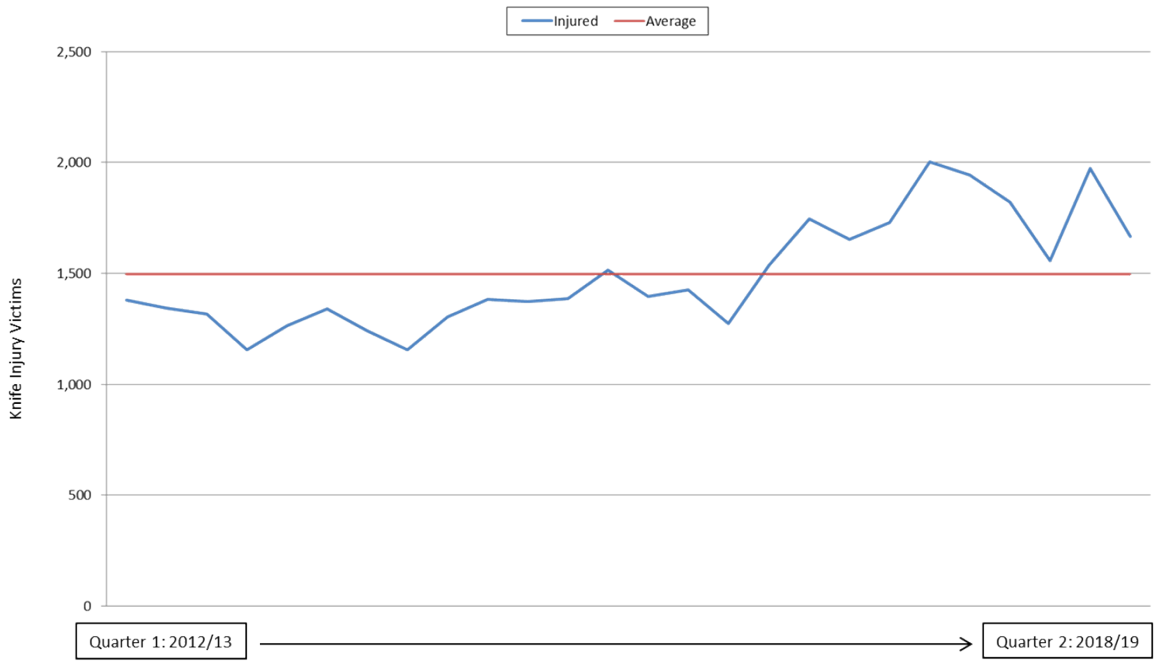


Figure 2: Number of London knife injury victims – non-fatal (Met Police Data, accessed Nov 2018)



6. In the period November 2017 to October 2018, the highest number of knife crime offences in London was recorded in Southwark. This was also the borough with the highest numbers of victims injured as a result of knife crime,

and knife-related murders. The total number of offences involving knife crime increased by 4% in this period compared with the previous period.

7. The London Crime Poll (2018) focused on a sample of 1,005 Londoners aged 18-plus, and was undertaken on behalf of the think-tank The Centre for Social Justice (CSJ). It is referenced in their report 'It Can Be Stopped: A proven blueprint to stop violence and tackle gang and related offending in London and beyond'. The number of victims of serious youth violence in London has grown by more than 50 per cent since 2012, with more than 8,150 victims of serious youth violence in 2017. This means that almost 680 young people each month and 2 young people each day become victims of serious youth violence (CSJ, 2018).

8. In London, nearly half of homicide victims killed with a gun or knife are aged 15 to 24 years old, despite this age group only accounting for twelve per cent of London's population. The harsh reality is that young Londoners aged 15 to 24 are more than six times as likely to be fatally stabbed or killed than other Londoners (CSJ, 2018).

9. 3 in 4 Londoners believe the streets of London have become less safe in the last few years. A majority of Londoners (52 per cent) state "gangs and serious youth violence negatively affects people like me" with almost as many (46 per cent) report a "no-go" area near where they live: "there are some areas near where I live that I cannot safely go to or travel through" (CSJ 2018).

10. The consequences of knife crime can reach beyond the immediate victims, deeply affecting family, friends and communities. This is not something which only a small minority have to contend with – more than one in 10 Londoners say they know someone who has been killed in the capital with a knife or gun in the last year. The proportion increases to more than one in five over the last two years, one in four over the last three years, and almost one in three Londoners at any time in the past.

11. Knife-related fatalities are occurring in a growing number of distinct neighbourhoods. This increased geographic spread is likely to drive up the number and proportion of individuals aware of a murder in their local area or where they may even know the victim. It will also further drive up fear of crime.

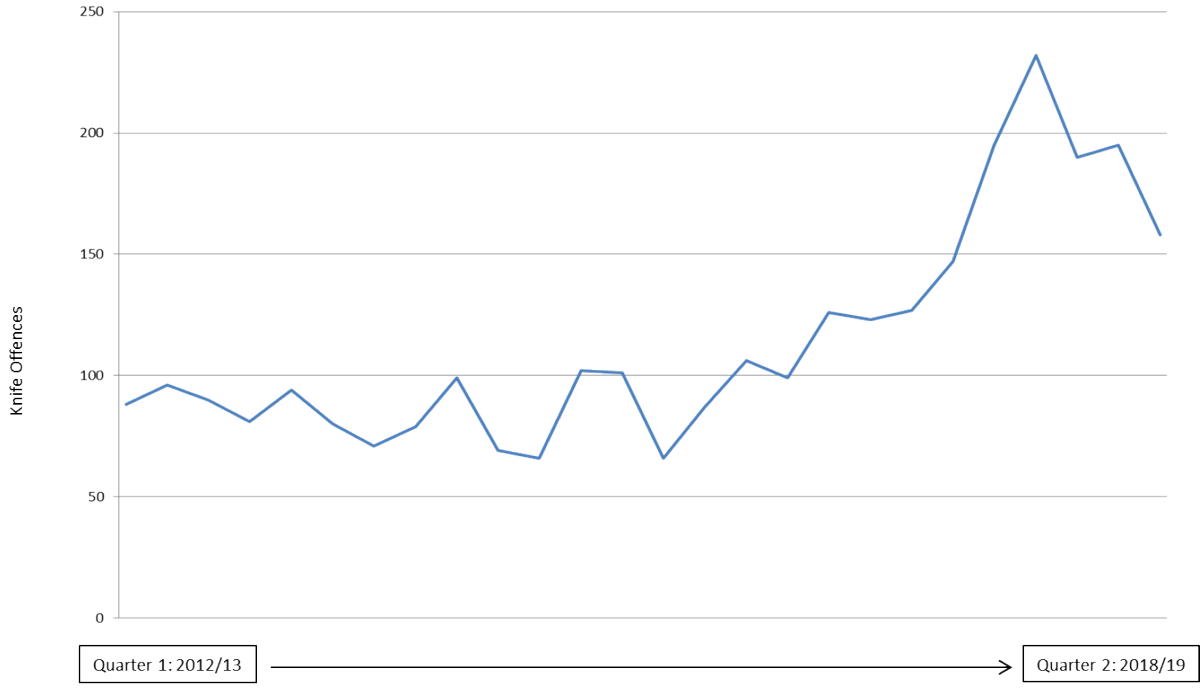
12. Much of the knife crime experienced in the capital is related to gangs, and the task group considered some of the factors which can lead to gang membership. The MPS defines a 'gang' as: "A relatively durable, predominantly street-based group of young people who: See themselves (and are seen by others) as a discernible group and engage in a range of criminal activity and violence. Gangs may also have some or all of the following features:
    - identify with or lay claim over territory
    - have some form of identifying structural feature
    - are in conflict with other, similar, gangs."

13. Young vulnerable people are particularly susceptible to gang exploitation. Gangs have begun to recruit potential members from residential children's homes. Also, research from MOPAC shows a link between gang involvement and young people missing from their homes.

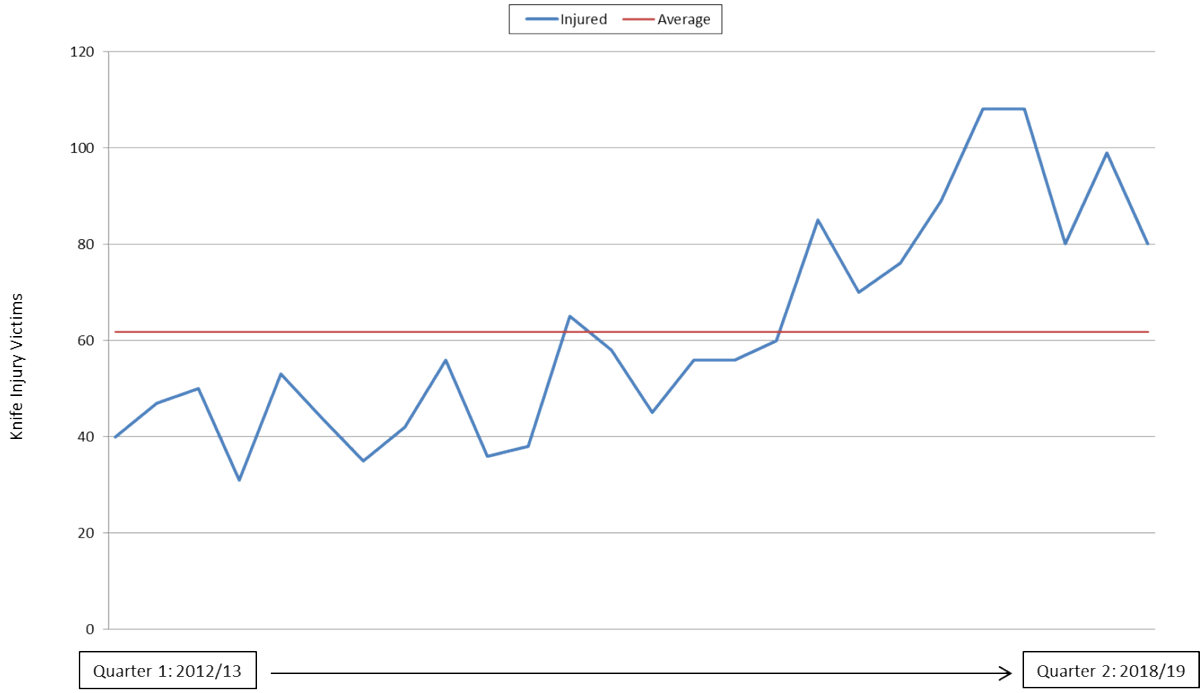
14. Reducing gang activity remains a high priority. But whilst gangs are undoubtedly responsible for a significant amount of serious violence, there is more to knife crime than gang activity. For instance, the fear of being attacked leads to young people – who are not necessarily in a gang – carrying knives for protection. There is also a connection between knife crime and drug dependency. Perpetrators may have been victims in their own right, or have been bullied into committing an offence. It is seldom clear cut.

The Brent Picture

Figure 3: Number of knife offences across Brent (Met Police Data, accessed Nov 2018)



Over page: Figure 4: Number of Brent knife injury victims – non-fatal (Met Police Data, accessed Nov 2018)



15. Between 2017 and 2018, Brent had 755 knife crime offences. This was the third highest level of knife crime amongst the London boroughs, and an 18% increase on recorded offences from the previous period. There were 355 injured victims of knife crime, the second highest of the boroughs. Knife-related murders reduced from five in 16/17 to one in 17/18 – this was below the London average.

Metropolitan Police, November 2018 (last 12 months – 01/11/2017 to 31/10/2018, previous 12 months 01/11/2016 to 31/10/2017)

16. More recent police figures have shown that, despite a number of high-profile incidents, knife offences are actually falling in Brent. Whilst this is encouraging, it is important to remember that the chart above – and others like it – tend to show knife crime occurrences as a succession of peaks and troughs.

Knife crime and the borough plan

17. The Resident Attitudes Survey 2018 was a face-to-face survey of over 2,000 Brent residents, asking for their views on a range of topics such as their neighbourhood and the council. “A safe area, free from crime and bad behaviour” was overwhelmingly top in a list of ‘What are the things that you most value locally?’ and ‘What are the things you would most want to see money spent on?’ in the survey. Crime levels and gangs are the main reasons why Brent residents feel unsafe in their local area alone after dark. Reflecting this, the reduction of violent crime, including gang and knife crime, is a key element of Brent’s Borough Plan 2019-2023 – to ensure a borough where people feel safe, secure, happy and healthy. A range of measures are in place to help deliver on this outcome.

Calculating the cost of knife crime

18. The costs of knife crime in London are huge and extend beyond the present into the future. The reality is that even those who survive such attacks can be left with life-threatening and life-changing physical and mental injuries. The nature of the violence and victimisation can contribute to post-traumatic stress and related mental ill-health.

    The Guardian. 2018. A surgeon's view on London violence. Available at:www.theguardian.com/uk-news/2018/apr/05/a-surgeons-view-on-london-violence-weve-an-obligation-to-do-something Accessed March 2019.

19. In terms of monetary cost, calculating the single agency cost of knife crime is complicated – many different agencies are involved in preventing and responding to those affected. The Trauma Audit Research Network (TARN) at the University of Manchester has done some analysis in this area and found an average cost to the NHS of £7,196 per victim.

20. There were 385 knife injuries and three fatalities recorded in Brent in 2017/18. This puts the estimated cost of Brent knife crime to NHS England at £2,792,048 in 17/18. Taking into account inflation costs and general underreporting of offences it is clear that knife crime is a significant cost to the health economy as well as other public sector bodies.

A public health approach to knife crime

21. From its inception, the task group advocated the public health approach to knife crime, as per the recommendation of the Mayor's Office for Policing and Crime (MOPAC) committee.

22. The public health approach is something which has received a lot of media attention in recent times. It is open to interpretation and indeed has been defined a number of ways. Essentially, it involves **treating violence as a preventable public health issue, using data and analysis to identify causes and focusing on prevention through multi-agency systemic approaches**. We mean to look at violence as a preventable consequence of a range of factors and experiences – such as early-life, social and community experiences. The public health approach is concerned with long-term as well as short-term effects, and draws upon many disciplines including medicine, epidemiology, sociology, criminology and psychology.

23. As determined by Cure Violence – a major proponent of the public health model – violence displays all the characteristics of an epidemic disease: Clustering, Spread, and Transmission (Cure Violence, 2018). For example, geographical data mapping has revealed clear crime hotspots. Furthermore, mental trauma from exposure to violence has been scientifically shown to increase a person's risk of adopting violent behavior themselves, meaning violent behavior transmits and spreads based on exposure – just like an epidemic.

24. The public health approach has been proven to be successful in areas where it has been deployed to tackle the causes of violence. A Violence Reduction Unit (VRU) was set up by Strathclyde police in 2005 in an attempt to tackle a problem that had seen Glasgow dubbed 'the murder capital of Europe'. The unit adopted a public health approach, believing violence to be preventable and treating it as curable infection. The VRU teamed up with agencies in the fields of health, education and social work to create long-term attitudinal change rather than a quick fix. The VRU also focused on enforcement, seeking to contain and manage individuals who carry weapons and are involved in violent behaviour.

25. To tackle gang crime, the unit imported successful approaches from the USA such as the Boston approach, offering gang members an alternative to the violent lives they were living. The VRU also successfully lobbied for increases in maximum sentences for carrying knives.

26. Glasgow's VRU was a resounding success, as levels of violent offending and weapons possession fell drastically. It is now considered to be a national centre of expertise on violence.

27. In September 2018 the Mayor of London announced the set-up of a London VRU, to work to reduce violence through a public health approach. The VRU formally began in London in January 2019.

28. The public health approach emphasises collective action – cooperative efforts from health, education, social services, justice and policy are necessary to solve knife crime. Each sector has a vital role to play and collectively the approaches taken have the potential to bring about important reductions in violence. The public health approach focuses on a defined population, rather than individuals. Solutions must therefore involve cooperation with communities. TARN research director Dr Fiona Lecky said "Public health initiatives that aim to reduce the incidence and severity of penetrating trauma are likely to produce significant savings in acute trauma care costs."

29. The focus of the task group was therefore to review the council's partnership-working arrangements with a range of partners including the police, the NHS, CCG, probation services and the voluntary sector.

Chapter 2: Task Group Findings

Brent's approach

30. The council is already working very hard to minimise the impact of knife crime. Teams across the breadth of the council – community protection, children and young people, public health - are involved in a range of initiatives to tackle the problem. There is already a great deal of partnership working in place to prevent offending and re-offending.

31. In January 2019, Brent Council's Resources and Public Realm Scrutiny Committee established a Knife Crime Task Group ("the task group"), in order to gain a better understanding of knife crime in Brent, how interventions could reduce it, and which interventions might work locally. In particular, the task group was to look at partnership working arrangements and review what could be done to complement the wider public health approach. The ultimate goal was to make recommendations that would contribute towards a reduced rate of knife crime, and mitigate negative impacts on Brent residents.

32. The members of the task group were:

    Councillor Sandra Kabir – Chair
    Councillor Robert Johnson
    Councillor Erica Gbajumo
    Councillor Tom Stephens
    Councillor Elliot Chappell
    Councillor Liz Dixon

33. Those providing oral and written evidence to the group included a wide range of stakeholders and expert witnesses, including Councillor Tom Miller, Cabinet Member for Community Safety; Councillor Mili Patel, Cabinet Member for Early Intervention and Children Services; the Metropolitan Police Force; the Violence Reduction Unit/ GLA; London Community Rehabilitation Centre (CRC); the NHS; local schools and voluntary organisations.

34. A full list of the participants in the work of the task group can be found at Appendix A of this report on page 27.

35. The task group advocated the public health approach to tackling knife crime as set out in the previous section of the report. This involves using data and analysis to identify causes and focusing on prevention through a multi-agency approach.

36. Work was undertaken in the knowledge that resources are finite and must be focused on the people and communities that are most at risk. Evidence-based practice was a vital component of this work. Those involved in knife crime are often vulnerable and in need of support from a variety of agencies.

37. Through the course of their work the task group heard evidence around some of the main drivers of knife crime: gangs, the drug market, school exclusions and domestic violence. The forces affecting these drivers are levels of deprivation, perceptions of exclusion, and mental health.

38. Whilst it is clear there are no easy or short-term solutions, the task group's investigations have revealed some potential avenues for improved partnership working which it believes could yield very positive results.

39. After careful consideration of the evidence received during the inquiry, the knife crime task group arrived at 13 recommendations, which it puts to Brent Cabinet and the Safer Brent Partnership to affect significant change.

Recommendation 1
A multi-agency, contextual safeguarding approach be taken by the council to address knife crime, and to overcome barriers in information sharing and collaboration between agencies.

Contextual safeguarding

40. The principle of contextual safeguarding stipulates that a safeguarding approach must go beyond the influence of the direct family and also consider an individual's locality, community and social networks. In terms of analysing young people who are at risk of being drawn into violent crime, it means looking at what neighbourhoods they are from, what schools, linkages with school absenteeism, vulnerable families and other known factors – and targeting specific resources around those risks. Through the course of their work, the task group heard about the importance of all of these contextual factors.

41. A separate Brent task group had convened in October 2018 to look in detail at the issue of contextual safeguarding. It made the following five recommendations:

    CS1: To support bringing together representatives from Transport for London, bus companies, and employee representatives within schools, further education colleges, the council and statutory boards to address concerns about adolescents on the transportation and bus network.
    CS2: To further support organisations working with young people to promote and develop extra-school activities, particularly in the summer months, for Brent's adolescent children.
    CS3: Brent's approach to contextual safeguarding should specifically develop its work with further education colleges to help address risks faced by adolescent children in this context.
    CS4: A future social media strategy should include how the local authority can work in partnership with external organisations to address areas of concern in adolescents using social media and being online, which are identified by Brent Council's approach to contextual safeguarding.
    CS5: To develop a one-off public information campaign working with partner organisations and the community to support the development of contextual safeguarding in Brent.

42. The Knife Crime Task Group fully supports these five recommendations. It is clear that approaches to the knife crime problem must focus on the wider context of young people at risk of being drawn into violent crime – school, environment and neighbourhoods – as well as family contexts. It follows that this will be a multi-agency approach.

43. Partnership working takes on added importance when considered against council funding – core funding has fallen by 63% in real terms since 2010.

44. The task group heard from several partners that more could be done to share information between stakeholders. Brent CCG in particular cautioned that

Brent's partners are not properly sharing information and it is a missed opportunity. Ostensibly one of the barriers was seen to be data protection and the GDPR. An example given was where an under-18 attends hospital having been stabbed. Those dealing with the case may not refer the individual for further support due to concerns around data protection. But the law is very clear on this – 'necessary and proportionate' personal information can be shared with other organisations for legal purposes and to protect children and adults at risk. This must be made clear amongst all partners and professionals. The task group recommends that safeguarding information protocols are clearly applied to knife crime to overcome any barriers.

45. The group heard that GPs often have no professional contact with schools in Brent. This could be another missed opportunity for information sharing. The local GP is an integral part of community life and if, for example, a child was excluded from school, they should be informed. GPs have known some families their whole lives and discuss all areas of concern with them. GPs may be acutely aware if there are mental health issues within the family and can make the appropriate referral.

Recommendation 2
The Brent Knife Crime Action Plan and the Brent Knife Crime and Serious Violence action plan should be refreshed, to join up actions and strategies across early health, family solutions and other children and young peoples' services with community protection to derive one action plan going forward.

46. It is essential that the actions and interventions of different agencies and departments are joined up to share resources and knowledge. Following publication of the Mayor of London's Knife Crime Strategy in 2017, every London Borough was mandated to produce a local knife crime strategy, to be led by the police and involve other partners. The MOPAC Knife Crime and Serious Violence Action Plan was developed to help all London local authorities combat the surge in knife crime, by providing a central set of clear action points. It was launched in September 2018 and was agreed by the Safer Brent Partnership. The plan is significant in scope and involves the council, the police, LFB, National Probation Service, London Community Rehabilitation Company (CRC), magistrates, the NHS, CCG and voluntary sector organisations.

47. The plan is split into six main themes:
    - Governance
    - Targeting lawbreakers
    - Keeping deadly weapons off the streets
    - Protecting and educating young people
    - Standing with communities, neighbourhoods and families against knife crime
    - Supporting victims of knife crime

48. Brent's plan is one of the top-performing action plans in London. Things are working well, but there are still high levels of robbery with knives, for example, and one of the highest volumes of crime in London. The planned actions for

2018/19 all achieved ‘green’ RAG status. This is commendable but also may suggest that more stretching targets are needed. The plan was reviewed further in May 2019 with additional heightened targets set for 2019/20, and again received good feedback from MOPAC for being an example of best practice.

49. There is also a Gangs and Knife Crime Action Plan contained within the council’s 2018-21 Community Safety Strategy. The objectives identified here are:
    i) identifying those affected by gangs or knife carriers and encouraging improved life choices through prevention and awareness, diversion or enforcement
    ii) disrupting and dismantling criminal networks
    iii) identifying, targeting and tackling violent crime linked to knives and/or gangs
    iv) reducing serious youth violence

50. Over the past 18 months there has been a reduction in knife crime achieved in Brent. This action plan is currently being reviewed and new targets are being set, as per good practice for annual monitoring.

Recommendation 3
The council to support and encourage community projects that aim to prevent ‘at risk’ young people from being drawn into knife crime and are set up with measurable evaluation outcomes.

51. As stipulated by the public health approach, prevention is paramount. Once young people are drawn into a life of violence, irreparable harm has been done. Assistance becomes more intensive and expensive than the preventative work at an earlier stage. However, traditionally crime and social services are more reactive. Identifying groups and individuals who are most at risk of being involved in violent crime is important, to focus limited resources on prevention.

52. Young people are often drawn into crime by their peers and older people who persuade them to make the wrong choices. Young people often look for respect and self-esteem in the wrong places. They may also often be promised a ‘shortcut to success’ i.e. told that they can make money and live a ‘rock star’ lifestyle by engaging in gang activities.

53. Being in a gang or group can bring perceived benefits to young people who feel disconnected or misunderstood, with no sense of security in their relationships with others. Gang membership can provide a sense of belonging – especially for those young people who feel least safe at home – and a promise of safety and security, even if that promise goes unfulfilled. Young people may finally have an adult male role model who takes an interest in them, stands by them and supports them.

54. The task group heard that one of the most effective methods of prevention is by direct engagement in effective and constructive alternatives. This isn't about providing supervision, but about engaging with young people to improve their lives. The task group made contact with an extensive number of projects, both local and nation-wide, which attempt to divert children who are at risk of being drawn into offending. The group also conducted several visits to see some of these first hand.

55. The United Borders project uses music as a 'pathway to engagement' and to enable young people to express themselves. United Borders travels across Brent in an old London bus, the upper deck of which has been converted into a music studio. The bus provides a safe space for young people to be creative and connect through music. The project has been credited with uniting formerly hostile members of rival gangs in Church Road and Stonebridge. When the project initially got started, the council gave United Borders a short-term contract and funding for its cross-border initiative. Subsequently, founder Justin Finlayson – himself an ex-gang member – has had to source private funding. He has urged that gang activity has clear links with both government cuts and expulsions.

56. Onside is a national charity which focuses on building a network of state-of-the-art youth zones, each providing young people with a safe environment and range of activities to get involved in seven days a week, fifty-two weeks a year. Youth zones are based in the areas where they can have the greatest impact. Their reports suggest that for every £1 spent on operating costs, £2.03 of social benefit is generated. There is currently no youth zone in Brent, though one was recently set-up in Barnet.

57. St Giles' Trust were commissioned to provide their Gangs Intervention Programme between 2017 and 2019 in Brent. The scheme looks to challenge and work with those involved in gangs to change their behaviour, while holding them to account to take responsibility for their actions. Individuals are encouraged to exit the gang lifestyle and stop carrying knives. Early intervention is provided to those identified as being on the periphery of gang offending. Educational programmes are offered to Brent schools to increase awareness of the consequences of joining a gang, and there is also a 'peer training' project offered to those who have successfully exited the gang lifestyle.

58. St Giles' caseworkers develop a support plan which is always agreed with the service user and is reviewed regularly. Caseworkers are reliant on referrals from local authority teams. There are two caseworkers in Brent, one of whom is a Brent resident – and this local knowledge is important. Caseworkers have advised that services users are tending to get younger, 16 rather than 18 years old. Kids from affluent backgrounds are being affected too, not just those from deprived areas.

59. The Young Brent Foundation (YBF) is committed to developing a diverse, vibrant youth voluntary sector in Brent. YBF was founded to bring together

small, local charities and community organisations that were faced with funding cuts and provide 'one voice' for them all.

60. There are still a significant number of small-scale organisations in Brent. Many of these will have similar aims, but be unaware of each other's existence. The council has a role to play, much like that of YBF, in bringing these organisations together.

61. The task group commends the work of all the community projects it made contact with. Whilst very different, the golden thread running through all of them is the desire to harness and nurture the creativity of young people.

62. The task group is keen to see all community projects thrive and deliver results for the people of Brent. However, the council is not able to support all voluntary organisations in the borough – there are simply too many of them. Programmes must therefore be evaluated to ensure that resources are provided to those that can have the greatest impact.

63. The task group is aware that £400k in savings has been identified from the changes to the Met Patrol Plus scheme. The group would suggest these funds could be re-deployed into youth community projects and crime prevention programmes.

Recommendation 4
A graphic and hard-hitting media project be funded, which involves ex-offenders, role models and victims and focuses on knife crime's impact on individuals, families, and communities.

64. It is important to get the message across to young people that violence, and knife crime in particular, can have devastating consequences. Even where knife injuries are not life-threatening they are often life-changing, leaving victims disabled or suffering from mental ill-health. A hard-hitting media campaign should be jointly promoted with partner agencies to drive forward this message.

65. The council's communications team have delivered a number of local campaigns and their experience in this regard will be invaluable. Past campaigns have included '#brentneedsyoualive' which was in response to a previous knife crime spike. This consisted of a press launch, a YouTube video, posters across the borough and video interviews with some of those affected by knife crime. The campaign attracted significant interest and had a wide reach.

66. According to MOPAC's Youth Voice Survey, young people have expressed a desire for more education about the consequences of knife crime. They stress this should include schools, the police, previous offenders and victims. (MOPAC, 2018).

67. It stands to reason that those with direct involvement in knife crime – victims, perpetrators, ex-offenders – are best placed to deliver meaningful teaching on

the subject. These people could become positive role models in this campaign.

68. The task group met with several ex-offenders who had spent considerable time in prison, had turned their lives around and were paying back to communities by being exemplary role models. The best example of a role model may well be the reformed offender, someone who has learned a valuable lesson and is able to talk to young people on their level.

Recommendation 5
The MPS must improve relations with local communities. This may be achieved by providing a more visible presence in neighbourhoods and adopting a more empathetic method of stop and search.

69. The task group met with a Chief Inspector from Neighbourhood Policing in Brent. It was acknowledged that some excellent work is being undertaken, especially in the context of well-documented issues of lack of funding and shrinking police numbers. More offenders are receiving custodial sentences and these are increasing in length. It was stated that communication between partners needed to be improved. Importantly, the group also heard that police training does not teach recruits how to speak and interview. In other words, they are not being taught how to be empathetic.

70. Research has documented that the stop-and-search process can cause a great deal of mistrust and resentment between young people and the police. It may be the manner in which stop-and-search is undertaken that is the problem – by nature, it is an intrusive process. Problems may also arise where the same individuals are targeted. Research has also shown that officers conducting the stop-and-search come across as overly aggressive. Where an individual is searched and nothing is found, this may create an atmosphere as the person being searched thinks *why have I been singled out?* The unintended consequence may be that these people feel yet more disaffected and are pushed further away.

71. “Only half of people nationally held positive views about the police…lack of confidence builds a barrier that prevents young victims from seeking police help” (Youth Voice Survey, 2018). We need to build back trust and relationships. There needs to be more collaborative communication between young people and the police, who need to have more of a visible presence locally. They have expressed a desire to be more involved with local schools and this is something the council should help facilitate.

72. School Safety Officers are police officers who work in schools and are responsible for any issues involving fights, drugs, and gangs. They also provide education about drugs, alcohol and safety issues. Having a known Schools Safety Officer can benefit young people’s feelings of safety at school, and in some cases improve wider opinions of the police (Youth Voice Survey, 2018).

Recommendation 6
Brent CCG to work with statutory partners (including the council) to enable the provision of more services at hospital A&E departments at the 'teachable moment', such as Redthread. Stakeholders in primary and tertiary care should be instructed in how to approach knife crime issues.

73. Northwick Park is a major hospital in Brent and part of the London North West University Healthcare NHS Trust. They have seen admittance figures steadily increase in recent years, as well as increases in mental health problems and violent assaults.

74. In discussion with the task group, Northwick Park advised that actions such as spotting signs of trouble or vulnerability, and signposting patients to further sources of help, are 'alien' to their staff. There are many community services available which staff simply don't know about.

75. "You can give a leaflet out, but will it have an effect? We haven't really worked out what to do and how best to engage (with young people)." Ultimately, Northwick believe they do a good job but also that they could do more. They can stitch up someone who has been stabbed but can't refer them on, so haven't been as helpful as they could have been. Partners must be able to help out. The council can use its influence here and be a facilitator. The police can instruct care workers on how to deal with knife crime issues. There could be a shared agreement of practice, with a key contact for each service.

76. The Redthread violence intervention programme runs in hospital emergency departments, in partnership with the major trauma network. Every year thousands of people come through hospital doors as victims of assault and exploitation. It is at this point of crisis that the Redthread youth workers use their unique position embedded in emergency departments to engage these young victims. This moment of vulnerability – 'the Teachable Moment' – when young people are out of their comfort zone, alienated from their peers, and often coming to terms with an injury, is a time of change. Many will question their own behaviour and the choices that led them to hospital, and with the help of a specialist youth worker they may pursue change that they haven't felt able to before. Redthread focuses on this, helping to disrupt the cycle of violence that can often lead to re-attendance and re-injury.

77. The task group has seen through research and heard first-hand that Redthread is doing excellent work across London. Almost half of those engaged by the service had reduced their involvement in crime (MOPAC, 2018). Northwick Park advised they would like to see Redthread have an enhanced, permanent base at the hospital but of course funding is a significant obstacle.

78. The task group advocates a push for more funding for services like Redthread but acknowledges that funding is a major issue – there is not an endless pot of money available. Therefore, it will be beneficial to ensure that we work best with what we already have, and this means helping stakeholders in primary and tertiary care become better-prepared in how to deal knife crime issues.

The health service needs greater clarity on who can be contacted to provide one-on-one support to victims.

Recommendation 7
The council to support and encourage schools and other community organisations to make their facilities available for youth-focused activities after school hours and during holidays, to keep young people engaged in positive activities and deterred from crime.

79. Schools have a pivotal role in both social education and prevention, as well as often finding themselves on the front line of dealing with youth violence and the problem of knives. School-based interventions are viewed as crucial, not least because this is where young people spend the majority of their time.

80. An interview was held with Newman Catholic College (NCC) – a Brent secondary school. Surveys were undertaken in several others to analyse the different approaches taken within secondary schools in the borough.

81. NCC identified various approaches to keeping children safe, both before and after school. They stated that the time children were most vulnerable was after school between the hours of 3:30pm and 6:30pm, where parents or guardians are usually returning home from work. This time correlates with figures which show this is when a high proportion of knife crime incidences occur. It is the period between school and home where there is a lack of supervision. NCC has a rota for teachers to wait at bus stops within a 100-metre vicinity of the school and has other employees patrol the high street between the hours identified, to ensure that children get on the school buses safely.

82. Other measures taken by NCC include:
- Use of knife arches and wands to detect and prevent knives on school property
- Personal, Social, Health and Economic (PSHE) lessons to bring in ex-offenders to dissuade young people from entering a life of crime (the Your Life, You Choose prevention programme)
- Reduction in external exclusions but use of internal exclusions to assist and support those children with challenging behaviour
- ‘Safe Havens’ within the Harlesden area, with the support of Brent Citizens, to assist children who fear for their safety. In the event of a dangerous situation they can use the area to be protected until the police arrive. (The Safe Haven programme in Brent is one of London’s largest)
- Ensuring a good relationship with local police – so much so that a room is available on site for officers to work in if needed.

83. Enquiries were made as to whether NCC works with other schools to tackle knife crime. Whilst there is discussion amongst secondary school partners, there is no borough-wide school network to tackle weapons-based crime. At Head Teacher level this is not discussed in any detail. A view raised in the

interview was that having measures in place specifically to deal with knife crime may not make the school attractive for the parents of prospective students, hence some schools do not have knife arches or wands.

84. Seven questions were asked through the survey of schools, ranging from the extent of the problem (knife carrying) in the school and how they dealt with it, to what support was given to parents in helping to deal with the fact that their child was carrying a knife. Outcomes were varied. It was noticeable that some of the schools admitted that they did not have a strategy for dealing with this issue and in some cases did not communicate with the parent unless the child was to be excluded. Respondents were also asked for suggestions on what the council could do to tackle knife carrying. Several suggestions were made, including working in partnership with the police to implement curfews in problem areas; and holding a conference for parents and schools to talk specifically about the problem.

85. Some schools have discussed knife carrying with parents, who acknowledge that it is a problem of the wider society and that parents, schools, the local authority, the police and statutory agencies need to work together to stem the tide of children being caught up in criminal activity.

86. NCC were one of several participants to link the problem of knife crime with the distinct lack of community and youth centres in Brent, the result of 20 years of closures and loss of funding. Resources must and are starting to go back into these services, but in the meantime schools have excellent facilities that could be made available in the evenings or at weekends for youth-based activities.

87. After-school activities can play an important part in providing interests that engage young people and deter them from knife crime. There are issues to be explored here: Could schools remain open longer, e.g. at evenings and weekends? Could youth workers be deployed at schools to proactively engage with those who are ‘at risk’?

88. There would naturally be costs to be met from schools keeping their facilities open. The prospect of the council part-funding these activities would need to be explored. Given that prevention is a shared goal, schools may be obligated to arrange reasonable hire rates for their spaces.

89. It is not enough to simply offer more activities; students must also be enticed to actually attend them.

Recommendation 8
The council to work with Brent primary and secondary schools, the Brent School Partnership (BSP) and the Safer Brent Partnership, to develop and implement a Schools Safety Charter.

90. Evidence heard by the group revealed there is little in the way of inter-school networking and communication on issues relating to knife crime in Brent.

Some institutions have introduced a range of measures to combat knife crime – archways, knife wands – whereas others have done nothing at all. In cases where a school has no measures in place, it was heard anecdotally this may be due to the stigma associated with knife crime and fears that any anti-knife measures implemented would negatively impact on the school (e.g. through a reduction in the number of places applied for). It may also be that the school doesn't perceive themselves as having a knife problem.

91. The lack of a borough-wide school network on knife crime is a significant oversight. The bottom line is that all schools should take direct, effective action against knife crime, regardless of their perceptions of the problem. There needs to be a united front and support should be available for children and parents.

92. One possible method to achieve this could be a Schools Safety Charter – a document which the council could help create and coordinate; a proposal to be put to every school in the borough to be more collaborative in the fight against knife crime.

93. Essentially the document would set out what schools can be doing by way of a pro-active response to knife-carrying. The underlying message is that there is no stigma in putting measures in place which could save lives, and no stigma in being seen to take a stance against knife crime.

94. Getting all schools across the borough actively involved in a Schools Safety Charter represents a significant challenge, but one that should be met head-on.

95. The task group learned of the correlation between knife crime and school exclusions. The link between school exclusions and the idea of the 'disconnected' youth was regularly mentioned. The task group strongly believes that school exclusions are not an appropriate means of dealing with knife crime issues. Exclusions are contrary to a public health approach; interventions and referrals must be preferable. There should be no exclusion of any young person who is being actively engaged by an organisation to address issues.

96. Suspensions (fixed-term exclusions) are on the rise in Brent. Repeated suspensions have been flagged as a concern by the Children's Commissioner as these children face the same risks as those who are permanently excluded, such as exploitation by criminal gangs.

97. It is not for this report to determine the exact make-up of a Schools Safety Charter – this would be a collaborative piece of work. It could be a model with clear targets and outcomes, something which sets out a clear approach to knife crime. It might be something that the school children themselves help to shape. This work could be linked to the media campaign as mentioned in Recommendation 4.

Recommendation 9
The council must enhance the way it works with Brent youth offending services, London CRC and the National Probation Service in order to support offenders who can be rehabilitated, and continue to manage and assess risk.

98. London Probation Services play a vital role in challenging offender behaviour and reducing reoffending. Given the rise in knife-related offending, probation services have developed new interventions, rolled out training and developed assessment toolkits around knife crime.

99. The Safer Streets programme was developed by the London CRC in collaboration with MOPAC. It is a targeted intervention for people who have been convicted of knife offences. It is delivered as part of a community order, suspended sentence or licence and is a combination of one-on-one and group session which aims to deliver positive changes in thinking and actions towards knife crime, thus reducing the likelihood of future offending.

100. Skills training is provided to staff to help them break down barriers and improve engagement with service users who do not feel safe on the street without a knife in their hand.

Recommendation 10
The council to facilitate more collaborative working between the voluntary and community sector (VCS) and religious organisations, to raise funds for projects and training and prevent knife crime.

101. The task group heard from a range of voluntary and religious organisations and noted the good work being undertaken by them in the community. Religious institutions have an important presence in the borough and provide a wide range of activities and guidance for their members, often incorporating whole families, at important stages of their lives. All the institutions spoken to by the task group were passionate about helping local people. They were also all concerned about safety of their members and those of people living in their communities, in the context of knife crime.

102. Some institutions (predominantly Christian faith-based) are working together to launch a 'Street Pastors' initiative, which focuses on disenfranchised young people not in education, employment or training (NEET). The aim of the initiative is for the street pastor to listen, direct them to help and support them in all aspects of their lives until they became self-sufficient. Some of the street pastors are ideally placed to help, as they have had the same life experiences as some of the people they support.

103. Pastor Yinka (Brent Council of Churches) met with members of the task group. He felt that the help and support of street pastors would make a big impact in difficult areas such as Harlesden, Stonebridge and South Kilburn. Pastor Yinka suggested a database of support services, which street pastors could have access to – and be included on – so that the appropriate

referrals can be made if necessary. The street pastors are also looking to implement ‘Safe Spaces’ in at least five areas of the borough.

104. More can be done to make full use of this community work, especially as this can aid prevention at grassroots level. Enhanced communication and collaboration between organisations working on knife crime would minimise duplication, have greater impact on reducing violence and enable more effective fundraising. The council is well placed to act, as it can help signpost to sources of funding and training, such as through CVS Brent.

105. The task group proposes that street pastors are supported to receive safeguarding training, and to find and implement ‘Safe Spaces’ which can be used to meet with vulnerable people.

Recommendation 11
The council to make representations to Government to put guidance in place on the handling of housing needs cases for those at risk of violence (through gangs/ county lines) and reconsider the threshold at which someone who is deemed to be at sufficient risk gets re-housing support.

106. The task group met with the Pan-London Housing Reciprocal, a London-wide programme covering councils and Registered Providers, which is available for any household in social housing at risk of violence, or in vulnerability, who need to move borough. This includes people threatened with gang violence and exploitation, and also cases of domestic violence.

107. Brent is a part of this programme, and has made 13 referrals to it. However, the only successful moves have been domestic violence cases. There are difficulties in gang-related referrals, reflecting the complex nature of the cases.

108. The group has heard of considerable issues in identifying whether someone is at ‘imminent risk’, and of meeting the requirements to show the level of risk. There are fundamental issues with the way in which housing needs cases are reviewed. Clarity is needed. The group asks that the Cabinet Member for Housing writes to Government, urging them to consider putting some guidance in place. In the absence of such a move, the council should develop its own set of guidance in this area.

109. The task group believes that housing circumstances must be recognised as a key part of the public health approach. The housing setting in which people are placed can have an effect on the likelihood of them committing and being a victim of crime.

Recommendation 12
The council to make representations to the GLA/ Mayor's Office for Policing and Crime/ Violence Reduction Unit advising that the county lines programme is running at full capacity with an increasing unmet need. More intensive, longer-term funding needs to be provided.

County lines

110. "County lines" criminal exploitation occurs where gangs and organised crime networks groom and exploit children and young people to sell drugs. Young people travel across counties and use dedicated mobile phone 'lines' to supply drugs. The task group heard that violence and knife-carrying are synonymous with county lines exploitation.

111. Young people are groomed with promises of money, friendship and status. Once they've been drawn in they are controlled using threats and violence, leaving them living in fear and trapped in criminal exploitation.

112. Tackling county lines and the supply gangs responsible for high levels of violence, exploitation and abuse of vulnerable adults and children, is a priority for the police locally and nationally. Law enforcement has been stepping up its response, working to identify and take effective action in areas of the country with the most significant problems. However, the task group has heard that the county lines programme is running at full capacity with an increasing unmet need.

Recommendation 13
The council further explore bids for external funding for innovative council and VCS projects, to tackle the risks associated with young people becoming involved in crime.

113. The task group is also recommending that the council and partners step up work on submitting bids for funding to the Home Office, MOPAC and other external agencies to fund targeted prevention programmes. Funding may be available from a range of different pots according to the voluntary sector grants programme, including some that are less obvious like the Community Infrastructure Levy (CIL). There should also be consideration of the 400k from the Met Patrol Plus scheme and the 500k pledged from MHCLG.

Other findings

114. The task group recognised that a significant step in tackling knife crime would be to convene a conference of all the partners, to share knowledge and experience, raise awareness, encourage collaborative working and attract funding. This was one of the group's initial recommendations, before it emerged that a conference called Build a Safer Brent for Young People, had already been arranged with Brent partners for 22 July 2019. Initial feedback

received from this event was very positive. There will not be another conference planned, at least for the remainder of the municipal year.

115. The London Crime Poll asked respondents "Which of the following agencies do you think are most important in tackling the problem of gangs and violence"? 40% of respondents chose 'parents and families'; this was a more popular answer than 'police', 'school', and 'youth organisations' (CSJ 2018). It is crucial for parents, families and communities to take on more responsibility in terms of getting involved in knife crime prevention. But often parents struggle to have an impact with their children, and poor parenting practice may exacerbate things. More must be done to support them – such as an offer of training in parenting skills. There is much that can be achieved, working together with the support of local partners.

116. Just prior to the closure of the task group it was noted that there is increasing evidence and instances of girls and young women becoming involved in county lines operations, due in part to the perception that they are less likely to be stopped by the police. This matter must be looked at urgently.

Appendix A – Participants

The task group would like to thank all those who have taken part in the discussion, contributed evidence to the inquiry, and allowed us to come and see some of their programmes in action. Thank you to all of the expert witnesses who have given their time and contributed their valuable expertise.

1. Dr Ethie Kong, GP and ex-Chair Brent CCG
2. Dr M C Patel, Chair Brent CCG
3. Otis Roberts, Hanson Roberts Foundation
4. Dominic Smallwood, PLIAS
5. Lincoln Beswick, ex-councillor and prominent in the West Indian community
6. Lorraine Knight, London Community Rehabilitation Company
7. Robert Banton, DJ, Beat FM Radio
8. Ace Ruele, ex-offender
9. Donald Palmer, Reach Society
10. Dr Pastor Noel & Mrs Siam Noel, counsellor
11. Jasmine Dale, The Brent Factor
12. Dr Angela Herbert MBE, Chair Violent Crime Prevention Board and BIAG
13. Tahmid Islam, London Citizens UK
14. Cllr Luke Patterson, Assistant Head Teacher
15. Cllr Tom Miller, Cabinet Member for Community Safety
16. Sandra White, Young Brent Foundation
17. Steve Bending, VRU, GLA
18. Cllr Harbi Farah, Cabinet Member for Adult Social Services and Chair HWB
19. Cllr Mili Patel, Cabinet Member for Early Intervention and Children Services
20. Justin Finlayson, United Borders
21. Pastor Yinka, Street Pastors and member BIAG
22. Cllr Ernest Ezeajughi, Mayor with interest in knife crime
23. Karina Wane, Head of Community Protection, Brent Council

24. Desmond Edward, Safer London
25. Esther Sample, Pan-London Housing Reciprocal Programme
26. Ark Academy
27. Danny Coyle and Susan Grace, Newman Catholic College
28. Jamie Masraff, Onside Youth Zones
29. David Evans, St. Giles Trust
30. Troy Francis, Brent Emergency Housing Unit
31. Patricia Wharton, Drop the Blade
32. Cllr Margaret McLennan, Deputy Leader Brent Council
33. Tara Benham, Communications Account Manager, Brent Council
34. Roy Croasdaile, College of North West London
35. Lauren Fraser, Consultant A&E, Northwick Park Hospital
36. Brent Youth Parliament
37. CI Adrian Needley, Met Police Brent
38. Carolyn Downs, Chief Executive, Brent Council
39. Cllr Tariq Dar, Pakistan Welfare Centre and Mosque
40. Melanie Smith, Director Public Health Brent Council
41. Helena O'Connell and Tariq, Westminster Drug Project
42. Cllr Muhammed Butt, Leader Brent Council
43. Pascoe Sawyers, Strategy and Partnerships Manager, Brent Council

Appendix B – Terms of reference

KNIFE CRIME IN BRENT
MEMBERS TASK GROUP
TERMS OF REFERENCE

CONTEXT

In London, the total number of offences involving knife crime has increased by 4%, and in the last year in Brent, it increased by 18% to 755 knife crime offences. This was the 3rd highest level of knife crime of the 32 London boroughs.

Knife crime is not only an offence; it impacts on the health of victims, and their families and peers. The cost to the NHS of each stabbing is upwards of £7,200.

Violence acts like an epidemic disease, and can be tackled using a multi-agency public health approach. This involves treating violence as a preventable public health issue, using data and analysis to identify causes and focusing on prevention through multi-agency systemic approaches.

In Brent there are a number of interventions already in place for older children and teenagers, while early intervention programmes for younger children are currently being developed.

OBJECTIVES

The aim of the task group is gain a better understanding of knife crime in Brent and how interventions can reduce knife crime, and which ones will work locally. With this knowledge

the task group can make recommendations that will help in reducing rates and mitigate negative impacts on Brent residents.

According to the constitution and the 2006 Police and Justice Act the group can make recommendations to the Community Safety Partnership through Full Council when discharging their duties as the Crime and Disorder Committee.

The task group will:

- Review the links between knife crime and gangs in Brent
- Review partnership working arrangements
- Review what can be done locally to complement the wider London public health approach, including:
    - The use of RedThread and other violence interrupter schemes
    - Street based interventions
    - Education and employment opportunities for ex-offenders
    - Using education for nurturing children to prevent crime
    - Early intervention schemes for different ages, including younger children

GOVERNANCE AND ACCOUNTABILITY

The task group will report to the Resources and Public Realm Scrutiny Committee, and keep other relevant committees informed as appropriate.

There should be at least three members present at each meeting. The task group will meet once a month, from January 2019, until the final report is presented at the April scrutiny meeting.

MEMBERSHIP

1. Cllr. Sandra Kabir (Chair)
2. Cllr. Erica Gbajumo
3. Cllr. Robert Johnson
4. Cllr. Elliot Chappell
5. Cllr. Thomas Stephens
6. Cllr. Liz Dixon

Richard Harrington – Senior Policy and Scrutiny Officer

Other key stakeholders would be invited as appropriate which will include:

1. Representative from the MET
2. Representative from the CCG
3. Representative from the LNWH
4. Representative from St Giles

The London Borough of Brent

September 2019

www.Brent.gov.uk

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Brent	**Cabinet** 14 October 2019 **Report from Assistant Chief Executive**

Affordable Housing in New Developments – Task Group

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Pascoe Sawyers, Head of Strategy & Partnerships, 020 8937 1045 pascoe.sawyers@brent.gov.uk

1.0 Purpose of the Report

1.1 This report sets out the findings and recommendations of the Affordable Housing Task Group, which was presented to Resources & Public Realm Scrutiny Committee.

2.0 Recommendations

2.1 Cabinet is asked to:

a. Note the Resources & Public Realm Scrutiny Committee's endorsement of the report, and its recommendations

b. Note and consider the committee's additional proposal: that plans for new housing developments take into account the known needs of people with disabilities awaiting housing provision.

3.0 Detail

3.1 The task group sought to gain an understanding of the barriers and solutions to affordable housing delivery during an acute housing crisis, following decades of declining delivery of genuinely affordable housing in the borough, across London and nationwide.

3.2 The group examined the forces impacting on the delivery of affordable housing in new developments, and considered the best options for consolidating and, where possible, improving on delivery in the future.

3.2 18 recommendations were made to provide the council and its partners with clear direction as to how to maximise opportunities for affordable housing. These are set out in the main report.

3.4 The task group presented its report to Resources & Public Realm Scrutiny Committee in January 2019.

4.0 Legal implications

4.1 There are no legal implications arising directly from the report.

5.0 Financial implications

5.1 There are no financial implications arising directly from the report

6.0 Equality implications

6.1 There are no equality implications arising directly from the report

Report sign off:

Peter Gadsdon

Assistant Chief Executive

SCRUTINY

AFFORDABLE HOUSING IN NEW DEVELOPMENTS TASK GROUP

NOVEMBER 2018

CONTENTS

1. THE CHAIR'S FOREWORD 1
2. METHODOLOGY 1
3. INTRODUCTION 1
4. EXECUTIVE SUMMARY 2
5. RECOMMENDATIONS 3
6. POLICY CONTEXT 5
   - 6.1 Definitions of "affordable" housing 5
   - 6.2 Historical delivery of affordable housing 8
   - 6.3 Affordability and housing need 9
   - 6.4 Subsidy 13
   - 6.5 The HRA borrowing cap 14
   - 6.6 The London Plan 14
   - 6.7 Brent Local Plan 14
   - 6.8 Section 106 "planning obligations" 15
   - 6.9 Viability 15
7. KEY FINDINGS 16
   - 7.1 Affordable housing targets and viability 16
   - 7.2 Corporate approach to affordable housing delivery 19
   - 7.3 Estate regeneration 24
   - 7.4 Land owned by public authorities 25
   - 7.5 Industrial/employment sites 25
   - 7.6 Small sites 26
   - 7.7 Community led housing 27

1. THE CHAIR'S FOREWORD



In the foreword to the June 2017 IPPR report, what more can be done to build the homes we need?, Sir Michael Lyons said: "We would stress that it is not just the number built but also the balance of tenures and affordability which need to be thought through for an effective housing strategy."

Locally, it has long been known that access to decent affordable housing is the number one issue for many Brent residents.



Whilst there are high expectations about how Brent Council can rise to a challenge, the impact of national and regional policy concerning housing finance and the planning framework is not always appreciated.

We are pleased that both Cabinet and Scrutiny have prioritised the need for a task group to examine the forces impacting on the delivery of affordable housing in new developments in the borough and to consider the best options for consolidating and where possible, improving upon delivery in the future.

It is intended that the 18 recommendations and detailed background analysis will provide Brent Council and partner organisations with clear direction as to how to maximise opportunities for new affordable housing.

We would like thank the many organisations and individuals who have provided evidence, and Patrick Doherty Senior Policy and Scrutiny Officer who has supported this task group.

Cllr Neil Nerva - Chair

Cllr Robert Johnson – Vice Chair

2. METHODOLOGY

The task group held a series of evidence gathering sessions with internal and external partners and experts.

This included a series of meetings with senior officers from Brent Planning and Housing departments; a major local Housing Association (HA); experts from a leading affordable housing consultancy; specialist officers from The Greater London Authority (GLA); a GLA Assembly Member; the Independent Chair of Brent's housing company "Invest4Brent" (I4B); an expert in the disposal of public land; and representatives from a Community Land Trust in Tower Hamlets. The evidence gathering was combined with extensive research.

A full list of participants in the task group's evidence gathering can be found in appendix two of this report.

3. INTRODUCTION

The Borough of Brent was created in 1965 through the merger of the Wembley and Willesden District Councils. The Council's name derives from the river Brent that flows through the borough. At the time of its merger the Council had roughly 15,000 units of housing stock. At its peak, Brent housing stock numbered approximately 23,000 units.

The Housing Act 1980 had a real impact on the borough, bringing into being the “Right-to-Buy” regulations. Brent Council housing stock has since diminished to below 10,000 units, principally due to Right-to-Buy sales and stock transfers. The major housing regeneration schemes of Stonebridge, Church End, Chalkhill, South Kilburn (on-going) and Barham Park have seen the loss of over 9,000 council units through stock transfer to HAs and over 2500 homes have been lost through Right-to-Buy.

Since the 1980s the split of rental accommodation in the borough has shifted considerably, with a growth in HA units followed by a resurgence in private renting, with a gradually larger proportion of properties in the private rental sector over time.

An added complication is that prior to the Localism Act in 2011, 50 per cent of Right-to-Buy receipts was held centrally by Government and could not be used to replace the units lost through the sales process. The Localism Act now allows greater freedom to use sales receipts for replacing lost units, however the sale of the unit does not automatically produce a new social housing unit. It requires at least two sales just to replace one unit sold through right to buy.

The financing of Housing Associations as partly public sector organisations was through social housing grants which enabled significant private borrowing. The peak of grants available during the last Labour Government – where there was a pot of £8.1bn to be spent on creating 180,000 new homes per year. This was equivalent to an average of £150,000 grant for a typical 3 bedroom home. By the time that the new coalition Government came in during 2010, this was cut to a total of £6.5bn through the 2011-15 programme and further reduced to £3.3bn through the 2015-18 programme.

In 2018 the lack of truly affordable housing being built is a national problem, but has a greater impact in urban areas such as London.

4. EXECUTIVE SUMMARY

In its work the Task Group sought to gain an understanding of the barriers and solutions to affordable housing delivery, during an acute housing crisis and following decades of declining delivery of genuinely affordable housing in the borough, across London and nationwide.
It is abundantly clear that there are no easy solutions. Government subsidies for genuinely affordable housing remain at historically low levels and local government borrowing to build homes has been tightly restricted, while at the same time land values and demand for housing are at record highs.

We continue to operate as a public body in an extremely challenging financial landscape, but we must respond to that challenge and to the demands of national and regional policy, pursuing every opportunity available to deliver genuinely affordable housing for our residents.

Our investigations did reveal that there is some cause for optimism, as potential for innovative approaches, partnerships and improved funding and borrowing opportunities arise. Ultimately, the main thrust of this report is that Brent council must make the most of every one of these new, if limited, opportunities.

We have reached wide-ranging conclusions about approaches the council should take and we have grouped our key findings under seven themes, as follows:

- Affordable housing targets and viability
- Corporate approach to affordable housing delivery
- Estate regeneration

- Land owned by public authorities
- Industrial/employment sites
- Small sites
- Community led housing

In total we have made eighteen key recommendations, but our findings in fact highlight a broader range of approaches the council should consider.

The council must ask itself what success would look like in 5 years. If development sites with capacity for above 10 units achieved 35 per cent affordable housing with a 70 per cent (Social/London Affordable Rent) to 30 per cent (intermediate product) tenure split; sites with capacity for below 10 units produced commuted sums to fund development elsewhere in the borough; publicly owned sites produced 50 per cent affordable housing, as in the South Kilburn estate regeneration; enough subsidy/free land was available to enable the council (or a council-owned company) to produce its share of new homes at social rent/London Affordable Rents; and an expansion of Invest4Brent or New Wave Housing continued to bring Temporary Accommodation numbers and costs down, this would constitute significant success and improvement.

5. RECOMMENDATIONS

Affordable housing targets and viability

1. In the new Local Plan for Brent the strategic target of 50 per cent for affordable housing in new developments should be retained, with an expected tenure split of 70 per cent social rent / London Affordable Rent to 30 per cent intermediate affordable housing.

2. Brent Council should adopt the Mayor of London's 35 per cent "fast-track" threshold approach to viability (with 50 per cent on publicly owned land and for industrial sites). Through this the council would forego the requirement for a financial viability assessment and/or a late stage viability review in the event that a developer guarantees delivery of the requisite percentage of affordable housing across the entire development (with the 70 per cent social rent / London Affordable Rent to 30 per cent intermediate tenure split applicable). The policy should be subject to review.

3. To help meet the need for larger affordable homes in the borough, Brent should continue to require a minimum of 25 per cent of new affordable rented homes to be three bedrooms or larger, accommodating at least a household of six (2 people per bedroom). However, this approach must be combined with a clear and effective under-occupation strategy, enabling and incentivising down-sizing in order to release more existing larger homes for re-let.

4. The council should continue to use the "Existing Use Value Plus" (EUV+) method for determining benchmark land values. Any other uplift in value should be captured for the public.

Corporate approach to affordable housing delivery

5. Future council policy with regard to the setting of rents for affordable housing should continue to be based on the traditional social rented model (like the mayor's London Affordable Rent model) and should not be linked to volatile and irrational market rents rather than incomes.

6. Brent Council should create a cross-departmental Board of officers, reporting directly into the Corporate Management Team (CMT), to ensure a 'one council', joined-up,

sustainable approach to the delivery of Affordable Housing. The board should have high level responsibility for programme management and monitoring of an Affordable Housing Action Plan and associated suite of Key Performance Indicators. The Board should include senior officers from Brent's Planning, Housing, Regeneration, Property, Finance and Legal teams.

7. Brent should consider adopting a land assembly, master planner approach, working with key partners and designating Land Assembly Zones in its Local Plan. Where attempts to encourage and incentivise voluntary land assembly do not succeed, Brent should commit to extend its use of compulsory purchase powers in these zones, where the law allows.

8. Brent Council should maximise resources available through the mayor's fund, RTB receipts and borrowing to support direct delivery within its own capital development programme with a primary focus on rented homes at social rent levels and on larger homes (3 bedrooms or larger).

9. Brent must adopt a clear policy on access to shared ownership in the borough, making the product accessible to people on incomes that are as low as possible and ensuring the policy is designed to enable keyworkers to take advantage of it.

10. All new homes in Brent should be marketed locally first, as per the Mayor of London's planned "first dibs" policy. Brent should investigate how such a requirement could be implemented.

11. Brent Council should explore all the options highlighted in this report for innovative partnering arrangements and delivery models with Registered Providers.

Estate regeneration

12. Future estate regeneration projects in Brent should use the South Kilburn Regeneration Programme as a model of good practice and make a clear commitment to ensuring there is no loss (in quantum terms) of social rented affordable housing and to resident ballots.

Land owned by public authorities

13. Brent should actively promote partnership working on publicly owned land with other public bodies, as promoted by the Naylor Review (One Public Estate), e.g. Network Rail/TfL sites such as potential over station and over rail land developments, as part of the Local Plan.

Industrial/employment sites

14. Brent must adopt a proactive approach to identifying opportunities where surplus commercial space, underused retail sites and car parks may have significant potential for housing development, both strategic industrial land sites and smaller commercial land sites, and in particular where sites have potential for mixed-use developments.

Small sites

15. The council and its agents should proactively explore partnerships with developers and RPs on small sites to maximise the amount of affordable housing across the borough. Brent should identify potential opportunities and funding mechanisms for increasing

development of small sites, including any further opportunities for infill development. It should be prepared to invest the necessary resources.

16. Developers of small sites with capacity for 10 or fewer units should be expected to pay a commuted sum, wherever possible, based on a consistent tariff, to Brent as a contribution to the fund for affordable housing to be built elsewhere in the borough. All affordable housing in small developments should be included in Brent's periodic performance stats.

Community led housing

17. Brent should investigate and promote opportunities for community led housing projects, such as "Community Land Trusts" and "Self-Build" projects, which will protect homes and assets at affordable levels in line with local incomes for future generations.

18. Brent should explore setting up of a CLT model on publically owned land and encourage developers to do the same.

6. POLICY CONTEXT

6.1 Definitions of "affordable" housing

The National Planning Policy Framework 2012 (NPPF) introduced changes to the definition of housing affordability, as well as a range of "intermediate" housing products. The NPPF stipulated that "affordable housing" proposals must fit within three types and are to be provided to eligible households whose needs are not met by the market. These three types are:

- Social rent
- Affordable rent
- Intermediate housing

The introduction of the new "affordable rent" type was both controversial and confusing, with "affordability" now being defined by Government as up to 80 per cent of local market rent with no link to local incomes. To maintain the number of so-called affordable homes being produced, the government replaced grant with much higher rents. The inevitable long term increase in the cost of housing benefit was not part of the calculation.

Social rented accommodation is what was commonly understood historically to be affordable housing. The amount of social rent a person pays is set according to a longstanding national formula based on the location and size of the property and average earnings in the area. This formula determines **'target rents'** to which rents will move over time on an agreed national basis (usually annual inflation + rent increases). Although sometimes measured in comparison with market rents, the calculation system is not linked to local market rents. The vast majority of existing council and housing associations properties have their rents assessed in this way and are often referred to as 'traditional social rent'.

The **affordable rent** introduced by the coalition government in 2012 is directly linked to market rents in an area. It can be up to 80 per cent of local market rents, but in practice is sometimes set lower. Although normally used for new properties, many existing social rented homes (nearly all housing association homes) have been 'converted' to affordable rent when they become vacant. This has been encouraged by government because it generates additional income to support the development programme, but it is expensive for the tenant and the long-term cost of housing benefit.

Intermediate products are sub-market housing for both sale and rent, traditionally targeted at working households on moderate incomes and especially 'key workers', including "low cost" home ownership products such as "Shared Ownership".

The NPPF was revised in 2018 and now provides the following overarching definition for **Affordable Housing** as: "*housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:*

a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement."

There are further affordable housing products that have recently been made available in London, funded by the Mayor of London, including **"London Affordable Rent" (LAR)**, which is set significantly lower than national affordable rent. Unlike the national scheme, LAR is not related to market rents but is linked to target rent levels towards which social rents are gradually being raised. This makes it higher than average social rents in the capital. For 2017/18 the benchmark London Affordable Rent for a two bedroom property was £152.73, whilst a three bedroom property had a £161.22 benchmark.

The intermediate product **"London Living Rent"**, is set at 67 per cent market rent, with an assumption that the home will be sold as shared ownership after 10 years.

Anyone familiar with rent levels in Brent and London will question the degree to which 80 per cent of market rent can be termed "affordable" in any reasonable sense, but regardless of whether rents defined as "affordable" constitute genuinely affordable rents, in terms of

planning policy, and the previous mayor's capital grant funding, "affordable housing" has been defined as "up to 80 percent of market rent" since 2012.

In practice, for new development secured under the planning system by s106 agreement, "Affordable Rented" housing also standardly requires disposal to a Registered Provider, rents be capped at LHA rates and a nomination agreement be entered into between the Registered Provider and the council, giving the council rights to nominate people on the housing waiting list to "affordable" rented housing. Together these additional requirements provide some check on rents being charged at the full 80 per cent of market rent.

Tables 1 & 2 below provide a comparison of social rent cap levels in Brent with "Affordable Rent", based on median average market rents as of June 2017.

Table 1 – Brent Social Rent Cap levels

Weekly Rents	Social rent cap	+£20pw s/c*	% of Market	Brent Market Rent (median average)
1 bed	£144.26	£164.26	57%	£289
2 bed	£152.73	£172.73	49%	£350
3 bed	£161.22	£181.22	43%	£426
4 bed	£169.70	£189.70	37%	£506

**s/c = service charge*

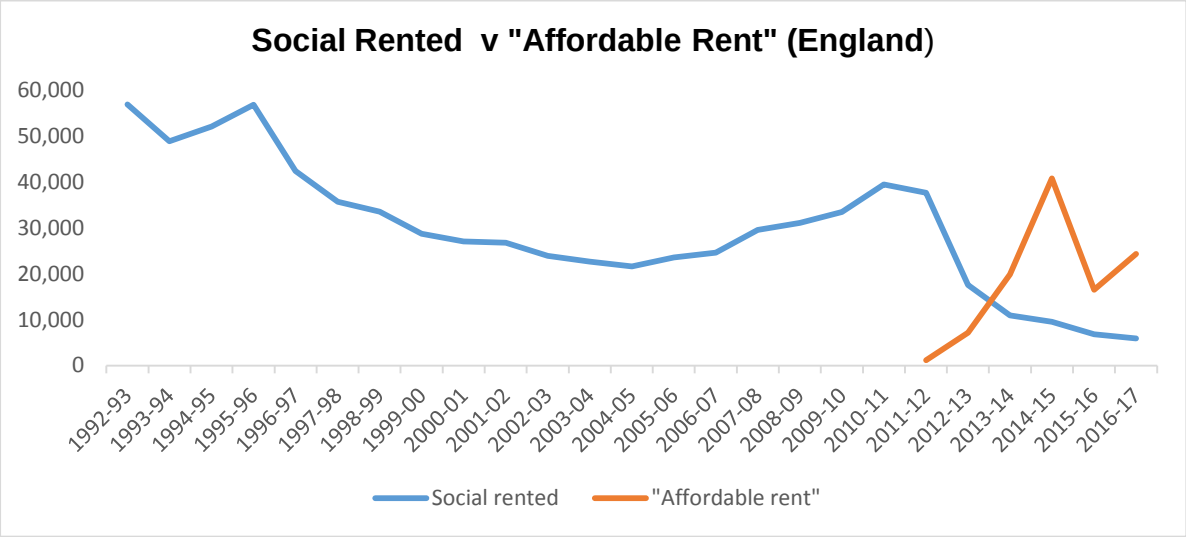
Table 2 – Brent "Affordable" Rent (80 per cent of market rent)

Weekly Rents	80 per cent Affordable rent (inclusive s/c*)	% of Market	Brent Market Rent (median average)
1 bed	£231.20	80%	£289
2 bed	£280.00	80%	£350
3 bed	£340.80	80%	£426
4 bed	£404.80	80%	£506

**s/c = service charge*

6.2 Historical delivery of affordable housing

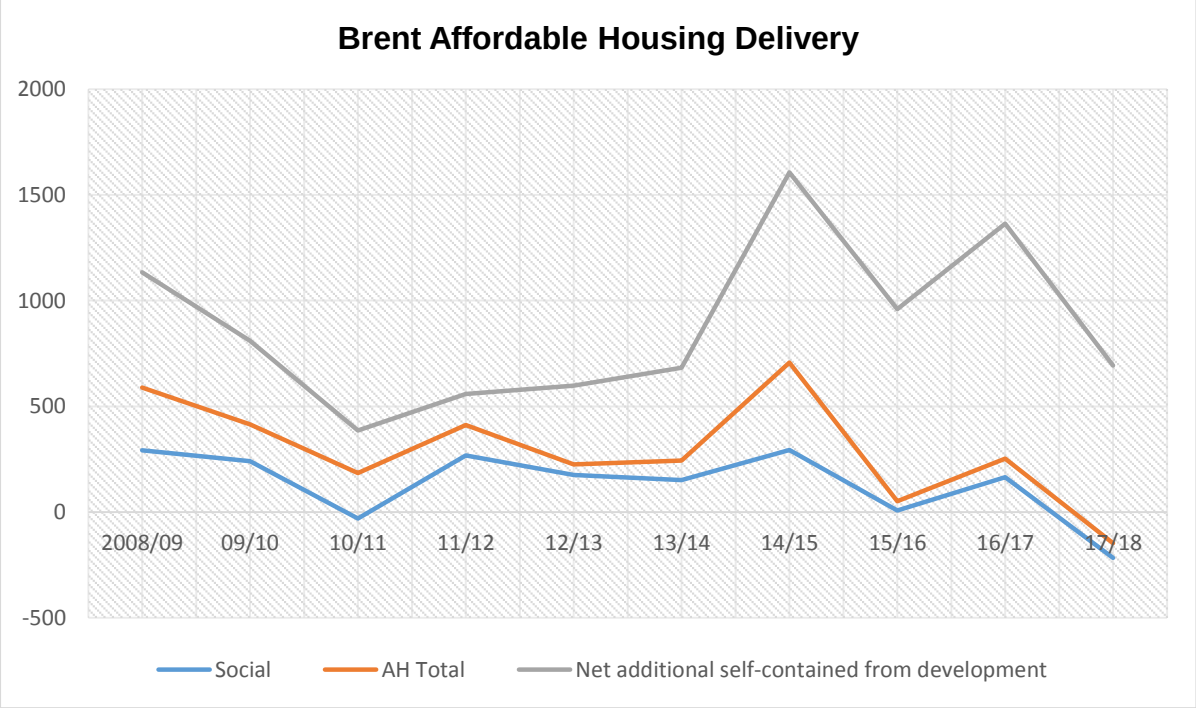
The graph below shows the downward trajectory for the amount of new social rented accommodation built across England since the early 1990s. “Affordable rent” units (as defined under the NPPF (2012) are shown from its introduction in 2012.



Source: Ministry of Housing, Communities and Local Government

https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply

The following graph shows social rented homes and “affordable” rented housing (NPPF definition) as a proportion of new self-contained housing units delivered in Brent over the last ten years.



Source: GLA London Development Database

The spike in 2014-15 was due a large number of developments coming through at the end of the 2011-2015 funding cycle. The reduction in net social rent units shown in 2017/18 is due to

a demolition phase on the South Kilburn regeneration programme (it should be noted that all such units will ultimately be replaced like for like, so in the longer term this will not represent a loss in social housing units).

However, these caveats aside, the proportion of units of housing being delivered which are “affordable” and in particular for social rent, has continued to decline.

Causes for the decline in new genuinely affordable housing are complex and manifold. In the following sections of the report we will examine this decline in the context of national, regional and local policy.

Since the 1980s councils have been discouraged from involvement in housing supply, through both cuts in housing subsidies and caps on borrowing. Since 2010, central government grant funding has been switched from mainly social rent to mainly “affordable rent” and then to mainly low cost home ownership.

However, since 2016 some additional grant funding has been made available, a revised NPPF 2018, the policies of the new Mayor of London and the emerging new draft Local Plan have strengthened the planning framework, and the HRA borrowing cap is being lifted, so the ability of London councils and HAs to produce more ‘affordable’ homes has been improved.

6.3 Affordability and housing need

The GLA’s projections in their 2017 Strategic Housing Market Assessment (SHMA) suggest that based on demographic changes and market trends, the net requirement for new homes in London between 2016 and 2041 will be around 65,900 homes a year. This equates to 2,915 new homes a year in Brent.

They project that 47 per cent of these would need to be ‘low cost rent’ (social rent and London Affordable Rent) and 18 per cent intermediate, e.g. shared ownership and London Living Rent and only 35 per cent at market rates.

Brent’s own current Local Plan “The Core Strategy” identified a need for at least 22,000 new homes overall in Brent between 2007 and 2026, and its SHMA 2016 identified a need for 47,510 new homes between 2011 and 2037, including 23,780 affordable homes. More recently in 2018, the West London SHMA identifies the Full Objectively Assessed Need for Housing in West London (Barnet, Brent, Ealing, Hammersmith, Harrow, Hillingdon and Hounslow) to be 322,000 new homes to 2041. This equates to 1,919 new homes a year in Brent.

Affordability in Brent

Brent’s housing market, as with much of London, faces distinct pressures. There is high demand, a shortage of genuinely affordable housing, a diverse mix of households - including large numbers of multigenerational households, above average levels of overcrowding and many households living in temporary accommodation.

To begin to understand “affordability” of housing in Brent, it is necessary to understand the relationship between average income levels and the level of rents locally. To this end Brent Housing Department commissioned Cambridge University to carry out a study in 2017.
The report reached some shocking conclusions, most notably that social rents are already too high for a significant proportion of Brent social housing tenants.

The researchers found that over half of current working single people or couples allocated social housing in Brent were struggling to afford Brent rents for 1 bedroom flats, and that 90

per cent of families with 2 children couldn't afford the rent for a 3 bed property (affordability here being judged by the income that a household requires in order to be able to afford the rent without the need for support from Housing Benefit). With higher average rents the situation is even worse for tenants renting from Registered Providers.

The report concluded that the council faced a choice in the future between building a smaller number of social rented units (due to factors including the lack of subsidy available, restrictions on and cost of borrowing, and land values) or a larger number of units at "affordable rents" (in this case 65 per cent of market rent) where many more tenants would be reliant on housing benefit support to meet the rent.

We should be mindful here that the landscape has shifted since the 2017 report was commissioned, given the recently proposed lifting of the HRA borrowing cap.

Private sector rents and income levels

In Brent the acute pressures on housing are compounded by high private sector rents combined with relatively low income levels in much of the borough, when compared with London as a whole.

In September 2017 the average private rent in Brent was £1,557 per month, which represents a 15 per cent increase from five years earlier and a figure only 8 per cent lower than the average of £1,685 for London. Whereas full-time workers in Brent earned an average gross weekly pay of £576.20 in 2017, compared with the London average of £692.50, a difference of 20 per cent.

Brent private sector residents therefore face paying rents at a significantly higher proportion of their pay than the London average. Many people in work also need housing benefit to enable them to pay their rent.

It is worth noting that while private rented housing does not meet the definitions of affordable housing, many tenants that rent from a private landlord can only afford their housing costs because they receive housing benefit. Such households aren't counted in calculations of the "need" for affordable housing (as housing benefit enables most of them to afford their housing costs), but if housing benefit support was reduced or if there wasn't sufficient private rented housing available at a price they could afford, then this would inevitably and significantly increase the need for affordable housing.

This highlights the degree to which Government investment in housing has switched over time from capital expenditure on "bricks & mortar" to the housing benefit bill. More on this in the section on subsidy to follow.

Out of work benefits and welfare reform

Brent also has higher than average levels of residents in receipt of out of work benefits (10 per cent to London's 9.3 per cent in November 2016) and of those considered "economically inactive" at 23.8 per cent to the London average of 21.8 per cent (March 2018).

Welfare reforms have and continue to pose a considerable risk to households renting in Brent in both the private and social housing sectors. The combination of the freeze on many benefits, the benefits cap, the bedroom tax, changes in Local Housing Allowance (LHA) and, soon, the roll-out of Universal Credit, have put further pressure on low income renters and have impacted housing need in the borough, including through increases in PRS evictions.

Brent housing register

There are currently 3645 households in the priority Bands A to C on Brent's housing register, including homeless households. 19 per cent of these registered households are in bands A or B. This provides a clear indication of unmet housing need in the borough.

There are a further 17,190 households who are a low or no priority for housing who are in priority band D, making a total of 20,843 households registered in 2017/18. It should also be noted that an unknown number of households in need are not registered, either through a lack of awareness or the belief that social housing is no longer available.

The council's projection for lettings into social housing tenancies (council and Housing Association) in 2018/19 is 695, which will only meet around 18 per cent of the current total demand from housing register bands A to C.

The priority bands are defined as follows:

- Band A: Urgent need to move or releasing adapted or larger properties
- Band B: A need to move
- Band C: Need to move – Reasonable preference but with reduced priority

Projected social housing lettings

Many of the 695 lettings of social housing expected to be made during 2018/19 will become available through re-lets within existing social housing stock, including those arising from the transfer of existing tenants. The Council expects a total of 136 additional properties to be delivered through the new build programme, but a significant proportion of these will be 'affordable rent' not 'social rent'.

2017/18 lettings were comprised of 62 per cent homeless households, 16 per cent non-homeless families on the register and 22 per cent transfers.

Brent allocations scheme and temporary accommodation

The council's current allocations scheme was introduced in 2014 and aims to help those in the most housing need; giving priority to those with a long standing attachment to the borough and recognising the contribution of working households by awarding additional priority if at least one adult member of the household is employed (some conditions apply regarding the nature of the employment). The scheme is priority based and priority is awarded based on detailed criteria.

Registered households bid for homes that are advertised by Brent Council and Registered Provider partners, and applicants are placed in order of priority according to their band and waiting time. In most cases the highest ranking household will be offered the property.

Households are assessed for the number of bedrooms they need and the following income /asset thresholds apply:

1 bed	2 bed	3 bed	4 bed+
£35,000	£45,000	£55,000	£70,000

Applicants at or above the income thresholds for each bedroom category detailed above will not qualify to join the register as they are deemed to have sufficient financial resources to secure alternative housing.

In line with the powers granted to the council under the Localism Act 2011, the council can also discharge its duties to households accepted as homeless after 9th November 2012 through an offer of suitable private rented accommodation.

The table below shows the total number of homeless households in temporary accommodation (TA) since 2015. The numbers have reduced consistently over that time.

01/04/2015	01/04/2016	01/04/2017	01/04/2018	30/10/2018
3167	2933	2795	2478	2351

Brent accepts approximately 700 households annually as homeless and therefore has a duty to place them in TA. From the households in TA, Brent then places approximately 400-450 into social housing and 400 into the private rented sector (PRS) each year.

We can see from this that that there are more households being accepted as homeless each year, than there are units of available social housing coming on stream. The consistent reduction in the total number of households in TA since 2015 is therefore primarily explained by the decision taken by the council at that time to start using the powers granted under the Localism Act to discharge its homelessness duties through making offers of private sector accommodation to homeless families.

Such a policy is not without controversy and not all councils have adopted it. If a homeless household refuses an offer of accommodation in the private sector, the council has discharged its legal duty to house them and the household is then considered responsible for finding their own accommodation. Housing homeless households in the PRS also, once more, generally comes at a greater cost (to the state) in terms of housing benefit; a recurring theme in this report. High private rents also increase the risk of households facing a 'revolving door' of discharge into the private sector followed by a recurrence of homelessness, despite council support.

The PRS accommodation used by the council comes from a range of sources, including the council's own private housing company "Invest4Brent" (I4B) and a scheme through which landlords are offered incentives to rent to homeless households.

Roughly 650-700 new social housing units become available in Brent each year from all streams, including council and Housing Association new builds and re-lets. The 400-450 households going into social housing units annually from TA are the highest priority homeless households, generally those who have been in TA the longest. The rest go to high priority non-homeless households from the housing register, or are used for transfers.

In order to tackle rising numbers of households living in TA at the time, Brent's Cabinet took the decision in 2015/16 to amend Brent's allocations policy so that that 80 per cent of newly available social housing units should go to homeless households in TA.

From 2016/17 this became and remains an annual target of 70 per cent. Prior to these changes, approximately only 30 per cent of new social housing went to homeless households. This of course means that less available social housing goes to non-homeless households on the housing register.

Large homes

Due to the extent of overcrowding in Brent there is a recognised need for an increased number of larger affordable homes to be built, but this need is unlikely to be met by the market.

The current shortfall in such properties is compounded by the fact that developers and landlords currently lack the financial incentives to build them, as the difference in build cost between small and large properties (in terms of the number of bedrooms) is significantly greater than the difference in the level of rent that will be chargeable for them.
There is also a risk that this problem could be further compounded by the absence of a target for larger family homes in the Mayor of London's draft housing strategy.

6.4 Subsidy

The proportion of total development scheme costs met through Government grant funding has declined significantly since the 1990s. In the early 1990s, social housing grants provided for around 75 per cent of total cost of developing new affordable homes. By 2010, grants had fallen to 39 per cent of the overall cost of development. Under the Government's 2011-15 "affordable homes programme", it had reduced to only 14 per cent.

The coalition Government's 2010 Comprehensive Spending Review slashed council grants leading to further reductions in subsidy for building homes. Between 2009 and 2015 capital made available to councils and HAs for building homes fell from £11.4 billion in 2009 to £5.3 billion in 2015.

In 2010/11, just under 36,000 social rented homes were started, the next year work started on just over 3,000 and the downward trend continued in the early part of this decade.

There have also been significant changes to the funding regime for "affordable" housing. Government first ended funding for social rent and put the money into 'affordable rent', but it then reduced 'affordable rent' in favour of 'affordable home ownership' programmes such as "shared ownership".

Since the reductions in Government subsidy for social rented housing, most recent social rent has been provided either by section 106 agreements or by housing association self-financing through cross-subsidy from surpluses. Both are under severe pressure and producing very few new affordable homes.

Subsidy levels are still well short of historical levels, but some increased grant funding for affordable housing has recently become available from Government, with more capital grants available under the current Mayor of London, Sadiq Khan. Grants of up to £100k per unit are now available from the GLA for London councils to bid for.

It is worth restating here that the reduction in Government subsidy for the building of housing in no sense means that the Government isn't spending money on housing. The money is merely being spent a different way, as the Government is spending more than ever supporting people to live in rental properties through housing benefit and home ownership schemes like Help to Buy.

Between 1995/96 and 2015/16, annual spending on housing benefit increased by 51 per cent, from £16.6bn to £25.1bn, with the increase most pronounced in the private rented sector, which has seen an increase of 57 per cent in real terms over the past two decades. Housing someone in the private rented sector costs an average of £110 per week in housing benefit compared with £89 in social housing. And none of the money spent on private sector housing benefit increases the supply of new homes, whereas social landlords do of course reinvest.

6.5 The HRA borrowing cap

A primary means of funding local authority housebuilding programmes is borrowing on the Housing Revenue Account (HRAs), the income to which is ring-fenced so that it can only be spent on local affordable housing provision.

While councils can borrow money within their HRAs in order to build more homes, there has been an artificial cap on how much they are allowed to borrow, restricting their ability to invest in building new homes.

The picture does appear to be changing however, with the Prime Minister announcing at the Conservative Party conference in October that she plans to ditch the HRA borrowing cap. This followed the announcement in the wake of Grenfell by the Chancellor Phillip Hammond of an extra £1bn of borrowing capacity for council house building by 2021-22, including £500 million reserved for London boroughs, with councils told they'll be able to blend the money with grant or Right-to-Buy receipts.

6.6 The London Plan

The London Plan is the statutory Spatial Development Strategy for Greater London prepared by the Mayor of London. It sets ten-year targets for net housing completions for each borough and Brent must include these targets in our own Development Plan documents.

Borough targets in Sadiq Khan's draft London Plan were developed from the Strategic Housing Land Availability Assessment (SHLAA) carried out in 2017 and a ten year target of 29,150 has been set for Brent.

This requirement for nearly 3000 net housing completions annually, represents a significant uplift on actual delivery in recent years for Brent. Furthermore, the plan requires that boroughs deliver around 1/3 of their overall target from small sites.

This small sites requirement is problematic, as a requirement for provision of affordable housing units cannot be stipulated in planning obligations for small sites providing 10 or fewer housing units.

6.7 Brent Local Plan

Local Plans set out a vision and framework for the future development of the area, addressing needs and opportunities, including in relation to housing, community facilities and infrastructure. The Local Plan guides decisions about individual development proposals.

Brent's current Local Plan "The Core Strategy" came into force in 2011 and contains a strategic target for affordable housing of 50 per cent of total units delivered with a ratio of 70:30 social/affordable rent to intermediate housing. There is a presumption that affordable housing should be delivered on site.

A new Local Plan for Brent is currently in development and has and will continue to be consulted upon extensively, with a final consultation planned for 2019, before submission to the Planning Inspectorate for examination. The Local Plan is ambitious for housing and affordable housing delivery and sets the local tenure and size mix for new homes in Brent.

Local Plans must clearly demonstrate evidence of housing need and include viability evidence for the borough, and they are required to accord with, and be justified against, regional and

national planning policy and guidance. This includes the London Plan, the NPPF and the "National Planning Practice Guidance" (PPG).

It should also be noted that Local Plans must, as a requirement of national policy, make provision for 10 per cent of new homes built to be of the affordable home ownership type, such as the shared ownership model.

6.8 Section 106 "planning obligations"

Due to decreasing levels of Government subsidy and the restrictions that councils have faced in the direct delivery of housing, an ever greater reliance has been placed on private developers to deliver affordable housing through Section 106 agreements, known as 'planning obligations'.

Councils can require developers to build a proportion of affordable housing to meet the needs of households who will not be able to afford the new private housing, effectively diverting profit from private sales into subsidising new affordable homes.

Following the recovery after the economic downturn at the end of the last decade, land values and house prices have increased significantly, but this has not translated into increased numbers of affordable housing being delivered though section 106 agreements, at least in part due to the use and impact of "Financial Viability Assessments" (FVAs). It should be noted that other mechanisms for land value capture and developer contributions such as the Mayoral and Brent Community Infrastructure Levy (CIL) have been introduced in this time which have secured contributions for the Elizabeth Line (Crossrail 1) and other local community benefits.

This has primarily been to the benefit of landowners through huge increases in profits, but to the detriment of councils and their local residents.

6.9 Viability

Many believe that FVAs have in recent years exerted a strong influence on the downward trend in affordable housing delivery across the country.

National, London and Local Plan policy all accept that new development schemes must be financially viable to be deliverable and in many cases it is not viable to deliver a large proportion of affordable housing without significant capital grant or public land. Planning applicants have been able to submit FVAs to make their case as to what would represent the "maximum reasonable amount" of affordable housing.

Developers bid against each other for land and take into consideration the anticipated sale value of the properties and deduct from this anticipated costs, including build costs, Community Infrastructure Levy (CIL) and the cost of affordable housing provision. This leaves the 'residual value' of the land.

The levels of affordable housing provision have been subject to negotiation on the basis of 'viability' in recent years, but the Mayor of London's recent Supplementary Planning Guidance 2016 announced a new viability threshold whereby a streamlined planning process applies if developers can commit to providing 35 per cent affordable housing on site. This aims to make developers take this fixed proportion of affordable housing into account when bidding for sites, and to reduce land speculation.

Critics of the National Planning Policy Framework 2012 pointed out that it effectively encouraged developers to overpay for land in the knowledge that they could drive down the

amount of affordable housing to be delivered through planning requirements. This was in part due to a clause in the 2012 framework protecting their right to make “competitive returns” (commonly understood to be 20 per cent), ultimately at the expense of affordable homes.

This clause has since been removed from the revised NPPF 2018 along with further changes made with a view to reducing the influence of viability assessments, but it is of course too soon to know what impact the changes will have on land prices and/or delivery of affordable housing.

Parkhurst Road Ltd v Secretary of State for Communities and Local Government and London Borough of Islington

In 2018 a landmark test case went to the High Court on the issue of viability, central to which was the approach to valuation evidence for the purposes of FVAs.

The key issue was whether the developer’s offer of 10 per cent affordable housing was the "maximum reasonable amount of affordable housing” in the context of Islington’s overall affordable housing target of 50 per cent. The council and developer disagreed regarding the Benchmark Land Value (BLV) for the site based on which the developer had argued that any more than a 10 per cent affordable housing requirement was not viable. Islington claimed that 10 per cent failed to take into account their expectations for affordable housing in their Local Plan.

The developer’s approach to calculating the BLV was based on the market alone, the “market value” (MV), whereas the council adopted an approach which took account of the “existing use value” (‘EUV’) of the site (in this case of a former Territorial Army site negligible). Islington’s view was ultimately that unadjusted market data would not reflect policy compliant assumptions on affordable housing provision.

The developer had appealed against Islington’s decision, but the Planning Inspector had dismissed their appeal and accepted Islington’s assessment of the BLV.

The case then went to the High Court where the judge held that the Inspector had validly rejected the evidence of the developer because that evidence had failed to include any adjustment of market evidence to ensure it was policy compliant.

Transparency

Brent now has a requirement that it will publish viability assessments to ensure they are publicly available and open to scrutiny. The exception is where a developer can reasonably prove that there is commercially confidential information included which, in a tender situation, may negatively impact on the proposals.

7. KEY FINDINGS

7.1 Affordable housing targets and viability

The task group firstly recommends that Brent retains the 50 per cent target on the development programme as a whole for the provision of affordable housing (70 per cent of which should be social rented / London Affordable Rent housing and 30 per cent intermediate products). Secondly, a fast-track threshold approach to viability should be introduced.

Where developers choose not to go down the fast-track route, the higher target would apply pending submission and evaluation of an FVA, which by default would now be publishable.

Viability threshold

The mayor's Supplementary Planning Guidance 2016 recommends a fast-track threshold of 35 per cent "affordable housing", with a tenure split of one third social rent, one third intermediate and one third to be determined by the borough.

The London Plan also provides extremely challenging housing targets for Brent over the coming decade at 3000 units per annum. The proportion of one third of the total target that are expected to come from small sites is also problematic and could have implications for the council's ability to meet the targets and for its expectations in respect of affordable housing delivery.

Unlike with larger sites, councils can't require through section 106 planning obligations that a proportion of the units developed onsite in small sites under 10 units are "affordable". And while the GLA actually defines small sites as those producing under 25 units, if one third of the units produced in the borough over the next ten years are to be from such sites, there are implications for the borough's ability to achieve their targets. This means that on 40 per cent of "small sites" there will be no onsite affordable housing provision.

In the light of this the task group considered whether a threshold of above 35 per cent may in fact be justifiable.

Setting a higher threshold would certainly not be without risks and we cannot ignore how it may influence the thinking of developers. For instance, it could encourage them to go to other boroughs; could lead more of them to go for the full viability process; or lead more of them to challenge successfully the 70 per cent tenure split for social rent which we propose.

For the threshold approach to be influential it needs to be set at a level where it is an attractive option for developers, because where they don't accept it the longer viability process would still apply.

Setting the threshold at 35 per cent will also enable Brent to work under the mayor's policy umbrella. We do, however, propose that Brent should stretch the mayor's SPG approach by requiring a tenure split of 70:30 social rent/LAR to "intermediate", with social rent obviously being more expensive in a viability assessment. Given that current Brent performance is in the region of 20% affordable housing annually, getting to 35% would be a major achievement because the financial and policy context is still not entirely encouraging.

The policy could then be subject to review at a later date, as the mayor proposes, and setting it higher will be possible if in practice the policy bears down on land costs and on excessive developer profit. Construction costs are likely to rise above inflation in the coming years and any switch to off-site manufacture will be slow.

Large homes, overcrowding and under-occupation

As highlighted earlier in this report there is a shortage of larger homes in the borough and high levels of overcrowding.

To help tackle this Brent should maintain the requirement in the Local Plan for a minimum of 25 per cent of new affordable rented homes to be at least three bedrooms, but it should also blend this with an alternative approach. Notwithstanding the London Plan policy that there should be a mix of sizes in new developments, the council must also have a clear strategy for tackling under-occupation. If some new build properties could be targeted specifically at enabling downsizing by an existing 'bedroom taxed' council tenant, subsequently releasing a larger home for re-let, the same objective is ultimately achieved. This approach may make it easier to achieve viable new build and a higher share of social rent.

The London Plan measures affordable proportions by habitable rooms, not units. So, in a development it might, for example, be possible to achieve 2 x 1 bedrooms instead of 1 x 3 bedrooms, providing homes for 2 "downsizers" *and* releasing 2 additional larger properties, both (perhaps) 3 beds.

The additional homes to let (the crucial point in tackling need) then become 2 x 3 bedrooms, plus 2 x 1 bedrooms, rather than 1 x 3 bedrooms. This is a more complex operation, but ultimately provides a major improvement in housing outcomes.

Land costs and developer profits

Brent must ultimately seek to take an approach that can influence land costs and developer's profit because the third factor in cost – the build itself – is likely to inflate in the coming few years due to Brexit.

The borough must also be willing to take a strong stance in negotiation and take test cases to the courts where necessary.

The Islington High Court judgement should strengthen the hand of councils in negotiations over viability and developers should no longer be able to claim that they cannot meet planning policy requirements because of the price that they have paid for the land.

There are signs that Government policy on land (after the Letwin review) might also change to challenge excessive profits for landowners, taking the view that a much greater share of the value uplift caused by planning permission should revert to the public.

Brent should also seek to set an acceptable level for developer profit within the borough, which could be geared to the degree of risk involved.

Letwin review

The Letwin review examined build-out rates on large sites (defined as over 1500 units) and the issue of land banking. While the review found *"no evidence that speculative land banking is part of the business model for major house builders"* it has made a number of recommendations that may ultimately impact on developer profits.

These include that large sites should be required to provide "a diversity of offerings" that should ultimately mean less emphasis on sales and tenures with the largest margins, and consequently lead to faster build-out rates. Importantly, it is recommended that that this should be facilitated through new planning rules for large sites in areas of high housing demand.

It is proposed that councils would be given the power to designate land for 'large site' development only and have the power to use Compulsory Purchase Orders (CPOs) to obtain the land at a price that takes into account the diversity of tenures required. The council should take full advantage of any such changes should they become active government policy.

Key recommendations:

1. In the new Local Plan for Brent the strategic target of 50 per cent for affordable housing in new developments should be retained, with an expected tenure split of 70 per cent social rent / London Affordable Rent to 30 per cent intermediate affordable housing.

2. Brent Council should adopt the Mayor of London's 35 per cent "fast-track" threshold approach to viability (with 50 per cent on publicly owned land and for industrial sites). Through this the council would forego the requirement for a financial viability assessment and/or a late stage viability review in the event that a developer guarantees delivery of the requisite percentage of affordable housing across the entire

development (with the 70 per cent social rent / London Affordable Rent to 30 per cent intermediate tenure split applicable). The policy should be subject to review.

3. To help meet the need for larger affordable homes in the borough, Brent should continue to require a minimum of 25 per cent of new affordable rented homes to be three bedrooms or larger, accommodating at least a household of six (2 people per bedroom). However, this approach must be combined with a clear and effective under-occupation strategy, enabling and incentivising down-sizing in order to release more existing larger homes for re-let.

4. The council should continue to use the "Existing Use Value Plus" (EUV+) method for determining benchmark land values. Any other uplift in value should be captured for the public.

7.2 Corporate approach to affordable housing delivery

As the external environment changes (new London Plan, new funding regime, tougher decisions by the mayor, reduction in influence of viability in the new NPPF) Brent must be geared up to make the most of the opportunities and to consolidate recent moves to take a stronger approach.

Maximising delivery of genuinely affordable housing that meets the particular needs of Brent residents must be a corporate priority. Officers working to this end must feel confident that they have the full backing from the most senior levels of the organisation.

There is no silver bullet; the approach requires continuous improvement across all sectors and functions to get better outcomes: a "one council" approach. All relevant council departments must work closely together and display the collective courage required to make important and at times perhaps even unpopular decisions.

There is evidence of a wide range of housing need, affecting people on middle as well as low incomes, however, the overwhelming housing priority, in terms of meeting the needs of our residents, is for homes at social rents (or the Mayor of London new 'London Affordable Rent' which is based on, but not as low as social rents).

Council-generated resources for housing (HRA headroom, RTB receipts, high value sales, General Fund resources, mayor's funding) must be maximised and directed towards the supply of genuinely affordable homes, including the £65 million GLA grant funding recently confirmed. And the council should make a clear assessment of the share of London-wide resources coming to Brent via the mayor's programmes, which are determined by provider and not by borough.

Brent must review its housing strategy and consider the implications for future delivery of affordable housing in the light of the removal of the borrowing cap. The lifting of the cap is welcome but will not automatically lead to more council homes at traditional council rents. Either cheap land or subsidy is needed to do that. But how will this affect Brent's strategy for new council homes? This must be considered through an urgent review of the proposed new housing strategy.

We must continue to develop a successful I4B programme and utilise and examine the possibility of other council-owned company programmes, considering and developing alternative 'invest to save' models – any option that can help reduce the need for temporary accommodation benefits council finances greatly.

Due to the very ambitious overall housing targets the council faces, i.e. 3000 homes per year over the next ten years, there will undoubtedly be pressure to deliver any type of home to meet the targets, and developers will be aware of this. Developers naturally prefer to deliver 'affordable' housing at the higher end of the range (e.g. shared ownership and market based rents), as they are generally more profitable. The council's clear policy should be the reverse, given the evidence of acute need for genuinely affordable rented housing.

The apparent cost of having higher 'affordability' requirements in private developments is accepted by many to lead to reductions in land values as developers will be more reluctant to overpay for land. This is of course an imperfect mechanism for achieving this, but it is a very good policy objective and should be central to Brent's approach. A consistent approach to affordability requirements across London will be important in controlling land costs and making housing more affordable in the long term.

The absolute benefits of successful development to the council should mean a flexible approach to the recruitment of staff (also including I4B and FW) and if necessary a flexible payment structure. However, partnering with or commissioning a Registered Provider is probably the most practical option for future council developments.

Brent should ensure it sets a clear vision for and maximises the potential for its wholly-owned housing companies "Invest4Brent" (I4B) and "First Wave Housing" to help reduce the cost of Temporary Accommodation, and it must consider the potential for I4B to extend its business model from purchasing to developing. However, careful consideration should be given to whether this is the best model. It might be best for I4B to focus on expanding its specialist provision of alternatives to TA (a clear council-wide priority) whilst using First Wave Housing as a developer (FW is a registered provider) or even setting up a new company. Each organisation should have a clear and dedicated focus, but all should adopt the I4B working method of keeping close to the council.

With regard to the Community Infrastructure Levy, it is reasonable to expect that most CIL funds will be used to unblock future housing development, through infrastructure spending.

There should also be a clear policy on the use of overage arrangements on council disposals and s106 agreement planning viability reviews – i.e. where the council receives a share of future profits if a development outperforms over time, or deferred commuted sums should a development viably support such when delivered post planning determination.

Whilst the Local Plan is developed, initiatives such as a corporate land assembly approach (Corporate Master Planning) should be encouraged so that the authority is in the driving seat in future planning of all available sites in the Borough. This will enable the Council to set realistic plans over a 5 to 10 year period. It will also enable the Council to challenge both the mayor and the Government on what is a realistic target in terms of delivery of new units in the borough.

Approach to setting of affordable rents

Brent should not adopt an approach to "affordable rent" in their future housing strategy whereby a large proportion of rents are set as a percentage of market rents rather than an approach based predominantly on social rents, and providers building in Brent should not be encouraged to either. Such an approach should definitely not replace the council's commitment to 'social rent'.

Rents set at, for instance, 65 per cent of market rent, would be higher than the mayor's 'London Affordable Rent (LAR) (which is the closest current option to social rent). The mayor's proposal has already been criticised for being higher than social rent and will be likely to diverge more

from social rent over time, but has been accepted as being the best that can be achieved with this government in charge of funding (we must remind ourselves again that the landscape here could change given the proposed lifting of the HRA borrowing cap).

Brent should not go even higher than LAR, the logic of doing so would be questionable in the light of what we know about need and affordability in the borough, and the council should not risk being in a contradictory position of arguing a clear case for social rents, yet adopting a higher rent policy.
In the absence of clear evidence the task group remains unconvinced that a market rent based approach would actually lead to additional delivery and feels that acceptable levels of "affordable rent" probably cannot be justified in Brent in large numbers if set that way. Moreover, as the argument is one of affordability, affordable rents must be set in relation to incomes in the borough and the cost of provision, not by a dysfunctional and volatile market.

Brent's future housing strategy should be explicit about the need for social rent. It is not acceptable for the viability process to lead to a lack of social rented accommodation, but significant proportions of "affordable rent" and intermediate products such as shared ownership, when we know these simply are not genuinely affordable options for residents of the borough in housing need.

The Cambridge University Study concluded that a significant proportion of Brent residents already struggled to afford social rents. While this presents clear difficulties it also demonstrates beyond any doubt that rent setting based on market prices simply cannot be the answer to meeting the true need in the borough.

Sale of council homes

If the council is to consider sales of high value council homes as part of an asset management strategy it needs to be extremely careful about how any such approach is to be adopted.

Clear and strict rules must be in place about how many homes are sold and on what terms. Brent should also be seeking to monitor and influence what housing associations in the borough do in this regard, and how they use the proceeds from such sales.

The task group is not in principle opposed to 'asset management' strategy sales, but this is where HAs started, with modest plans to sell very high value and hard to let property, only to gradually become so development-driven that large numbers of social rent homes ended up in auction (including many in Brent) to fund development, which then did not in turn produce social rent homes to replace those that were sold and might not even have been in the borough.

Any such policy must be very carefully monitored and any 'asset management' sales should meet a clear test of benefit and the money should be used for replacement social rented homes not for higher rent or intermediate products.

Shared ownership

There is of course a good case for 'intermediate' schemes which help people on better incomes, as housing built should be for all and not only those with the most critical needs. A diverse range of housing products are therefore required in the borough. However, intermediate products must not be the council's headline policy nor the main programme as clearly they do not meet the most acute housing need in the borough.

The council must carefully consider who shared ownership and 'intermediate rent' products are actually for in Brent and what more can be done to make these a realistic option for Brent residents. Policy on this must clearly define priority beneficial groups, in particular key workers.

To access shared ownership in London, annual household income must generally be less than £90,000 and they must be able to easily access at least £4,000 to cover the costs of buying a home. In most cases savings or access to a minimum 5-10 per cent of the equity share being bought, as a deposit.

50 per cent of "affordable" housing delivered in Brent in 16/17 was shared ownership. But household income of approximately £60k per annum is generally required to access it here and there is clearly a shortage of households in the borough for whom it is attainable.

The task group heard anecdotally of a development in Wembley, where even after the income threshold had been reduced considerably to £45k, there was still a lack of Brent residents able to take up the offer.

The task group therefore finds that Brent must adopt a clear policy on access to shared ownership in the borough. The aim should be to make the product accessible to people on incomes that are as low as possible and policy must be designed to enable keyworkers to take advantage of it, bearing in mind that it needs to be sustainable for the household. HAs may have waiting lists, but the borough should ensure access policies are fair and reasonable and should set other eligibility criteria if it wishes. It is also important to make sure that there is an effective second hand market in the borough.

Build To Rent (BTR)

There is growing interest in "Build to Rent" schemes as major investors move into London. The Task Group would like to see a similar approach to achieving affordable homes applied to these as to any other schemes, where the council should be looking for 35% affordable and full access to nominations, even if the developer intends to manage the homes itself. Market rent homes within the scheme should be offered on longer tenancies with high quality management guaranteed.

The Task Group acknowledge that under current National and London planning policy, the economic assessment of BTR schemes for planning is different than developer led ones. The NPPF 2018 says BTR should provide 'Affordable Private Rent'; The London Plan calls this 'Discount Market Rent' (of which 30% should be London Living Rent, with 70% at intermediate, as opposed to a standard disposal to an RP).

However, we stress that the council must give serious consideration to whether BTR schemes will provide any genuinely affordable housing, or just some at London Living Rent, and whether it may generally be better, in terms of meeting local housing need, to wait for an ordinary mixed development to be viable for a particular site.

With this in mind the council should consider whether it may need to go beyond London Plan requirements by requiring some social rent in BTR schemes.

Partnerships

Better joint working with housing associations is critical. A major new programme of council house building for social rent would undoubtedly be a good thing if financially viable. However, the important thing is not to engage in an ideological debate, but to focus on obtaining the right housing outcomes.

If working with housing associations produces more homes for social rent than the council going it alone, we should welcome it. The model of council land, plus council HRA funds, plus grant through Register Providers may be the most effective means of delivery. However, if such partnerships only, or predominately produced more shared ownership or higher rent

products the task group would be opposed to it. Commuted sums from other schemes should also help these developments.

Brent must also seek to gain more influence over Housing Associations (HAs). There is a need for more comprehensive info about what they're doing, especially on sales, 'conversions' to affordable rent, and the tenure and rents of new developments. We need to know their investment levels in Brent or whether they are spending their money elsewhere.

It is worth remembering that housing associations generate considerable 'internal' resources by making surpluses on all their activities, which are then available for reinvestment. Surpluses amount to hundreds of millions of pounds in London and may be derived from previous schemes within Brent or from the management of homes in Brent.

The council needs to be aware of the position with local HAs and discuss with them how they intend to apply their surpluses. They may, for example, be able to choose between subsidising new-build schemes elsewhere or investing within Brent to keep rents down to social rent levels. It is reasonable for the council to seek to influence these investment decisions to assist Brent to the greatest extent possible.

The task group also heard during its investigations that HAs sometimes compete with each other in land purchase, which inevitably tends to up the price. This produces an unacceptable outcome and the council may feel it can do more to influence the process through better dialogue with local housing associations.

There are several potential models for Brent working with HAs. Land could be sold to them for them to build out in line with our strategy. There could be partnerships where the council and HA share a development. The council might contribute funds (CIL for supporting infrastructure and other funds) to enable a HA scheme to proceed. Or there could just be a commissioning arrangement where the council employs a HA on contract to do all the necessary work (design and construction) on a council development which is then managed by the council.

Any and all of these options should be considered appropriate in different circumstances – with what produces the most social rented and other genuinely affordable housing being the guiding principle.

Key recommendations:

5. Future council policy with regard to the setting of rents for affordable housing should continue to be based on the traditional social rented model (like the mayor's London Affordable Rent model) and should not be linked to volatile and irrational market rents rather than incomes.

6. Brent Council should create a cross-departmental Board of officers, reporting directly into the Corporate Management Team (CMT), to ensure a 'one council', joined-up, sustainable approach to the delivery of Affordable Housing. The board should have high level responsibility for programme management and monitoring of an Affordable Housing Action Plan and associated suite of Key Performance Indicators. The Board should include senior officers from Brent's Planning, Housing, Regeneration, Property, Finance and Legal teams.

7. Brent should consider adopting a land assembly, master planner approach, working with key partners and designating Land Assembly Zones in its Local Plan. Where attempts to encourage and incentivise voluntary land assembly do not succeed, Brent should commit to extend its use of compulsory purchase powers in these zones, where the law allows.

8. Brent Council should maximise resources available through the mayor's fund, RTB receipts and borrowing to support direct delivery within its own capital development programme with a primary focus on rented homes at social rent levels and on larger homes (3 bedrooms or larger).

9. Brent must adopt a clear policy on access to shared ownership in the borough, making the product accessible to people on incomes that are as low as possible and ensuring the policy is designed to enable keyworkers to take advantage of it.

10. All new homes in Brent should be marketed locally first, as per the Mayor of London's planned "first dibs" policy. Brent should investigate how such a requirement could be implemented.

11. Brent Council should explore all the options highlighted in this report for innovative partnering arrangements and delivery models with Registered Providers.

7.3 Estate regeneration

It must be recognised that there is a shortage of land available in Brent, greatly restricting opportunities for redevelopment. We therefore cannot fail to maximise outputs from opportunities where precious land is available and has potential for development, including those that arise through in-fill and intensification on our estates.

There has been a change in mind-set, away from the stock transfers of past regeneration schemes, and this direction of travel should be maintained and the good work done thus far consolidated.

Estate Regeneration is, of course, not solely about increasing the number of affordable housing units, but about creating balanced and sustainable communities. However, council estates in Brent arguably already are mixed communities, so this alone is not a justification for building private homes.

The requirement for private homes is a) to help meet the London plan targets set for Brent and, most importantly, b) increasing density to get extra value - to help pay for refurbishment of and supply of more council and lower rent homes in the area. Schemes should be kept flexible so that the tenure split can be improved if additional funding (e.g. from the mayor) becomes available.

The Task Group is therefore not opposed in principle to private sales during redevelopment of estates. Just as there is a desire for private development to provide affordable housing, we recognise that council developments may need to do private sales in order to generate revenues to recycle into further genuinely affordable housing and estate improvements.

The Task Group is aware that estate regeneration schemes prior to Barham Park sometimes led to the loss of social rented homes, even if there was an increase in total homes. This damages the council's ability to meet need in the long term.

All proposals for estate regeneration should therefore include a forecast, taking into account the likely programme of decanting and demolition, and of the likely impact of the scheme on the forward lettings plan.

The mayor is now requiring no loss of social rent overall in funded schemes plus tenant ballots. This policy change is supported by Brent and will be implemented in the St Raphael's Estate Regeneration.

It is paramount that the South Kilburn approach to regeneration and intensification is considered a model of best practice and used elsewhere in the borough wherever feasible.

Key recommendation:

12. Future estate regeneration projects in Brent should use the South Kilburn Regeneration Programme as a model of good practice and make a clear commitment to ensuring there is no loss (in quantum terms) of social rented affordable housing and to resident ballots.

7.4 Land owned by public authorities

Brent must adopt a strong corporate approach to the identification of other land within its boundaries which could be brought forward for housing development. This could include the purchase of land to create developable sites, by agreement or by using its compulsory purchase powers.

The council also needs to improve the output of affordable homes on public land, getting more from land owned by other public agencies (NHS, TFL, Network Rail, Metropolitan Police, The Fire Service, Crown Estate etc.) but also by improving the supply of sites in council ownership – which will produce the highest proportion of affordable homes.

We consider that the Council should take the lead in any complex partnership arrangement to maximise the delivery of housing units in the borough. The model suggested by the Naylor review (One Public Estate) is worth developing across the borough – in particular working with TFL and Network Rail.

We do recognise the tension between maximising affordable housing and public agencies maximising income from sale. However, there is a need to maximise the benefit to the whole public sector and not just a single agency. A high degree of affordable/social rent housing must be achieved on public sector sites to enable the council to deliver its overall policy.

Key recommendation:

13. Brent should actively promote partnership working on publicly owned land with other public bodies, as promoted by the Naylor Review (One Public Estate), e.g. Network Rail/TfL sites such as potential over station and over rail land developments, as part of the Local Plan.

7.5 Industrial/employment sites

Much of the future housing supply in London will come from existing ‘brownfield’ sites in zones 3 and beyond. Even in places where mixed-use projects are happening there is often a lack of diversity of suitable and flexible workspace, but if carefully designed and with suitable access, a wide range of activities can take place in similar spaces.

It is an extremely important task for the council to ensure that as demand for retail and commercial space continues to change, we adopt a proactive approach to identifying opportunities where surplus commercial space, under-used retail sites and car parks may provide potential for housing development, with a focus on mixed use development.

Whatever the ownership, identifying and uncovering potential sites and bringing them to development should be a clear aim of the council.

As part of the revision of the Local Plan, there is the opportunity to identify relevant strategic industrial land sites and smaller commercial land sites which can be developed or used for mixed use - so that we can develop a coherent strategy over the lifetime of the next Local Plan and beyond.

Brent's planning framework must incentivise the delivery of innovative, mixed-use, productive employment and residential schemes.

Key recommendation:

14. Brent must adopt a proactive approach to identifying opportunities where surplus commercial space, underused retail sites and car parks may have significant potential for housing development, both strategic industrial land sites and smaller commercial land sites, and in particular where sites have potential for mixed-use developments.

7.6 Small sites

The new London Plan places great emphasis on the need for increased delivery of homes from small sites, around one third of the total target for new homes from boroughs is to come from such sites. As identified earlier, this has implications for the delivery of affordable housing. We must also give careful consideration to how best to ensure that small sites do make some contribution to increasing the supply of affordable housing.

Brent must ensure that there is a requirement in the development of small sites (defined in the London Plan as less than 25 units) over the 10 units threshold that they should meet fully the council's requirements for affordable housing through a section 106 agreement to provide affordable housing onsite.

Small sites under 10 units should also be expected to make a financial contribution via an offsite tariff; a contribution to the council's affordable housing fund to assist with the provision of affordable housing elsewhere. The Council should consider charging a commuted sum based on a consistent formula for such sites. A clear policy on this will ensure consistency.

The council must also consider whether to provide the flexibility for payments to be collected prior to the occupation of development, rather than prior to commencement of development as recommended in the London Plan.

Key recommendations:

15. The council and its agents should proactively explore partnerships with developers and RPs on small sites to maximise the amount of affordable housing across the borough. Brent should identify potential opportunities and funding mechanisms for increasing development of small sites, including any further opportunities for infill development. It should be prepared to invest the necessary resources.

16. Developers of small sites with capacity for 10 or fewer units should be expected to pay a commuted sum, wherever possible, based on a consistent tariff, to Brent as a contribution to the fund for affordable housing to be built elsewhere in the borough. All affordable housing in small developments should be included in Brent's periodic performance stats.

7.7 Community led housing

The Council is pushing for more genuinely affordable housing that will meet the needs of its local people. There are also various alternative models available, which are not actively promoted in the borough.

The GLA have taken on board both the self-build and Community Land Trusts models, which meet the criteria of affordable housing and they have allocated some funding towards them. The model has the backing of communities across London as it promotes a lifetime affordable product.

A community land trust (CLT) is a non-profit corporation that develops and stewards affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of a community. “CLTs” balance the needs of individuals to access land and maintain security of tenure with a community’s need to maintain affordability, economic diversity and local access to essential services. A number of other London councils have an interest in developing the CLT model with the National Community Land Trust. http://www.communitylandtrusts.org.uk/

There are now over 225 CLTs in England and Wales, half of which formed in the last two years. CLTs have developed 700 homes and will have developed a further 3000 new affordable homes by 2020.

However, with the right funding and support, that could be tripled. It is recommended that Brent Council explores setting up of a CLT model on its own land and also encourages developers to do the same, to provide another avenue for truly affordable housing provision in the borough.

Key recommendations:

17. Brent should investigate and promote opportunities for community led housing projects, such as “Community Land Trusts” and “Self-Build” projects, which will protect homes and assets at affordable levels in line with local incomes for future generations.

18. Brent should explore setting up of a CLT model on publically owned land and encourage developers to do the same.

APPENDIX 1 - TASK GROUP MEMBERSHIP

Chair	Councillor Neil Nerva
Vice-Chair	Councillor Robert Johnson
Members	Councillor Janice Long Councillor Orleen Hylton Councillor Fleur Donnelly-Jackson
Brent Resident	Mr Steve Hilditch – Brent resident and affordable housing expert

The Senior Policy and Scrutiny Officer who supported the work of the task group was Patrick Doherty.

APPENDIX 2 – PARTICIPANTS

The views expressed in this report are those of the task group. However, during their investigations the group met with or consulted all of the following and the task group is extremely grateful to all the participants for their valuable input, insight and challenge.

Brent Council	Councillor Eleanor Southwood, Lead Member for Housing and Welfare Reform Councillor Shama Tatler, Lead Member for Regeneration, Highways and Planning Brent Strategic Director of Regeneration & Environment Brent Strategic Director of Community Wellbeing Brent Director of Housing Brent Head of Planning Brent Spatial Planning Manager Brent Head of Estates Regeneration Brent Senior Regeneration Manager Brent Head of Supply and Partnerships Brent Planning Policy & Projects Manager
GLA	Tom Copley – GLA Assembly Member John Wacher – Strategic Planning Manager – Viability, GLA

	Nick Taylor – Head of North West, London Housing and Land Directorate, GLA
Invest4Brent (I4B)	Martin Smith – Independent Chair
Campbell Tickell	Maggie Rafalowicz, Director Greg Campbell, Partner
Network Housing	Helen Evans – Chief Executive
London Community Land Trust	Calum Green and Lianna Etkind
Future Care Capital	Annemarie Naylor MBE - Director of Policy & Strategy

APPENDIX 3 - SCOPE AND OBJECTIVES OF THE TASK GROUP

A Task Group was convened by Brent's Resources & Public Realm Scrutiny Committee towards the end of the last municipal year to examine Financial Viability Assessments (FVAs) and explore concerns regarding their impact on the delivery of affordable housing in the borough.

Progress of the committee was interrupted by purdah and the election cycle, but its initial work suggested that, firstly, the national and regional planning policy landscape was shifting, and secondly, it would be beneficial to investigate a wider range of issues impacting affordable housing delivery in the borough.

It was also considered that the Task Group was asking the wrong question, which should in fact have been how to get more affordable housing, rather than how/why FVAs were preventing it.

The Task Group was re-formed, with new membership, to continue the work with a broader remit.

This group's primary objectives were to examine and understand the forces impacting on the delivery of affordable housing in new developments in the borough and to consider the best options for consolidating and where possible, improving upon delivery in future.

The group was to take evidence from relevant expert witnesses and consult key guidance, policies and strategies, producing a detailed report and a set of policy recommendations for cabinet, taking account of the national, regional and local context.

Our work has run concurrently with the development of Brent's new Local Plan, so its recommendations are timely. The group's full terms of reference can be found as appendix 6 to this report.

APPENDIX 4 - TERMS OF REFERENCE

1. To understand the policy context of subsidising housing and the barriers and solutions to affordable housing delivery

2. Examine forthcoming changes to regional and national planning policy and guidance

3. Analyse the supply of affordable homes (numbers and percentage) from new developments in Brent over the past 10 years

4. Review best practice from other London boroughs

5. Understand the full range of “affordable” and “intermediate” housing

6. Learn from case studies in Brent where planning targets for affordable housing have been met

7. Examine how land owned by public authorities can contribute to targets for affordable housing

8. Understand if Brent is maximising the affordable housing contributions from developers and whether better use could be made of late stage reviews and Section 106 payments

9. Investigate alternative models for delivery of genuinely affordable homes, such as Community Land Trusts

10. Understand what the council believes is genuinely affordable for communities in Brent

11. Gather evidence to feed into and influence the development of the new Local Plan and Housing Strategy

APPENDIX 5 – REFERENCES

The task group referred to a number of reports in the course of its work. Key documents included:

Ministry of Housing, Communities and Local Government	National Planning Policy Framework, 2012 & 2018
GLA	Draft New London Plan – August 2018 Affordable Housing And Viability Supplementary Planning Guidance – August 2017 Homes For Londoners Affordable Homes Programme 2016-21 Funding Guidance Annual Planning Monitoring Reports
Cambridge Centre for Housing and Planning Research	Affordable Housing Products In Brent and Their Affordability To Target Client Groups – December 2017

Centre For London	(July 2018) *Borough Builders: Delivering More Housing Across London* *(*2017) *Strength In Numbers – Funding and Building More Affordable Housing in London*
Capital Economics	(2016) *SHOUT - Building New Social Rent Homes* (April 2014) *Increasing Investment In Affordable Housing*
House of Commons Library	(2016) *Affordable Housing In London*
Inside Housing	Multiple Articles
Joseph Rowntree Foundation	(2013) *Changes To Affordable Housing In London And Implications For Delivery* (2015) *Living Rents – A New Development Framework For Affordable Housing* (July 2015) *Rethinking Planning Obligations - Balancing Housing Numbers And Affordability*
Smith Institute	(October 2017) *Delivering The Renaissance In Council-Built Homes: The Rise Of Local Housing Companies*
Centre for Housing Policy	(January 2015) *The Coalition's Record On Housing: Policy, Spending And Outcomes 2010-2015*
Local Housing Delivery Group	(June 2012) *Viability Testing Local Plans*
The Housing Finance Corporation	(December 2016) *Investing In Affordable Housing - An Analysis Of The Affordable Housing Sector*
Frontier Economics	(September 2014) *Assessing The Social And Economic Impact Of Affordable Housing Investment*
University of Reading	(January 2017) *Viability And The Planning System: The Relationship Between Economic Viability Testing, Land Values And Affordable Housing In London*
Shelter	(2017) *Slipping Through The Loophole*

Town and Country Planning Association (TCPA)	(November 2017) *New Models, Partnerships And Innovations* (May 2018) *Delivering Affordable Homes In A Changing World*
Institute for Public Policy Research (IPPR)	(June 2017) *What more can be done to build the homes we need?*

Brent	**Cabinet** 14 October 2019
	Report of the Finance Director

Quarter 2 Financial Report 2019/20

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Minesh Patel, Director of Finance 020 8937 4043 Minesh.Patel@brent.gov.uk Ben Ainsworth, Head of Finance 020 8937 1731 Benjamin.Ainsworth@brent.gov.uk

1. Summary

1.1. This report sets out the current forecasts of income and expenditure against the budget for 2019/20 and other key financial data.

1.2. Overall the Council is expecting to underspend against the main general fund revenue budget by £1.1m. This primarily relates to a net underspend of £1.8m in Regeneration and Environment pertaining to several areas of underspend in Environmental services, (as set out in paragraph 3.6.2). Offsetting this is a £0.2m overspend relating to historic care costs within Adult Social Services (as set out in paragraph 3.4.3). There is a further net overspend of £0.5m within Children and Young People (GF) relating to an overspend in Partnership, Planning and Performance and Localities (as set out in paragraph 3.3). All other departments within the General Fund are forecasting to spend to budget.

1.3. The Housing Revenue Account (HRA) is forecast to overspend by £0.5m (as set out in paragraph 3.10.1).

1.4. Additionally, Children and Young People (DSG) is forecast to overspend by £2.8m relating to increase demand within High Needs Education, (as set out in paragraph 3.9.1).

1.5. The Corporate Restructuring was completed during this quarter and this has resulted in the virements detailed in Table One.

Table One: Corporate restructuring virement

Directorate	Original Budget (£m)	Corporate Restructure Virement (£m)	Total Budget (£m)
Resource Department	35.8	(35.8)	0.0
Performance, Policy & Partnership	9.5	(9.5)	0.0
Assistant Chief Executive	0.0	7.2	7.2
Chief Executive Department	0.0	12.9	12.9
Customer & Digital Services	0.0	18.3	18.3
Regeneration & Environment	32.9	6.9	39.8
Total	**78.2**	**0.0**	**78.2**

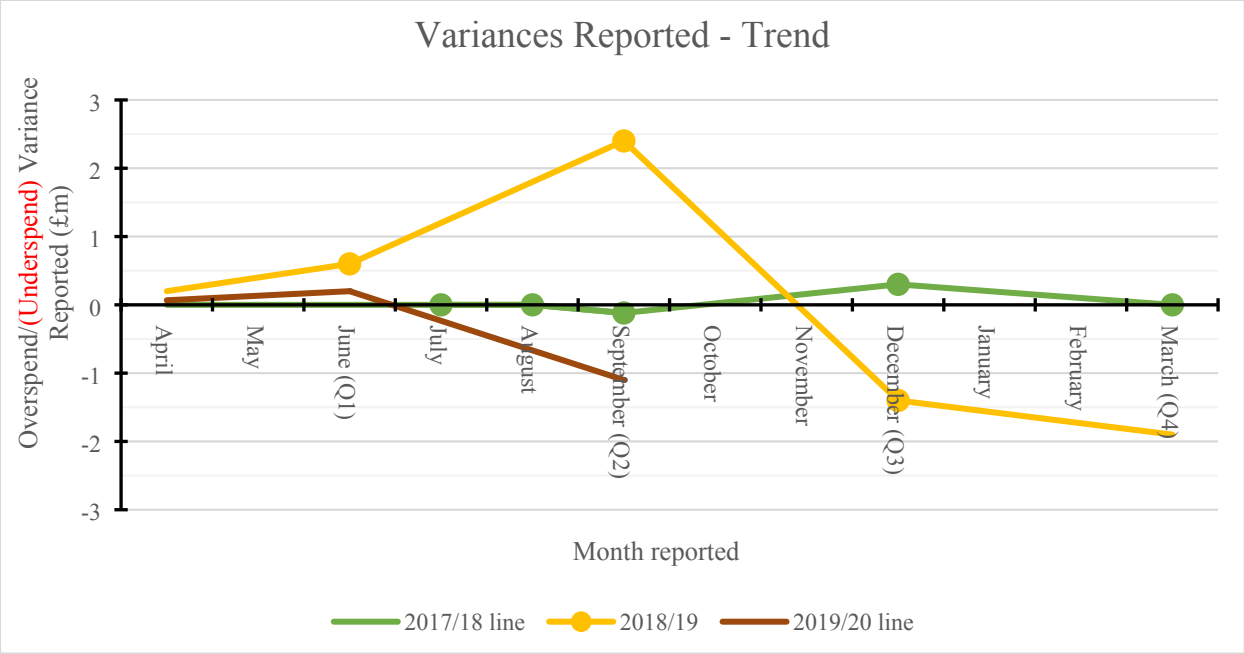
1.6. Table Two summarises the overall revenue position.

Table Two: Overall revenue financial position 2019/20

	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) £m
Assistant Chief Executive	7.6	7.6	0.0
Chief Executive Department	15.7	15.7	0.0
Children and Young People	48.0	48.5	0.5
Community and Well-Being	129.0	129.2	0.2
Customer & Digital Services	21.1	21.1	0.0
Regeneration & Environment	39.5	37.7	(1.8)
Subtotal Service Area Budgets	**260.9**	**259.8**	**(1.1)**
Central items (including Business Rates, Council Tax and Specific Grants)	(260.9)	(260.9)	0.0

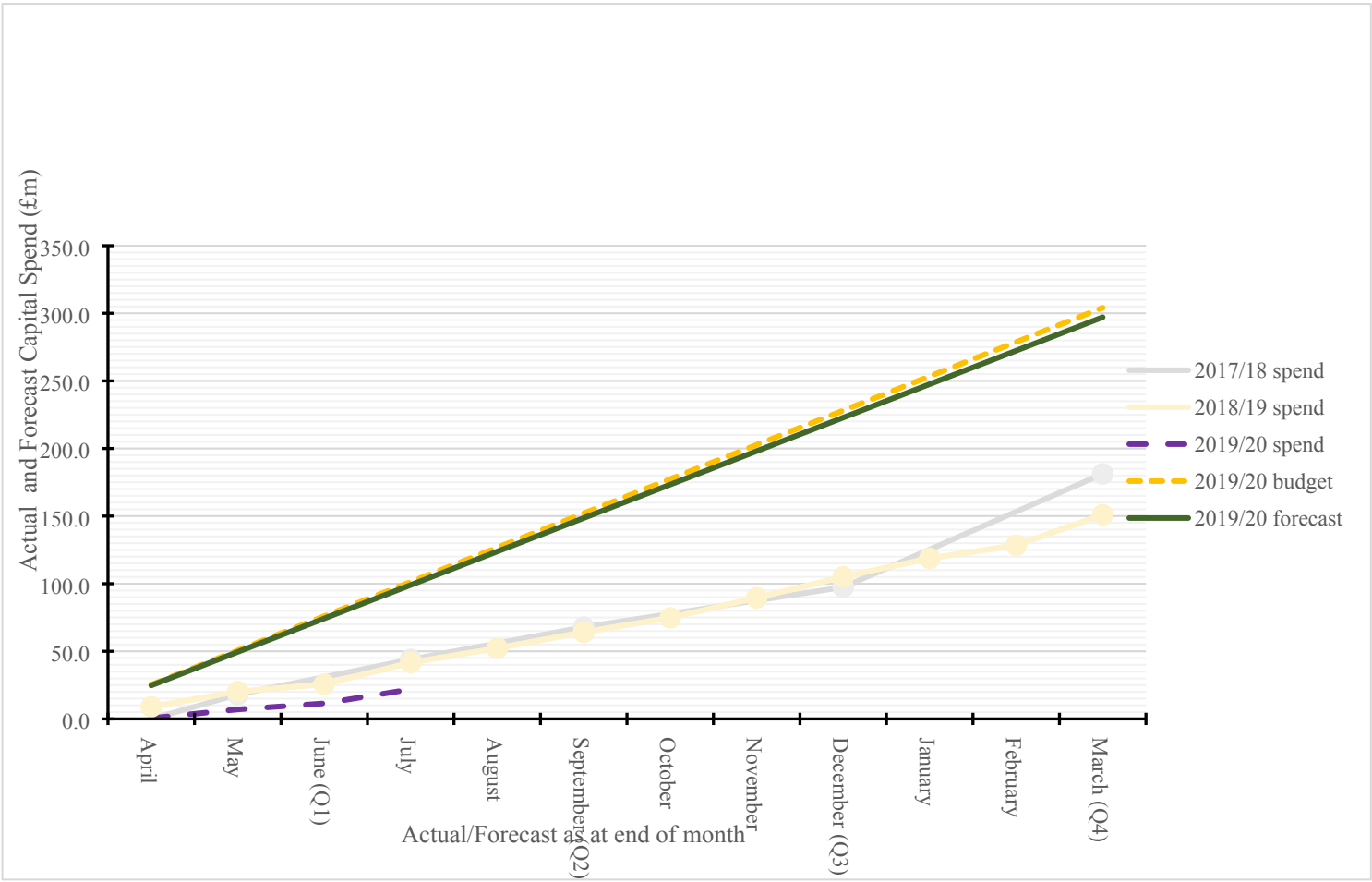
Total General Fund	**0.0**	**(1.1)**	**(1.1)**
DSG Funded Activity	0.0	2.8	2.8
Housing Revenue Account (HRA)	0.0	0.5	0.5
Overall Position	**0.0**	**2.2**	**2.2**

1.7. The graph below shows the General Fund quarter two forecast in comparison to previous years. Overall, this is a more favorable position in quarter two compared to previous years.



1.8. The Capital programme is currently forecast to underspend by £7.0m against a budget of £304.1m. The main variance to budget includes £8.7m underspend in Housing Care investment relating to the reduction in target properties in I4B as set out in paragraph 4.4. Minor variances to budget are forecasted across the other programmes, further details are set out in section 4 below.

1.9. The graph below shows the quarter two position for Capital. This shows a sizeable gap between spend and the budget and forecast lines, however this is due to budget and forecast being presented as linear movement whereas spend is not linear as the previous years' spend shows.
Furthermore, as in previous years the capital programmes will be re-profiled to reflect the expected spend in current and future years.



2.0 Recommendation

2.1. To note the overall financial position and the actions being taken to manage the issue arising.

3. Revenue Detail

3.1. Assistant Chief Executive (ACE)

ACE Department	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Chief Executive Office	0.5	0.5	0.0
Communications	0.4	0.4	0.0
Executive and Member Services	3.5	3.5	0.0
ACE Director	0.2	0.2	0.0
Strategy and Partnership	3.0	3.0	0.0
Total	**7.6**	**7.6**	**0.0**

3.1.1. In summary, while there are spending pressures reported in some Departments, it is expected that mitigating actions will be taken to bring the overall position to breakeven. These overspend and mitigating actions are detailed below:

- Communications are forecasting to breakeven. In the absence of mitigating actions, there would be an overspend of £0.2m as it is expected that there will be an underachievement of income within Digital Advertising due to the general 'cooling' of the market for film location enquiries. The JCDecaux advertising contract is due to start in January 2020 will help mitigate this pressure in the long term through the generation of additional income. In addition, a review of the Conference and Events budget is to take place shortly, which is also expected to reduce the overspend through the generation of additional income.

- Executive and Member Services are forecasting to breakeven.

- Strategy and Partnerships are expecting to breakeven overall by the end of the year. There is a spending pressure of £0.2m due to a backlog of various payments relating to the previous financial year. Mitigating actions are being explored to manage this pressure.

3.2. **Chief Executive Department (CE)**

CE Department	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Legal, HR and Audit	8.5	8.5	0.0
Finance	7.2	7.2	0.0
Total	**15.7**	**15.7**	**0.0**

3.2.1. The CE department is expected to spend to budget.

3.2.2. The budget includes an addition of £1.4m budget relating to centralisation of the energy budget from across other councils department budgets.

3.3. **Children and Young People (GF)**

CYP Department	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Central Management	0.8	0.8	0.0
Central Management Contingency	0.8	0.0	(0.8)
Early Help	5.7	5.7	0.0
Inclusion	1.6	1.6	0.0
Localities	14.4	14.8	0.4
LAC & Permanency	6.2	6.2	0.0
Partnership Planning and Performance	16.6	17.5	0.9
Safeguarding and Quality Assurance	1.7	1.7	0.0
Settings and School Effectiveness	0.2	0.2	0.0
Total General Fund	**48.0**	**48.5**	**0.5**

3.3.1. The CYP department is managing to keep the numbers of children and young people taken into care at comparatively low levels, but those children that are in care are older and have more complex needs and are being placed in higher cost placements. It is likely this will cause an overspend in the Partnership, Planning and Performance service. There is also a forecast overspend on the Localities service due to staffing costs. The department forecasts using contingency budgets held in Central management and other mitigating actions to achieve a balanced budget.

3.3.2. Brent's cohort of Looked After Children (LAC) contains an increasing number of adolescents and there is an increasing number of care leavers. There are signs of rising unit costs for semi-independent placements for care leavers, particularly for more complex cases. Unit costs are an average of £725 for a LAC in semi-independent, and £560 for a care leaver in semi-independent settings. This compares to £410 for a Brent Foster care placement. The mix of placements is changing with fewer in-house foster placements, and more semi-independent placements. CYP management are looking to reduce placement costs in the medium term through commissioning strategies, this has been factored into the forecast, but there is a risk of an overspend of approximately £1m if this and other mitigations are not successful.

3.3.3. Caseloads for teams in the Localities and Looked after Children service are mostly under the levels budgeted for, but the staffing levels are creating pressure on budgets as is the use of agency social workers to cover vacancies. CYP management are

mitigating this pressure through increased scrutiny of staffing, seeking to be flexible in use of budget resources across the services. The client support budgets within the LAC and Permanency service are being closely monitored to avoid additional pressures.

3.3.4. The planned transfer of the Transitions team budget of £4.6m from CWB to CYP has taken place. The team commissions care for children and young people with disabilities and is now part of the Localities service. The Inclusion service budget has also increased this year with £0.3m of the SEND reform grant reserve being drawn down to help meet the demand for Education Health Care plans in 2019/20.

3.3.5. It is reported that there is a growing number of caseloads in the Early Help service, and so a risk of additional overspends. The challenge will be whether these can be accommodated flexibly from staffing resource budgets from across CYP, or if this will force additional spend.

3.3.6. There are a number of risks to the forecasts above, these are described below and key assumptions detailed in the table that follows.

3.3.7. There is a clear risk of spending more on agency social workers to cover any increase in the total number of cases. The council is committed to maintaining safe case-loads per social worker, so a sharp increase in cases as experienced in the first half of 2018/19, will cause additional overspend on the Localities' budget. To mitigate this the Early Help service works with partner organisations to prevent cases unnecessarily escalating to the Localities service. Management will also monitor use of agency workers and continue to recruit permanent staff.

3.3.8. The other main risk is the volatility of demand for social care placements for Looked after Children and Care Leavers (Partnership Planning and Performance service budget). Despite the recent trend of low number of Looked After Children, currently at 300 in Brent compared to 400 for our statistical neighbours, new placements may have to be found at short notice and can be extremely expensive when a secure accommodation or residential placement is needed.

3.3.9. Other service areas which contain financial risks are those with delays to savings. This includes the delay to the Youth Service Roundwood Centre saving, and the reduction of non-case holding staff. Together the delays on these savings create a pressure of £0.2m. Services are identifying compensating underspend actions for this year until savings are fully implemented.

3.3.10. There is also a risk in the Early Help service where a balanced budget is reliant on an increased number of successful claims for the Troubled Families reward payments. With 250 successful claims, the service was slightly below the target number of claims for Q1, but is planning to increase claims in Q2 and Q3.
A planned drawdown of £0.2m from the Troubled Families reserve has been added to this budget to support the final year of the current programme.

3.3.11. The forecasts include key assumptions, the table below highlights this.

Key Assumption	Downside if worse	Upside if better	Mitigations
That total case-loads in the Localities and LAC & Permanency service remain within budgeted levels of c. 2,500	The commitment to safe case-loads per caseholder means that if the total number of cases increased by 15% for the majority of the year, there would be up to £1m additional spend on social work staff.	Up to one third of caseholding staff in front line teams are agency. If caseloads reduced spend could be brought down.	Caseloads are being monitored across the service to allow management of social work resources.
The current mix of 600 LAC and Care Leaver placements remains broadly stable throughout the year. Unit costs remain stable.	This is potentially a volatile budget. Any new individual high cost residential/secure placement can cost up to £0.3m per annum. A net increase of 10 placements with Independent Foster Agency (IFA) carers at a cost of £850 per week would cost an additional £0.4m.	If demand drops then spending will fall in line with this. i.e. 10 fewer IFA placements saves £0.4m per annum.	Brent has a track record of maintaining stable and relatively low numbers of LAC. WLA commissioning function is being used to control unit costs. Increased scrutiny from senior management on placement costs.
Troubled Families achieves the targeted 1,192 successful claims.	Each claim is worth £800, so a shortfall of 50 claims creates a £40,000 budget pressure.	Over achievement results in an additional £800 of income per claim.	Putting additional resources into the claims process.

3.4. **Community Well-Being (GF)**

Community Well-Being (GF)	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Housing (GF)	8.8	8.8	0.0
Public Health	21.4	21.4	0.0
Culture	5.1	5.1	0.0
Adult Social Care	93.7	93.9	0.2
Total	**129.0**	**129.2**	**0.2**

3.4.1. Key risks to the Housing GF relate to reduced grant funding (with grant income reduced by £2.9m from 2018/19 levels) and increased cost pressures. Additional costs have arisen on the Housing Association Leasing Scheme, with Notting Hill Group requiring an additional £0.3m payment on existing leases and a further £0.5m on leases renewing before February 2020 (in addition to the £70 per week per household fee currently paid). This is an additional cost of around £20 per week per household. Work is ongoing to compare the cost of renewing the leases compared to expanding other forms of Temporary Accommodation such as Annexes, to identify the most cost effective solution. If this work is unsuccessful then there will be an overspend on Temporary Accommodation.

3.4.2. Recent steps taken to mitigate risks include the conversion of PFI properties from Temporary Accommodation to Discounted Market Rent/Affordable Rent is generating higher income and the utilisation of council assets awaiting redevelopment such as Honeypot Lane and Prout Grove are being used to provide additional Temporary Accommodation.

3.4.3. It is projected that Adult Social Care will overspend by £0.2m in 2019/20. This forecast overspend is due to two Ordinarily Resident cases where there has been a disagreement regarding which authority is responsible for funding the social care costs. For both of these cases, the Secretary of State has determined that Brent Council is responsible for the paying the care costs for these clients including backdated historic costs at a cost of £0.5m. Part of the overspend (£0.3m) will be funded out of reserves resulting in a net overspend within Adult Social Care of £0.2m.

3.4.4. There is a significant risk that the £0.4m Continuing Health Care (CHC) saving will not be achieved. However, in order to be able to challenge health more robustly when the Council considers that social care packages should be jointly funded a dedicated CHC social worker has been recruited.

3.4.5. There has been a delay in the Homecare and Day Care retenders which means that £0.7m of savings may not be achieved until next year. To offset against this non-delivery several mitigations are planned: it is expected that the supporting people savings will exceed the savings target; there is a programme in place to claw back excess direct payment balances; all high residential placements will be signed off by the Operational Director for Adult Social Care; and all other packages (irrespective of its costs) will be signed off by QAM (Quality Assurance Meeting). However, if these mitigations do not succeed, there is a risk for Adult Social Care overspend increasing beyond the reported level of £0.2m.

3.4.6. There has been a delay in the delivery of the NAIL savings programme due to challenges faced by the private market delivering NAIL schemes. This has consequently led to further delays to the Council to mobilise these schemes. The total planned NAIL savings are still expected to be delivered, but later in the programme life. It will be mitigated by a greater scrutiny of the costs of new packages and enhanced focus of existing packages to ascertain where savings can be made. The delay in delivering NAIL savings has been offset through the IBCF grant funding for 2019-20.

3.4.7. The forecasts include key assumptions, the table below highlights this.

Key Assumption	Downside if worse	Upside if better	Mitigations
New Nominations agreement reached with Registered providers, allowing properties procured using a Reasonable Rent to end the main homelessness duty	Higher management fees. Dependent on a favourable decision from the Rent Officer.	Potential saving of £1.8m per annum.	Using additional locations for Temporary Accommodation to reduce reliance on B&B/annexes
The current mix of 1,750 community based packages grows in line with the demographic growth provided of an additional 50 packages. Unit costs remain stable.	Every ten packages above the budgeted growth would result in a cost pressure of £0.1m per annum.	If the actual growth in placements is below budget then not all of the budgeted growth would be required.	The Commissioning function is reviewing the most expensive community packages to see if they can be reduced as well as looking at the smallest homecare packages to ascertain if these packages are actually needed.
The current mix of 1,170 accommodation based packages grows in line with the demographic growth provided of an additional 40 packages. Unit costs remain stable.	Every ten placements above the budgeted growth would result in a cost pressure of £0.4m per annum.	If the actual growth in placements is below budget then not all of the budgeted growth would be required.	There is a social work team embedded within the Commissioning function which is looking to make savings on accommodation based placements by moving clients from high cost residential and nursing packages to supported living NAIL schemes. There will also be renewed focus on cost control of new packages which will be vetted by senior management.

3.5. **Customer & Digital Services**

Operational Directorate	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Customer And Digital Services Director	0.6	0.6	0.0
Customer Services	11.4	11.4	0.0
Shared ICT Service	0.0	0.0	0.0
ICT Client And Applications Support	5.4	5.4	0.0
Procurement	1.0	1.0	0.0
Transformation	2.7	2.7	0.0
Total	**21.1**	**21.1**	**0.0**

3.5.1. The Customer & Digital Services department is expected to spend to budget.

3.5.2. The budget includes the addition of £1.6m mainly relating to Customer Services from centralising Housing Benefit Overpayments to replace central recharges. Additionally the budget includes the planned drawdown from the reserve of £1.2m, relating to funding for the assessment team in Customer Services.

3.6. **Regeneration & Environment (R&E)**

R&E	Budget (£m)	Forecast (£m)	Forecast Overspend/ (Underspend) (£m)
Environmental Services & Directorate	33.5	31.5	(2.0)
Regeneration Services	1.0	1.0	0.0
Property Services	5.0	5.2	0.2
Total	**39.5**	**37.7**	**(1.8)**

3.6.1. The table above reflects the budgets and the projected outturn for each of the services within R&E. The budget includes drawdowns from R&E reserves totaling £0.8m to fund activities planned to be undertaken in 2019/20 and these drawdowns include; funding for transportation projects, DWP funds for the Living room team and South Kilburn trust funds. Overall, the department is currently forecasting a net £1.8m underspend based on current trends.

3.6.2. The forecast underspend within Environmental services & directorate is the net impact of a £2.7m underspend offset by £0.7m forecast pressures. The underspend has arisen in a number of areas, which include:

- £0.9m additional income assumed within the Cemeteries & Bereavement areas based on current volumes and historic trends and £0.2m relates to additional enforcement income assumed within Neighbourhood Management based on current trends.
- £0.7m of the underspend is attributable to previous projections made against waste tonnages being less than initially anticipated based on current property numbers and a reduction in the expected cost of the re-basing of recyclate revenues built into the waste contract.
- £0.5m underspend relates to efficiencies made across the directorate to fund projects within the department which would not be utilised.
- £0.4m of the underspend is due to a number of vacancies currently held across the service.

3.6.3. The £0.7m forecast pressure in the Environmental Service has arisen within Parking and Street lighting due to income shortfalls. £0.5m of this shortfall has mainly arisen from permit sales which has reflected a small reduction in volumes based on prior years rather than growth in volumes. There is also a £0.2m shortfall against the diesel surcharge as previous forecasts assumed sales to 10,000 vehicles generating income of £0.5m and as a result of the scheme commencing in June and a reduction in the assumed number of vehicles to 7,500 the forecast has been revised to generate income of £0.3m. However, the impact of the reduced number of diesel vehicles has wider air quality benefits. The service would continue to undertake management action to mitigate the shortfall which would include enhancing debt recovery processes, installation of additional moving traffic enforcement cameras etc.

3.6.4. The Brent Transport Service (BTS) is currently maintaining a forecast breakeven position with anticipated growth in numbers of 10%-15%. The service has been allocated growth funding in this financial year to mitigate an assumed increase in passenger numbers. This area would be monitored closely throughout the year to maintain accurate forecasts.

3.6.5. Property Services is currently reflecting a forecast pressure of £0.2m mainly within Commercial Properties due to the risk of a shortfall in income following some premises being vacated and there is a possibility these may remain vacant for a few months. There are also pressures within health and safety to cover the costs of audit and assurance procedures and the cost of a systems upgrade for the accident reporting system.

3.6.6. There are a number of services within the department funded by income generation which can be volatile such as Parking, Building Control, and Planning etc. There are models in place to support the forecasts, but demand may vary from the forecasts. These will also continue to be monitored closely.

3.6.7. The forecasts include some key assumptions and the table below highlights a number of these assumptions.

Key Assumption	Downside if worse	Upside if better	Mitigations
Parking Service – Diesel surcharge on residential permits which commenced June 2019 has revised assumptions from sales expected from 10,000 vehicles, to 7,500 vehicles, based on current trends, generating income of £0.3m.	The forecast for the diesel permit sales has now been revised to reflect a reduction in income expected. If the forecast reduces further, this would lead to an additional shortfall in income.	Increased income generated if more than 7,500 diesel vehicles require a permit.	Improved income collection for outstanding debt by improving appeal outcomes, enhancing the debt recovery processes and sustaining PCN cases at tribunals.
Forecast Parking permit sales assumes similar volumes to 18/19 averaging c28,000 sales per month.	If parking enforcement activity does not meet expectations, for example, due to adverse winter weather, the growth in parking permit sales will be less than anticipated and could cause a further shortfall in income.	If parking contraventions increase and are successfully enforced, the growth in parking permit income could be higher than anticipated.	As above *and* Continue installation of additional moving traffic enforcement cameras *and* Work with SERCO to increase Civil Enforcement Officer productivity.
BTS – net passenger growth during 2019/20 will be similar to 18/19, at 90 passengers per year, and the average cost per passenger will remain at £7.3k per annum.	Net passenger growth could fluctuate adversely and result in up to £0.250m additional spend.	Spend could potentially be reduced by £0.150m if the net passenger growth is less than anticipated.	Savings benefits from newly negotiated Harrow vehicle hire contract.
The Commercial property portfolio would be able to manage voids effectively	The service would need to cover the costs of any void properties creating a pressure and	There would be no pressures to be mitigated and required income would be generated.	Regular reviews of the portfolio, management of long standing debtors etc.,

	there would also be a shortfall against the income target while the properties remains vacant.		
Income generating services to achieve income targets built into the 2019/20 budgets. Any potential impact arising from Brexit has not been factored in to the forecast and this can affect income generation across various areas in this department such as planning, building control, parking etc.	Shortfalls in income would create overspends which would need to be contained.	Some income generated over and above the target could be applied as a mitigating factor to pressures which could arise in the service.	Management action to ensure that any outstanding income is pursued.

3.7. **Central items - Collection Fund**

3.7.1. The budgeted net collectible amount for Council Tax (after exemptions, discounts and Council Tax support) is £153.0m. The actual net collectible amount as at July 2019 was £151.1m, which has been relatively stable since April 2019. This is expected to increase further during the year as more properties are built in the borough and recorded with the Valuation Office Agency, but is likely to achieve a small shortfall on the budget set this year. This is being closely monitored, and the shortfall is forecast to be eliminated over the timeframe of the medium term financial plan. As at the end of July 2019 the amount collected was 0.2% lower than the in-year target, compared to 0.2% above target in the previous year at the same point in time.

3.7.2. The budgeted net collectible amounts for Business Rates (after exemptions, reliefs and discounts) is £132.3m. The actual net collectible amount as at July 2019 is £130.4m, a decrease of £1.9m since April 2019. This figure can vary during the year as new assessments are made, which may be entitled to certain reliefs, and assessments are deleted, if businesses either leave the borough or go into administration. The primary reason for the movement this year is due to higher levels of reliefs being granted to businesses. As at the end of July 2019 the amount collected was 0.58% above the in-year target and 0.5% above the percentage collected at the same period in the previous year.

3.8. **Central items - Capital financing and other central items**

3.8.1. The capital financing budget for 2019/20 is £23.3m and is currently forecast to be spend to budget, as set out below.

	£m
Interest Payable	23.5
Interest Receivable	(13.3)
Capital Financing and Minimum Revenue Provision	13.1
Total	**23.3**

3.9. **Children and Young People (DSG)**

Funding Blocks	**DSG Funding (£m)**	**Forecast (£m)**	**Forecast Overspend/ (Underspend) (£m)**
Schools Block	234.5	233.4	(1.1)
High Needs Block	56.1	60.1	4.0
Early Years Block	23.4	23.4	0.0
Central Block	2.4	2.3	(0.1)
Total DSG	**316.4**	**319.2**	**2.8**

3.9.1. It is likely that the DSG will overspend by £2.8m against grant funding due to demand for High Needs education support for the increasing number of children with EHCPs (Education Health Care Plans), and increasing numbers of young people with EHCPs staying in post-16 education. The number of EHCPs has risen from 2176 at the end of 2018/19 to 2256 in June 2019. This quarterly growth is broadly consistent with the increase of 10% experienced across the 2018/19 financial year, so the growth remains constant and is not yet abating.

3.9.2. The EHCPs specify the amount and type of support an SEND pupil requires and so dictates the cost. The growth is a London and national trend whereby the number of children assessed as meeting the threshold for support has increased sharply since the introduction of EHCPs in 2016. The rate of increase for High Needs exceeds the growth in overall pupil numbers, but High Needs funding has not increased in line with this, creating financial pressures. The average cost of funding the services required by an EHCP is £20k, and can range from £11k for support in a mainstream school, to £63k in more specialist out of borough settings. These unit costs are under inflationary pressure from increases in staffing costs.

3.9.3. It is noted that there is particular growth in the numbers of young people remaining in education in post-16 who have EHCPs and who may be supported from the High Needs block until the age of twenty-five.

3.9.4. The High Needs forecast of £60.1m is indicative, based on the number of EHCPs to date. Detailed forecasts will be more accurate at the start of the academic year. This overspend is partially offset by a £1m contribution from the Schools block agreed during budget setting by the Schools Forum. The remaining forecast overspend will deplete the DSG reserve of £2.5m, and cause a year end deficit of £0.5m. This will be a relatively small deficit compared to other London Boroughs most of which will finish the year in deficit.

3.9.5. There is also a risk of overspend in the pupil growth fund which is part of the Schools Block. This budget has underspent in previous years, and the DSG was consequently top-sliced by the DfE for 2019/20. The current budget has been set in line with prior year spend, but £0.7m is committed to the school based 'CAFAI' provisions for secondary age pupils who are new entrants to the English school system. This leaves £0.7m for the rising rolls growth funding. The rising rolls funding calculations are completed in December, and the risk of overspend mainly depends upon the year on year increase in the year 7 intake. The growth fund will be reviewed by Schools Forum for the 2020/21 financial year; it is funded by the Schools block, so the budgeted level impacts upon the amount available for the mainstream funding formula.

3.9.6. The growth in demand on the High Needs block is forecast to continue in future years, so it is unlikely that a deficit on the DSG will be recoverable in the following year without sustained additional funding. The DfE position is that deficits can be recovered from subsequent year's DSG funding as part of a multi-year recovery plan, but any plan will require additional year on year increases in funding. Without this funding the Schools Forum will need to agree a recovery plan which will have to require funding cuts to schools to balance the DSG position.

3.9.7. Some additional funding has recently been announced for 2020/21 with the government outlining new funding for SEN of £700m. It is not yet known if this is a one off grant or how the funds will be allocated or targeted, but, if it were to be split proportionately between local authorities on the basis of the 2-18 year old population, the Council could be allocated 0.6% of the total, which works out as £4m. This would be enough to cover the 2019/20 overspend on the High Needs block, but demand modelling indicates further increases in spending of £3.5m in 2020/21.

3.10. **HRA**

HRA	**Budget (£m)**	**Forecast (£m)**	**Forecast Overspend/ (Underspend) (£m)**
HRA	0.0	0.5	0.5
Total	**0.0**	**0.5**	**0.5**

3.10.1. The £0.5m overspend relates to the estate cleaning service provided by Wettons. This service will be brought in-house from the 15th September 2019. There is a short term risk that the uplift on service charges for 2019-20 may not be sufficient to fully cover the initial transition costs from staffing transfers and mobilisation in year. The estimated in year budget pressure of committing to London living Wage is £0.5m if all staff TUPE over to LBB. The service is currently reviewing the service charges, and other options to mitigate this overspend.

4. Capital Detail

4.1 The table below shows the Capital budget including the in-year movements.

Capital Budget movement

	Original budget (£m)	Carry forward (£m)	Budget Additions/ Removal (£m)	Virement (£m)	Reprofiling (£m)	Revised Budget (£m)
Corporate Landlord	52.2	0.8	0.5	0.0	1.6	55.1
Regeneration	1.7	1.8	3.9	(0.5)	0.0	6.9
St Raphael's	0.9	0.1	0.0	0.0	0.0	1.0
HCIB	179.5	(3.7)	23.8	0.5	0.8	200.9
Schools	7.2	1.6	1.5	0.0	0.0	10.3
South Kilburn	3.9	8.6	0.4	0.0	(2.4)	10.5
Public Realm	12.3	3.0	2.6	0.0	1.5	19.4
Total	**257.7**	**12.2**	**32.7**	**0.0**	**1.5**	**304.1**

4.2 The significant movements relate to:

Corporate Landlord

- Digital strategy bringing forward £1.6m from 2020/21.

Regeneration

- £3.9m budget increase mainly relating to the addition of Wembley transport improvement programme.

Housing Care investment panel (HCIB)

- The budget increased primarily due to £6.8m uplift in I4B budget, £4.2m for DFG grant and £11.5m to provide new affordable housing with the support of Right to Buy.

Schools

- Additions mainly relate to the Woodfield school expansion which has been allocated £0.9m of new budget.

South Kilburn

- Delays caused from the ballot and QPJV have resulted in budgets of £2.4 m being moved forward and significant carry forward from 18/19 of £8.6m.

Public Realm

- The £1.5m budget brought forward is related to the £20m footways programme.
- The majority of the additional budget is for S106 and TFL schemes, including £1.0m for the TfL bus priority scheme.

4.3 The table below summarises the overall capital position. The report then sets out more detail on a programme by programme basis.

Portfolio/ Programme	**Budget (£m)**	**Forecast (£m)**	**Forecast Overspend / (Underspend) £m**
Public Realm	19.4	18.7	(0.7)
South Kilburn	10.5	10.5	0.0
St Raphael's Estate Regeneration	1.0	0.7	(0.3)
Regeneration	6.9	6.3	(0.6)
Housing Care Investment	200.9	192.2	(8.7)
Schools	10.3	13.0	2.7
Corporate Landlord	55.1	55.7	0.6
Total	**304.1**	**297.1**	**(7.0)**

4.4 The slight underspend of £0.7m in public realm is due to a section of Section 106 (S106) projects in highways and parks that are currently expecting to delay completion and slip budget into future years.

4.5 The £0.3m underspend in St Raphael's is due to the expectation that the design budget will not be fully spent in 19/20, and works will continue into 2020/21.

4.6 The delays to the Bridge Park project stem from ongoing legal issues causing the £0.6m underspend in regeneration.

4.7 The Housing Care Investment budget is underspending by £8.7m mainly due to the reduction in target properties for I4B. There are several work streams implemented to reach target level which includes, targeting council house lease holders, re-engaging with past vendors and reducing the overall refurb costs to allow for higher initial purchases to be made.

4.8 The schools programme is currently forecasting an overspend of £2.7m due to the original contractor at Uxendon manor being unable to complete the work, although the Council is seeking redress by recovering these costs.

4.9 Additional laptops and an increase in anticipated spend on LEDs are the main reasons for the projected £0.6m overspend in Corporate Landlord.

4.10 The overall forecast of £297.1m, includes a number of spend positions that still need to be confirmed for 19/20. As in previous year officers will be given the opportunity to re-profile capital budgets (to reflect the expected spend in current and future years) and to set the revised baseline for 19/20.

Conclusion

Currently, the forecast shows that the General Fund revenue financial position for the Council in 2019/20 is an underspend of £1.1m.

5.2 The capital forecast shows an underspend of £7.0m, however the schemes are due to be re-profiled to reflect expected spend.

Financial Implications

6.1. This report is about the Council's financial position in 2019/20, but there are no direct financial implications in agreeing the report.

Legal Implications

7.1. Managing public money responsibly is key legal duty, but there are no direct legal implications in agreeing the report.

Equality Implications

8.1. There are no direct equality implications in agreeing the report.

Report sign off:

Minesh Patel
Director of Finance

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Brent	**Cabinet** 14 October 2019
	Report from the Assistant Chief Executive

Brent Together- Draft Volunteering Strategy for 2019-2023

Wards Affected:	Al
Key Decision:	Yes
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Three Appendices: Appendix 1 Draft Volunteering Strategy Appendix 2 Volunteering Strategy Options Appraisal Appendix 3 Brent Council Volunteers Census
Background Papers:	
Contact Officer(s): (Name, Title, Contact Details)	Emily Danby – Community Volunteer Coordinator, Strategy & Partnerships Emily.Danby@brent.gov.uk Jacqueline Barry-Purssell – Partnership and Engagement Manager, Strategy & Partnerships Jacqueline.Barry-Purssell@brent.gov.uk Pascoe Sawyers – Head of Strategy and Partnerships Pascoe.Sawyers@brent.gov.uk

1.0 Purpose of the Report

1.1 This report presents the draft Brent Together Volunteering Strategy for 2019-2023 for approval. The strategy sets out our ambitions for a vibrant volunteering culture across the borough. It also details options for taking this workstream forward.

2.0 Recommendations

2.1 Cabinet is asked to consider and agree the draft strategy in Appendix 1.

3.0 Detail

3.1 The Brent Together Volunteering Strategy sets out a 4-year strategic approach for volunteering across the borough. It will also address the wider ambition of stronger communities. The timeframe of the strategy includes the duration of 2 ambitious volunteer-led programmes (London Borough of Culture and the Emerging Communities programme) and their immediate legacy.

3.2 Success of the strategy will be measured largely by the diversity of people actively engaged in volunteering across the borough and by the range and quality of opportunities available to them.

3.3 The strategy has the following overarching ***aims***:

- That people from across Brent's communities, of different backgrounds, feel encouraged and motivated to volunteer their time;
- That Brent offers the best possible volunteering opportunities in terms of both range and quality;
- That volunteering in Brent is truly inclusive and brings our diverse communities closer together;
- That the council leads the way as an example of good practice in volunteering.

3.4 These will be achieved through the following ***priorities***:

- Providing high quality, accessible information on volunteering through a new online platform;
- Increasing the range of volunteering opportunities through new programmes;
- Emphasising inclusivity and diversity in all aspects of the strategy;
- Promoting employee volunteering;
- Strengthening the council's internal volunteering offer.

4.0 Future Options Considered

4.1 We have considered 3 models for delivery of the strategy:
a) Purchase a Time Credits platform;
b) Develop a standard volunteering platform;
c) Contract an external organisation for brokerage.

4.1.1 <u>Option A- Time Credits platform</u>

This style of platform allows volunteers to access opportunities for which they are rewarded with time credits which can be spent on local activities. Tempo Time Credits supply the software and set-up support from £30, 000. Large scale projects cost est. £100,000. While time credits offer a unique way to attract new volunteers, most local authorities (e.g. Westminster, Haringey) use the system alongside an established volunteering platform. It is therefore advised that we focus on developing a new volunteering platform before considering time credits. This option is not recommended.

4.1.2 <u>Option B- Standard volunteering platform</u>

A standard volunteering platform integrated within Brent Council's website and managed internally. A single online location for all volunteering opportunities in the borough, where organisations can publicise their opportunities and individuals can search for them. Cost of a platform ranges from £30, 000 for an 'off-the-shelf' purchase to £150,000 for a customised model developed in-house. Given the difference in price, an off-the-shelf purchase is the preferable option. Options for providers will be fully evaluated and the proposal will be included within the Transformation team's business case for new digital investment (see 'Financial Implications' below). This option is recommended and will be subject to further review after a year.

4.1.3 **Option C- Contracted brokerage**

Similar model to previous provision by Groundwork with an external agency providing volunteering recruitment and management services and taking lead on promotional activity. While external brokerage offers a comprehensive package, bringing this service in-house is likely to offer better value for money. Contracting an external organisation for brokerage would cost circa £50,000/ year. This option is not recommended.

5.0 Financial Implications

5.1 The proposed option B includes expenditure of circa £30, 000 to purchase a volunteering platform which will be included within Transformation's business case for new digital investment. Any other costs for delivering the strategy will be contained within Strategy and Partnership's existing budget.

6.0 Legal Implications

6.1 Care will need to be taken to identify any potential volunteering opportunities for which it would be necessary to have additional vetting checks in place, for example, confirmation that the intended volunteers have been DBS checked prior to them being accepted to undertake the relevant task.

6.2 It will also be necessary to ensure that adequate risk assessments have been undertaken in respect of any volunteers being deployed, particularly those who would be operating in community based locations.

6.3 Finally we would want to ensure that there was adequate insurance provision in place in respect of volunteers in case of incident or accident when carrying out their duties.

6.4 In respect of 6.1 – 6.3 above, in that the strategy is intended to replace existing ad hoc arrangements already in place, the likelihood is that it will be a more effective means of ensuring that the highlighted issues have been fully addressed, thus reducing the potential risks arising of challenge.

7.0 Equality Implications

7.1 Equality Implications have been considered for each of the options for delivery of the strategy.

Option A- Time Credits platform

This option is likely to have a positive impact on persons with a protected characteristic as the model works in a targeted way with groups for whom barriers to volunteering are identified. While this option is not currently recommended, its positive impact on equalities will be acknowledged when considering future developments of the strategy.

Option B- Standard volunteering platform

This option is likely to have a positive impact on equalities as awareness of volunteering opportunities will be improved for all sections of the community, including those with a protected characteristic. Any negative impact of using an online system to promote volunteering opportunities will be mitigated through alternative methods of promotion (e.g. leaflets, in-person promotion at events). Further consideration of equality implications will inform development of the volunteering platform from the initial stages. This will be conducted through an on-going Equality Analysis.

Option C- Contracted brokerage

This option is likely to have a positive impact on persons with a protected characteristic as volunteering opportunities will be promoted equally to all sections of the community. However, it is also noted that there is no negative impact to ceasing the brokerage service previously provided by Groundwork, as this was a generalist service to all areas of the community which would be covered through provision of an alternative volunteering platform.

8.0 Any Other Implications (HR, Property etc - if necessary)

8.1 There are no other implications.

9.0 Proposed Consultation with Ward Members and Stakeholders

9.1 The Lead Member has been consulted in the development of this draft the strategy.

Report sign off:

Peter Gadsdon
Assistant Chief Executive

A Volunteering Strategy for Brent – ***Brent Together***

Foreword

Volunteers make an incredible contribution to the civic life of our borough, with many people dedicating their time to support our charities, community groups, cultural programmes and sporting events. Increasingly our local organisations recognise the value that volunteers bring to their activities, and with a wealth of new opportunities on the horizon we're working to ensure that both volunteers and organisations have the support they need to make volunteering in Brent a mutually beneficial experience.

We recognise the vital role that volunteering plays for individual wellbeing, promoting community cohesion, supporting our local economy, increasing the employability of our residents and adding value to our local organisations. The purpose of this strategy is to ensure that these benefits are open to everyone, so that the diversity of our volunteers reflects the diversity of our borough, and to maximise the range and quality of opportunities open to them.

We are lucky to already have a thriving volunteering community in Brent, with 42% of residents currently taking part in formal volunteering and 63% informally helping their community.[1] This strategy will build on these foundations so that volunteering becomes an essential component of Brent's civic infrastructure.

Our Ambition

Brent Together is the council's commitment to increase the scope of volunteering in Brent and make sure everyone feels more involved in their community. It will also address the wider ambitions of the Stronger Communities strategy. The strategy will inform decision-making around volunteering in Brent over the next 4 years. Its success will be measured largely by the diversity of people actively engaged in volunteering across the borough and by the range and quality of opportunities available to them. The strategy fits well within the overall borough plan and its priority areas.

Volunteering is a great way to get involved with your local community, develop skills and help to make Brent a better borough. ***Brent Together*** is our commitment to recognise and celebrate those who give up their time to make their community better.

The strategy's overarching aims are to make Brent a place where:

- People from across Brent's communities, of different backgrounds, feel encouraged and motivated to volunteer their time;
- Brent offers the best possible volunteering opportunities in terms of both range and quality;
- Volunteering is truly inclusive and brings our diverse communities closer together;
- The council leads the way as an example of good practice in volunteering.

[1] *Brent Community Engagement Research Report*, May 2019.

Investing in Volunteering

To realise our ambitions for volunteering in Brent we recognise the need for thoughtful investment. Through our investment we commit to deliver:

- An online volunteering platform that is easily accessible and unique to Brent;
- A Community Volunteer Coordinator to oversee delivery of the strategy.

Across the duration of this strategy we expect this to directly support 800 people to take up volunteering opportunities and 2, 500 people to access information on quality local volunteering opportunities.

A Partnership Approach

To achieve our ambition for an active volunteering borough, we will take the lead in a borough-wide alliance where responsibility for promoting volunteering is shared between partners from across the public, voluntary and private sectors. We want everyone who is involved with volunteering and community action to be part of ***Brent Together*** and be recognised for the contribution they make.

Our Commitment to Volunteering in Brent

We commit to delivering a volunteering programme that is inclusive and high quality, and rewards achievement.

We will provide high quality information to make volunteering accessible

We want everyone in the borough to easily access information about the volunteering opportunities open to them. We will achieve this through:

- Establishing a new online platform for volunteering, integrated within Brent Council's website;
- Working within Brent Hubs to encourage people from all communities to take up volunteering opportunities;
- Including information on volunteering opportunities within a Welcome Pack for newly arrived community members.

We will provide great volunteering opportunities

2020 is set to be an exciting time for volunteering in Brent, with the launch of two volunteer-led initiatives that are unique to the borough. These opportunities will reflect the unique heritage, diversity and needs of our borough:

- Brent's Emerging Communities programme will work with volunteer 'community champions' from our Eastern European and Latin American communities. Volunteers will support the borough's emerging communities to access the support, information and services they need to feel fully at home in Brent;
- London Borough of Culture 2020 (LBOC) will provide opportunities for up to 300 local people to get involved with the delivery of a borough-wide cultural programme. Volunteers will be involved with all aspects of the 2020 programme in various roles, from backstage assistants at events, to Storyfinder volunteers collecting the memories of local residents.

We will allow volunteers to take the lead

Our volunteers will play a key role in shaping the future of volunteering in Brent, participating not only in project delivery, but in the planning and development of projects, and in securing their legacy. In particular:

- Volunteers from emerging communities will be instrumental in increasing the diversity of Brent's volunteers by promoting volunteering opportunities within their communities. They will drive delivery of the Emerging Communities programme through facilitating new connections between their community and the public sector;
- LBOC's Trailblazer volunteers will work collaboratively with the LBOC volunteer coordinator to shape the 2020 programme. Trailblazers will also play a key role in the recruitment, induction and training of LBOC volunteers;
- Throughout its duration, LBOC 2020 will be steered by Community Advisors, individuals who are well-connected in their communities and passionate about the potential for culture and creativity to bring positive change. Community advisors will attend regular project board meetings, sharing their expertise and helping steer key strands of the LBOC programme. Community Advisors will also play a crucial role in securing the legacy of LBOC;
- Volunteers will be involved directly in delivery of a new online volunteering platform as test users during the platform's development.

We will recognise and reward achievement

We will raise the profile of volunteering in Brent through rewarding our borough's volunteers and showcasing their achievements. With this aim we will:

- Continue to host the Pride of Brent Awards, shining a light on groups and individuals of outstanding achievement in their voluntary work;
- Celebrate the activities of our volunteers during the national Volunteers Week (annually on 1-7 June), including a volunteers' tea with the Mayor;
- Further investigate rewards for volunteering that are in line with the volunteering ethos.

Opportunities for all: meeting our Stronger Communities priorities

We want our borough to foster a volunteering culture that is genuinely inclusive and where residents of all abilities and from every neighbourhood feel they have something meaningful to offer. With this aim, our volunteering strategy takes particular consideration of Brent's Stronger Communities priorities, specifically:

Tackling Poverty. Statistics show that across the UK individuals from upper socio-economic groups are 17% more likely to engage in volunteering than those in lower socio-economic groups.[2] We want the benefits of volunteering to be open to everyone, including those on lower incomes. To make this possible we will:

- Increase our understanding of the obstacles that prevent uptake of volunteering among certain demographic groups, as part of the LBOC Inclusion project;
- Promote volunteering opportunities to all residents, including those from lower socio-economic groups, through Brent Hubs.

Engaging New and Emerging Communities. We want all communities to feel they can contribute meaningfully to civic life, easily access the services that support their integration and feel genuinely connected to the residents of our diverse borough. Our Emerging Communities programme takes a volunteer-led approach to achieve this.

A dedicated Community Volunteer Coordinator for Brent's emerging communities (Eastern European and Latin American) will:

- Work in partnership with local organisations to recruit and support a total of 48 volunteers from emerging communities before March 2021;
- Support some of these volunteers to become 'Community Champions', offering support and information and improving awareness of and access to council services;
- Involve volunteers from emerging communities in delivering the wider Volunteering Strategy.

[2] *Taking Part Survey 2017-18*, Department for Culture, Media and Sport, https://www.gov.uk/government/statistics/taking-part-201718-quarter-4-statistical-release.

Leading by Example

Promoting employee volunteering

We know our commitment to volunteering needs to go beyond financial investment. This is why we will encourage all council staff to take up to 3 days per year to volunteer in the borough during their contracted working hours and highlight the benefits of volunteering for personal wellbeing and as a rewarding aspect of training and development. This will help voluntary groups benefit from the skills and energy of council officers whilst allowing staff to further improve their knowledge of the area and the residents they serve.

We will encourage up-take of this opportunity by:

- Reviewing internal management of the employee volunteering scheme and updating current policy and procedure;
- Promoting employee volunteering to new staff during Corporate Induction;
- Securing support for volunteering by senior staff members and councillors;
- Promoting employee volunteering at internal events including Better Brent Festival and Forward Together;
- Further investigating volunteering opportunities with our partners in the voluntary and private sectors;
- Participating annually in national Volunteers Week (1-7 June), including a dedicated 'Council Volunteering Day'.

Strengthening the council's volunteering offer

The council also has a valuable opportunity to promote best practice in volunteering through its own services. From Hub assistants to parent mentors, volunteers already play a key role in delivering services to the community. We want to strengthen the council's volunteering offer by:

- Conducting an internal 'volunteering census' in order to build a complete picture of the roles that volunteers currently play within council services and the current number of council volunteers;
- Strengthening coordination and collaboration between council projects that work with volunteers by establishing an internal 'Volunteer Coordinators Network';
- Offering shared learning opportunities to the council's volunteer coordinators;
- Standardising the council's processes for working with volunteers by:
    - Developing council-wide policies and procedures that may then be adapted to suit the needs of each specific service;
    - Making wider use of the council's recently purchased volunteer management software;
- Establishing a 'single point of access' for the council's volunteering opportunities online;
- Publicising opportunities and success stories from all council projects working with volunteers through avenues including 'Your Brent' magazine and through Brent Connects forums.

Piloting our Approach

We recognise the need to adapt our approach in response to new learning. In particular, the council has the opportunity to pilot and develop aspects of the volunteering strategy through its new volunteer-led initiatives: London Borough of Culture and the Emerging Communities programme. Learning from these two initiatives will inform the council's best practice in volunteering with a specific focus on:

- Effective recruitment methods;
- Volunteer retention;
- Inclusivity and diversity;
- Volunteer management systems;
- Capacity building for volunteer coordinators.

Learning will be captured and shared through the Volunteer Coordinators Network.

Volunteering in Action

Volunteers are already playing a vital role within a broad range of council services. Below is an example of how volunteers add value to our services.

Parent Champions, Early Years team

The 'Parent Champions' programme works with volunteers to provide information and sign-posting to parents of young children. Champions visit libraries and toddler groups in many areas across the borough, providing information and sign-posting on the services and financial support available to parents of young children. Champions are given thorough training in areas including safeguarding, awareness of services and maintaining professional boundaries. New champions also receive the support of a more experienced volunteer while they become familiar with the role.

Parent Champions have added enormous value to the work of the Early Years team. Champions are key to the team's outreach, growing new links within the community and having a significant impact on the uptake of free childcare entitlements. The programme is also highly valued by its volunteers. As parents who are not currently working, the champions build their knowledge, confidence and skills and are supported to access progression opportunities, including employment.

Click here for a video about the national Parent Champions scheme.

Future Developments

We will continue to grow an ambitious volunteering culture in Brent by proactively seeking to develop our offer. Specifically, over this five-year period we will:

- Capitalise on the legacy of LBOC to increase engagement in volunteering and to learn from the programme's successes;
- Investigate a time credits scheme for Brent to further broaden the uptake of volunteering.

How can you get involved?

For more information about any aspect of the volunteering strategy please contact **volunteering@brent.gov.uk**.

Volunteering Strategy: Options Appraisal

Options	Details	Estimated Costs	Advantages	Disadvantages	Notes
Option A: Time credits platform	**Time credits platform** provided by Tempo Time Credits, plus support with set-up and recruitment of local organisations offering volunteering opportunities and businesses where time credits can be spent. Focus on increasing uptake of volunteering among new and emerging communities and within low-income neighbourhoods, in line with Stronger Communities strategy.	£30, 000- £100, 000	A unique opportunity to pilot this innovative approach to volunteering and to deliver a project of real impact for Stronger Communities objectives: tackling poverty and engaging with emerging communities. If successful, various opportunities to up-scale model to have wider reach across Brent. A time credits system provides concrete rewards for volunteering and has proven effective in increasing diversity of people volunteering (49% of time credits spenders had never volunteered before). Provides unique Brent Time Credit notes.	Does not provide a traditional volunteering platform that is unique to Brent. Other councils using time credits tend to offer this in addition to a mainstream volunteering platform. A small-scale project (within our budget) must be tailored to serve specific parts of the community, rather than cater for the whole. Requires significant time investment to become properly established.	Consulted with City of Westminster who currently have a Tempo Time Credits platform. They said Tempo have been "remarkable" contractors, responded very well to their brief and exceeded engagement targets within one year. The platform has contributed to increasing diversity among Westminster volunteers. However, this was for a much larger scale project that included Tempo working in-house at Westminster 2-3 days a week during set-up. Westminster also use this platform in addition to a customised do-it.org platform which caters for traditional volunteering opportunities. Example platform: https://timecredits.com/ For more info see "Tempo Time Credits for Brent" in "Volunteering Strategy supporting documents" folder.
Option B: Volunteering platform developed in collaboration with Transformation	**Volunteering platform** developed in collaboration with the Transformation team. Transformation to include proposal in their business case for new digital investment. Platform may be developed internally or provided by external provider. Software can be linked to a webpage within the council's website or a separate site created. Provides full database of local volunteering opportunities. Local organisations can register their opportunities, which are vetted by the administrator (council-based) before posting. Platform may be used in conjunction with existing volunteer management software (Better Impact) purchased by LBoC.	Circa £30, 000 for external purchase	Provides a volunteering platform unique to Brent. Popular option for local VCS organisations, who can advertise their opportunties. In-house and external opportunities listed in same place. Makes good use of existing resources	Does not reward volunteering like Time Credits. No special focus on meeting Stronger Communities objectives.	High-level estimate from Transformation for in-house development of a platform is £120, 000 to £150, 000. Off-the-shelf software packages are available from £30, 000. A full appraisal of this options will be carried out if this option is chosen. Consideration to be made for staff time needed as this would be significant during development and launch stages. Experience from LBoC suggests that face-to-face interaction plays a crucial role in volunteer recruitment. (LBoC reported that not a single application came through via website referral alone.) Consideration to be made of how to provide this human element through our existing volunteering projects. Simply Connect provide software for an online volunteering portal, currently used by over 50 local authorities. http://www.simplyconnectsolutions.co.uk/our-reach/ Other providers to be researched if an external purchase is judged to be the best option. Upgrade of Better Impact software may be necessary if used by all council projects with volunteers.
Option C: Volunteering brokerage service via an external agency	**Contracted VCS organisation** to deliver volunteering brokerage. Similar model to previous provision by Groundwork with an external agency providing volunteering recruitment and management services and taking lead on promotional activity.	£50, 000/ year	Provides full volunteering brokerage service and support for VCS organisations. Can also provide employee volunteering service. Minimal support required from council staff.	Very similar to previous provision in Brent. Less control over service delivery than if it were in-house. Does not budget for additional staff time to deliver remaining aspects of the strategy (e.g. in-house volunteering, employee volunteering, streamlining the council's volunteering practices) Does not reward volunteering like Time Credits.	Further research into alternative platform partners needed if we wish to pursue this option. Example: https://volunteeringbarnet.org.uk/

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Brent Council Volunteers

Directorate	Team	Volunteer roles	Current volunteers	Additional recruitment for 2020	Staff members responsible	Notes
Customer and Digital Services	Community Hubs	Hub volunteer	2		Brent Hubs manager	Hubs are expanding and recruiting more volunteers
Children and Young People	Early Years	Parent Champion	11		Children and Families Information Officer	
Children and Young People		Young Offenders Service Volunteer	8			
Culture Service	Libraries	Community ESOL coordinator	2		Brent Start senior programme manager & Library Development Manager & Officers	Volunteer tutors deliver 2 hour weekly classes (beginner and intermediate) across 5 libraries during term time.
Culture Service	Libraries	Community ESOL tutor	8		Brent Start senior programme manager & Library Development Manager & Officers	
Culture Service	Libraries	Gardening volunteer (Kilburn library)	3		Library Services Officer	
Culture Service	Libraries	Homework Club volunteer (Willesden Green Library)	1		Library Services Officer	
Culture Service	Libraries	Knitting volunteer (Kingsbury Library)	1		Library Services Officer	
Culture Service	Libraries	STEM Ambassador	4		Library Services Officer & Library Development Officers	Fortnightly across 4 libraries, after school during term time
Culture Service	Libraries	Code Club volunteer	8		Library Services Officer & Library Development Officers	Monthly across 4 libraries, after school during term time
Culture Service	Libraries	Reading Hack (library youth volunteer)/ Summer Reading Challenge	12		Library Services Officer & Library Development Officers	Young people aged 14 to young adult
Museums & Heritage	Heritage	Museums, archives, learning and events volunteers	9		The Heritage team	Also volunteer student placements from UCL and University of Leicester. Work with partner organsations such as Jewish Cemetry
	London Borough of Culture	Various	35	265	LBOC Volunteer Coordinator	200-300 volunteers over the course of the 2020 programme. More info on the various roles to be provided- a wide variety from backstage theatre support to directing a carnival
Strategy & Partnerships	Emerging Communities Programme	Community Champions		48	(Community Volunteer Coordinator	48 volunteers to be recruited over course of programme (ending March 2021)
			104	313		
				417		

Zero return from:
Regeneration & Environment
Adult Social Care

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Brent	**Cabinet** 14 October 2019
	Report from the Director of Finance

Financing Purchase of Residential Block by i4B or First Wave Housing

Wards Affected:	Toykington
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Olga Bennet Head of Finance (Commercial and Projects) 020 8937 3337 Olga.bennet@brent.gov.uk

1.0 Purpose of the Report

1.1 This report requests Cabinet approval of equity investment in i4B's existing street purchases programme, as agreed in principle by Cabinet when approving i4B's business plan in February 2019.

1.2 i4B or First Wave Housing is intending to purchase a block of 153 key worker accommodation apartments in Wembley Park from Quintain. This paper is seeking approval of the Council to fund this transaction by a mix of loan and equity, subject to the negotiation of some outstanding points as detailed in paragraphs 3.15 and 3.16.

1.3 There is also a request for the decision on the mix of the loan amount and equity to be delegated to the Director of Finance.

2.0 Recommendations

2.1 Cabinet approves an equity investment in the existing i4B street purchases programme by purchasing i4B shares up to a maximum of £21.8m for the first 300 properties, as agreed in principle by Cabinet in February 2019.

2.2 Cabinet agrees for new loan facilities of up to £110.5m to be made available to

i4B and First Wave Housing for phase 2 of the PRS purchase programme, including the potential Quintain block purchase.

2.3 Cabinet agrees that drawdowns on the loan facility to finance the potential Quintain block E01 02 purchase would be conditional on the negotiation of points as described in paragraphs 3.15 and 3.16 below.

2.4 Cabinet delegates to the Director of Finance, in consultation with the Deputy Leader, authority to determine whether the conditions set out in paragraphs 3.15 and 3.16 below have been discharged.

2.5 Cabinet agrees for equity investment of up to £22.1m for phase 2 of the PRS purchase programme, including by purchasing i4B shares up to a maximum of £22.1m.

2.6 Cabinet agrees to delegate the precise terms and mix of loan and equity funding for phase 2 of the PRS purchase programme to the Director of Finance, such that the total funding for phase 2 of the PRS purchase programme does not exceed £110.5m.

2.7 Cabinet notes the new details of the potential block purchase from Quintain, together with the financial and legal implications.

3.0 Detail

i4B Business Plan

3.1 In November 2016 Cabinet agreed to establish a wholly owned investment company, i4B Holdings Limited. This company was set up to own and manage private rented sector properties in order to support the Council's homelessness agenda.

3.2 Cabinet approved the i4B Business Plan 2019/20 in February 2019. This included:

(i) increasing the budget for PRS Phase 1 from £103.5m to £109m;
(ii) changing the PRS Phase 2 budget from £116m to £110.5m;
(iii) total agreed funding for i4B remaining the same at £254.5m.

3.3 The i4B Board proposed that the proportion of properties in Brent and Greater London increased from the initial business plan. The realignment of funding reflected the higher average property cost within Brent compared to the Home Counties.

3.4 This paper requests authority to make this funding available to i4B, with additional flexibility to make some of it available to First Wave Housing (FWH) instead. This is because, as a registered provider of social housing, FWH is able to attract grant funding from the Greater London Authority, for example for key worker housing.

3.5 Phase 2 includes the potential purchase of a block to be used as key worker housing.

Key Worker Housing

3.6 The current Administration has identified as one of its key policy priorities the provision of key worker accommodation. There is an increasing body of evidence that the cost of living in London is acting as a significant barrier to the recruitment of a variety of professional roles in local government and other public sector employers.

3.7 One of the five deliverables of the Borough plan is “a future built for everyone, and an economy fit for all.” One of the aspects of this states “we must ensure more affordable high-quality housing, for over 12,000 households currently in need”.

3.8 Through the planning process, the Council has already secured 346 Discount Market Rent (DMR) homes that will be prioritised to key workers at no more than 65% of open market rent (inclusive of service charge).

3.9 Alongside these DMR homes, the Council has also agreed for 471 homes let at no more than 80% of market rent (inclusive of service charge) to be delivered via a tenure known as London Housing Bank. These homes will convert back to full Private Market Rent after 7 years of completion. Whilst these rents are higher than the 65% DMR London Housing Bank, homes are scheduled to complete between September 2019 and September 2020.

Wembley Park Block E01 02

3.10 In addition, the Council has provisionally secured the Discount Market Sale (DMS) affordable housing product for around 250 homes in Wembley Park. Quintain proposes for 153 of these to be in block E01 02.

3.11 The existing Section106 agreement with Quintain enables the Council to exercise options to acquire block E01 02 and let them at intermediate market rate. The block contains a mix of 1 and 2 bedroom apartments (63 x 1 bed and 90 x 2 bed).

3.12 Originally, these were intended to be used as Discounted Market Sale homes, that is, for Quintain to sell them on the open market at 70-75% of market value, with the Council retaining the 25-30% equity share. DMS units were negotiated at least in part with the intention to improve the social mix in the Wembley area by providing another form of housing product that might be accessible to those on moderate incomes.

The Council now has three broad options:

1. The Council could purchase the block. Under the S106 agreement, the Council has a right to purchase the block for 70% - 75% of open market value for use as Intermediate Dwellings (i.e. not Social Rented).

Alternatively, the Council could negotiate an offer outside of the mechanism detailed in the S106 agreement.

2. If the Council were to forego its right to purchase the dwellings, it would acquire (for free) 25% - 30% of each dwelling. The Council could not realise this asset until individual owners of the flats chose to purchase the remaining equity (known as 'staircasing out').

3. Agree to vary the S106 agreement and allow Quintain to offer a discounted market rate product which prioritises key workers.

Potential Purchase of Block E01 02

3.13 Purchasing the block has the potential to give the Council a higher degree of control over the allocation of these properties to key workers, specifically the ability to prioritise Council employees. Officers are exploring whether this could support the Council to recruit and retain officers in specific roles, for example children's social workers. This would contribute to a long term strategy to attracting and retaining key workers in Brent.

3.14 In addition, purchasing the block is a potential investment opportunity for i4B/ First Wave Housing, since the block would be acquired at a discount from the open market value. This would fit into i4B's growth and diversification strategy.

3.15 The acquisition is subject to negotiations with Quintain lead by the Operational Director of Property and Assets on behalf of i4B and FWH. Negotiations include the timing of payments to Quintain and potential future financial obligations. The loan drawdown will be executed once these terms are agreed.

3.16 It is suggested that i4B/ FWH's drawdown of funds to purchase the Quintain E01 02 block is contingent on the usual due diligence relating to block purchases and providing loans. It is recommended delegated authority is given to the Director of Finance to determine when the due diligence is adequately completed. For example, the Director of Finance's considerations would include:

(i) the robustness and affordability of operating assumptions relating to the block; and

(ii) the adequacy of protection for i4B/ FWH under different scenarios, including contractual default by Quintain.

4.0 Financial Implications

Financial Implications for the Council

4.1 The loan and equity investment detailed in section 2 would be financed by Council borrowing in accordance with its debt management strategy. In is anticipated that the interest rate charged to i4B or First Wave Housing would be set in reference to PWLB rates at the time of i4B/ First Wave Housing drawdowns.

4.2 If the Council does not exercise its option to purchase the block, it still acquires (for free) a substantial asset. The 25-30% share represented by the option would become the Council's. Quintain have indicated that this would have a face value of circa £17m.

4.3 The Council could not realise this asset until individual owners of the flats chose to purchase the remaining equity. The asset is therefore very illiquid. After a few years this would provide a stream of capital receipts to the Council, the value and timing of which would depend on the assumptions made about how quickly owners would choose to staircase out and the change in property values. Such receipts have already flowed to the Council from similar properties in Wembley Park. These receipts will be used to deliver more affordable homes.

4.4 It follows that, if the Council exercised its option to purchase the block through i4B or First Wave Housing, and let it out at intermediate rent, it would significantly delay the opportunity to receive these receipts.

4.5 The total cost of the block purchase would therefore be the sum of:

(i) the payment to be made to Quintain;
(ii) other purchase costs such as stamp duty;
(iii) other costs incurred as a result of the negotiated terms, for example if early payments are made then i4B/ FWH would incur interest payments on the loan prior to practical completion; and
(iv) foregone future receipts that the Council would have received (circa £17m)

4.6 As lender and investor in i4B and First Wave Housing, the Council is also ultimately affected by financial implications for i4B/ First Wave Housing. These include being exposed to potential financial benefits and risks associated with owning and operating the building. For example, the Council would be impacted by

(i) any future financial obligations entered into as part of the Heads of Terms with Quintain;

(ii) operational profits or losses associated with managing the block;

(iii) the block's value increasing or decreasing over time (capital gains or losses).

4.7 Special arrangements exist in Local Government to extend the definition of capital expenditure, primarily to recognise that certain expenditure by the Council will have wider, lasting public benefit than is reflected in current accounting rules. This ruling applies to certain loans made to third parties and the proposed loan to i4B/ First Wave Housing for the block purchase is captured by these regulations.

4.8 Given this, the 2019-20 capital pipeline/programme and revenue budgets include provision for both the acquisition (initial loan) as well as the resulting MRP and associated capital financing costs over the duration of the scheme.

5.0 Legal Implications

5.1 The Recommendations propose equity investment and loans to i4B/FWH. There are potential State Aid implications for both, although with an equity investment there is a potential for the whole equity investment to be regarded as State Aid rather than just the difference between the interest rate applied for a loan and the market rate. The market economy operator principle does provide an exemption to both loan and equity investment falling foul of State Aid and this requires that any investment is made on a similar basis to that a private operator acting under market conditions and in similar circumstances would make. Cabinet is asked to delegate authority to the Director of Finance to determine the precise terms and mix of loan and equity funding and in considering such matters the Director of Finance should have regard to the need to guard against such loan or investment constituting unlawful State Aid.

5.2 It is recommended to agree a loan facility for i4B and FWH for phase 2 of the PRS purchase programme, including the potential Quintain block purchase. Business plans for both companies agreed by Cabinet in February 2019 mentioned the wish for closer alignment of both companies. However, i4B and FWH remain separate companies and if it is determined to pursue the purchase of the Quintain block through FWH, Members will need to be satisfied that such purchase falls within the business plan for FWH.

6.0 Equality Implications

6.1 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Human Resources/Property Implications (if appropriate)

7.1 No additional resources are required to deliver this scheme.

10.0 Proposed Consultation with Ward Members and Stakeholders

10.1 This paper will be circulated to all ward members.

Report sign off:

MINESH PATEL
Director of Finance

Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director Customer and Digital Services

Preparing Brent for the UK leaving the EU with or without a deal update

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Three appendices: Appendix 1 Brent Council Risk Assessment Appendix 2 Brent Lead Officer responsibilities Appendix 3 Draft Internal Audit Report (Brexit Preparation 19/20)
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Anne Kittappa, Senior Policy Officer Anne.Kittappa@brent.gov.uk 020 8937 6060

1.0 Purpose of the Report

1.1 The purpose of this report is to update the Cabinet with the council's preparations for the UK leaving the EU including identified risks

2.0 Recommendations

Cabinet to:

2.1 Note the contents of this report

2.2 Note that the Strategic Director Customer and Digital Services has been appointed Brent's Brexit Lead and that the Brexit Co-ordination Group will continue to monitor risks and escalate as necessary

2.3 Note that the Brexit Co-ordination Group will continue to act as stewards for the funds allocated from government for Brexit preparations

3.0 Background

3.1 On 23 June 2016, the UK voted in a referendum to leave the European Union (EU). On 27 March 2017, the Prime Minister triggered article 50, beginning the formal two-year process for leaving the EU.

3.2 The UK intended to leave the EU on 29 March 2019. On Thursday 21 March the EU agreed the UK could extend their membership of the EU to give the UK time to agree an exit process.

3.3 In July 2019 Mr Johnson became Prime Minister of the UK and pledged that the UK will leave the EU on 31 October 2019 with or without a deal.

3.4 Brent Council has been preparing for some time for the UK to leave the EU and has developed and published a dynamic risk assessment. This risk assessment looks in detail at the risks posed by Brexit, and contains mitigating actions. The areas covered with biggest risks are:

- Workforce
  - Loss of workforce – this is being mitigated through highlighting the EU settlement scheme to staff
- Statutory services: Social care
  - Failure of care provider – this is covered through business continuity plans
- Statutory services: Children and young people
  - Families leave the UK, impacting the school roll – CYP are working with schools and cap school placements as appropriate
- Regulatory services
  - Implementing and understanding changes in legislation – Keeping in close contact with Central Government for changes in legislation
- Supply chain
  - Suppliers trying to make Brent take culpability for their Brexit risks – decisions are made on a case by case basis
- Local partnership working
  - Partners for Brent Brexit meeting arranged on the 17 September to discuss and synchronise responses
- Community engagement
  - EU residents leave – we are promoting the EU settlement scheme directly and indirectly to residents, including holding information evenings
- Regional and local growth
  - House prices fall and the housing market stagnates and the private sector stops new schemes leading to reduced affordable housing provision – this has already happened, and the Council is exploring opportunities to buy housing developments from private landowners to help meet the housing need, and embarking on a programme of self-build for around 1,000 new homes for those on the Council waiting list

- Data and information handling
  - Access to data stored or processed in the EU is restricted – Information champions have checked where data are stored and put in place means of accessing their data for after the UK leaves the EU.

The risk assessment was noted by Full Council in March 2019.

3.5 This report provides an update on the risk assessment, changes from Central Government, and our activity

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4.0 Changes from Central Government

4.1 In July 2019 Mr Johnson became Prime Minister of the UK and pledged that the UK will leave the EU on 31 October 2019 with or without a deal. Following this the narrative from central government departments has changed. The message is clear; we are leaving the EU on 31 October 2019.

4.2 In August, the Secretary for State for the Ministry for Housing, Communities and Local Government wrote to Local Authorities to ensure a smooth exit as possible from the EU. The letter requested each local authority appoint a Brexit Lead Officer and provided a list of responsibilities for this role (appendix two). In Brent Peter Gadsdon had already assumed this role and will continue to be the Brexit Lead Officer for Brent.

4.3 The letter included an invite to a webinar for Local Authorities. This webinar outlined the government's plans which included arrangements and highlighted areas for Local Authorities to concentrate on. We had already covered all the areas in our risk assessment. The only area which was highlighted where Brent had additional work to do was with local businesses.

4.4 The day after exit day, the UK will continue to allow imports from the EU as they do now. The reasoning behind this, is they do not expect standards to drop or change immediately and to keep businesses going customs will continue as they are now. The same cannot be said for exports. The receiving country will determine how they manage imports from the UK. As such, the Department for Business, Energy, and Industrial Strategy (BEIS) has asked us to identify businesses which export food. Park Royal has a high concentration of food and drink industries. Employment and Skills have put together a plan to identify businesses in Brent which export food utilising their business board, and their links with the West London Association of businesses.

4.5 BEIS also talked about small economic shocks where small or medium sized enterprises (SMEs) go out of business as a result of Brexit. The Town Centre Managers are going to talk to the local businesses in the high street to find out how they are preparing for Brexit. There is also a regular newsletter which we have put a survey in to determine the expected and current impact to local businesses.

5.0 Changes in Brent

5.1 Schools in Brent have a large proportion of EU students, which reflects the local community. Last year there was a dip in the number of school places required for reception and year one. The latest (2019) school place projections suggest a gradual increase in primary place demand over the next eight years, a change from the GLA's 2018 projections. The change is due to a higher number of children per new housing unit being assumed than previous years, which has uplifted forecasts. The latest GLA forecasts suggest that Year 7 intakes will be lower than previously forecast. However, locally a number of Primary schools have experienced a reduction in pupils starting school in Reception and currently. The number of pupils that qualify for the English as an Additional Language (EAL) measure in reception and year one has fallen by nearly 10%.

5.2 Local Authorities are responsible for identifying EU Looked After Children and Care Leavers and ensuring they are registered on the EU settlement scheme. We are supporting the young people in our care, providing additional support where required and monitoring this regularly at Operational Children's Service Leadership Team meetings.

5.3 If there is a food shortage, Brent Council has responsibility for the catering in one children's home. Schools in Brent are responsible for their own catering.

5.4 We are supporting Brent children and young people to participate in the University of Liverpool Home office funded project: "Creating Child Friendly Information about the EU Settlement Scheme" which is aiming to create information materials that can be used by children, their parents, and other adults to help children understand and apply for status under the EU Settlement Scheme.

5.5 CYP are considering setting up a group to smooth the impact of Brexit on children and young people in Brent in the lead up to the 31 October 2019.

5.6 There are three related key threats in the Regional and Local Growth section which have been escalated to high likelihood and impact as these threats have already started happening. They are:

- Housing market stagnates and/or house prices decrease rendering regeneration projects unviable
- Private sector stops new schemes leading to reduced affordable housing provision.
- Loss of income from downturn in planning and building control applications

5.7 House prices in London have decreased over the past year, and the market is fairly stagnant with a drop off in transactions. The underlying uncertainty around Brexit is thought to have contributed to this fall. The viability of private schemes and Council led regeneration and capital projects are influenced by house prices. Large decreases in house prices will negatively affect the many regeneration projects currently running and planned in Brent. House transaction stagnation will also make it harder to achieve sales and therefore loss of income.

5.8 Planning policy requires private residential developments of over ten units to provide affordable housing, in partnership with a Registered Provider. If house-builders decide to mothball sites or stop buying new ones to develop because of stagnation or uncertainty in the housing market, there will be less affordable housing provided reducing the Council's ability to provide permanent housing for those in housing need. The Council is exploring opportunities to buy housing developments from private landowners to help meet the housing need, and embarking on a programme of self-build for around 1,000 new homes for those on the Council waiting list. These opportunities may be enhanced if land values drop and private owners are looking to off load sites.

5.9 We have received reports from Veolia and Conway, two large employers of EU nationals in Brent neither have seen any real change to their substantive workforce, but have found it harder to recruit this year.

5.10 Internal audit reviewed our Brexit preparations. Their report (appendix three) said: "The Council's analysis of Brexit risks in the event of no deal, as set out in the Brexit Risk Assessment, was good and no gaps in coverage were identified. Risks appear to have been appropriately assessed using value at stake and probability, although value is difficult to judge due to the uncertain impact of Brexit and because many of the risks are indirect; for example, the impact on suppliers or the nature of EU nationals' response." The report also made some recommendations about processes which have been implemented.

5.11 We will continue to work closely with our Local Resilience Forum (LRF). Weekly phone calls resumed on Tuesday 10 September which allows the LRF to gather and share information, insights and issues from boroughs that can then be used both for contributions to the wider MHCLG Information Sharing Network and to LRF led resilience preparations.

6.0 EU Settlement scheme

6.1 The EU settlement scheme has been introduced so that EU nationals who currently reside in the UK can continue to live and work in the UK. Brent has an estimated 67,000 EU nationals living in the borough. Our EU residents are integral to our society and contribute in many ways, not least in working across many different sectors, including the public sector, and the third sector. Raising awareness of this scheme to our residents has been identified as a priority to ensure, in the short term, continued stability in the borough

6.2 To raise awareness of the scheme in Brent we have tried to reach residents both directly and indirectly. We have held two large public EU settlement scheme information events, advertising through different means including a targeted social media campaign, and translated leaflets and posters. The Mayor of London's Brexit bus came to Willesden Green on its tour of London. We are in the process of increasing the knowledge of our frontline staff, providing information sessions at their team meetings. We have also run two internal staff lunch and learn sessions about the EU settlement scheme, the last one on Thursday 05 September.

6.3 We have four events planned in September and October. One, on 26 September will be another public engagement event following the same format as previous events.

6.4 We ran an event for the voluntary and community sector, providing them with information about the EU settlement scheme, and we asked them to identify barriers our residents may face in finding out about the scheme and then ways we could overcome these barriers. The three main barriers identified were: lack of trust; lack of knowledge; and those under the radar – people without documentation. We have used the ideas and suggestions that came out of this session to develop our strategy for engaging with residents about Brexit and the EU settlement scheme.

6.5 We are planning a Partners for Brent event to be held on 29 October, which will concentrate on how we can work with our local partners to mitigate the impacts of Brexit on the borough. Invitees will include our public sector partners, large third sector organisations which work with EU residents, and large employers in the borough.

6.6 There is a new community champion scheme being developed. We are currently recruiting community champions and one of their first objectives will be to raise awareness of the EU settlement scheme. Our final event will be a training event to enable them to meet this objective.

6.4 On 22 August, statistics about the EU settlement scheme were published at Local Authority level for the first time. Brent had the highest number of residents who have applied to the scheme (to June 2019) with 22,330 residents. This is about one in three of our estimated EU national population.

7.0 Financial Implications

7.1 Central government has allocated a sum of money to local government for additional costs which may arise as a result of the UK leaving the EU. All London Boroughs have been allocated £210,000, of which £105,000 has been received this financial year. The balance is expected in 2019/20. This money will be placed in an earmarked reserve, with amounts drawn down when expenditure has been incurred. At present it is unknown whether there are any specific conditions attached to this grant.

7.2 Central government has allocated a further sum of money for councils to prepare for delivering Brexit on 31 October, whatever the circumstances. All London Boroughs have been allocated £104,000

7.3 The Brexit Co-ordination Group is monitoring, and will continue to monitor the impact of Brexit across the council. The group will act as stewards, allocating the money to cover issues as they arise over the next financial year.

7.4 To date, any costs incurred as part of the preparation for Brexit, such as staff time, has been met within existing budgets.

7.5 There are still no final decisions about how the UK will leave the EU, and the cost to local government is still unknown. As such, there may be further costs to the council as a result of leaving the EU.

8.0 Legal Implications

8.1 When the UK leave the EU all EU law will transpose into UK law, following which the UK Government will be able to keep, amend or discard each law under the European Union (Withdrawal) Act 2018. Regulations to address legal issues arising from Brexit can be made under the Act. Other legislation is also being brought forward. Over recent months the UK Government has also published a series of Technical Notices which provide information to allow businesses and citizens to understand what they would need to do in a no deal scenario, so they can make informed plans and preparations.

8.2 If the risks identified in the risk assessment are not carefully managed the council may find itself unable to comply with some of its statutory duties

9.0 Equality Implications

9.1 Brent is committed to equality, diversity and inclusion; the council is determined to be an exemplar of good practice in equality, diversity and human rights and it is our policy to treat everyone fairly and with respect. We aim to ensure that all our current and future residents, staff and stakeholders are treated fairly and receive appropriate, accessible services, and fair and equal opportunities.

9.2 The Brexit Coordination Group will keep up-to-date with the impact of Brexit on equalities legislation, for example changes to the Charter of Fundamental Rights of the EU.

Report sign off:

PETER GADSDON

Assistant Chief Executive

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Brent Council
Brexit
risk assessment



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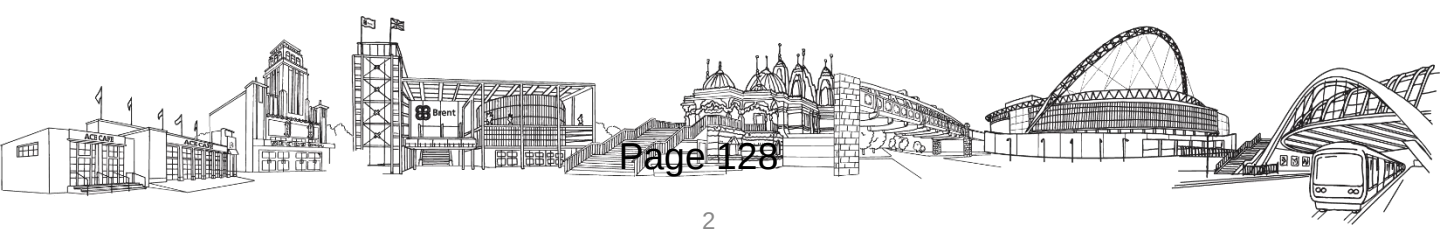
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Contents

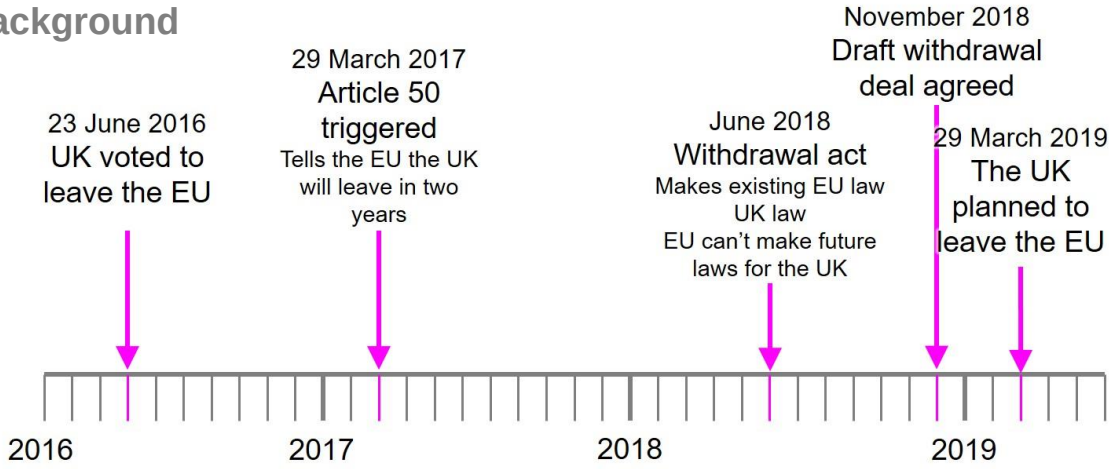
[Background](#)

In detail:

1. [Workforce](#)
2. [Statutory services: Social care](#)
3. [Statutory services: Children and young people](#)
4. [Regulatory services](#)
5. [Supply Chain](#)
6. [Local partnership working](#)
7. [Community engagement](#)
8. [Regional and local growth](#)
9. [Data and information handling](#)
10. [EU settlement scheme](#)



Background



On 23 June 2016, the UK voted in a referendum to leave the European Union (EU). Brent did not vote the same way as the country, with 60% of the electorate voting to remain.

On 27 March 2017, the Prime Minister triggered article 50, beginning the formal two-year process for leaving the EU.

The UK intended to leave the EU on 29 March 2019. On Thursday 21 March the EU agreed the UK could extend their membership of the EU to give the UK time to agree an exit process. In July 2019 Mr Johnson became Prime Minister of the UK and pledged that the UK will leave the EU on 31 October 2019 with or without a deal.

If we leave with a deal, there will be an implementation period. This will not be the case with a no deal.

Brent has the largest EU population in London, with 67,000 EU nationals living here. Our EU residents contribute to our society in many different ways, working for the council, our health services, and in other industries such as construction, and hospitality.

Leaving the EU will have a big impact on us, on our businesses, and on our communities, and there are many risks involved.

The Government has recognised that leaving the EU will impact local authorities, and has assigned a sum of money, which it has distributed, to the local authorities in the UK. We have set aside our allocation and will use the Brexit Co-ordination group to recognise how leaving the EU impacts on Brent and determine how the money should be used.

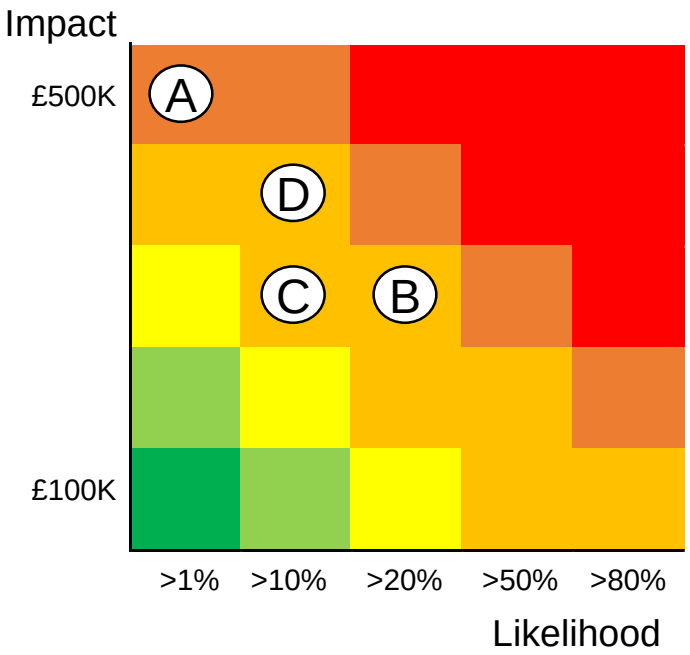
In August 2019 the Government asked each council to designate a Brexit lead to work with central government and oversee teams in every community who will work with stakeholders in their area to plan intensively for Brexit. In Brent, the Brexit lead is the Assistant Chief Executive, Peter Gadsdon. The Government also announced £20 million more funding for councils to prepare for a no deal Brexit, but has not yet provided details of how this funding will be allocated.

In the coming months disruption in parliament is expected. The Leader of the Opposition, Mr Corbyn, may call for a vote of no confidence in the Government. If the Government loses this vote, there will be a two week period in which the current members of parliament can form a Unity Government led by anyone who can command the respect of the house. Mr Corbyn has written to all parties proposing this with himself as caretaker Prime Minister. If the house cannot form a government, Mr Johnson will have to call a general election. Mr Johnson may call a general election before the no confidence vote is raised.

1. Workforce

Key threats:

A. Immediate loss of proportion of current workforce across all sectors
B. Inability to recruit to hard to fill positions as they become vacant due to natural progression
C. Skills shortage
D. Wages increase



Key opportunities:

1. EU settlement scheme for current EU residents to continue to live and work in Brent
2. Opportunity to upskill current workforce through adult apprenticeships
3. Targeted young people apprenticeships opportunities for young people

Actions:

1.	Promotion of the EU settlement scheme to all staff, and to the public including what it is, how to apply, and what is required
2.	Work with specialist organisations to promote the EU settlement scheme to the harder to reach population
3.	Develop a more complete profile of Brent Council's European staff
4.	Extend the range of apprenticeships in departments and services where there are known recruitment and retention difficulties
5.	Work with the local businesses board to identify skills shortages and apprenticeship opportunities
6.	Work with Brent Works to develop an employment strategy for jobs at risk of not being filled when current employees move on
7.	Meet with our largest employing service contractors to discuss workforce and other Brexit risks

Overview

In Brent, 67,000 residents are EU nationals. These EU nationals make up a large proportion of our workforce, both in the council, in provider services, and in other partner agencies. As the UK leaves the EU, there is a risk that some of our EU residents will leave Brent, and another risk that in the future, EU nationals will not want to, or be able to, come to the UK.

Around 10% of Brent Council employees are originally from the EU. The proportion varies by department and service area with some service areas having one or two EU staff, increasing to around 20% in others. Customer Services and CYP have the highest proportion of employees from the EU. It is worth noting that although employees may be from the EU, many have become British Citizens, or have indefinite leave to remain.

Brent also has a number of contracts with large companies, including with Veolia, who provide the waste and recycling service for Brent. Over half (52%) of the Veolia workforce, and around 70% of its agency staff are from EU countries, and despite paying the London Living Wage, they anticipate it being difficult to attract workers should this source of labour lessen. In August 2019 Veolia reported they were starting to notice a lack of availability of casual labour from Europe. Although details around migration policies is unknown, unskilled migrant workers may be allowed into the country without a job on a year long visa. Currently, the contract comes to an end in March 2023, and the new contract will be commissioned at the height of post-Brexit uncertainty. A construction company who is a large employer in Brent has noted that to date (August 2019), they have not seen a substantive drop in their eastern European workforce. But they have found it noticeably harder to recruit this year and suspect Brexit as having an impact on the availability of new people.

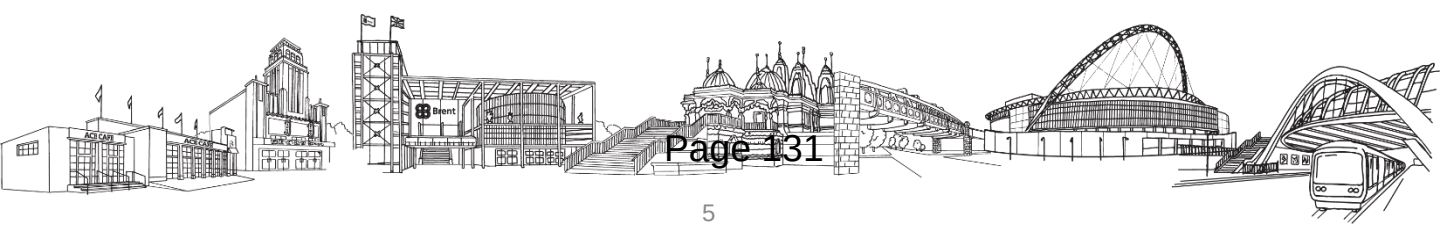
In detail

Loss of workforce

It is unlikely that all European staff and residents in Brent will leave immediately. Some residents however may choose to return to Europe. Residents who do make this decision may have already left, and indeed there is evidence that this has happened. Our schools measure the number of pupils that qualify for the English as an Additional Language (EAL) measure in reception and year one, and last year, this had fallen by nearly 10%, suggesting that some residents may have already chosen to leave. This small migration has not impacted our services, but a larger or continued one might.

If there is a sudden loss of workforce, this risk is planned for in the short term within Brent's business continuity plans. These are intended to bridge an operational gap in staff resource due to (for example) an influenza pandemic and would not be designed to deal for any length of time with a systemic stress like a chronic skill shortage, e.g. nurses or social workers.

We will meet with our suppliers who employ large workforces to ensure continued joint working and continuity measures. We will share EU settlement advice with the business community, and are preparing a 'temperature check' questionnaire for local businesses via the business groups, on how they are preparing for Brexit and key areas of concern, such as import/export and workforce.



EU workforce
Brent Human Resources has plans in place to identify the EU citizens it employs, and raise the awareness of the settlement scheme throughout the council. HR have put in place a temporary system to capture nationality (passport) details of new starters in a spreadsheet. This process has been running since late December 2018. It is not ideal, and implementing a process where this information is captured on Oracle would be a better long term fix.

Our registration service provide a chip and check service to Europeans who wish to register on the scheme but do not have access to an android smart device. Employees can take advantage of this verification service.

There has been a lunch and learn event for staff to find out more about the EU settlement scheme, and another will take place in early September.

Recruitment and retention
Although it seems there will be no immediate pressure on services through staff shortages, this may present challenges in the future, particularly for roles that are hard to fill, such as those in social work. As it becomes harder for EU citizens to work in the UK, and people naturally progress to other jobs, it could become even harder to fill these positions

As part of the council's learning and development proposition, a plan is currently being developed for learning and development activity for the Strategic Priority category. This will include extending the range of apprenticeships in departments and services where there are known recruitment and retention difficulties – or where these are anticipated – to mitigate against the risk of staff shortages whilst at the same time offering career development opportunities for staff.

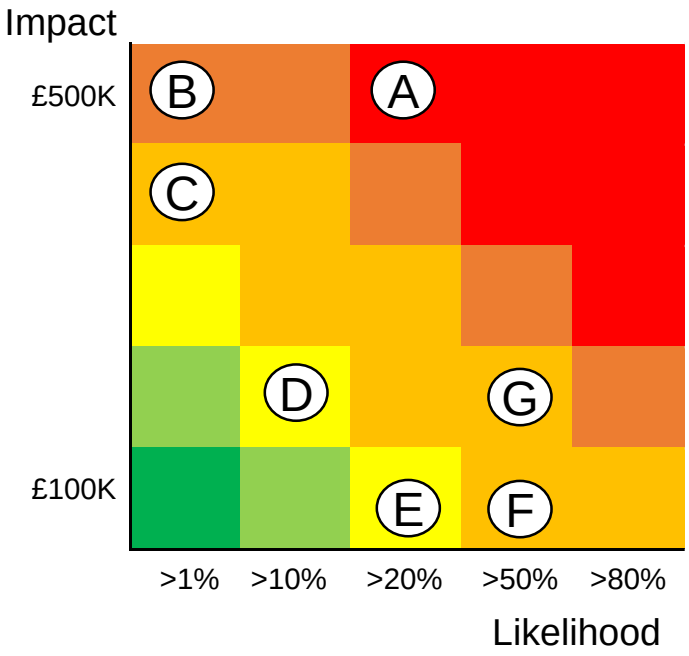
The new immigration bill is currently being discussed in Parliament; it is likely to treat EU and non-EU migrants in the same way, and may have requirements for a job offer with a minimum wage but this has not yet been agreed. Although free movement as we know it today will stop, people will still be able to come and live and work in the UK, but their rights may be different.

We will work with Brent Works, our job and apprenticeship brokerage service, to promote appropriate apprenticeships and fill vacancies by recruiting from the local labour supply. The apprenticeships required will be identified by ongoing analysis of local, sub-regional and/or London sector trends as well as through qualitative feedback from the business community.

2. Statutory services: Social Care

Key threats:

A. Failure of care provider
B. Medicines and vaccines shortages
C. Shortage of medical devices and clinical consumables
D. Professional regulation implications causing workforce shortages
E. Difficulties for providers in retaining and recruiting staff
F. Deterioration of availability of providers
G. Gradual decline in quality [of services provided], as staffing issues develop



Actions:

1.	Keep up to date with and continue to follow advice and guidance from the Department for Health and Social Care and the Department for Education
2.	Communicate with local providers, and escalate any concerns immediately to the Department for Health and Social Care and Department of Education
3.	Increase contact with suppliers and request their business continuity plans
4.	Promote the Secretary of State's message: healthcare providers should not stockpile medicines beyond their business as usual stock levels, and no clinician should write longer prescriptions for patients. The Department's UK-wide contingency plan for the supply of medicines and vaccines is being developed alongside pharmaceutical companies and other government departments.
5.	Promote the EU settlement scheme to all providers and encourage them to support staff in applying to the scheme. Promote Brent's chip and check service to help people apply to the scheme.
6.	Write to social care providers re-iterating government advice and the EU settlement scheme, and asking providers to share their business continuity plans with us
7.	As contracts come up for re-procurement, consider the viability of paying the London Living wage
8.	Encourage providers to complete and return the National Minimum Data Set which provides central government with an overview of the adult social care workforce so that any trends in the workforce can be picked up and addressed

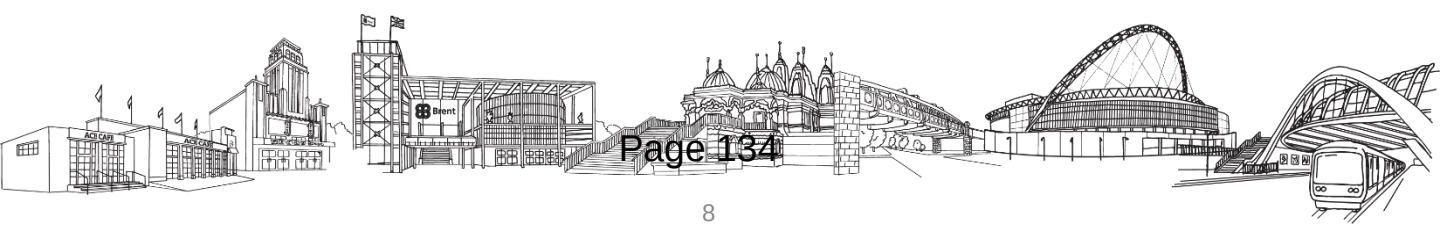
Overview

Adult Social Care provides a range of support and care services for our most vulnerable adult residents. These residents may not be able to look after themselves, and may have very poor health.

Children's Social care provides a range of support for our most vulnerable children, including Looked After Children and will have to identify and register any EU citizens in their care on the EU settlement scheme.

The Department for Health and Social Care has provided Brexit preparedness advice. This comprehensive advice covers key areas, including:

- Risk assessment and business continuity planning
- Communication and escalation
- Supply of medicines and vaccines
- Supply of medical devices and clinical consumables
- Supply of non-clinical consumables, goods, and services
- Workforce
- Professional regulation
- Reciprocal healthcare
- Research and clinical trials
- Clinical trials and clinical investigations
- Data sharing, processing and access
- Finance



In detail

Care providers

There are a number of different organisations providing different levels of care and support to children and adults. These providers range from large organisations, providing care in many different boroughs, to very small organisations providing specific local care. With this large number of care providers all providing different specialist care, Adult Social Care and Children and Young People have provider failure as a risk in their standard business continuity plans.

The other associated risk with care providers is the numbers of EU nationals on their workforce. Brent Council has already raised awareness of the EU settlement scheme to all providers and encouraged them to support their staff in applying to the scheme.

Medicines and Vaccines

One whole section of the guidance issued by the Department for Health and Social Care covers medicines and vaccines. The government has implemented a nationwide approach to ensure there is no shortage of medicines and vaccines due to Brexit. Pharmaceutical companies that supply the UK with prescription-only and pharmacy medicines from, or via, the EU or European Economic Area (EEA) have been asked to ensure they have a minimum of six weeks' additional supply in the UK, over and above their business as usual operational buffer stocks, by 31 October or the date the UK leaves the EU. Companies were also asked to make arrangements to air freight medicines with a short shelf life, such as medical radioisotopes. Government funding has been made available for companies that need additional storage for these stockpiled medicines. The government is also making plans around delays at ports, etc. The government has all other health and care providers not to stockpile their medicines, and to reassure patients there is no need to store additional medicines at home.

Within ASC, we have written to all providers to remind them of this advice, particularly care home providers that may feel it is appropriate to stockpile medication for their residents. This isn't required and they have been reminded that they need to follow national guidance.

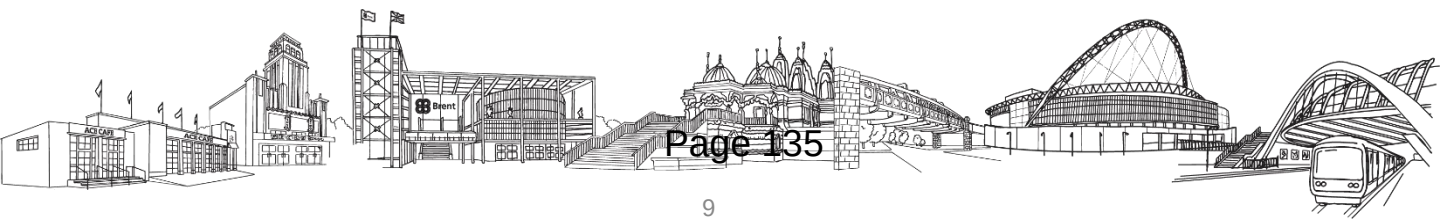
Children and Young People are contacting all providers of care at home services and relevant residential settings to remind them that they need to follow national guidance and not stockpile medication.

Professional regulation

Anyone whose qualification has been recognised and who are registered in the UK before 11pm on 31 October 2019, or the date the UK leaves the EU, will continue to be registered after this point. Anyone who has applied by this time will have their application concluded under current arrangements. Following this date, the arrangements are currently undecided. The government has not provided anymore information about this.

Longer term

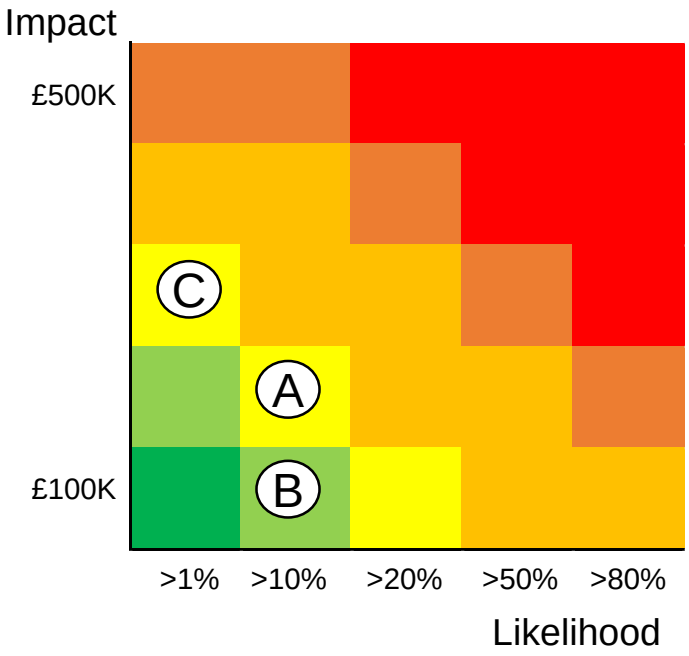
After the UK leaves the EU, the effects may be felt in the longer term with the numbers of EU Nationals (and other foreign nationals) working in social care potentially declining and providers finding it harder to recruit to vacant posts. Already social care has recruitment issues and Brexit could exacerbate these problems. This could have an impact on the quality of care the providers are able to deliver and ultimately on the viability of some providers if they are not able to manage these challenges. It is a real, longer term risk that the quality of care staff could decline as fewer skilled workers are enticed to the UK. We will work with our providers locally and national organisations such as Skills for Care to develop an action plan to address workforce issues in the sector.



3. Statutory services: children and young people

Key threats:

A. Families leaving the UK impact on the school roll
B. Recruitment and retention of school staff
C. An increase in Free School Meal requirements



Key opportunities:

1. Promote the EU settlement scheme to parents through schools

Actions:

1.	Promote the EU settlement scheme to schools
2.	Work with schools whose pupil numbers are projected to fall
3.	Prepare for an increase in free school meals
4.	Register children in our care on the EU settlement scheme

Overview

Schools are their own businesses, and the council monitors and supports them, but does not run them.

In Brent there are 85 schools: [2 All-through, 4 nurseries, 60 primaries, 2 PRUs, 13 secondaries, and 4 special schools], with 48,249 pupils on the roll.

Pupils come from all different backgrounds. There are 5,500 pupils (13%) who speak European languages as their main language. Many of these children will be EU nationals.

As well as the government-funded schools, Brent is home to Lycee International de Londres Winston Churchill, a private school following the French national curriculum. This school provides education for pupils from all nationalities, and has many French students.

Brent has the third lowest average wage in London, and one third of its children are estimated to be living in poverty. Brexit may increase the cost of living, pushing these families further into poverty.

In detail

Schools in Brent have a large proportion of EU students, which reflects the local community. Last year there was a dip in the number of school places required for reception and year one. The latest (2019) school place projections suggest a gradual increase in primary place demand over the next eight years, a change from the GLA's 2018 projections. The change is due to a higher number of children per new housing unit being assumed than previous years, which has uplifted forecasts. The latest GLA forecasts suggest that Year 7 intakes will be lower than previously forecast. However, locally a number of Primary schools have experienced a reduction in pupils starting school in Reception and currently. The number of pupils that qualify for the English as an Additional Language (EAL) measure in reception and year one has fallen by nearly 10%.

Although schools are responsible for their own budgets, and managing their staff, the council is working with schools adversely affected by the drop in pupil numbers, putting plans in place to mitigate the financial risks associated with changing pupil numbers for example agreeing short-term caps on admission numbers.

It is worth noting that the National Funding Formula, which calculates how much funding each school receives is based on the number of pupils, the characteristics of the intake of pupils and a few school and local-level factors. Lower pupil numbers will result in less funding for the school.

Any child living in the UK can apply for and access a school place in England irrespective of migration status. This will continue after our exit from the EU.

Information sessions about the EU settlement scheme have been offered to schools and a number of schools have already taken advantage of this offer.

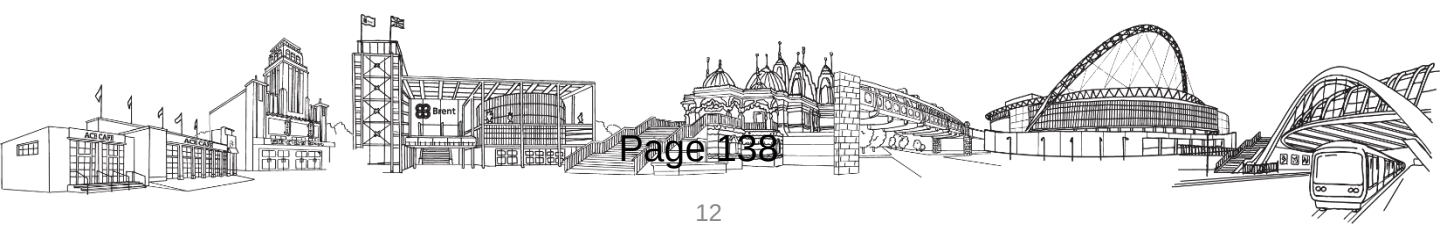
Some experts have predicted that Brexit will negatively affect the value of the pound, and the economy. These experts say that long-term, the economy will be expected to grow, but more slowly than expected before Brexit. This and other factors will affect the viability of businesses which could lead to job losses. If this happens, more children may be eligible for free school meals.

In detail continued

Current child protection regulations are not enshrined in UK law. These will revert to previous arrangements should the UK leave the EU without a deal. Staff will then need to be trained on the changes to these regulations.

Local Authorities are responsible for identifying EU Looked After Children and Care Leavers and ensuring they are registered on the EU settlement scheme. We are supporting the young people in our care, providing additional support where required and monitoring this regularly at Operational Children's Service Leadership Team meetings.

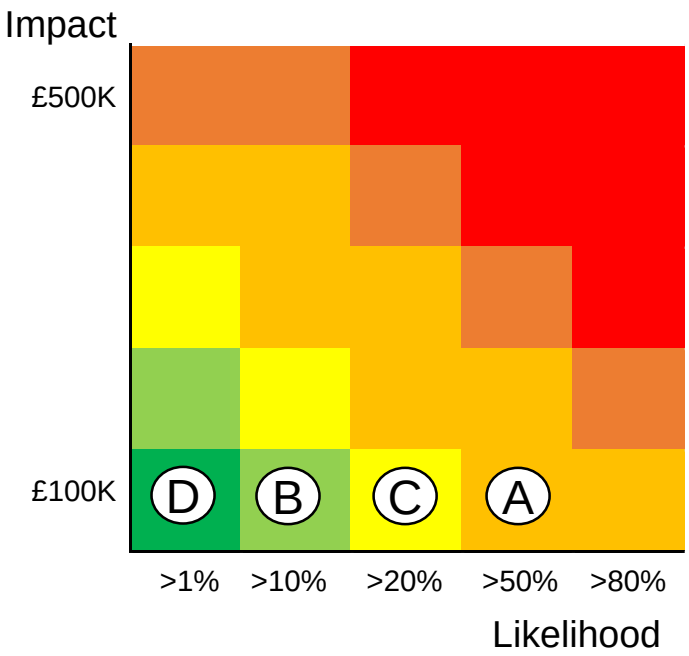
We are supporting Brent children and young people to participate in the University of Liverpool Home office funded project: "Creating Child Friendly Information about the EU Settlement Scheme" which is aiming to create information materials that can be used by children, their parents, and other adults to help children understand and apply for status under the EU Settlement Scheme.



4. Regulatory services

Key threats:

A. Implementing and understanding changes in legislation
B. Lack of clarity for changes to the current reciprocal arrangements with the EU
C. Cost pressures due to increased demand from businesses
D. Cost pressures due to re-training requirements



Key opportunities:

1. Raise awareness and understanding of new laws/standards/checks with businesses once decisions have been made centrally

Actions:

1.	Keep in close contact with Central Government for updates on any changes in legislation
2.	Communication campaign to ensure businesses are aware they will still have to comply with EU law, as we are adopting it

Overview

EU laws affect a wide variety of the council's activity. The European Union (Withdrawal) Bill will enshrine all existing law into UK law at the point of Brexit, following which this will be reviewed and amended by Parliament. Additionally, secondary legislation will be used by ministers to amend these laws where necessary for them to work post-Brexit, e.g. to set up replacement processes or bodies.

Under the terms of the draft Withdrawal Agreement, the UK would continue to be bound by the EU legal and regulatory framework (including the ECJ) until the end of the transition period – 31 December 2020. Non-regression requirements in the agreement will also prevent the UK from bringing in lower standards on social, environmental and labour regulations.

In detail

Government have started putting forward a significant number of 'correcting powers' or statutory instruments to ensure a functioning statute book after Brexit. This will require extra work/training for staff understanding these changes and how they apply. Similarly, businesses will be asking us for help and advice and we will need to increase inspections etc. to ensure awareness and compliance, all of which will increase demand for our regulatory services. There is still a lot of work to do for the law changes to go through so the current position is changing week by week. It is hoped the new laws will simply fix the changeover rather than making any significant changes to the content of the legislation.

However, in the event of a no deal situation, there are many regulatory functions where it is not clear how they will work. This causes particular issues where the UK relies on reciprocal arrangements with the EU such as market surveillance, placing goods on the market, CE conformity marking, etc.

In anticipation of increasing demand for our regulatory functions and the need to retrain the entire regulatory workforce on post Brexit law changes, a suitable training programme will need to be introduced and implemented, and staffing capacity may need to be increased. This will provide an additional cost pressure.

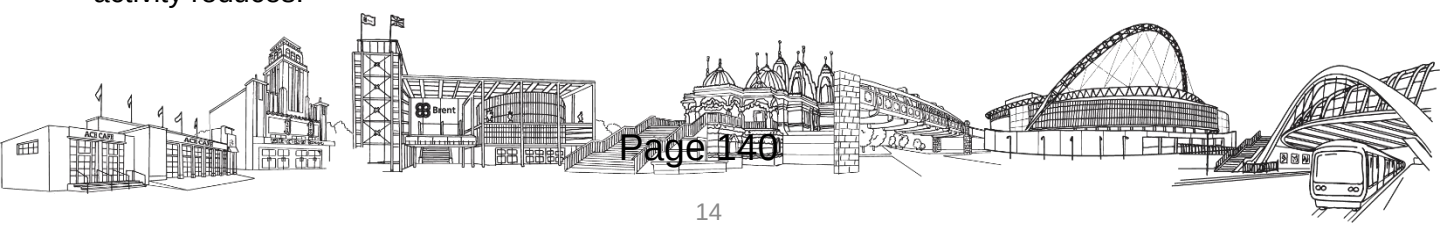
Providers may be affected by changes in the law, and as a result may not be able to deliver their contract within the currently agreed price. There will be clauses that will allow adjustments to the contract on an annual basis related to inflation and/or allow both parties to discuss additional costs that need to be borne by contracted parties due to government legislation.

From a waste perspective, advice from DEFRA suggests that 98% of waste exports are expected to be largely be unaffected and Veolia also have not raised any concerns.

After the UK leaves the EU it could become more difficult to recover parking contravention debt from vehicles registered in EU countries. It is already difficult especially in respect of Romania, but our specialist debt recovery contractor does have some success.
Any fuel shortage or public disorder could impact heavily on parking enforcement and revenue.

Long term the main issue would be a significant hit on car ownership caused by higher import tariffs and a possible collapse in domestic production.

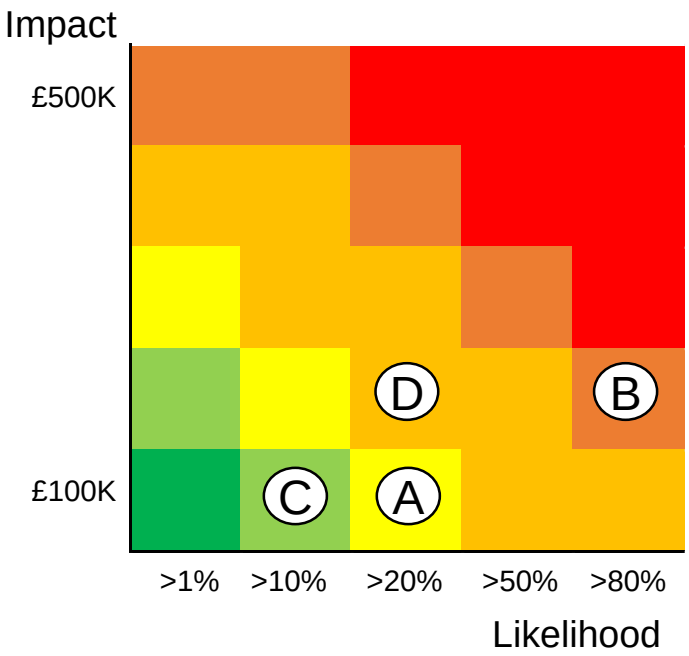
This would affect permit income, and also parking contravention notice issuance if motoring activity reduces.



5. Supply chain

Key threats:

A. Impact of cost pressures on suppliers or partners
B. Suppliers trying to make Brent take culpability for their Brexit risks
C. Delays to delivery of goods
D. Indexation exchange rate issues



Key opportunities:

1. Identify and use more local suppliers

Actions:

1.	Identify EU suppliers in the supply chain
2.	Raise risks with Central Government
3.	Identify where delays are likely and change projects pace where possible
4.	Identify local and non-EU suppliers
5.	Work with the Commissioning Board to keep abreast of emerging issues and risks

Overview

Brent Council spends around £220m per year on goods and services from around 4000 suppliers. Whilst it is impossible to understand the impact of a No Deal Brexit across the full extent of the council's supply chain, we are taking steps to assess the preparedness of key suppliers.

The council will continue to liaise with its key suppliers to ensure they are taking a managed approach to business continuity in the event of a No Deal Brexit.

Leaving the EU without a deal is likely to also mean leaving without a customs agreement. The UK will then revert to World Trade Organisation rules. The UK has already agreed trade deals with a number of other countries but not yet with the EU. Goods may still travel to the UK via the EU, and will then have to succumb to their customs checks.

In detail

The Government is proposing a Government Owned or Operated Logistics (GOOL) scheme in which they obtain (either through buying, leasing, or converting military vessels) roll-on roll-off lorry ferries to ensure vital supplies such as food and medicines continue to reach the UK if it leaves the EU with no deal.

Customs checks at ports initially will continue as they are now if the UK leaves the EU without a deal. All businesses which move goods into or out of the UK will need an Economic Operator Registration and Identifier (EORI) number which starts with GB. The businesses team is raising awareness of this through the businesses newsletter, and also by visiting small town centre businesses.

The pest control service provided by Brent Council uses baits and poisons believed to be made in Europe and imported to the UK by the supplier. This is a small part of the service, and any increase could be passed on to the customer without a significant increase. UK supplies might be equally competitive.

The funeral service leases their vehicles from a national framework. Additional tariffs may affect the price of some commercial vehicles, but UK made vehicles could be used as an alternative. Again the cost could be passed on to the customer, estimated at around 10p per customer.

Changes in law may mean that contractors will not be able to deliver the service within the cost agreed. After the UK leaves the EU, there may be changes in some laws. If this happens, there is a clause in each contract which allows the contract to be discussed and appropriate next steps agreed. Suppliers have stated in their tender documents in September 2019 that subcontractor/suppliers will not guarantee delivery costs beyond Brexit.

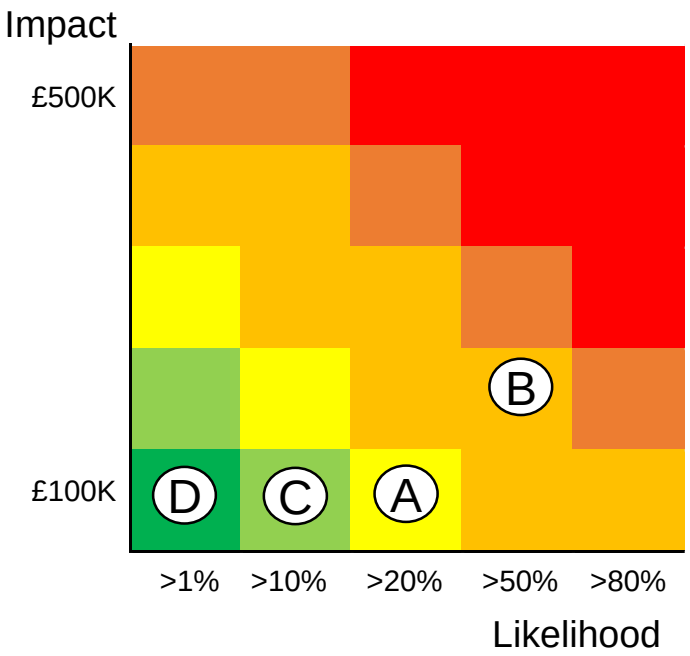
Indexation could be an issue. Contracts with suppliers from outside the UK may be affected by the consumer price index or retail price index exchange rate, which could change as a result of Brexit. Within each contracts there will be clauses that will allow adjustments to the contract on an annual basis related to inflation and allow both parties to discuss additional costs.

Imports to the UK may increase lead time for the delivery of equipment being sourced such as laptops for the IT roll-out, and could have an impact on project deliverables.

6. Local partnership working

Key threats:

A. Local business failure
B. Decline in the voluntary sector
C. Business rates income falling
D. EU funding no longer available



Key opportunities:

1. Exporting if the value of the pound decreases

Actions:

1.	Raise awareness of the EU settlement scheme with local businesses
2.	Identify local business concerns and escalate as appropriate
3.	Promote apprenticeships to local businesses to address skills gaps
4.	Promote workforce training and other courses to local employers
5.	Monitor our secondary high streets, particularly the small businesses on them

Overview

Small and medium sized enterprises (SMEs) form the vast majority of business in Brent. It is not known the extent to which they trade with EU countries or employ EU nationals, both of which are will likely be affected by Brexit. However, any economic downturn would result in reduced business rate revenue for the council, which will be one of its main sources of income by 2020.

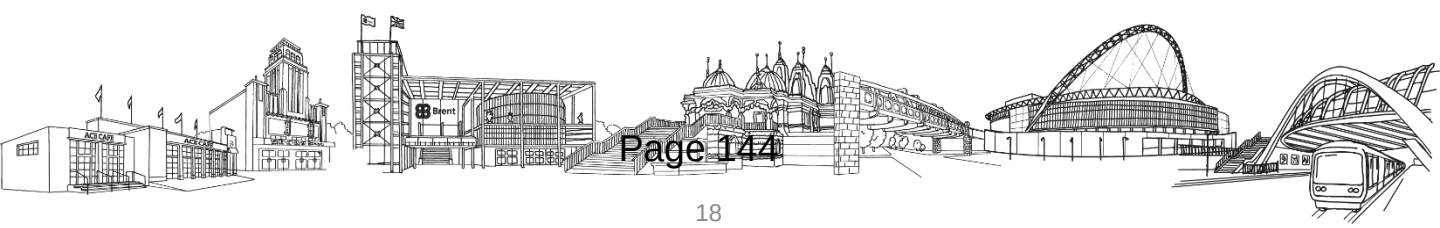
The Federation of Small Businesses found when surveying their members that almost one third of small firms do business with or within the EU. Different industries employ different skill levels, medium skilled level EU workers are the most commonly employed, and are predominant in the construction, and manufacturing sectors. The survey highlighted three key concerns held by SMEs:

- accessing the skills they need
- ability to grow the business
- enforcing new immigration rules

Some experts predict the value of the pound to decrease following Brexit, and other experts expect it to have no affect or maybe even increase. The value of the pound impacts on both the import and the export markets. It is worth noting that when it decreases, and the import market is negatively affected, the exact opposite is true for the export market. Companies within Brent which export to the EU and other countries, are likely to be positively impacted as the value of the pound decreases. Tourism is also likely to be positively affected by a lower value of the pound.

Our high streets, and secondary high streets have a diverse range of shops in them, with specialist food shops, cafes, and takeaways catering specifically to different European communities. In Brent, we employ town centre managers. The town centre managers coordinate activities and lead on plans in nine high streets working closely with residents and businesses.

After the UK leaves the EU all businesses which move goods into or out of the UK will need an Economic Operator Registration and Identifier (EORI) number which begins GB. VAT registered businesses will automatically be registered with an EORI number and non-VAT registered businesses will need to apply for the number.



In detail

Recent data collated via London Councils Business 1000 Survey suggests that Brent is the London borough with the highest proportion of businesses where EU staff make up more than 50% of the workforce. This was a cross-sector survey, indicating that the effects of Brexit may have a serious impact on recruitment and retention across the local business base.

Although we are not formally tracking business confidence, anecdotal evidence from business groups suggests confidence is low and uncertainty remains high.

Brent could consider what it could do to support local small and medium sized enterprises. It should be noted that a 2017 scrutiny task group report about Small and Medium sized Enterprises (SMEs), the recommendation was made to *"develop a skills programme to ensure that SMEs have access to appropriately skilled, locally based staff".* In response to this recommendation Brent Start developed wider courses aimed at SMEs, for example, digital skills. The Business Board, whose members represent a diverse range of size and sectors including SMEs, act as ambassadors for the Borough's business community. A follow up report from March 2018, a year after the scrutiny task group, reported that this board *"is in the process of selecting further priorities for action from a range of possible projects, which includes local skills development to meet workforce needs."* This programme is used to develop local talent ensuring SMEs have access to the skills they require.

Businesses in Brent are supported by our businesses team. The businesses team is ensuring they are kept up to date about issues relating to Brexit and utilising our town centre managers to talk to small businesses on the High Street which may not be in contact with other businesses. They are highlighting changes including getting an EORI number for importing and exporting.

Our regulatory services team has been regularly communicating with the Food Standards Agency (FSA) (https://www.food.gov.uk/), Animal and Plant Health Agency (APHA), and the Department for Environment, Food & Rural Affairs (DEFRA) regarding the impact of Brexit on food service delivery, particularly export health certificate requirements for exporting products of animal origin to Europe, following a no deal Brexit. They have registered all their Environmental Health Officers with APHA to enable all officers to be able to inspect and sign export health certificates and have set aside reserve money should there be a surge of requests for export health certificates.

We are in regular contact with all our approved food manufacturers and businesses that export food. The FSA as well as Brent have written to all food manufacturers in the Borough alerting them of the requirements on food export to Europe following Brexit.

It is worth noting that in 2020 adult education will devolve to local regions. Brent will have more ability to influence the London spending. This means that Brent will be able to provide training to fill gaps locally, specifically in areas which are particularly at risk including education, health, social care, and administration.

Brent Council provides identity document scanning for those applying for the EU settlement scheme for a charge of £14 per person. Brent Council has offered businesses to deliver this identity document scanning service in their workplace for a minimum of ten registrations.

In detail continued

The Living Room which was previously funded with EU monies, is now funded through other funding streams. The only programme Brent has which is match-funded by the EU and government, is the five year work and health programme. The work and health programme is devolved from central government to London and commissioned under the WLA. This project will be evaluated at the end of its term, and decisions will then be made about its effectiveness. This year's outcome based review (OBR) focuses on mental health and employment. The in-depth work undertaken throughout the OBR will determine the level and breadth of need in Brent, and as well as determining specific local requirements should also identify better ways of working which will then be implemented.

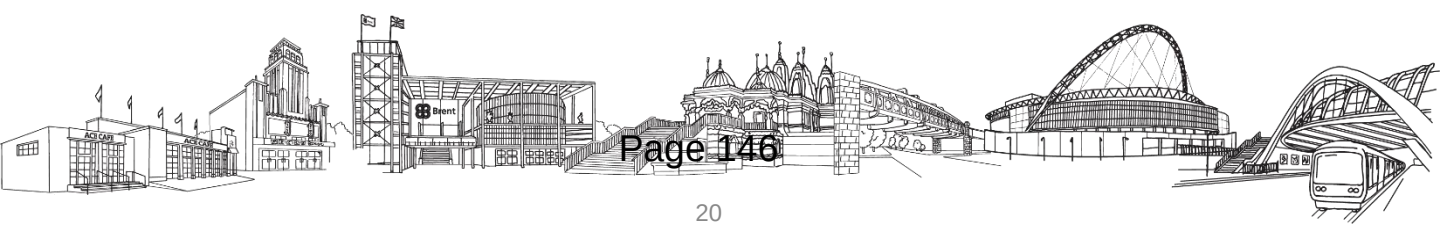
Although we don't receive other funding from the European Social Fund (ESF), there will be projects in Brent and London which do. When this funding finishes, these projects, and the support they provide might also end. The quality of these programmes is unknown.

In Brent ESOL funding is provided by the government, and is not funded by EU money, so will not be affected by the UK leaving the EU.

London currently benefits from ESIF funding totalling £581m. We do not know how much of that is for services in Brent, but do know that charities which provide vital services to our residents currently receive EU funding, and may be impacted as a result of Brexit. One of these charities is Crisis who provide support to the homeless.

Although central government have committed to replacing this through a UK Shared Prosperity Fund (UKSPF), there has been no information on the value and eligibility conditions of the replacement funding, leading to much uncertainty on projects that are currently funded until 2020 and any new ones under development.

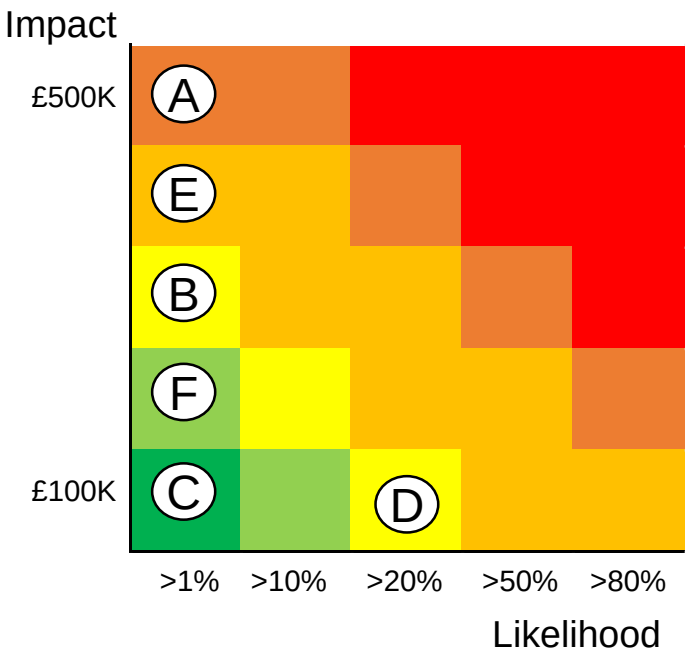
In September Brent Council will host a Partners for Brent Brexit meeting, bringing together public sector services, voluntary and community sector partners, local business representatives and others across Brent to discuss Brexit and work together to mitigate its impact on Brent and its residents. Neighbouring borough council Brexit leads will also be invited to this event.



7. Community engagement

Key threats:

A. EU residents leave en masse
B. Civil unrest
C. EU residents do not know about the EU settlement programme
D. Hate crime increase
E. Food shortages
F. Increase in far right extremism



Actions:

1.	Raise awareness of the EU settlement scheme targeting EU social media users
2.	Work with specialist charities to raise awareness of the EU settlement scheme for the harder to reach population
3.	Continue to have a zero tolerance approach to hate crime
4.	Continue to monitor police reports and look for signs of increased hate crime
5.	Continue to monitor signs of far-right extremist activity, work with the police and partners, and report to Channel Panel as required
6.	Raise awareness of far-right extremism including signs, codes, and behaviours of individuals involved or on the fringe
7.	Analyse the electoral roll to understand the possible impact of Brits returning from abroad, and alert Adult Social Care and NHS services if necessary

Overview

Brent Council is keen to engage with its community and has different teams which engage with the community in different ways. These include holding Brent Connects forums, and town centre managers working with local businesses.

Our stronger communities strategy has just been refreshed. Hate crime is included within this strategy, and through it, we will manage community concerns, and oppose attempts to divide people in the borough by their background and status.

Last year, hate crime was decided as a priority for the Community MARAC. The Community Protection team work with the local MET Police to monitor and deter hate crime.

Food shortages, and other impacts of leaving the EU which affect the whole country will have strategies led by Central Government. Brent has short term risk management strategies in place as part of its emergency planning to manage risks, and ensure business continuity. It reviews its business continuity plans annually for all services, and the focus of this year's planning is on the supply chain, and supplier continuity. Brent has systems in place to respond to government emergency strategies.

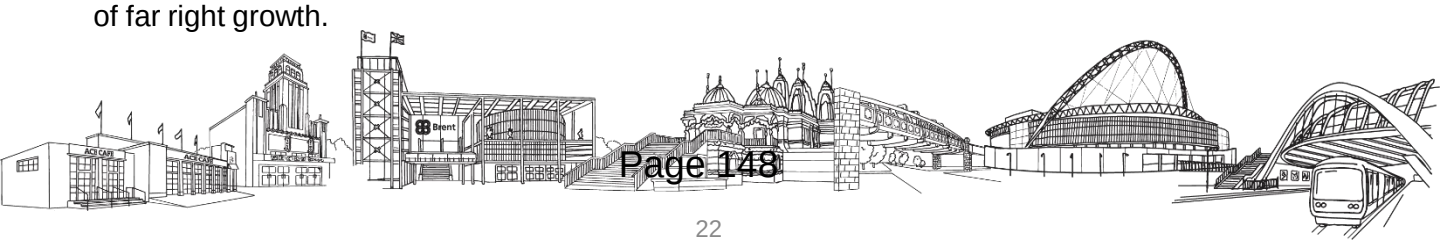
In detail

Brent Council is dedicated to bringing our communities together, and reducing hate and hate crime in the borough. Through the Stronger Communities Strategy, they have implemented a programme of Time to Talk events, to discuss issues that might cause discord and work out how to tackle them, together with the community.

Should the UK leave the EU without a customs deal in place, the price of food imported to the UK will increase. This increase in price is likely to be passed on to the consumer. Brent has the third lowest average wage in London, and one third of its children are estimated to be living in poverty. An increase in food prices will push families further into poverty. An increase in poverty could lead to civil unrest. Foodbanks support our families in the most need. Brexit is not likely to affect volunteering numbers for our Foodbanks, but if food prices rise this will impact on donations, the extent of the impact could be large and given the current need (largely due to Universal Credit) this will could send our foodbanks into crisis.

Food shortages, and other impacts of leaving the EU which affect the whole country will have strategies led by Central Government. Brent has short term risk management strategies in place as part of its emergency planning to manage risks, and ensure business continuity. It reviews its business continuity plans annually for all services, and the focus of this year's planning is on the supply chain, and supplier continuity. Brent has systems in place to respond to government emergency strategies.

Hope not Hate, a leading charity against hate crime, released their report on the State of Hate 2019. The report began by saying *Britain is increasingly divided and that is likely to continue whatever the Brexit outcome* but goes on to say that whatever happens *in 2019 is critical for either deepening or repairing these divisions*. The report states that the *far right is getting more extreme, and younger*. It also states that the far right is *successfully tapping into the political rage and discontent that is prevalent in society.* And *while the numbers arrested for terror-related offences in 2018 was down on the previous year, we are witnessing a growing threat of far right terrorism.* The report expects a continued far right terror threat, and is expecting divisions within Britain to increase. The report also talks about anti-Muslim prejudice replacing immigration as the key driver of far right growth.



In detail continued

In Brent hate crime is regularly monitored and has remained fairly steady, and even shown signs of decline over the last two years. The Community Protection team are proactively monitoring police daily reports for hate crime and any increase in hate crime.

The aim of Prevent is to stop people from becoming terrorists or supporting violent extremism. Their objectives are:

- to respond to the ideological challenge of terrorism;
- to prevent people from being drawn into terrorism; and
- to work with a range of sectors and institutions where there are risks of radicalisation, such as education, faith, health and criminal justice.

In Brent Prevent works to prevent young people from being drawn into all forms of hate and terrorism, including far right extremism.

Brent has put together a plan to engage with and support the harder to reach communities, ensuring that they understand the EU settlement scheme, and are able to register to remain in the UK with their current rights intact should they choose. The plan will include:

- Work with the Eastern European Network and other local organisations providing services to European residents to provide information and engage with residents
- Work with local and specialised organisations to provide information, support and assistance to European residents
- Work with neighbouring boroughs to best utilise resources and support engagement with hard to reach communities

European Citizens are currently eligible to vote in local elections. To vote, they need to register on the electoral roll. In Brent, there are 42,372 EU citizens registered to vote. The proportion of the electorate that is European varies from 12% in Kenton and Northwick Park, to 25% in Alperton and Wembley Central. If these voters were to leave Brent, it would have a big impact on the electorate.

Currently we are unsure what rights European citizens will be given. Once voting rights have been decided, we will write to all European citizens registered to vote with an explanation of these rights, and include details of how to register on the EU settlement scheme, and explain they may be able to use their letter as proof of residence for the scheme.

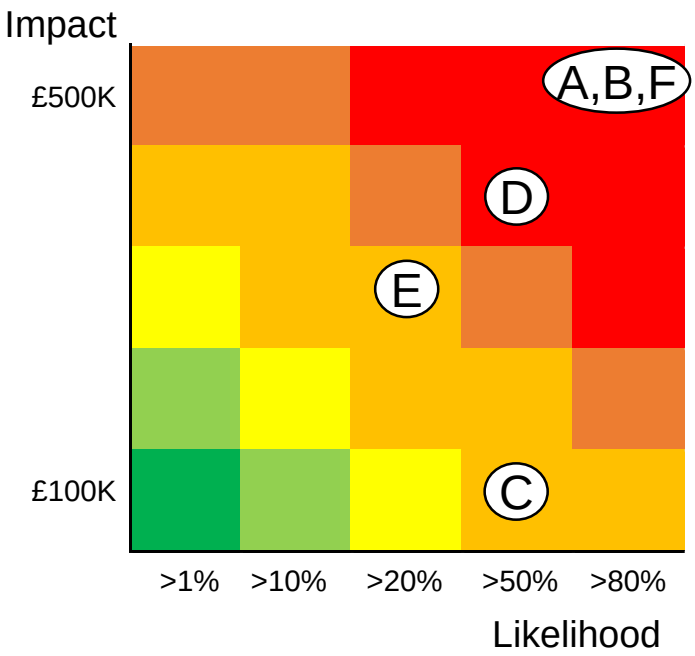
There are about 1,000 residents registered to vote who live abroad. Many of these residents will live in the EU. These ex-pats may consider returning to the UK depending on the offer to UK citizens following the UK leaving the EU in the countries they are living in. Although these numbers are small, as the ex-pats are likely to be older this may impact our social care and NHS services. An analysis will be undertaken to understand the possible impact.

Another possible issue is the repatriation of the deceased. Should there be delays at borders, this will be particularly distressing to families affected, and may affect certain faiths which require a prompt burial. Currently we have between 20 and 30 repatriations each year.

8. Regional and local growth

Key threats:

A. Housing market stagnates and/or house prices decrease rendering regeneration projects unviable
B. Private sector stops new schemes leading to reduced affordable housing provision.
C. Construction supplies increase in price due to being brought in from Europe
D. Skills shortage
E. Major employers relocate
F. Loss of income from downturn in planning and building control applications



Key opportunities:

1. Increase in social council housing from lower value land, and developers looking to sell dwellings to the Council
2. Provide apprenticeships in the construction sector, creating employment for our youth
3. Identify accessible funding streams for projects

Actions:

1.	Raise awareness of the EU settlement scheme
2.	Monitor development pipeline and identify which projects are under threat due to the housing market
3.	Incorporate longer delivery times into project plans to account for delays in materials coming through the EU.
4.	Identify and raise awareness of available non-EU funding streams
5.	Promote the Mayor of London's message: "London is Open"

Overview

Brent has a number of capital projects whose viability relies on house prices delivering a return which finances the development. Brent is also reliant on the private sector to bring forward schemes which provide private housing for sale, private housing for rent or shared ownership, and affordable housing. Brent has two housing zones and eight growth areas. New development brings in affordable housing, business rates, council tax, new homes bonus and community infrastructure levy contributions for local and strategic infrastructure, which could all be reduced if development reduces.

The Council has a number of strategies to support investors in the Borough to demonstrate that 'Brent is Open for Business' and investment in growth should continue. This reflects the Mayor of London's approach as well. The Council is producing a new Local Plan to give clarity and certainty to developers about development in the Borough, has made some new site allocations and designated two new growth areas, and is doing some masterplanning work, all to identify development opportunities. The Inclusive Growth Strategy is to be launched at November Full Council. The Council is also supporting the proposed West London Orbital which will open up areas for development as well as access to jobs in west London and beyond.

The Council is also exploring opportunities to buy housing developments from private landowners to help meet the housing need, and embarking on a programme of self build for around 1,000 new homes for those on the Council waiting list. These opportunities may be enhanced if land values drop and private owners are looking to off load sites.

The anticipated decrease in EU employees is being mitigated by the Employment and Skills programmes focussed on increasing education and skill levels and employment opportunities, including apprenticeships, for residents of the Borough.

Supplies of construction materials, many of which are sourced from the EU, could also be made more expensive and/or less accessible. The extent of this impact will depend on any deal, or no deal with the EU.

In detail

Some evidence based work has been as part of the research for the Inclusive Growth Strategy, analysing key areas and how Brexit will affect them. There are two sectors in Brent on which Brexit will have the biggest impact: the construction, and food and drink industries both of which are significant employers in the Borough.

27% of London's construction workforce comes from the EU. A no deal Brexit which restricts free movement of labour could result in a skills shortage in the construction industry as well as pressure on wages, causing construction firms to face higher project costs and reduce current turnovers.

The final deal or no deal scenario will also affect sourcing of construction materials from the EU, which may incur a tariff and take longer to process, delaying the construction process. A report by KPMG predicts that between 10% and 15% of Gross Value Added (GVA) will be affected. Another report, by Cambridge Econometrics on the effect of soft and hard exit on London by 2030, predicts that London employment in the construction sector equates to around 6% decrease in employment in Brent, which is about 10,000 employees.

There are anticipated increases in export and import prices for food and drink manufacturing as the EU is the main commercial partner for the sector. Food and drink manufacturing employs a large share of EU workers, making it exposed to supply-side constraints and employment shortages. Park Royal has a high concentration of food and drink industries.

House prices in London have decreased over the past year, and the market is fairly stagnant with a drop off in transactions. The underlying uncertainty around Brexit is thought to have contributed to this fall. The viability of private schemes and Council led regeneration and capital projects are influenced by house prices. Large decreases in house prices will negatively affect the many regeneration projects currently running and planned in Brent. House transaction stagnation will also make it harder to achieve sales and therefore loss of income.

Planning policy requires private residential developments of over ten units to provide affordable housing, in partnership with a Registered Provider. If house-builders decide to mothball sites or stop buying new ones to develop because of stagnation or uncertainty in the housing market, there will be less affordable housing provided reducing the Council's ability to provide permanent housing for those in housing need.

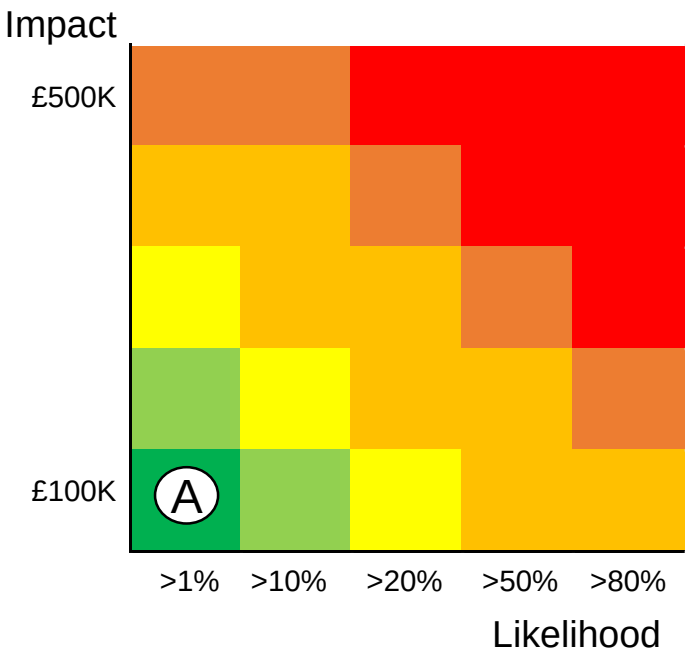
Large companies may relocate, taking their jobs with them. Some employees may move with them. Others may get new jobs or be unemployed. Depending on the impact on the economy other businesses may fold. If the economic base of the Borough contracts there would be a loss of business rate income to the Council, and an increase in unemployment and call on council services. Although there aren't many large companies in the Borough, there may be impacts on the supply chain to these companies.

There may be new opportunities for the Council to purchase more homes at lower prices to provide Council housing, and become 'Borough Builders' again, although the Council as developer would be hit by any shortages of construction skills and materials like other developers.

9. Data and information handling

Key threats:

A. Access to data stored or processed in the EU restricted



Actions:

1.	Identify if any personal data are stored or processed in the EU either directly by us, or through third party suppliers
2.	Work with companies based in the EU to establish a legal basis for sharing the information
3.	Continue to follow guidance from the ICO
4.	Monitor the European Commission and their decision regarding adequacy of data protection in the UK.

Overview

If the UK leaves the EU in 2019 with no agreement in place regarding future arrangements for data protection, there would be no immediate change in the UK's own data protection standards. This is because the Data Protection Act 2018 would remain in place and the EU Withdrawal Act would incorporate the GDPR into UK law to sit alongside it.

However, the legal framework governing transfers of personal data from organisations (or subsidiaries) established in the EU to organisations established in the UK would change on exit.

At the point of exit, the UK would continue to allow the free flow of personal data from the UK to the EU. This is in recognition of the alignment between the UK and EU's data protection regimes. The UK would keep this under review.

In detail

The European Commission will not make an adequacy decision regarding the UK at the point of exit. It has stated that the UK needs to become a "third" country before any adequacy decisions can be made. If we have personal data either processed by, or stored with organisations established in the EU (including data centres) then Brent will assist its EU partners in identifying a legal basis for those transfers.

Brent's Information Governance team is currently identifying, through its network of information champions, if there are any personal data processed or stored in the EU including through third party suppliers. It will then take the necessary steps to ensure continuity of business either through identifying a legal basis for transfer or by changing suppliers.

10. EU settlement Scheme

There is a large number of EU Londoners living and working in Brent. For a number of risks in this document, the mitigating action is raising awareness of the EU settlement scheme.

Background

The government has put together a settlement scheme for EU nationals. This scheme allows EU nationals to continue to live and work in the UK. It is free to register, and residents who are accepted will get settled or pre-settled status allowing them to continue to live and work in the UK as before. The details of this scheme differ depending on how the UK leaves the EU. Is the UK leaves without a deal, only EU citizens who are currently living in the UK will eligible to apply to the scheme.

In detail

We are raising awareness of this scheme across Brent with a number of media campaigns, aimed at European nationals. These campaigns include articles in our magazines and on our website, posters and flyers in locations known to have high footfall of European nationals, and a targeted social media campaign.

We have held two events for residents to find out more and ask questions about the EU settlement scheme. We have a dedicated webpage https://www.brent.gov.uk/your-community/stronger-communities/brexit/ and email address: eusettlement@brent.gov.uk for concerned residents to ask questions about the settlement scheme. We will continue to promote the EU settlement scheme across the borough and will hold a third public event on Thursday 26 September.

Our registration service provide a chip and check service for Europeans who wish to register on the scheme but do not have access to an android smart device. Employees can take advantage of this verification service.

We provide information sessions for staff, for in frontline service team meetings, and for all staff in lunch and learn sessions. At these tailored information session, staff find out about the EU settlement scheme and how it relates to their service area.

Information sessions have also been offered to businesses, schools and charities. Some schools and charities have taken advantage of this offer, including the Royal Association for Deaf People (RAD). This has resulted in RAD applying for and receiving funding to produce a video in British Sign Language, the primary language used by deaf people in the UK, about the EU settlement scheme.

We partnered with City Hall so the Mayor of London's Brexit bus came to Willesden Green on Monday 01 April, providing free advice and guidance to our EU Londoners.

We ran an event in early September for the voluntary sector, particularly those who work with EU residents to find out more about the EU settlement scheme, Brexit and to look at how we can work together to ensure residents know about the scheme. We are also developing a community champions scheme. Once these community champions are recruited, one of their initial training sessions and remit will be about the EU settlement scheme and spreading the word to their communities.

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Appendix two: Brexit Lead Officer responsibilities

- Ensuring the council has taken all reasonable steps, in line with relevant guidance and messaging coming from Government and its agencies, to prepare for our exit from the EU on 31 October. This should include clear communication to local residents and businesses to support their own preparations for Brexit and a plan for how the council would communicate important messages to stakeholders;
- Ensuring the council has a team in place which is equipped to support the delivery of Brexit, ready for the period around 31 October;
- Overseeing the expenditure of the specific Brexit funding allocated to their council and ensuring it is effectively contributing to local preparations;
- Playing a full part in your Local Resilience Forum to ensure that its plans for No Deal take account of relevant local circumstances and potential impacts on local communities. I will be writing separately to all LRF chairs to set out how I propose to work with them to prepare for Brexit and to ask that they liaise with you to assess relevant impacts;
- Bringing together local public service providers, the voluntary and community sector, community groups and businesses to effectively prepare for the potential local impacts of leaving the EU without a deal;
- Acting as the principal contact point for your regional lead chief executive and central Government; and
- Proactively raising with central Government or your regional chief executive representative any emerging trends, issues and other local intelligence that might assist in No Deal preparations.

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DRAFT INTERNAL AUDIT REPORT

Brexit Preparation 2019/20

21 August 2019

Number of issues	
High	2
Medium	2
Low	2
Advisory	1

CONTENTS

EXECUTIVE SUMMARY 3

DETAILED FINDINGS – HIGH RISK ISSUES 5

DETAILED FINDINGS – MEDIUM RISK ISSUES 10

DETAILED FINDINGS – LOW RISK ISSUES 15

DETAILED FINDINGS – ADVISORY RISK ISSUES 18

APPENDIX 2 – BASIS OF CLASSIFICATIONS 20

Audit information

Fieldwork started	9 July 2019
Fieldwork completed	17 July 2019
Draft report issued	14 August 2019
Auditors	Phil Brown Rhys Hutchings
Audit Manager	Amy Hall

EXECUTIVE SUMMARY

This review was undertaken as part of the 2019/20 Audit Plan as agreed by the Council's Audit Committee on 20 March, 2019. This plan was developed following an assessment of the main risks facing the Council.

Introduction and background

The UK was due to leave the European Union (EU) on 29 March 2019 two years after initiating the leaving process through triggering Article 50. Without UK parliamentary approval of the negotiated Withdrawal Agreement, the UK would have left the EU without a transitional deal on 29 March, resulting in significant disruption impacting on Brent Council (the Council) and its citizens.

The Council undertook a Brexit Risk Assessment finalised in February 2019 which identified material Brexit risks to the Council, their impact and probability, opportunities and mitigating actions. The Council's objective was to ensure service continuity and minimise the impact on residents via the design and implementation of controls and processes to mitigate the risks associated with Brexit.

Brexit governance was formalised in February 2019 with the establishment of a Brexit Coordination Group which first met on 14 February 2019, consisting of senior Council stakeholders with responsibility for its Brexit response. The Group met weekly for most of the period up until 8 April 2019 when an extension of Article 50 was agreed until 31 October 2019. At this point the Council's Brexit response was suspended, although some activities have continued such as EU Settlement Scheme outreach.

At the time of this review in mid-July, no deal is the legal default on 31 October unless a deal is agreed or there is a further extension. The Council intends to resume Brexit no deal preparations in late July/early August.

The framework for this review was a Brexit risk diagnostic methodology adapted for local government. Fieldwork consisted of interviews with the Council's Brexit coordinator and Brexit lead and the other members of the Brexit Coordination Group (see Scope and Approach). As a value-added (and not a formal output), the review team has provided an outline action plan to support the next phase of the Council's Brexit response.

Objective

The objective of this audit was to provide assurance over the effectiveness and robustness of the Council's current Brexit plans. The audit assessed if there were any gaps in the Council's approach to Brexit preparation, whether risks identified had been under or over-played, the appropriateness and adequacy of any mitigations implemented and the overall governance of the Council's Brexit response.

Scope

The focus of this audit was to provide assurance on the key controls in place in relation to the sub-processes and control objectives:

- Governance and Mobilisation, and
- Brexit Impact Areas.

Summary of findings

The Council's analysis of Brexit risks in the event of no deal, as set out in the Brexit Risk Assessment, was good and no gaps in coverage were identified. Risks appear to have been appropriately assessed using value at stake and probability, although value is difficult to judge due to the uncertain impact of Brexit and because many of the risks are indirect; for example, the impact on suppliers or the nature of EU nationals' response.

Mitigations were relevant, although they were not always aligned to the identified risks. Actions had been taken against the vast majority of identified mitigations, although in most cases they were insufficiently SMART to assess the appropriateness of the response or to track implementation rigorously.

The Brexit Coordination Group had appropriate senior leadership and membership, with regular reporting to the Council Management Team (CMT) and Cabinet. Looking ahead to the remobilisation of the Council's no deal planning, it will be important to build on the strong analysis and membership of the Coordination Group by increasing project management rigour, focusing on the effective implementation of a prioritised set of mitigations.

We identified two high risk issues:

- Brexit governance and tracking and
- risk identification, assessment and alignment;

Two medium risk issues relating to the specific Brexit impact areas of:

- EU workers and EU Settlement Scheme and
- supplier risk;

Two low risk issues:

- modelling implications for budgets and business plan and
- Brexit continuity and wider emergency response;

One advisory issue of targeted external communications.

Follow up

Agreed management actions will be followed up to ensure the actions have been implemented and are operating effectively. We would like to thank all those who were involved in and contributed to this audit.

DETAILED FINDINGS – HIGH RISK ISSUES

1. Brexit governance and tracking

Context and good practice:

The quality of the analysis in the Risk Assessment was high. It was produced by the Core Team (Strategic Director Customer and Digital services and Senior Policy Officer) with input from area leads to co-create the assessment. There were varying levels of co-development and ownership, with mostly the highest impacted areas, such as Social Care and Children and Young People (CYP), demonstrating the strongest ownership of the analysis and actions.

Accountability for implementation was delegated. In some areas, such as CYP, responsibilities for reporting and implementation was embedded within divisional structures, but this was not universal.

The focus on no deal planning helped to focus attention on short-term contingency measures and was appropriate.

We identified the following steps in regards to Brexit Risk Assessment development and creation:

- The Council's first Brexit assessment went to the Equalities Committee in February 2017;
- An updated version to the CMT in June 2017, with subsequent reports to the CMT after that;
- The Council's Brexit response began to scale-up in late 2018/early 2019 as the London Resilience Forum intensified its response, including its communications on Brexit preparations and data requests. Prior to that, Brexit work had been led by individual areas and the Senior Policy Officer liaised with leads regularly;
- The full Brent Council Brexit Risk Assessment was completed in early/mid-February 2019, and was submitted to the CMT and the Council;
- The Council established a Brexit Coordination Group in February 2019 which met bi-weekly from 14 February 2019 until 8 April 2019. After this it was demobilised in light of Article 50 extended until the end of October 2019;
- The Brexit Coordination Group consists of senior staff (mostly director level) with responsibility covering all material Brexit impact areas;
- Brexit responsibilities were assigned at an appropriate level (seniority and function), with strong analytical, interpretive and coordination support from the Senior Policy Officer, and
- The Brexit Coordination Group consisted of the appropriate senior leaders and expanded over time as new risks were identified.

Observation:

Feedback from interviewees was positive about the value of the Brexit Coordination Group and governance, in particular, its role in sharing wider sources of information on Brexit and insights. Data requests from the London Resilience Forum focused on civil contingency metrics and were extensive and demanding. Interviewees reported that the Council provided the requested information to deadline, although it provided constructive comments on several occasions.

We noted that the core controls supporting the Brexit Coordination Group could be improved, for example:

- there were no formal agendas or records of the meetings, and
- the format for the Brexit Assessment and reporting requirements did not provide the controls needed to enable effective monitoring or tracking of the implementation of the identified mitigating actions (see also finding 2).

This could mean mitigations are not implemented as intended and the Council may have gaps in its no deal contingency planning.

The use of data could also be further strengthened. Data requests from the London Resilience Forum focused on civil contingency metrics and were extensive and demanding; interviewees reported that the Council provided the requested information to deadline but did not cite examples of the data, most of which was already being collected, as providing valuable insights to support their Brexit response. It can be anticipated that if no deal looks likely in the lead up to 31 October, activities and data requests will be at least as intensive as during the lead up to 31 March. It will be important that sufficient resources are in place at all levels.

As well as communicating with Coordination Group members, information and updates were also shared with a wider group. Interviewees suggested that this could be strengthened further in the future, including communications around the resumption of Brexit planning.

Next steps & recommendations:

1. Increase the project management rigour of the Council's Brexit response and, already having a strong grasp of the risks (albeit they will not be static), increase the emphasis on implementation. It is recommended that it is structured around a robust internally-focused Brexit action plan that enable implementation of the Council's Brexit response to be tracked centrally to include risks, aligned mitigations with SMART indicators, risk owners, timing, status of implementation and interdependencies (the accompanying action plan provides an input into this). To make best use of the meetings, it is recommended that the action plan is updated in advance of meetings and risk owners continue to provide an update on

their risks at the meeting, as well as any new emerging risks. Meetings should have a clear agenda circulated in advance and agreed actions should be recorded and reviewed.

2. Make sure sufficient resources are allocated to Brexit lead/coordination group and in directorates, and - if no deal looks probable in early-mid October - identify surge resources to support the Council's and potentially key partners' emergency response.
3. Continue to report regularly to CMT and the Cabinet and increase their oversight and involvement if no deal looks probable in early-mid October.
4. Review and formalise Brexit reporting, communications and accountabilities within directorates.
5. Communicate internally the resumption of Brexit planning, and provide regular updates to all staff as well as those working directly on Brexit.

Management action plan

Agreed action	Action owner	Due date
Create site on intranet and publish minutes from Brexit Co-ordination group meetings and any other agreed updates	Anne	12 Sep 2019
Update report to CMT (and then PCG)	Peter	03 Sep 2019

2. Risk identification, assessment and alignment

Context and good practice:

The Risk Assessment contains an assessment of Brexit risks by probability and impact, consistent with the Council's approach to risk management. These risks are described in the narrative section and opportunities and mitigating actions are identified.

Identified risks under each policy area were assessed for impact and probability, consistent with the Council's risk management approach. Given the nature of Brexit and the risks themselves, this is difficult to do. The approach helped to prioritise risks in a standardised way.

There are a large number of risks identified (78). Of these, there are risks with either very low probability (24 classified as either >1% or >10% chance of occurring) or impact (24 classified as either £100k or £200k financial impact), which could be managed at directorate-level and escalated appropriately.

Observation:

There is considerable uncertainty about how Brexit impacts and risks are continuing to evolve. However, based on our risk diagnostic approach and experience from other Councils, all material risks appear to have been considered. The following more detailed observations on risk identification, assessment and alignment were noted:

- The focus on 'no deal' can explain the limited focus on longer-term strategic and operational issues - for example the implications of Brexit on capital investment and revenues;
- There were also some inconsistencies in the assessment; for example: in Section 7: Community Engagement, 'Food Shortages' has been listed twice in the key threats and been given two different financial impacts, while 'Increase in Far Right Extremism' has been listed as a key risk, but it is not included in the graph within the assessment;
- Not all risks have mitigations in place and there is variable alignment between the risks and mitigating actions, resulting in the risk that not all areas have appropriate mitigations in place, and
- Few mitigations are SMART, which means that they lack the specificity needed to assess their appropriateness for controlling for Brexit risks or the completeness of their implementation.

Next steps and recommendations:

1. Rationalise and prioritise risks tracked and managed through the Brexit Coordination Group and manage lower level risks at directorate level.
2. Review mitigating actions to ensure they are aligned to risks and make them SMART.

3. Once Brexit outcome is clearer, consider longer-term impacts and the Council's response, building these into strategy, operations and the budget setting process.

Management action plan

Agreed action	Action owner	Due date
Continue to update risk assessment	Anne	Ongoing
Put together risks and actions in one document for monitoring purposes and assign actions to be monitored by the Brexit Co-ordination Group and for lower level risks, as directorate monitoring	All	29 Aug 2019

DETAILED FINDINGS – MEDIUM RISK ISSUES

3. EU workers and EU Settlement Scheme

Context and good practice:

The risk of a skills shortage is identified as a priority risk for the Council and for most areas of the Council's responsibilities through the impact on service providers, businesses, citizens, revenues and the demand for services. With 67,000 EU Nationals (reported in the Risk Assessment), the Council has the highest number of EU nationals of any London borough, some of which are hard to reach. There has been extensive outreach to the community, and the Council has chosen to provide registration services that has included purchasing Android phones to register with, although uptake has been limited, as it has been across all local authorities

Approximately 10% of the Council's staff are EU nationals, rising to around 20% in Customer Services and CYP. The focus of the HR team has mostly been on the impact on its own staff. This has included efforts to establish the nationality of its staff. Attention has also been given to workforce planning with explicit consideration of Brexit impacts on EU nationals.

EU Settlement Scheme outreach has been pursued with energy. Considerable effort has been made to reach out to the Community, including two major outreach events and a number of engagements with community groups. Two future media campaigns were planned: the first when the new Prime Minister was announced in late July and the second at the start of 2020 when there will be a year left to register if there is no deal.
The Registration and Nationality Service have offered to provide workshops for frontline staff, but so far this has only been taken up by private sector housing and housing the homeless teams.

Council departments have also communicated with key stakeholder organisations on the EU Settlement Scheme, such as schools.

Interviewees considered the risk of the immediate loss of workforce to be very low as indicated in the risk assessment (this should be downgraded as a risk).

The key risk is skills shortages in the longer-term and the risk of wage increase impacting on the affordability of services in the shorter term. The impact will vary. Recruitment in shortage areas such as social workers may become even more challenging.

Measures being taken on Learning and Development (L&D) and workforce planning could help to mitigate the Brexit impact, although this is constrained by the limited information about employee nationality (the Council only holds nationality information about 171 employees of which 10 are EU nationals). These include recruiting from outside the EU for difficult to fill roles, such as

social workers, and focusing workforce planning on hard to recruit or retain posts and using higher skilled apprenticeships to develop relevant capabilities.

Workforce risks are considered to be a key risk across most areas of the business, particularly in suppliers (see finding/recommendation 4 below). Given the risk and activities impacting across most areas, there could be value in further sharing of best practice and leveraging capabilities, experience and channels across the Council.

There has been discussion about writing out to EU nationals on the electoral register, although this has not happened yet.

Observation:

Despite the extensive efforts made in regards to communication around EU workers and the EU Settlement Scheme, in reality direct outreach can only reach a limited proportion of affected EU nationals. There is a risk that if EU nationals do not register for settled status in time (by end of 2020 in the event of no deal) and therefore have to leave the UK, there will be extensive implications for suppliers' viability, community cohesion, revenues and service demand.

Around 10% of Council staff are EU nationals, but there is limited knowledge of which specific employees they are. There is a risk that they may not register for settled status or receive the support they need, and lose critical staff if this is not understood more fully.

Next steps and recommendations

1. Continue efforts to capture the nationality of Council staff and more importantly provide regular updates, reminders and offers of advice through varied communications channels, accelerating activity in 2020 (leading up to cut off for registrations at the end of 2020 in the event of no deal).
2. Review approach to reaching EU nationals, particularly the hardest to reach. It may be appropriate to reduce the focus on direct outreach and invest more in building on the engagement to date with civil society organisations and front-line service delivery staff.
3. If agreed, this should include a resourced plan for scaling-up efforts to empower and incentivise alternative providers, such as community groups and diaspora media, to support outreach. While not urgent, this is one of the few Brexit impacts that will take effect with or without a deal, so well-targeted investment is unlikely to be wasted. If there is a deal, this could be a good use of the £210,000 central Brexit funding.
4. Rollout compulsory training on the EU Settlement Scheme to all frontline staff and track the impact of frontline outreach and feedback to inform the approach.

5. Organise an internal meeting focused on outreach on EU Settlement to share experience and planned activities to learn lessons and enhance join up.

Management action plan

Agreed action	Action owner	Due date
Hold an information session and workshop for our third sector agencies who work with EU residents to find out more about the EU settlement scheme and to work out barriers etc. for our residents	Anne	03 Sep 19
Continue to provide training to frontline staff and record this on the action plan	Anne and Mandy Brammer	Ongoing
Circulate list of teams who have completed training in longlist of all teams – include adults social care training and LAC team	Anne and Mandy Brammer	31 Dec 2019

4. Supplier risk

Context and good practice:

The Council outsources a large proportion of its services, spending around £220m per year on goods and services from over 4,000 suppliers. It is typically large multinationals providing the bulk of services in areas such as refuse collection and the provision of adult care. These employ a very large proportion of EU nationals: about 50% of staff working in social care are from outside the UK, and half of these are EU nationals. The exposure of certain key suppliers is even greater; for example, Veolia which provides recycling and refuse services (£18m p/a contract value), has over 50% EU nationals, rising to over 70% of its agency staff. The contract with Veolia comes to an end in March 2023 and the procurement process for the next contract is already under preparation.

This makes a number of critical suppliers highly exposed to Brexit impacts, particularly the ability to fill posts and the risk of wage escalation, both of which could impact on their viability. For these reasons, a failure of care providers is the only red risk as assessed in the Brexit Assessment, and a number of mitigations are in place to mitigate this risk.

Mitigations relating to supplier risk in Adult and Children's care were relatively extensive and action had been taken. This has included speaking to major suppliers about the risk of the Brexit and their response, writing to adult care providers sharing Department of Health guidance, receiving Business Continuity Plans (BCPs) from a limited number of providers, and trying to work through provider managers.

Brexit impacts will be built into the normal procurement processes and due diligence for new supplier contracts.

The Adult Social Care BCP has been updated recently in response to Allied Healthcare collapsing before Christmas, so it is up to date and relevant to the risk of the failure of a major provider.

Observation:

Failure of key services suppliers, particularly in the care sector, is the highest no deal risk (noting that EU nationals are a longer-term risk).

While mitigations have been taken and the Council has limited direct control, it is important that the Council's efforts to control for failure are robust, since unless suppliers are prepared for no deal they may not be able to provide the services needed by the Council or fail altogether.

While the Council has done some thinking around this, there is an opportunity to strengthen this further.

Next steps and recommendations:

1. Refresh mitigating actions and increase the rigour with which they are implemented to test supplier readiness robustly. This could include requesting and reviewing all major supplier BCPs and testing these during an upcoming Provider Forum (with engagement from emergency response).
2. Continue to engage statutory partners (e.g. Care Quality Commission) on intelligence about large providers, and Council teams about smaller providers. Where risks are identified, approach the supplier directly to assess their resilience.
3. Build in Brexit questions and contract monitoring for officers visiting providers, taking a risk-based approach.

Management action plan

Agreed action	Action owner	Due date
Review all adult social care supplier BCPs concentrating on those which will have the biggest impact	Andrew Davies, Chris Whyte and Brian Grady	
Look at top suppliers work and see what would be appropriate to do	All	29 Aug 2019
Build in Brexit questions	Andrew Davies, Chris Whyte and Brian Grady	

DETAILED FINDINGS – LOW RISK ISSUES

5. Modelling implications for budgets and business plans

Context and good practice:

The budget setting process for 2020/21 has just started. It needs to be set by February 2020 which means consultations need to start by October 2019 when the Brexit outcome is likely to remain uncertain.

Brexit could impact on the Council's budget and plans in a number of ways including:

- Contract inflation;
- Demographic decline;
- Property values;
- Council borrowing and interest rates;
- Reduction in the property tax base; and
- Business rate reductions (an estimated 50% of SMEs are EU owned).

Sensitivity analysis and risk assessments have been built into modelling in some of these areas; for example, as part of financial modelling for the property purchasing programme a fall in property prices was factored in, and Brexit is starting to be considered in capital programmes.

The Council also has significant reserves to manage one off costs, but not the sustained impact of cost escalation (including those contracts linked to the Consumer Price Index) or revenue reduction.

Observation:

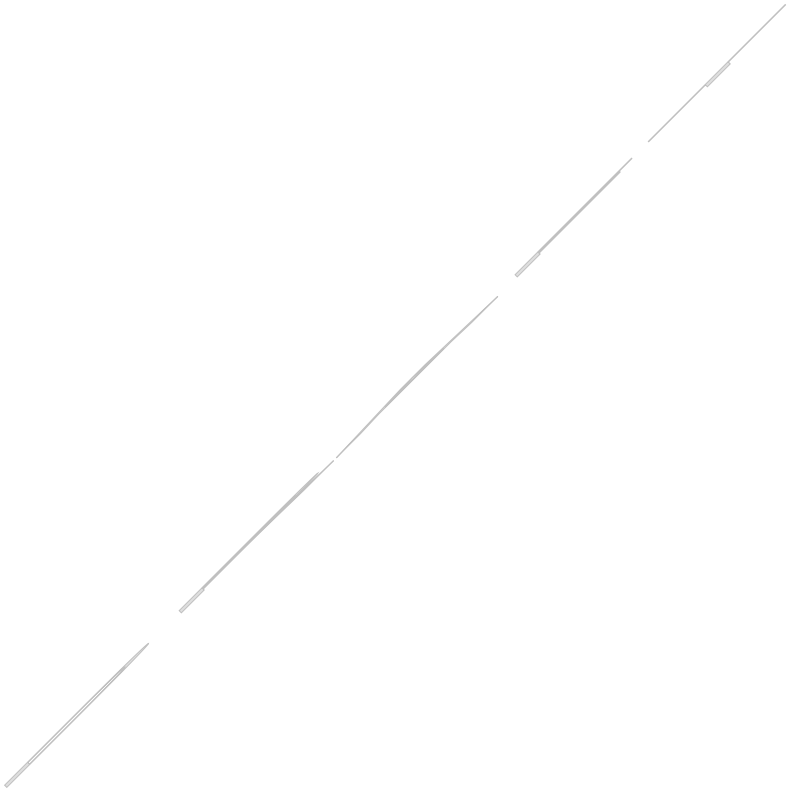
At present Brexit is not being built into the 2020/21 budget setting process, other than for specific projects. If a no deal Brexit scenario is not modelled, a no deal Brexit could mean that plans are unaffordable or services are not aligned to demand.

Next steps and recommendations:

1. Take a proportionate approach to building Brexit assumptions into budget modelling, using a scenario-based approach (e.g. orderly deal, no deal) to inform sensitivity analysis.
2. In doing so, review affordability of contracts that are linked to the Consumer Price Index (CPI).

Management action plan

Agreed action	Action owner	Due date
Build Brexit assumptions into budget modelling	Ravinder Jassar	31 Oct 2019



6. Brexit continuity and wider emergency response:

Context and good practice:

The focus of the Council's emergency planning has been on fuel disruption risks, where it assesses the risk as being relatively low as there are well-rehearsed contingency plans in place. The other main risk considered is a failure of gas or electricity supply, where the Council's focus is on reaching vulnerable people.

The Council's Civil Contingency Manager chairs a quarterly Brent Resilience Forum (BRF), consisting key civil contingency organisations, including the emergency services. Brexit has been a standing item on the agenda, where each organisation has given a verbal and in some cases written update.

Observation:

The Borough's emergency planning teams and the London Resilience Forum have established mechanisms and reporting in place for civil contingency planning which has been the focus of attention.

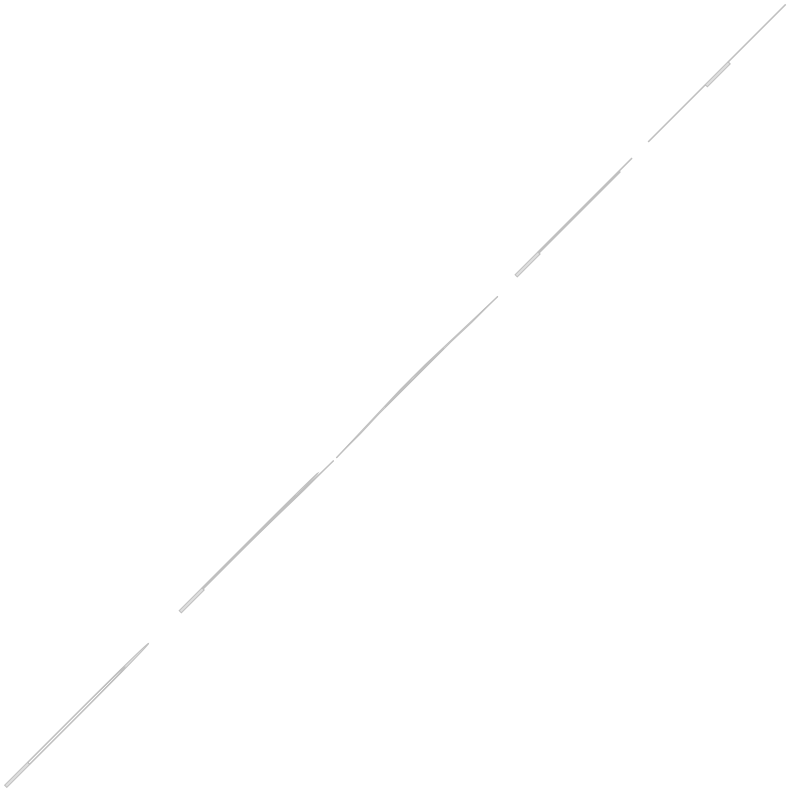
While Brexit has been considered by the BRF and civil contingency plans are well developed and tested, Brexit no deal readiness plans have not been tested robustly which could lead to a failure of Brent's emergency response in the event of no deal.

Next steps and recommendations

1. At the next BRF meeting and before early October 2019, review Brexit contingencies in detail and test response plans robustly.
2. For the highest risk areas, such as key suppliers (see finding/recommendation 4 below), it is recommended that the civil contingency manager works with directorates to review and stress test Business Continuity Plans (BCPs).

Management action plan

Agreed action	Action owner	Due date
Business continuity plans are currently being reviewed and assurance will be sought from each Head of Services that their plans are robust in case of a no deal Brexit	Daryl Jooste	31 Oct 2019
Partners for Brent – 17 September – will determine continued response	Anne	17 Sep 2019



DETAILED FINDINGS – ADVISORY RISK ISSUES

7. Targeted external communications

Context and good practice:

It is good practice to have made the Risk Assessment available on the website as it demonstrates the strength of Brent's response and it is accessible to all interested stakeholders.

Considerable communications have been targeted at EU nationals on registering for the EU Settlement Scheme, as well as communications to stakeholders through directorates.

Observation:

The Risk Assessment is available on the Council's external website. Targeted communications have also been carried out, particularly on the EU Settlement Scheme.

While the Risk Assessment is an impressive piece of work, it is principally an internal document (noting recommendation in 'Brexit governance and tracking' to replace this with a Brexit action plan going forward), which means that it does not provide targeted messaging to stakeholders. This increases the risk that the analysis and recommendations not reaching the intended external stakeholders.

Next steps and recommendations:

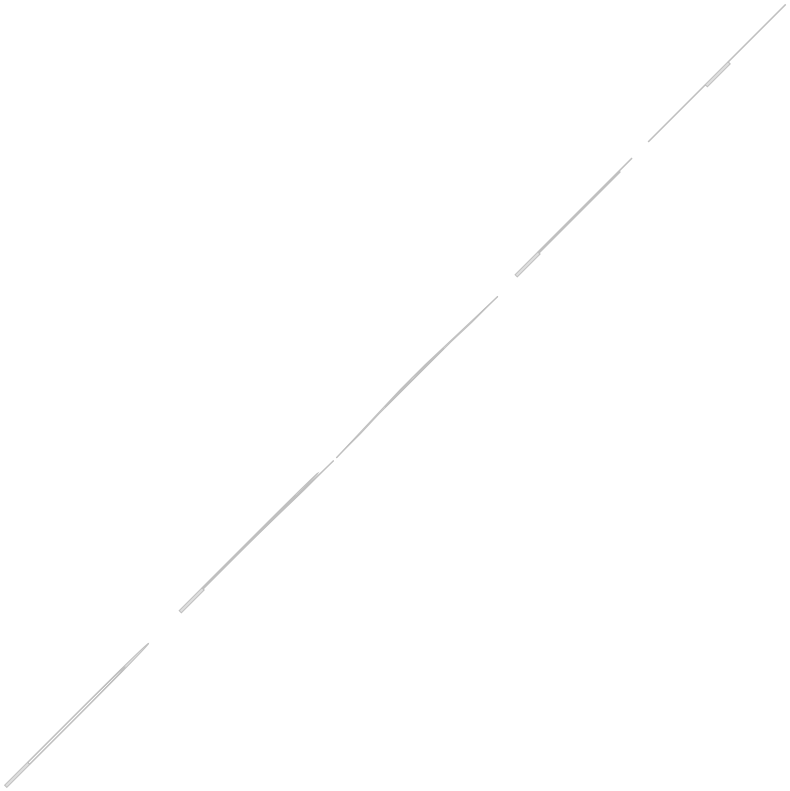
1. Identify key target stakeholders and target communications to these groups, covering the risks, the Council's response and what they need to do. In doing so (and in light of recommendation 1), consider the merits of continuing with the Risk Assessment as a standalone document.

Management action plan

Agreed action	Action owner	Due date
Hold a Partners for Brent meeting about Brexit with the focus on a no deal Brexit. As part of this meeting determine how we work together on Brexit and keep informed in the future.	Anne	17 Sep 2019
Update the webpage to include hyperlinks for suppliers, businesses, etc.	Anne	30 Aug 2019

APPENDIX 1 – Distribution list

Peter Gadsdon	Strategic Director Customer and Digital services
Anne Kittappa	Senior Policy Officer
Carolyn Downs	Chief Executive Officer



APPENDIX 2 – Basis of Classifications

Individual Finding Ratings

Critical
A finding that could have a:
- Critical impact on operational performance; or
- Critical monetary or financial statement impact; or
- Critical breach in laws and regulations that could result in material fines or consequences; or
- Critical impact on the reputation or brand of the organisation which could threaten its future viability.

High
A finding that could have a:
- Significant impact on operational performance; or
- Significant monetary or financial statement impact; or
- Significant breach in laws and regulations resulting in significant fines and consequences; or
- Significant impact on the reputation or brand of the organisation.

Medium
A finding that could have a:
- Moderate impact on operational; or
- Moderate monetary or financial statement impact; or
- Moderate breach in laws and regulations resulting in fines and consequences; or
- Moderate impact on the reputation or brand of the organisation.

Low
A finding that could have a:
- Minor impact on the organisation's operational performance; or
- Minor monetary or financial statement impact; or
- Minor breach in laws and regulations with limited consequences; or
- Minor impact on the reputation of the organisation.

Advisory
A finding that does not have a risk impact but has been raised to highlight areas of inefficiencies or good practice.

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Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director of Community Wellbeing

Selective and Additional Licensing in the Private Rented Sector in Brent

Wards Affected:	All
Key Decision:	Yes
Public Access (Open or Part/Fully Exempt): (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Ten Appendices: Appendix 1: Consultation Findings Report (Sept 2019) Appendix 2: Council response to representations Appendix 3: Consultation Proposal and Evidence Report Appendix 4: (A-D) Selective Licensing Scheme Designations Appendix 5: Additional Licensing Scheme Designation Appendix 6: Licensing scheme objectives Appendix 7: Fee structure for Licence Applications Appendix 8: HMO Licence scheme conditions Appendix 9: Selective Licence scheme conditions Appendix 10. Equalities Analysis (EA)
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Hakeem Osinaike, Operational Director, Housing 020 8937 2023 Hakeem.Osinake@brent.gov.uk Spencer Randolph, Head of Service, Private Housing 020 8937 2546 Spencer.Randolph@brent.gov.uk Tony Jemmott, Private Housing, Licensing Manager 020 8937 2377 Anthony.Jemmott@brent.gov.uk

1.0 Summary

1.1 In April 2014 the Executive approved the introduction of an Additional Licensing scheme, covering all Houses in Multiple Occupation (HMOs) in the borough and in August 2014 approved the introduction of a Selective Licensing scheme, covering all private rented housing in the wards of Harlesden, Wembley Central and Willesden Green. Both schemes came into effect in January 2015 and run to 31st December 2019. In June 2018 the selective licensing scheme was extended to the electoral wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park. This latter designation will run until May 2023.

1.2 Under the licensing schemes, landlords of privately rented homes within the designations are required to apply to the Council for licences for which fees must be paid. Where licences are granted, the Licence Holder and Manager, if different, are required to comply with property management licence conditions.

1.3 On 7th June 2019, in consultation with the Leader of the Council, the Lead Member for Housing and Welfare Reform agreed to consult on proposals to renew the 2014 additional and selective licensing and on extending selective licensing to other areas of the borough. The decision was informed by an evidence based report and the relevant Government guidance on the introduction of discretionary licensing schemes. The detailed proposed schemes are:

i. To renew the designation of the whole of the borough, as subject to an additional Houses in Multiple Occupation licensing scheme under Part 2 of the Housing Act 2004, with effect from February 2020.
ii. To renew the selective licensing scheme designation in the wards of Harlesden, Wembley Central and Willesden Green wards under Part 3 of the Housing Act 2004 on the grounds of poor housing conditions and ASB with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force.
iii. To introduce a selective licensing scheme under Part 3 of the Housing Act 2004 to the following designated areas of the borough with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force, for the reasons as follows:
Designation 2: Queensbury, Fryent and Brondesbury Park – This is along the A5 corridor Grounds; Poor Housing Conditions and ASB
Designation 3: Barnhill and Welsh Harp – Grounds; Poor Housing Conditions, Deprivation and ASB
Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury; Poor Housing Conditions and ASB

1.4 The consultation started on the 10th June 2019 and concluded on 25th August 2019. 1,110 individuals or organisations completed the online or postal questionnaire. In summary the results were very similar to previous consultation exercises we have undertaken on private sector licensing, with residents and business being in favour of the schemes and landlords less in favour or not at all. Of those who returned the questionnaire 69.3% were residents or businesses, 27.6% were landlords or agents and 3.2% where other stakeholders.

1.5 A further 605 face-to-face interviews were conducted in Brent and a further 102 face-to-face interviews in the surrounding boroughs. From the responses, significant proportions of Brent residents and those residents sampled from "outside of Brent" agreed and were supportive of the proposals.

Deliberative forums were also carried out:

- A large event for landlords and representatives of letting and managing agents, for which around 570 reserved places, and around 300 participants attended. Two deliberative focus groups with local residents, involving 24 participants in total;
- A meeting involving six key stakeholders (including the Fire Brigade, landlord representative bodies, and organisations that support local residents/tenants).
- Written submissions: stakeholders were able to provide their views by writing to LBB or ORS

1.6 The findings of the consultation exercise are provided in Appendix 1.

1.7 This report makes recommendations in relation to the licensing schemes beyond 31 December 2019.

2.0 **Recommendations**

Cabinet is recommended to:

2.1 Note the outcome of the consultation process detailed in the Consultation Findings Report of September 2019 [Appendix 1], in particular the representations received and the Council's consideration thereof, and response to these representations [Appendix 2].

2.2 Note the consultation evidence [Appendix 3] relating to the problems being caused by poorly managed HMOs, and also that the report has considered that additional licensing will assist the Council in achieving wider objectives, as well as alternatives to additional licensing.

2.3 Note the content of the Equality Impact Assessment as set out in Appendix 10.

2.4 Agree, subject to paragraphs 2.1 to 2.3 above, that the legal requirements for introducing additional licensing for the whole of the borough of Brent as set out in paragraphs 10.1 to 10.6 of this report have been met.

2.5 Agree, subject to paragraphs 2.1 to 2.3 above, that the Council using its powers under section 56 of the Housing Act 2004, to renew and authorise the designation of the entire borough of Brent as an area subject to additional licensing to last for five years from 1st February 2020 or on a later date to be set by the Strategic Director of Community Wellbeing as delineated and edged red on the map at Appendix 5**.**

2.6 Agree that the evidence report [Appendix 3] highlights that the legal requirements as set out in paragraphs 10.11 to 10.21 below for introducing Selective Licensing on the grounds of anti-social behaviour (ASB); and/or poor property conditions; and/or high levels of deprivation have been met with regard to the proposed selective licensing designation areas as summarised in table 2 in section 5.0 below.

2.7 Agree, subject to paragraphs 2.1 and 2.3 above, to authorise the designation of four areas for selective licensing to last for five years from the date of designations coming into force, and which cover the following Council wards as delineated and edged red on the map(s) in appendices 4A to 4D:

i. Designation 1: A selective licensing scheme designation in the wards of Harlesden, Wembley Central and Willesden Green wards under Part 3, s.80 Housing Act 2004 on the grounds of poor housing (property) conditions and ASB with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force.

ii. A selective licensing scheme under Part 3, s.80 Housing Act 2004 to the following designated areas of the borough with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force, for the reasons as follows:

Designation 2: Queensbury, Fryent and Brondesbury Park – This is along the A5 corridor and on the Grounds; Poor Housing (Property) Conditions and ASB

Designation 3: Barnhill and Welsh Harp – Grounds; Poor Housing (Property Conditions), Deprivation and ASB

Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury on the Grounds; Poor Housing (Property) Conditions and ASB.

2.8 Agree to seek consent from the Secretary of State for the designation for Selective Licensing of the four designation areas as set out in appendices 4A to 4D and paragraph 2.7, which will last for five years from the date of the designation(s) coming into force, if approved by the Secretary of State.

2.9 Agree the authority to issue the required statutory notifications in relation to the Additional and Selective Licensing Scheme designations are delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead member for Housing and Welfare Reform.

2.10 Agree that, subject to the issue of statutory notifications, that the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform is authorised to decide the date from which the council will begin to accept applications for Additional licensing.

2.11 Agree that, subject to consent being obtained from the Secretary of State, and the issue of statutory notifications, that the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare reform is authorised to decide the date from which the council will begin to accept applications for Selective Licensing for each of the four designated areas and decide the date on which the designations and the extended Selective Licensing scheme will come into effect.

2.12 Agree that the licensing conditions for the proposed designation areas for additional licensing as set out in Appendix 8, and for selective licensing as set out in Appendix 9 be approved and to authorise the Strategic Director for Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to make any minor variations to such licensing conditions.

2.13 Agree to the proposed fee structure for licence applications under the Additional and Selective Licensing schemes at Appendix 7.

2.14 Agree that authority be delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform to agree the basis for and level of any changes including discounts which may be applied to these licensing application fees.

2.15 Note that the Additional and Selective Licensing schemes will be kept under review at least annually. Any significant changes, including the withdrawal of a licensing designation or a proposal to introduce any new designation(s), will be subject to further consultation and a decision by Cabinet.

3.0 Background

3.1 Our population has increased by 18 per cent over the past 10 years, to 335,000 residents today, projected to increase to almost 350,000 by 2023, and over 375,000 by 2030. We are now the seventh largest of the London boroughs and the fourteenth most densely populated local authority in the country.

3.2 The private rented sector (PRS) in Brent has grown from 17% of the total housing stock in 2001, beyond 31% (35,000 properties) in 2011, to our current estimates of 37%. This is higher than the change seen in England as a whole. PRS in Brent is now slightly less than its owner- occupied sector (41%), and bigger than its social rented sector (22%).

3.3 Almost two thirds (65%) of the Brent population are from Black, Asian and minority ethnic groups. Brent is the second most ethnically diverse (Index score =9, compared to London score of 5.1) borough in London, after Newham (according to the Simpson's Diversity Index (Ethnicity), London 2019.

3.4 Under the Housing Act 2004, there are three types of licensing available to local authorities:

(a) Mandatory Licensing

All local authorities are obliged to run a licensing scheme covering most Houses in Multiple Occupation (HMOs) that are occupied by five or more people. A scheme has been in operation in Brent since 2006.

(b) Additional Licensing

Section 56 of the Housing Act 2004 provides a power to licence HMOs not covered by mandatory licensing; defined as properties containing 3 or 4 people forming 2 or more households. Under Additional Licensing, local authorities can designate an area for an initial 5 years but must be satisfied that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively as to give rise to one or more particular problems, either for those occupying the HMOs or for members of the public. In April 2014 the Executive approved the designation of an Additional Licensing Scheme covering the whole borough with effect from 1st January 2015.

(c) Selective Licensing

Under Part III of the Act, local authorities can introduce Selective Licensing schemes that focus on improving the management of privately rented properties accommodating single households as well as HMOs, which are not subject to additional licensing. A scheme covering three wards has been in place since 1st January 2015, and this was extended to a further five wards in June 2018.

3.5 The regulations also stipulate that where a licensing designation in relation to selective licensing would cover more than 20% of the local authority area or more than 20% of the private sector stock, consent to a scheme must be sought from the Secretary of State. The 20% total would include any areas already designated, meaning that any significant extension of Selective Licensing in Brent would require consent.

3.6 This report is concerned solely with the renewal of Selective and Additional schemes and the extending of selective licensing to cover other areas of the borough. The current Selective Licensing scheme covering the wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park are not affected by this report, apart from the policy recommendation regarding the duration of existing licences where granted (Para 2.14).

3.7 According to the proposal document, the Council had licensed 11,550 properties including 3,410 Houses in Multiple Occupation (HMOs). Licensing has been used strategically to deal with problems of ASB and to improve conditions associated with the PRS. For example, the Council has operated a licence condition and compliance inspection regime, along with proportionate enforcement action, to target non-compliant landlords and improve properties. This has led to over 4,400 properties being improved in the period outturns for the 4 years 2015/16 to 2018/2019.

3.8 Over the same period, over 2,200 notices have been served on private landlords and there have been 160 prosecutions resulting in fines and costs totalling £1.5m. As an alternative to prosecutions, in some cases the Council has also issued over 100 Civil Penalty Notices.

4.0 The Proposals for renewing Additional HMO in Brent

4.1 Paragraph 7.1. of the consultation evidence report [Appendix 3] summarises that this proposal is to renew the requirement for those managing or having control of HMOs, that are not subject to mandatory licensing. The Council has proposed to do so for the entire area of Brent because it considers that a significant proportion of such HMOs in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, particular problems either for those occupying the HMOs or for members of the public. Additional licensing applies to HMOs only with the aim of improving conditions for local occupiers and the surrounding communities.

4.2 Table 1 below from the evidence report [Appendix 3] summarises the results of proportion of HMOs, additional and mandatory, found in the private rented stock in Brent at ward level. Additional licensing will cover 27% of the total 38% of HMOs found in the private rented stock.

4.3 The BRE report 2019 now estimates that there are 4,831 mandatory HMO in Brent under the new definition, and therefore we estimate that 12,153 properties will fall under the additional licensing.

Table 1: Number of HMOs – Additional and mandatory licensable HMOs by ward

Ward	Dwellings - private rented stock	HMOs	Mandatory Licensable HMOs	Additional Licensable HMOs
Alperton	1,776	699 (39%)	144 (8%)	555 (31%)
Barnhill	1,481	798 (54%)	137 (9%)	667 (45%)
Brondesbury Park	2,316	1,063 (46%)	201 (9%)	862 (37%)
Dollis Hill	937	394 (42%)	152 (16%)	242 (26%)
Dudden Hill	2,271	1,058 (47%)	432 (19%)	626 (28%)
Fryent	1,088	486 (45%)	117 (11%)	369 (34%)
Harlesden	3,433	811 (24%)	249 (7%)	562 (17%)
Kensal Green	3,154	1,169 (37%)	454 (14%)	715 (23%)
Kenton	776	315 (41%)	70 (9%)	245 (32%)
Kilburn	3,871	1,232 (32%)	339 (9%)	893 (23%)
Mapesbury	3,948	1,661 (42%)	437 (11%)	1224 (32%)
Northwick Park	795	409 (51%)	107 (13%)	302 (38%)
Preston	1,660	751 (45%)	213 (13%)	538 (32%)
Queens Park	3,334	1,163 (35%)	367 (11%)	796 (24%)
Queensbury	1,164	411 (35%)	127 (11%)	284 (24%)
Stonebridge	1,106	426 (39%)	89 (8%)	337 (31%)
Sudbury	1,869	804 (43%)	183 (10%)	621 (33%)
Tokyngton	2,444	900 (37%)	241 (10%)	659 (27%)
Welsh Harp	1,219	527 (43%)	177 (15%)	350 (29%)
Wembley Central	2,312	600 (26%)	158 (7%)	442 (19%)
Willesden Green	3,962	1,307 (33%)	437 (11%)	870 (22%)
Totals	**44,916**	**16,984 (38%)**	**4,831 (11%)**	**12,153 (27%)**

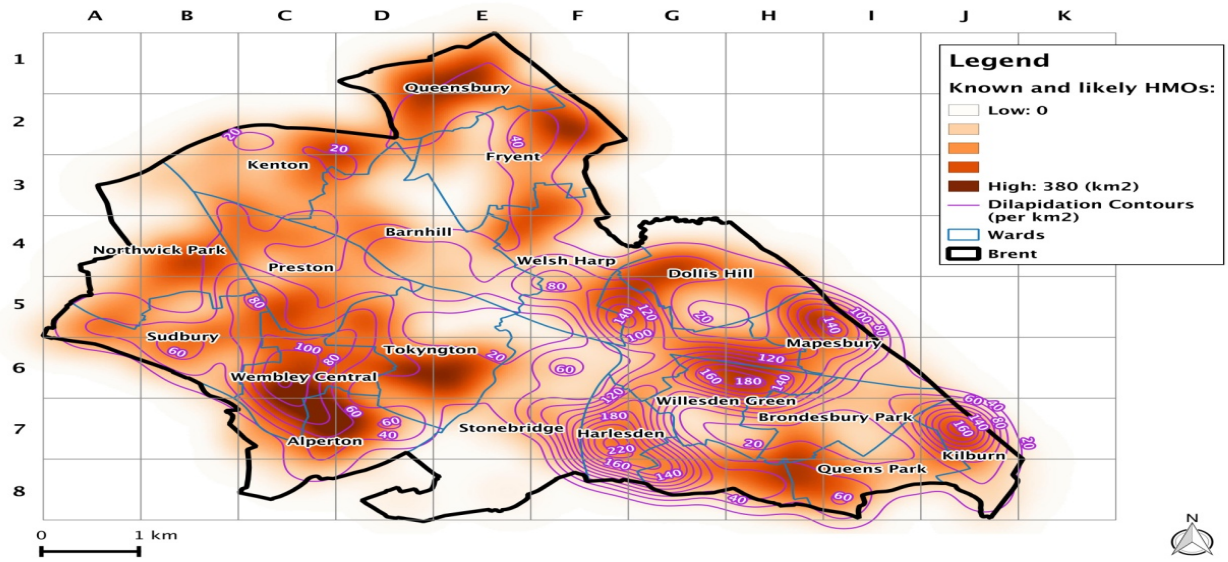
4.4 The table when mapped shows the geographical distribution of all licensable HMOs at ward and census output areas (COA) level revealing that HMOs are scattered

across the borough in high numbers with a slight tendency towards the south east. – in fact the data shows that the wards with the highest numbers of HMOs are Mapesbury (1,661), Willesden Green (1,307) and Kilburn (1,232). The picture is similar for the Additional licensable HMOs with a propensity towards the south east corner and again, the data shows that the wards with the highest numbers of licensable Mapesbury (1,224), and Kilburn (893), Willesden Green (870) and Brondesbury Park 862). The data in the table shows that the wards with the highest percentages of licensable additional HMOs are Barnhill (45%), Northwick Park (38%), Brondesbury Park (37%), Fryent (34%) and Sudbury (33%).

4.5 The BRE study reported for each of the key indicators in Brent for the private rented sector split into non-HMOs and HMOs and compared with 2014 EHS regional and national averages. In general, HMOs in Brent show similar levels of HHSRS hazards and disrepair to non-HMOs in the private rented sector. The levels of HHSRS category 1 hazards are slightly higher for HMOs (9% compared to 8% for non-HMOs), but similar for the 2014 EHS regional average (9%). Levels of disrepair are the same for all HMOs (5%) and the 2014 EHS regional average (5%). The levels of fuel poverty are higher for HMOs for the Low Income High Costs definition (11% compared to 10%). Low income households 43% is higher than the 2014 EHS regional average (31%) and 2014 EHS national average (33%).

4.6 Map 1 below mirrors the general distribution of HMO to indicate that the ASB and poor property condition are closely correlated. HMOs are present in all wards and with high proportions of hazards or in disrepair are therefore proposed for a borough wide Additional HMO licensing scheme.

Map 1: Hotspot and contour map showing concentrations of high risk HMOs, attributable ASB and poor housing conditions



4.7 In 2017 we analysed the ASB incidents and established a positive link with HMO at ward level. The correlation R^2 =0.48 was higher than the link between ASB and single family private rented (R^2 =0.20) and the ASB incidents linked to the social sector R^2 =0.01). The resultant map at COA level shows that the incidents are borough-wide with significant concentrations in the south of the borough.

4.8 Table 2.2 of the evidence report [Appendix 3] stated that of 2,184 HMOs inspected, 83% were non-compliant. A joint inspection exercise of HMOs undertaken by the Brent Fire Brigade and Private Housing in 2018 showed licensed HMO were more compliant than unlicensed HMOs, and further that those properties which had had compliance inspections by Housing officers were significantly more compliant.

4.9 Most Brent residents (73%) and other stakeholders (70%) agreed that continuing with the licensing schemes would improve or further improve the condition and management of privately rented properties, compared with only a minority of landlords and agents (21%).

4.10 Around four fifths of Brent residents (80%) and other stakeholders (79%) agreed with the proposal to renew the Additional Licensing scheme across the whole of Brent. Landlords and agents were quite evenly split, with 46% in agreement and 43% in disagreement, although a significant 19% of landlords neither agreed or disagreed with the statement

4.11 We have considered the proposal relating to s257 Housing Act 2004 HMOs (s257 HMOs certain converted blocks of flats). Such an HMO can be surmised as a building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and no more than one-third of the flats are let on short-term tenancies. Every effort will be made to determining the status of such buildings for licensing purposes.

4.12 The Council has considered the points raised regarding the exclusion of the Quintain/Tipi estate in the Wembley Park area of the Tokyngton ward in relation to additional HMO licensing. Given the overall support for a borough wide HMO licensing scheme, this report does not recommend a change in the proposed additional licensing designation area following the consultation exercise.

5.0 **The Proposals for renewing and extending Selective Licensing in Brent**

5.1 Set out in Paragraph 8 of the consultation proposals [appendix 3] is the requirement for those managing or having control of other privately rented accommodation that does not have to be licensed under mandatory or additional licensing schemes, to obtain a licence to let their property. The proposals are for four designations which cover 13 of the 21 wards in the borough. The proposal excludes the Wembley Park area of the Tokyngton ward, plus the entire areas of the Dollis Hill Kenton and Stonebridge wards. It is again mentioned that 5 wards (Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park) are already under the 2018 designation.

5.2 The scope of Selective Licensing is prompted by the evidence that;

- The local authority is satisfied that one or more of the sets of conditions below is satisfied:

  (i) (a) that the area is experiencing a significant and persistent problem caused by ASB where some private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take, and; (b) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other

persons together with the local housing authority, lead to a reduction in, or the elimination of the problem.

(ii) That there is evidence of poor housing conditions in the sector and that making a designation will, combined with other measures, contribute to an improvement in general housing conditions in the area.

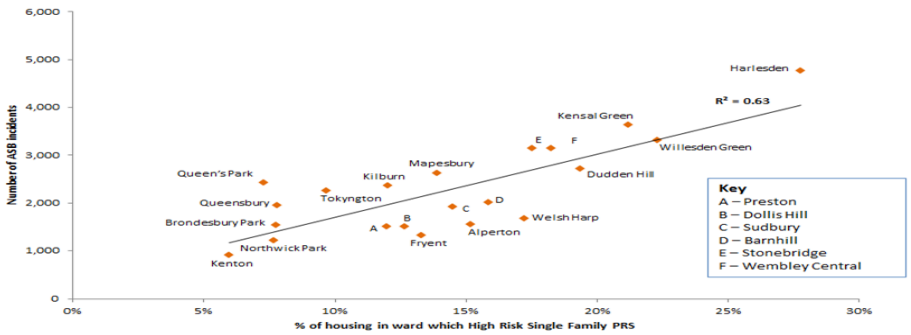
(iii) That the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of relevant properties; and that making a designation will, with other measures, contribute to a reduction in the level of deprivation in the area.

(iv) That the area suffers from high levels of crime and criminal activity affects those living in relevant properties or other households and businesses in the area; and that making a designation will, with other measures, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.

- In relation to the conditions set out in (ii) to (iv) above (paragraph 5.2), that the area contains a high proportion of properties in the private rented sector which (according to the findings of the Brent 2019 Housing Stock Condition (HSCD) provided for Brent by the Building Research Establishment [BRE]) is above the latest national average reported by the English Housing Survey of 20%), in relation to the total number of properties in the area.

5.3 Within the overall private rented sector, Selective Licensing is concerned with Single Family dwellings. Individual charts of all data sources were prepared and Figure 1 is a composite chart which illustrates the positive correlation for these properties with $R^2 = 0.63$.

Figure 1: No. of ASB incidents* against % of ward where housing is predicted to be High Risk Single Family PRS

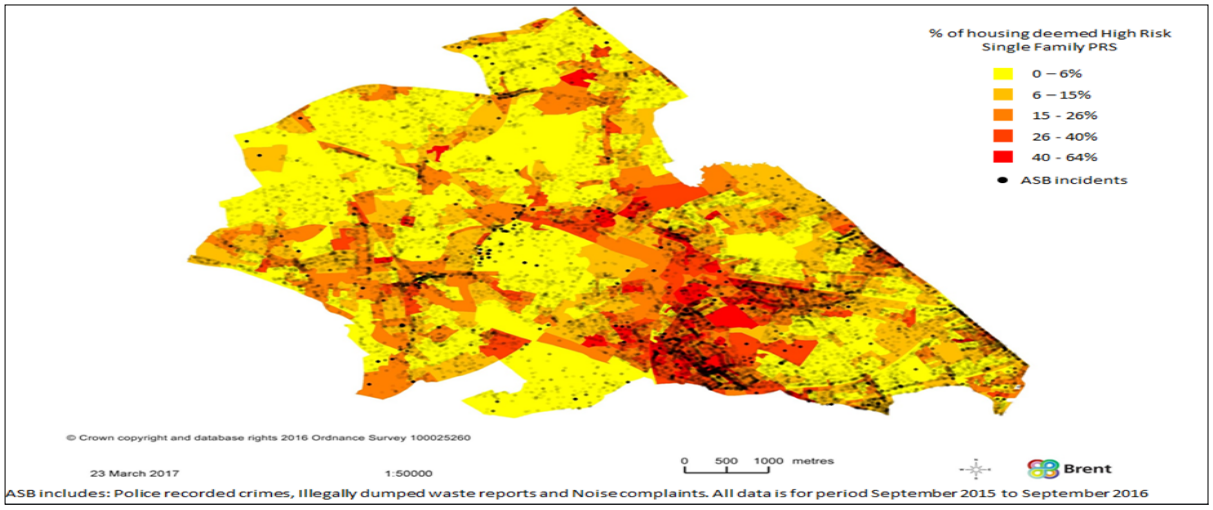


*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level
**17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

5.4 The indicators most correlated with private renting are enviro-crime (+0.79), fly-tipping (+0.74), and property conditions (0.68). Those correlated least, albeit still positively, are Police-reported ASB (0.58) and Council reported ASB (0.57) [although it must be noted that the sample size for this indicator was relatively small]. The three wards with the highest levels of contaminated waste reports are Brondesbury Park

(13,080), Queensbury (12,206) and Barnhill (11,619). The levels of contaminated waste are also high in other wards. There is also a strong relationship between PRS and reports of illegally dumped waste across the borough, with Harlesden, Kensal Green and Willesden Green showing especially high levels. Overall there is a slight positive correlation (0.32) between noise complaints and private renting, with Harlesden, Mapesbury and Kilburn wards showing the highest correlation. Map 2 below breaks down ASB by single family households and shows that there is significant distribution across all Brent wards.

Map 2: Map showing % of properties by census output area predicted to be High Risk of being Single Family PRS by recorded ASB incidents

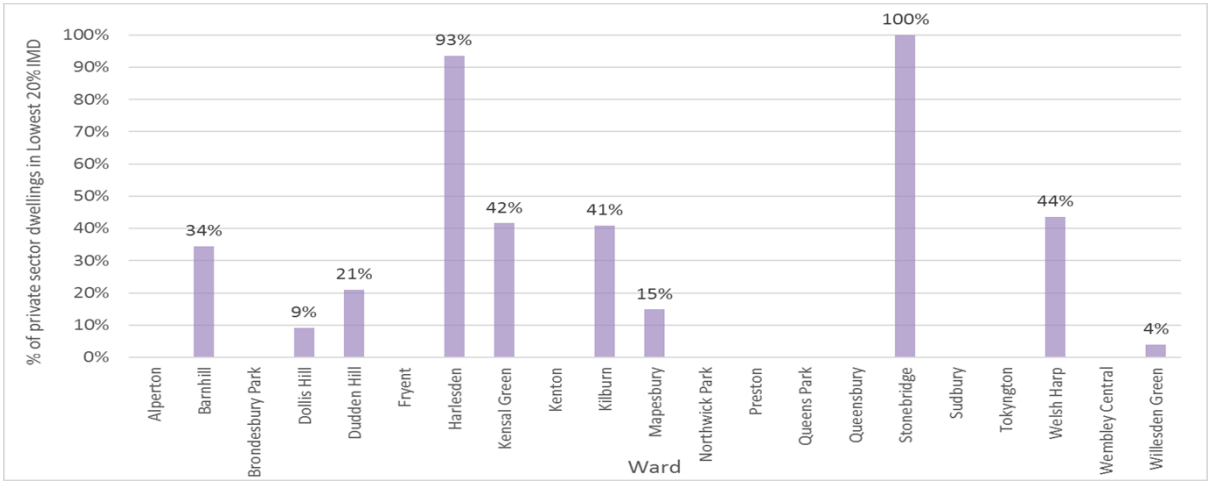


Information on Deprivation

5.5 To determine deprivation, we have looked at the 2015 Indices of Multiple Deprivation (IMD). Factors that have been used to determine whether a proposed area suffers from high level of deprivation include: the employment status of adults; the average income of households; the health of households; the availability and ease of access to education, training and other services for households; housing conditions; the physical environment; and levels of crime. To determine whether an area is deprived or not for the purposes of this study, the 20% most deprived LSOAs have been used.

5.6 Figure 2, which is taken from the BRE report, shows the results of this analysis in graphical from looking at the proportion of privately rented dwellings that are in the 20% most deprived areas in each ward. The figure for Brent as a whole is 21% and it can be seen that in Harlesden 93% of privately rented dwellings are in the 20% of the most deprived LSOAs in England. For Welsh Harp the figure is 44% and for Barnhill 34%.

Figure 2: Percentage of privately rented dwellings in each ward in Brent which are in the 20% most deprived areas in England (IMD 2015)



Summary of evidence for selective licensing designations

5.7 The evidence for the selective licensing designations proposals is summarised in Section E of consultation Evidence report. Overall table 2 shows that all wards with a PRS stock of 20% and above fits the conditions for inclusion in a selective licensing scheme. The table gives a breakdown of the elements of poor property conditions (Hazards and Disrepair) for each ward where found. Where conditions exist to similar extents, we have grouped wards to form the designations.

Table 2 Summary of findings for selective licensing scheme conditions in Brent

	Conditions for licensing								
	% of Dwellings in the PRS	Poor Property Conditions					Deprivation	ASB	
Ward	Dwellings - private rented stock >20%	All Cat 1 > regional average (9%)	1 no. Cat 1 > regional average for Excess Cold or Falls	High Cat 2 > regional average (42%)	Disrepair > regional 5% average	Has one or more elements of poor property condition	Deprivation % in 20% IMD	Persistent & Significant ASB with wards Ranked	
Alperton	YES		√			YES		YES	13
Barnhill	YES		√	√		YES	YES	YES	10
Brondesbury Park	YES	√		√	√	YES		YES	19
Dollis Hill	NO 19%	√		√		YES	YES	YES	17
Dudden Hill	YES	√		√	√	YES	YES	YES	8
Fryent	YES	√		√	√	YES		YES	18
Harlesden	YES	√		√	√	YES	YES	YES	2
Kensal Green	YES	√		√	√	YES	YES	YES	5
Kenton	NO 19%	√		√		YES			21
Kilburn	YES		√	√	√	YES	YES	YES	3
Mapesbury	YES	√		√	√	YES	YES	YES	3
Northwick Park	YES	√		√		YES			20
Preston	YES		√			YES		YES	15
Queens Park	YES	√		√	√	YES		YES	7
Queensbury	YES		√			YES		YES	12
Stonebridge	NO 16%						YES	YES	9
Sudbury	YES		√			YES		YES	14
Tokyngton	YES	√			√	YES		YES	11
Welsh Harp	YES	√		√	√	YES	YES	YES	15
Wembley Central	YES	√		√		YES		YES	6
Willesden Green	YES	√		√	√	YES	YES	YES	1

5.8 The three wards covered by the selective licensing scheme introduced in 2015 are Harlesden, Wembley Central and Willesden Green have high levels of private rented stock – 49%, 46% and 60%, respectively. These wards score highly positively for ASB, poor property conditions and deprivation.

5.9 In extending licensing the Council has identified particular problems with property conditions in Alperton, Barnhill, Brondesbury Park, Fryent, Northwick Park, Preston, Queensbury, Sudbury, Tokyngton (excluding Wembley Park) and Welsh Harp wards. It also believes the majority of these areas have persistent problems with ASB, and that a couple have specific issues with deprivation. The Council believes that there are links between these issues and the private rented sector.

5.10 Three wards (Dollis Hill, 19%; Kenton 19%; and Stonebridge 16%) are not included in this selective proposed extension. The Council feels they do not satisfy the legal criteria for selective licensing in that those wards have less than the national average of 20% of the properties being privately rented. The Council has also chosen to exclude the Wembley Park area of the Tokyngton ward because it does not believe the area meets the criteria for poor property conditions, ASB linked to the private rented sector or deprivation.

5.11 Stonebridge is characterised by a high percentage of social housing and industrial use. However, the ward also contains a high proportion of PRS stock, much of it in the form of public sector stock purchased under the Right to Buy. Based on the 2011 census the proportion is 16.9% (Mayhew), and the BRE analysis (16%). Stonebridge ranks poorly across almost all selective licensing criteria.

5.12 Officers have considered whether the evidence supports a single designation area covering all the wards selected in paragraphs 5.8 and 5.9. We have taken account of analyses and responses to consultation and have concluded that the varying patterns in connection with each factor indicate a strong case for keeping the wards separate, but also for a series of other separate designations which group wards according to the factors most relevant in each area.

5.13 Renewing and extending the scope of selective licensing on this basis means that the geographical coverage and the percentage of the PRS involved exceeds the 20% rule noted earlier and that Secretary of State's confirmation of the scheme is needed if the proposals are agreed by Cabinet. It also allows the Council to ask for early decision by MHCLG, as may be appropriate, in respect of the designation area being renewed.

5.14 In proposing separate designations, officers have considered the following factors:

- The level of the PRS in each ward (known PRS rank)
- That Harlesden, Wembley Central and Willesden Green are wards which have already been designated
- The ranking for each of the criteria examined based on the outcome tables and coefficient (R^2).
- The counts and distribution of key indicators at LSOA level (BRE analysis)
- The geographical position of the areas e.g. borough boundaries (A5 corridor), physical boundaries (Wembley Park with respect to the Tokyngton ward)
- The juxta-position of each ward as this indicates a similarity of problem faced, and with the position of wards designated in the 2018 scheme (Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park) as this also allows the boundaries to be easily delineated.
- The ability to target problems and to deploy resources to particular designations over time, working strategically with others to achieve the desired scheme benefits.

5.15 This rationale lends itself to the four separate designations, where at least one or more criteria have been met, as follows:

- Designation 1: Harlesden, Willesden Green and Wembley Central (ASB, poor housing [property] condition and/or Deprivation)

- Designation 2: Queensbury, Fryent and Brondesbury Park (Grounds: poor housing [property] conditions and ASB).
- Designation 3: Barnhill and Welsh Harp (Grounds: poor housing property conditions, Deprivation and ASB)
- Designation 4: Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury (Grounds: poor housing property conditions and ASB)

5.16 Regarding the consultation responses in respect to the proposals, around three quarters of Brent residents (76%) and other stakeholders (73%) agreed with the proposal to renew Selective Licensing in Harlesden, Willesden Green and Wembley Central (Designated Area 1), compared with only around a quarter of landlords and agents (24%). (See Appendix 1 - Figure 24)

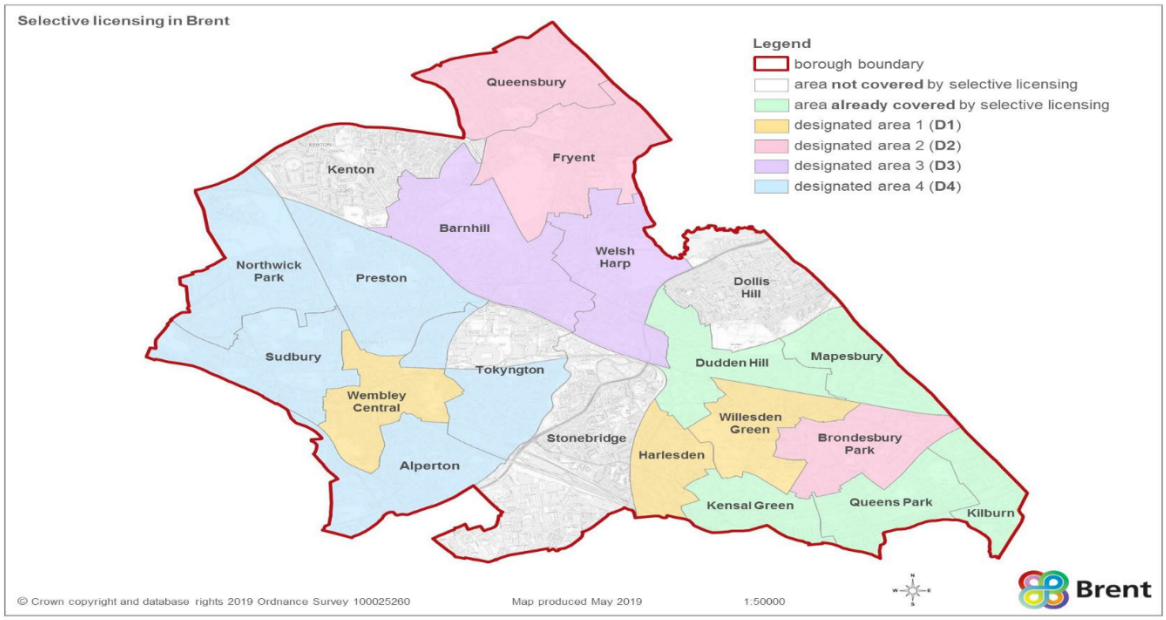
5.17 The proportions agreeing with the proposals to introduce Selective Licensing into new areas were as follows: (See Appendix 1 – Figure 25)

- Designated Area 2: 73% of Brent residents and 63% of other stakeholders compared with 24% of landlords and agents agreeing
- Designated Area 3: 74% of Brent residents and 66% of other stakeholders with 24% of landlords and agents agreeing
- Designated Area 4: 73% of Brent residents and 66% of other stakeholders with 22% of landlords and agents agreeing

5.18 The proposals exclude the wards of Dollis Hill, Kenton, Stonebridge and the Wembley Park area of the Tokyngton. Though there was a general public acceptance of the reasons for the exclusions, it was felt that problems exist through Brent as a whole.

5.19 The Council has considered the points raised regarding the exclusion of the areas specified in 5.18 above, notably Wembley Park. This report does not recommend a change the proposed selective licensing designation area following the consultation exercise, but have indicated that selective licensing schemes will be kept under review and that any significant changes or proposal to introduce any new designation(s), will be subject to further consultation and a decision by Cabinet.

Map 3: Map of the selective licensing designations



6.0 Other matters applying to both additional and selective licensing

6.1 **Effect of the schemes** - If introduced, the effect will be that landlords who rent or let any Additional HMO in Brent that is not occupied as a mandatory House in Multiple Occupation (HMO) must have a licence. The licence application must be accompanied by a fee [Appendix 7], and where a licence is granted, HMO licensing conditions will be applied to the licence [Appendix 8]. See section 8.0 on licensing fees and section 7.0 on licensing conditions.

6.2 **Objectives licensing aim to achieve** - Overall licensing will help us to work with landlords to drive up housing standards for private rented properties in the whole borough. The objectives are stated in the proposal document (Appendix 3).

6.3 **Alternative courses of action** - The consultation proposal report (Appendix 3) provides details of the actions being taken by the Council includes;

- Landlord Accreditation and Landlord Forum
- Housing Standards, Regulation and Enforcement
- Empty Properties
- Regulatory Enforcement Group, Partnership working and tasking
- Article 4 Direction to remove permitted development rights from residential use to Houses in Multiple Occupation.

6.4 **Alternative Options** - The consultation, notably via the written submissions resulted in some alternatives suggested to introducing licensing. These suggestions include the;

- introducing a registration scheme,
- reliance on inspection and utilisation of the existing enforcement tools already available
- decision to include/exclude Wembley Park area from the schemes

- Neither to renew the additional or selective schemes

6.5 This would leave discretionary licensing applicable to the five wards in the 2018 scheme and would not achieve the Council's overall objectives.

6.6 Introduce Selective licensing for the 18 wards meeting the criteria for introducing a selective scheme, and not pursue additional licensing.

- Although selective licensing can be applied to all other houses which do not meet the mandatory definition. The option would provide too wide a scope. In addition, selective licensing conditions cannot be used to regulate the condition of the property, and we note that HMOs are generally in a poor condition

6.7 Renew additional licensing borough-wide and not pursue renewing selective licensing;

- This would not maintain or sustain the work done in respect of Harlesden, Wembley Central and Willesden Green wards

6.8 Not to pursue extending selective licensing;

- Alternatives considered would not provide an effective method of tackling the PRS problems in these wards.
- To include Quintain/Tipi (Wembley Park) area from the selective scheme, but to include their properties for the borough-wide additional licensing scheme.

6.9 **Approach consistent with housing strategy -** Within the Brent Housing strategy there are opportunities for the private rented sector to play an important role in delivering new supply but there are serious concerns over standards, access and affordability. The Licensing schemes have considered the homelessness and housing regeneration strategies (Appendix 3).

6.10 **Equalities Analysis -** The Council's duty under section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions on the introduction of additional licensing for the area of Brent and the introduction of discretionary licensing. Due regard to the need to eliminate discrimination, advance equality and foster good relations must form an integral part of the decision making process. When the decision comes before the Cabinet, Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision. An Equality Impact Assessment has been undertaken for this purpose. This is found at Appendix 10. A summary of the issues raised in the Equalities Impact Assessment is set out in paragraphs 11.1 to 11.12 below in the equalities implications section to this report.

6.11 **Planning and HMOs -** Local Planning Authorities have the ability through Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), to remove permitted development rights. In pursuing the use of Article 4 Directions, the Planning Service is seeking Cabinet approval to remove permitted development rights for change of use from residential dwellings and houses in multiple occupation. This will apply to the whole borough. The HMO Licensing proposal if approved will also apply to the entire borough.

6.12 HMO powers under the Housing Act are different to those found under the Town and Country Planning Act. For example, licensing powers would not be able to address potential over-concentration of HMOs, whilst planning policy can, and planning would not deal with ensuring the proper management, use and occupation of the house concerned, and its condition and contents, whilst licensing can. The HMO Licensing and HMO Article 4 Direction proposals will assist in a complementary and co-ordinated approach between the Housing and Planning functions in regulating HMOs in the borough, for which clear policies will be developed.

7.0 Licensing Conditions

7.1 The conditions for Additional Licensing and for Selective Licensing are set out in Appendix 8, and 9 respectively of report. Some of these are mandatory requirements under the Housing Act 2004 and therefore must be included in any scheme. The council also has discretion to set the precise conditions of the licence subject to the requirements set out in sections 67 and 90 of the Housing Act 2004 for additional licensing and selective licensing respectively as set out in paragraphs 10.31 below. These can include selective licensing conditions relating to the management, use and occupation of the house, and, for HMOs only, also in respect to its condition and contents.

7.2 Across all three of the respondent groups, an absolute majority agreed with the proposed Additional (HMO) Licence conditions: 80% of Brent residents, 55% of landlords and agents, and 76% of other stakeholders. For landlords and agents, 21% strongly disagreed, 10% tended to disagree and 14%, neither agreed or disagreed. (see Appendix 1 – Figure 27).

7.3 Substantial majorities of Brent residents and other stakeholders agreed with the proposed conditions for a Selective Licence (78% and 70% respectively). Landlords and agents were fairly split: with 39% agreeing and 44% disagreeing, though a significant 165 of these respondents neither agreed or disagreed. (See Appendix 1 – Figure 27).

7.4 Comments and submissions were received regarding some specific HMO and selective conditions. These comments were considered and where accepted, we have deleted and amended the conditions, as well as more clearly indicated what matters are licensing conditions as opposed to those which are for advice and guidance. The amended conditions are at Appendices 8 and 9 to the Cabinet Report. The Council's response to representations raised on the condition is provided in Appendix 2 to the Cabinet report.

8.0 Licensing Fees

8.1 The council is entitled to cover the costs associated with the scheme through a fee but is not allowed to make a surplus or to use the fee income for purposes unrelated to licensing. As long as the conditions are complied with, the licence would remain valid until the end of the scheme (i.e. up to a maximum of 5 years). To meet these conditions, fees are set at £840 for an additional HMO licence, and at £540 for five years for a Selective Licence, payable in two parts – Part 1 for the processing and administration, and Part 2 for the enforcement of the scheme. The proposal included a discount for certain accredited landlords.

8.2 From the face-to-face interviews, the majority of Brent residents felt that the proposed fees are at about the right level: 67% for the Additional Licence and 70% for the Selective Licence. Just over a quarter (27% and 26% respectively) felt they are too high, while relatively small proportions (both 5%) felt that they are too low. (See Appendix 1 – Figures 15 and 16)

8.3 Views outside Brent were broadly similar, with large majorities feeling that the proposed fees for an Additional and a Selective Licence are about right (73% and 77% respectively).

8.4 From the open questionnaire, Brent residents were fairly evenly split as to the appropriateness of the fees: around two fifths felt that the proposed fees for the Additional Licence (41%) and Selective Licence (42%) were at about the right level, although three in ten felt they were too high (30% and 31% respectively), or too low (29% and 27% respectively). (Appendix 1 – Figure 26)

8.5 In contrast, more than four fifths of landlords and agents (86%) felt the proposed Additional Licence fee was too high, and an even higher proportion (94%) felt this way about the proposed Selective Licence fee. Among the remaining, other stakeholders, the majority view was that the fees are at about the right level, although a sizeable minority (around two fifths in both cases) felt they were too high.

8.6 Consultation comments were made e.g. extending the discount to other landlords, prorating, renewal fees and on the legal basis of charging the “Finder’s” and “missed appointment”. These have been considered as part of the Council responses. The fee structure is at Appendix 7. The Council’s response to representations made regarding fees is provided in Appendix 2 to this report.

9.0 Consultation Summary and Representations

9.1 The consultation exercise was undertaken over 11 weeks starting on 10 June 2019 and closing on 25 August 2019. The consultation received 1,110 responses to its online/paper questionnaire. For the sake of clarity, the views of the responses from residents, tenants and businesses, private landlords and managing agents have been analysed and reported separately.

9.2 In total, ORS conducted 707 interviews with residents between 20th June and 18th July 2019, of which 605 were conducted inside Brent and 102 in neighbouring boroughs. The primary purpose of the residents’ survey was to achieve a broadly representative sample of face-to-face interviews with residents of Brent, aged 16 and over.

9.3 It was conducted using a quota sampling approach with targets set on the numbers of interviews required by age, gender, tenure, working status and ethnicity, and with randomly selected sample points based on census Lower Super Output Areas (LSOAs). The questions asked in the survey were a subset of those included in the main consultation questionnaire, with some very minor simplifications to the wording (to make them more easily administered as part of a face-to-face exercise). For the sake of clarity, the views of residents inside and outside of Brent have been analysed and reported separately.

9.4 The responses were from for residents, tenants and businesses, private landlords and managing agents and from London Boroughs of Barnet, Camden, Ealing, Harrow, Hammersmith and Fulham, Kensington and Chelsea, and Westminster, as these boroughs border Brent.

9.5 The open questionnaire responses and the face-to-face interviews were analysed and reported separately. A full report on the consultation findings is attached at Appendix 1, with paragraphs which summarise the process and key findings on their views;

- about local issues and of the problems in relation to privately let properties in Brent
- about the current licensing schemes in Brent
- on renewing additional and selective licensing and on introducing selective licensing into new areas in Brent
- where selective licensing should apply based on one or several of the criteria: - ASB, poor property conditions, or high levels of deprivation or high levels of crime,
- on the licensing conditions and on licence fees

9.6 The council has considered the representations made during the consultation and a consultation response is provided in appendix 2**.** A result of the responses, officers intend to bring a further report to Cabinet to provide a policy on the duration of licences, where granted.

9.7 The diversity of the respondents to both the open questionnaire and the face-to-face interviews are representative of the Borough population profile (Equalities Analysis - Appendix 10).

10.0 Legal Implications

Additional Licensing

10.1 Under section 56(2) of the Housing Act 2004 ("HA 2004"), before making a designation regarding additional licensing, the Council must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

10.2 Under section 56(3) of the HA 2004, before making a designation regarding additional licensing, the Council must:

(a) Take reasonable steps to consult persons who are likely to be affected by the designation; and

(b) Consider any representations made in accordance with the consultation and not withdrawn.

10.3 Under section 56(5) of the HA 2004, in forming an opinion as to the matter mentioned in section 56(2) of HA 2004, the Council must have regard to any information regarding the extent to which any codes of practice approved under section 233 of

the HA 2004 have been complied with by persons managing the HMOs in the area in question.

10.4 Under section 57(2) of the HA 2004, the Council must ensure that any exercise of the power additional licensing designation is consistent with the Council's overall housing strategy.

10.5 Under section 57(3) of the HA 2004, the Council must also seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector, both:
(a) As regards combining licensing (under Part 2 of the HA 2004 – additional licensing) with other courses available to them, and
(b) As regards combining licensing with measures taken by other persons.

10.6 Under section 57(4) of the HA 2004, the Council must not make a particular designation under section 56 of the HA 2004 unless-

(a) They have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and

(b) They consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action).

10.7 When making a decision to authorise the designation for an additional licensing scheme, the Cabinet needs to be satisfied that the statutory requirements set out in paragraphs 10.1 to 10.6 above are met.

10.8 Section 55(5) of the HA 2004 (under Part 2 – additional licensing of houses in multiple occupation) states that the Council (as the local housing authority) has the following duties in relation to additional licensing:

(a) To make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime provided for by this Part (i.e. Part 2 of the HA 2004 regarding additional licensing);

(b) To ensure that all applications for licences and other issues falling to be determined by them under this Part 2 (regarding additional licensing) are determined within a reasonable time; and

(c) To satisfy itself, as soon as is practically practicable, that there are no Part 1 functions (relating to mandatory licensing) that ought to be exercised by them in relation to the premises in respect of which such applications are made.

10.9 As soon as a designation regarding additional licensing is made, pursuant to section 59 HA 2004, the Council must publish in the prescribed manner a notice stating—

(a) that the designation has been made,

(b) whether or not the designation was required to be confirmed and either that it has been confirmed or that a general approval under section 58 of the HA 2004

applied to it (giving details of the approval in question relating to additional licensing),

(c) the date on which the designation is to come into force, and
(d) any other information which may be prescribed.

10.10 The proposed designation in respect of additional licensing will not require confirmation from "the appropriate National Authority" under section 56 of the HA 2004 as designations regarding additional licensing are covered by a General Approval dated 30 March 2010, which was issued by the Department of Communities and Local Government under section 58(6) of the HA 2004.

Selective Licensing

10.11 Under section 80(2) of the Housing Act 2004 ("HA 2004"), before introducing a selective licensing scheme, the Council (in this case, the Council's Cabinet) must consider that –

(a) the first or second set of general conditions mentioned in section 80(3) or (6) of the HA 2004; or

(b) any conditions specified in an order under section 80(7) of the HA 2004 as an additional set of conditions are satisfied in relation to the area. In this case, The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 ("2015 statutory instrument") will apply as they have provided for additional conditions which involve poor housing conditions, migration, deprivation and crime.

10.12 Section 80(3) of the HA 2004 refers to the first set of general conditions which relates to low housing demand and that is not relevant for this report.

ASB (anti-social behaviour)

10.13 The second set of general conditions is set out in section 80(6) of the HA 2004 in relation to ASB and they are as follows:

(a) that the area is experiencing a significant and persistent problem caused ASB;

(b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and

(c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem. "Private sector landlord" does not include a registered social landlord within the meaning of Part 1 of the Housing Act 1996.

10.14 ASB is relied upon as the one of the reasons and justifications for all six of the proposed designation areas and the Council's Cabinet must be satisfied the requirements set out in (a), (b) and (c) in the previous paragraph are met when considering and deciding to make Selective Licensing Designation areas for the

proposed designation areas 1 to 4 as set out above on the ground of anti-social behaviour.

10.15 As for the definition of "ASB", this is set out in section 57(5) of the HA 2004 which states:
"anti-social behaviour" means conduct on the part of occupiers or, or visitors to, residential premises –
(a) Which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises; or
(b) Which involves or is likely to involve the use of such premises for illegal purposes.

2015 Statutory Instrument – additional conditions

10.16 In relation to the 2015 statutory instrument, the following conditions are specified as additional conditions which the Council's Cabinet must consider are met in relation to a proposed designation area before making a selective licensing designation:
(i) that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area;
(ii) that the properties referred to in sub-paragraph (i) above are occupied under either assured tenancies or licences to occupy; and
(iii) that one or more of the four sets of conditions as set out in the 2015 statutory instrument is satisfied. Two of the four sets of additional conditions are set out below. Conditions relating to migration and crime are not set out below as they are not relevant to this report.

Conditions in relation to housing conditions

10.17 The first set of additional conditions, which are set out in the 2015 statutory instrument, relate to poor housing conditions. The requirements to rely on poor housing conditions as a sufficient reason to introduce a designation for selective licensing are as follows:

(a) that having carried out a review of housing conditions under section 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties referred to in paragraph 10.16(i) above to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises;

(b) that the local housing authority intends to carry out such inspections as referred to in the previous sub-paragraph, with a view to carrying out any necessary enforcement action; and

(c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.

10.18 Poor housing conditions are relied upon as the one of the reasons and justifications for Designation 1 to 4 of the proposed designation areas. The Council's Cabinet

must be satisfied the requirements set out in paragraph 10.16 above and in (a), (b) and (c) in the previous paragraph are met when considering and deciding to make a Selective Licensing Designation area for the proposed designation areas 1 to 4 on the ground of poor housing conditions.

Conditions in relation to deprivation

10.19 The third set of additional conditions as set out in the 2015 statutory instrument relates to deprivation and they are as follows:

(a) that the proposed designation area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties in paragraph 10.16 above;

(b) that making a designation will, when taken by the other measures taken in the designation area by the Council, or by other persons together with the Council, contribute to a reduction in the level of deprivation in the area.

10.20 When determining whether a proposed designation area is suffering from a high level of deprivation, the Council's Cabinet may have regard to the following factors in relation to the proposed designation area: (a) the employment status of adults; (b) the average income of households; (c) the health of households; (d) the availability and ease of access to education, training and other services for households; (e) housing conditions; (f) the physical environment; and (g) levels of crime.

10.21 Conditions in relation to deprivation are cited as one of the reasons and justifications for the proposed designation area 3 (wards of Barnhill and Welsh Harp). The Council's Cabinet must be satisfied the requirements set out in paragraphs 10.16, 10.19 and 10.20 above are met when considering and deciding to make a Selective Licensing Designation area 3 on grounds of deprivation.

Other matters relating to selective licensing

10.22 Under section 81(2) of the HA 2004, the Council must ensure that any exercise of the power in relation to a selective licensing designation is consistent with the Council's overall housing strategy.

10.23 Under section 81(3) of the HA 2004, the Council, when making its designation, must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and ASB affecting the private rented sector, both: (a) As regards combining licensing (under Part 3 of the HA 2004 – selective licensing) with other courses available to them, and (b) As regards combining licensing with measures taken by other persons.

10.24 Under section 81(4) of the HA 2004, the Council must not make a particular designation (for selective licensing) under section 80 of the HA 2004 unless –

(a) They have considered whether there are other courses of action available to them (of whatever nature) that might provide an effective method of achieving

the objective or objectives that the designation would be intended to achieve; and

(b) They consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).

10.25 As for the Council's general duties regarding selective licensing under Part 3 of the HA 2004, these are set out in section 79(5) of the Housing Act 2004 which states as follows: "every local housing authority has the following general duties:

a) To make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime provided for by this Part (i.e. Part 3 HA 2004 regarding selective licensing);
b) To ensure that all applications for licences and other issues falling to be determined by them under this Part are determined within a reasonable time."

10.26 Under section 80(9) of the HA 2004, before making a designation relating to selective licensing, the Council must-

(a) take reasonable steps to consult persons who are likely to be affected by the designation; and;

(b) consider any representations made in accordance with the consultation and not withdrawn.

10.27 As soon as a designation regarding additional licensing has made (following approval by the Secretary of State) pursuant to section 83 HA 2004, the Council must publish in the prescribed manner a notice stating — (a) that the designation has been made; (b) whether or not the designation was required to be confirmed by the Secretary of State and that it has been confirmed; (c) the date on which the designation is to come into force; and (d) any other information which may be prescribed.

Licence Fees

10.28 Sections 63(7) and 87(7) of the HA 2004 provide for the fixing of HMO and selective licensing fees respectively. In summary, they say that local authorities take into account all costs incurred when carrying out their functions in relation to additional and selective licensing respectively. The power to charge fees for additional licensing is set out in section 63(3) of the HA 2004 and the power to charge for fees for selective licensing is set out in section 87(3) of the HA 2004. Those powers to charge allow the Council to require a licensing application to be accompanied by a fee.

10.29 However, the EU Directive and the Provision of Services Regulations 2009 was subsequently passed. Regulation 18 of the Provision of Services Regulations 2009, which incorporates Article 13(2) of the 2009 EU Directive, states: "Any charges provided for or by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities."

10.30 In the case of *Hemming v Westminster CC*, the Supreme Court stated that the fee relating to the administration of the application can be charged when the application is submitted and is non-returnable if the application is refused and is compatible with the EU Directive. The Supreme Court also stated that the fee to cover the costs of managing and enforcing the licensing regime can be charged and is compatible with the 2009 EU Directive if the application for a license is successful. However, as for the costs of managing and enforcing the licensing regime if the application for a license is unsuccessful, the European Court of Justice stated that charging in advance for costs other than those directly related to the authorisation process, even if the payment is refundable where the application for a license is refused.

Licence Conditions

10.31 Sections 67 (for additional licensing) of the HA 2004 allows the Council to include such conditions are considered appropriate for regulating the management, use and occupation, and the condition and contents of the HMO concerned. In respect to other houses (selective licensing properties), Section 90 of the HA 2004 allows the Council local authorities to impose such conditions that are considered appropriate to regulating the management, use or occupation of the properties. The Council has reviewed the licence conditions and in so doing have taken account of relevant legal decisions, including the Court of Appeal decision of *Brown v Hyndburn [2018] EWCA* in relation to selective licensing.

Public Sector Equality Duty

10.32 The Council's duty under section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions on the introduction of additional licensing for the area of Brent and the introduction of selective licensing. Due regard to the need to eliminate discrimination, advance equality and foster good relations must form an integral part of the decision making process. When the decision comes before the Cabinet, Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision. An Equality Impact Assessment will assist with this.

10.33 The "protected characteristics" are: age, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

10.34 Having "due regard" to the need to "advance equality of opportunity" between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimise disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities. Having due regard to "fostering good relations" involves having due regard to the need to tackle prejudice and promote understanding.

10.35 There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Impact Assessment is the most usual method. The Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups and by gathering relevant detail and statistics.

10.36 The Equality Impact Assessment is set out in Appendix 10 to this report.

11.0 Equality Implications

11.1 The introduction of additional and selective licensing is intended to enhance housing management practices in the private rented sector (PRS), in compliance with the Housing Health and Safety Rating System (HHSRS) standards. It is anticipated that this will have positive outcomes for tenants across all protected characteristics, particularly those who are currently over-represented in the PRS.

11.2 It should be stressed that data relating to the protected groups among both tenants and landlords is limited, partly due to the unregulated nature of the sector. Although Census data provides a breakdown of tenure by ethnicity and age, analysis relevant to other issues such as disability has not yet been completed by ONS. Overall, the size of the sector and the estimated number of landlords suggests that there will be members of all protected groups among both tenants and landlords. The sector also contains a mix of household and income types that ranges across the spectrum.

11.3 In order to inform the final licensing proposals, officers have carried out an extensive consultation and research available in Appendix 1 and a full Equality Analysis available in Appendix 10. The findings of the analysis show that the groups that are over-represented in PRS are ethnic minority groups (notably Asian, but also including White: Other groups), older adults, people under 35, households with children (including single parent households), as well as people with disabilities and long term health conditions, socio-economic and other vulnerable groups.

11.4 If the licensing schemes are introduced, all equality groups are likely to benefit from improvements in engagement, communication and signposting information between the council, landlords and tenants and other service providers. Information would relate to such matters as changes in the law affecting the PRS, energy efficiency measures and grants availability, information on local organisations and agencies which may be able to provide support. One of the intended outcomes of licensing is that landlords will be more aware of their duties under the Equality Act 2010 and of the support and funding available to them and their tenants such as the Disabled Facilities Grant for reasonable adaptations. This will further enhance the equality outcomes for people with disabilities and long term health conditions, older adults and their carers; as well as other vulnerable groups.

11.5 One of the key aims of licensing is to reduce antisocial behaviour, including hate crime and homophobic incidents. This will benefit all protected characteristics, including sexual orientation, gender identity, disability, race and religion.

11.6 The Equality Analysis, however, has also identified some potential negative consequences for over-represented equality groups in the affected landlord, agent and tenant cohorts. Black, Asian and minority ethnic (BAME) landlords are overrepresented in Brent, and as such it is recognised that the introduction of the

scheme is likely to have a greater impact on them in relation to increased business costs and potential financial penalties.

11.7 The main identified risk of negative impact at this stage is the possibility that the introduction of licensing may lead some landlords – particularly those likely to struggle to comply with licensing conditions – to withdraw from the market and evict their tenants. It is not possible to assess the scale of this risk accurately, although experience elsewhere has not demonstrated any significant withdrawal from the market. The findings of the study by Future of London (2017) bear directly on this point and will be taken into account in the implementation of any scheme. Any impact, in this or other areas, will be monitored closely and will inform regular reviews of the operation of licensing.

11.8 It is likely that tenants most impacted by these proposals will be among the lower income groups in the sector, living in the poorest quality housing and, similarly, that the landlords of these properties will experience the greatest impact from their perspective. In particular, there may be issues relating to people under 35 who are affected by the single room rate for Housing Benefit and are therefore more likely to be living in HMOs.

11.9 In addition, data indicates that Black and Asian tenants are over-represented in the private rented sector. There is a high presence of European migrants in the sector. Again, it is likely that many of these are living in HMOs or property in the cheaper end of the market.

11.10 Some landlords may seek to pass on costs arising from the scheme to tenants, which may result in cases of tenant displacement and landlords' claims for possession through both legal and illegal actions. If landlords decide to increase rents, tenants from over-represented equality groups such as people under 35, migrants, single parent households may be particularly affected by this. However, based on the PRS team's experience of licensing over the past two years and that of other Councils who have introduced s licensing, it is believed that this unintended outcome is very unlikely to materialise.

11.11 Tenants may also potentially be affected by enforcement actions against landlords of overcrowded properties. Wherever possible the Council will work with landlords to make properties fit for the number of tenants. In cases when tenants have been unlawfully displaced or evicted, every effort will be made to effectively support and signpost them to available information and support.

11.12 Much concern has been expressed about the Government's plan to end section 21 "no-fault" evictions. Both landlord and tenant groups say that licensing will add to the problems they will face and have asked that the Council clearly sets how it will act with regard to section 21, should be ban be introduced.

11.13 In the longer term, licensing will, among its other benefits, provide an opportunity to obtain a more complete picture of the sector and its operation that will assist in identifying issues relevant to protected groups. At the same time, closer partnership working with landlords should support promotion of good practice on equalities in the sector. The Equality Analysis includes a detailed action plan available in Appendix 10.

12.0 **Financial Implications**

12.1 The administration of the scheme is such that it is intended to be self-financing over a five-year period with higher levels of income from years 1 and 2 funding expenditure over the full 5 years. Fees of £840 and £540 relating respectively to the Additional and Selective Licensing schemes will be charged per application and is set at a level where the total revenue from the fee is intended to cover the total costs incurred.

12.2 It is estimated that 7,400 Additional HMO licences will be issued in the 5-year period generating income in the region of £5.98m. This assumes 2400 licences being processed as renewal licences at a reduced rate of £740.

12.3 It is estimated that if MHCLG renew selective licensing in Harlesden, Willesden Green and Wembley Central, 4,800 licences will need renewing at a cost of £440 per licence, generating an income in the region of £2.1m.

12.4 It is estimated that if MHCLG approve all other areas designated for selective licensing a further 6,800 licences will be issued in the 5-year period generating total income of £3.7m over 5 years.

12.5 The income will be closely monitored and a team proportionate to the demand for the service will be employed. The costs of the scheme exclude the cost of any enforcement action on non-licensed properties but will cover the cost of processing the license application, compliance monitoring and enforcement against an applicant who is given a licence.

13.0 Staffing Implications

13.1 With the introduction of Selective and Additional licensing in January 2015 Private Housing Services already has a dedicated and experienced team of officers employed to both process applications and inspect properties as well as carry out and required enforcement activities. If the predicted number of applications is received, further license application and administration officers will be employed on a temporary contract basis to deal with the demand. It is thought that the vast majority of license applications will be received in the first year of the scheme and there will therefore need to be more officers employed in year one of the scheme than in years two to five. It is also possible that additional Licence Enforcement Officers will also need to be employed to further enforce standards within the private rented sector. Detailed staffing and resourcing plans will be developed.

14.0 Next Steps

14.1 A decision to proceed with additional licensing proposals triggers a formal notification by way of a designation notice, which must be followed by a period of at least three months before any scheme comes into effect. Following the issue of the designation notice and on a date to be set by the Strategic Director for Community Wellbeing in consultation with the Lead Member for Housing and Welfare Reform, licensing applications will be invited and processed.

14.2 As noted earlier, a decision to designate wards for Selective Licensing over the 20% rule will require consent from the Secretary of State. Once, and assuming this is

obtained, a confirmation of the selective licensing decision triggers a formal notification by way of a designation notice, which must be followed by a period of at least three months before any scheme comes into effect. Following this, licensing applications will be invited and processed. It is not possible to indicate precise timings for the commencement of the scheme since this will depend on the time taken to obtain Secretary of State's approval.

Related Documents (copies available on request):

Selective Licensing Cabinet Report – 19 June 2017

Brent Integrated Housing Stock Modelling Database Report

Quintain Licensing Consultation Proposal - Final Submission

Report sign off:

Phil Porter
Strategic Director of Community Well Being

London Borough of Brent

Consultation on Private Rented Sector Licensing

Report of findings

Opinion Research Services
September 2019

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London Borough of Brent

Consultation on Private Rented Sector Licensing

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As with all our studies, findings from this report are subject to Opinion Research Services' Standard Terms and Conditions of Contract.

Any press release or publication of the findings of this report requires the advance approval of ORS. Such approval will only be refused on the grounds of inaccuracy or misrepresentation

This study was conducted in accordance with ISO 20252:2012 and ISO 9001:2008.

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Contents

Executive Summary 5
Summary of main findings 5
The commission 5
Nature of consultation 6
Overall conclusions 11
2. The Consultation Process 12
Overview of the Consultation 12
The commission 12
Quantitative engagement 12
Residents' survey 12
Consultation questionnaire 13
Deliberative engagement 13
Deliberative forums with landlords 13
Forums with residents 14
Meeting with stakeholders 14
Written submissions 14
Nature of consultation 14
Interpreting the outcomes 15
The report 15
3. Residents Survey 16
Introduction 16
Respondent profile 16
Interpretation of the Data 19
Findings of the residents survey 20
Local issues? 20
The current licensing scheme 22
Renewing the current licensing scheme 24
Extending selective licensing to new areas 25
Fees 27
4. Consultation Questionnaire 28
Introduction 28
Respondent profile 29
Interpretation of the Data 29

Consultation questionnaire findings 30
Local issues? 30
Licence fees and conditions 36
Text comments in the consultation questionnaire 38
Other text comments 41

5. Deliberative meetings 46
Introduction 46
Views on the PRS in Brent and predicted trends 48
Awareness of the current licensing scheme 52
Views on the impact and effectiveness of the current licensing schemes 53
Evidence in favour of, and monitoring and evaluation of, PRS licensing 55
Renewing borough-wide additional licensing of Houses in Multiple Occupation 57
Renewing and extending selective licensing of privately rented properties 59
Enforcement 61
Licence fees 62
Licence conditions 65
Consultation process 66

6. Written Submissions 67
Introduction 67
Summaries 67
Submissions from major landlords/agents and their representatives 67
Submissions from residents groups 73
Submissions from individuals 74

List of Figures 76

Appendix 1: Profile of consultation questionnaire respondents 78

Appendix 2: Text responses to the consultation questionnaire 81

Appendix 3: Questionnaire 86

Executive Summary

Summary of main findings

The commission

1.1 The London Borough of Brent (henceforth 'the Council' or 'LBB') is seeking the views of residents, landlords and other stakeholders about the future of private rented sector licensing in the borough.

1.2 In January 2015, the Council introduced an additional licensing designation for HMOs and a selective licensing designation in three wards (Harlesden, Willesden Green and Wembley Central). Both designations are due to expire at the end of 2019, and LBB is proposing to renew these for another five years. In addition, the Council is consulting on proposals to introduce selective licensing into another ten wards for the first time (nine fully and one partially)[1], by means of three new designations.

1.3 Opinion Research Services (ORS) is a spin-out company from Swansea University with a UK-wide reputation for social research and major statutory consultations. ORS was appointed by LBB to advise on and independently manage and report aspects of the consultation programme.

The consultation

1.4 The formal consultation period of approximately eleven weeks began on 10th June and ended on 25th August 2019. During this period, residents and stakeholders were invited to provide feedback through the following:

A consultation questionnaire available for any interested party to complete, which attracted 1,110 responses;

A face-to-face residents' survey based on 600 interviews representative at borough level, to provide an accurate profile of opinions in the general population across Brent (plus an additional 100 interviews just outside the borough boundary, aimed at understanding views in adjacent areas);

A large event for landlords and representatives of letting and managing agents, for which around 570 reserved places, and around 300 participants attended;

Two deliberative focus groups with local residents, involving 24 participants in total;

A meeting involving six key stakeholders (including the Fire Brigade, landlord representative bodies, and organisations that support local residents/tenants).

Written submissions: stakeholders were able to provide their views by writing to LBB or ORS (16 were shared with ORS and have been summarised in this report).

[1] In addition, a 2018 designation introduced Selective Licensing in a further five wards (Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park) for a five-year period. As this designation is not due to expire, these five wards were not included in any of the specific proposals being consulted on at this time.

Nature of consultation

1.5 The key good practice requirements for consultation programmes are that they should:

Be conducted at a formative stage, before decisions are taken;

Allow sufficient time for people to participate and respond;

Provide the public and stakeholders with enough background information to allow them to consider the issues and any proposals intelligently and critically; and

Be properly taken into consideration before decisions are finally taken.

Accountability

1.6 Accountability means that public authorities should give an account of their plans and take into account public views: they should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully.

1.7 This does not mean that the majority views should automatically decide public policy; and the popularity or unpopularity of draft proposals should not displace professional and political judgement about what is the right or best decision in the circumstances. The levels of, and reasons for, public support or opposition are very important, but as considerations to be taken into account, not as factors that necessarily determine authorities' decisions. Above all, public bodies have to consider the relevance and cogency of the arguments put forward during public engagement processes, not just count heads.

The report

1.8 ORS does not endorse any opinions reported here but seeks only to portray them accurately and clearly. While offering guidance on the consultation methodology and its interpretation, we seek to profile the opinions and arguments of those who have responded; but we make no recommendations on the decisions to be taken by LBB.

Main Findings

Quantitative feedback

1.9 The two quantitative strands of the consultation differ in methodology, insofar as the self-completion consultation questionnaire is intentionally made widely available for anyone with an interest, and therefore tends to attract participation from those with particularly strong views on the proposals. The interviewer-administered survey, on the other hand, is intended to target a broad cross-section of the general public to obtain results that are representative of the whole borough. Therefore, the two strands cannot simply be amalgamated but ought to be considered side-by-side in these contexts.

Residents survey (face-to-face)

1.10 Around a third of Brent residents felt that poor property conditions (32%) and anti-social behaviour (ASB) (30%) are at least fairly big problems in their local area, and around a fifth feel this way about deprivation (19%).

1.11 Very high proportions of Brent residents agreed that landlords should be 'fit and proper' persons (94%) and that landlords have a responsibility for managing their properties effectively (93%). Fewer, though still around two thirds, agreed that poorly maintained (67%) and poorly managed (67%) properties are contributing to the decline of some areas within Brent.

1.12 There was a consistently high level of support for the main proposals among Brent residents. For example, more than four out of five (85%) agreed with the proposal to renew the boroughwide additional licensing scheme, while an almost identical proportion (84%) agreed with the renewal of selective licensing in Designated Area 1 (Harlesden, Willesden Green and Wembley Central).

1.13 Slightly fewer Brent residents, though still a large majority, agreed with the introduction of selective licensing in Designated Area 2 (Queensbury, Fryent and Brondesbury Park) (78%), Designated Area 3 (Barnhill and Welsh Harp) (79%), and Designated Area 4 (Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury) (80%).

1.14 Most agreed that the proposed fees are 'at about the right level' (67% for the additional licence and 70% for the selective licence).

1.15 An additional sample of interviews was conducted *outside of Brent*, in wards adjacent to the borough boundary. This produced a similarly positive set of results, with high proportions of residents in agreement with the main proposals.

Consultation questionnaire (online and paper)

1.16 ORS typically reports the views of distinctive types of stakeholders in the open questionnaire separately, in order to understand any key differences in their points of view. For this reason, the views of individuals who landlords and letting or managing agents are reported separately from those of general residents, and so on.

1.17 Most landlords and agents agreed with the principle that landlords have a responsibility to manage their properties effectively (93%) and that they should be fit and proper persons (70%).

1.18 However, they were consistently less likely than residents and other stakeholders to be supportive of the Council's actual proposals. For example, only 21% of them agreed that continuing with the licensing schemes would improve or further improve the condition and management of privately rented properties, compared with 73% of the residents who responded, and a similar proportion of the other stakeholders.

1.19 The landlords were more supportive of the proposed renewal of borough-wide additional licensing (46% agreeing) than they were of the proposed extension of selective licensing in Designated Area 1 (24% agreeing); however both proposals were supported by a sizeable majority of those residents responding to the questionnaire (80% and 76% respectively), and most of the other stakeholders.

1.20 Fewer than a quarter of landlords and agents agreed with the proposals to extend selective licensing into Designated Areas 2, 3 and 4 (24%, 24% and 22% respectively). In contrast, close to three quarters of those responding as local residents agreed (73%, 74% and 73%), as did a majority of other stakeholders.

1.21 In relation to fees, the views of landlords and agents were unambiguous, with large majorities feeling that the additional (86%) and selective (94%) fees are 'too high'. On the other hand, the views of

residents responding to the questionnaire were less clear cut: around two fifths felt the fees were 'about right' (41% for an additional licence and 42% for a selective licence) with the remainder fairly evenly split between those that felt the proposed fees are too high, and those that felt they are too low.

1.22 A narrow absolute majority of landlords and agents agreed with the proposed additional licence conditions (55%), although they were quite split in relation to the proposed selective licensing conditions (with 39% agreeing and 44% disagreeing). Substantial majorities of those responding as residents agreed with the proposed additional and selective licence conditions (80% and 78% respectively).

Deliberative and written feedback

General views on licensing

1.23 The results above illustrate how many residents were broadly positive about licensing in general. Many individuals said that they had noticed a rapid growth in the size of the population locally, which had given them cause for concern in terms of the increased pressure on housing supply and infrastructure.

1.24 Others described experiences of issues such as ASB and poor property conditions, which some attributed directly to the PRS in their area (some identified problematic neighbourhoods or streets, or even specific properties, as being the source of these issues).

1.25 For many such individuals, licensing was attractive as a potential solution to the perceived problems and they wanted to see it applied widely throughout Brent.

1.26 Nonetheless it is worth noting that there was some scepticism, and even some of those who generally agreed with licensing retained some concerns around:

- Whether the scheme will be adequately enforced (as some felt the number of enforcements to date had been fairly low, while others doubted whether the new scheme could be effective without a robust and proportionate enforcement programme);
- The impacts on 'good' landlords – particularly whether some might choose to leave the sector, further impacting on the availability of housing for those wishing to rent privately;
- The possibility of rent increases, i.e. if landlords seek to 'pass on' the cost of the licence fee to their tenants;
- Whether the scheme places too much onus on private landlords, given that tenants are responsible for many problems (and not just private tenants, but sometimes social tenants as well).

1.27 Landlords and agents were typically much more sceptical than residents, frequently seeing licensing schemes as bureaucratic money-making exercises, which punish the compliant majority of landlords and ultimately prove ineffective in tackling the small criminal or 'rogue' element within the PRS. In other words, while many supported the principle of improving standards in the PRS, they were unconvinced that licensing schemes represent the best way forward in terms of achieving this.

1.28 Some saw licensing as a *fait accompli* that would go ahead regardless of what feedback was received during the consultation process, while others challenged the Council to produce more evidence to support its case, e.g. to show that licensing had led to improvements in the existing licensed areas.

1.29 Many of those opposed to licensing claimed that it is unnecessary because local authorities already have other legislative powers to regulate the PRS, but – for whatever reason – choose not to use them. Many felt that such schemes can place landlords in invidious positions by making unrealistic demands of them to manage bad tenant behaviour. This led some to calls for LBB to offer more support to responsible landlords who are struggling to deal with difficult tenants.

1.30 There were also concerns about licensing's ability to address issues such as illegal sub-letting and overcrowding, which have been known to occur without the landlord's knowledge, as well as the fact that AirBnB is not discussed in the proposals.

1.31 Some of the feedback from other stakeholders echoed these views, inasmuch that most of them tended to be either broadly in favour or opposed to the proposals. For example, organisations representing views of tenants and residents, as well as the London Fire Brigade, were typically more enthusiastic about licensing, whereas those organisations representing the interests of landlords and letting and managing agents tended to be sceptical.

1.32 A few of the specific concerns raised by these organisations were as follows:

- It was suggested that licensing might in fact drive exploitation, by pushing some tenants towards renting from criminal, unlicensed landlords (on the basis that licensed landlords might become more wary about whom they let to) and this will disproportionately affect the more vulnerable tenants in the PRS;
- In this context, there were also concerns about the proposed abolition of Section 21 eviction notices, which (it was said) would impact on landlords' ability to deal quickly with misbehaving tenants, and also make them more reluctant to house individuals or families with more complex needs or histories;
- There were calls for joined-up approach that recognises the wider potential impacts of licensing (e.g. the possibility of more interactions between tenants and council services such as Adult Social Care, or increased rates of homelessness);
- It was claimed was that licensing schemes actually divert resources away from proper enforcement activity, because of the administrative efforts required to run them (it was noted that many landlords wait an unreasonable length of time for the licence to be granted, due to councils struggling to process with large volumes of applications).

1.33 Some indicated that they would prefer a more targeted and intelligence-led approach (e.g. use of the council tax registration process to identify private rented properties and landlords), with more collaboration between the Council and stakeholders (e.g. landlords, agents and professional bodies) and a greater emphasis on recognising and rewarding good practice, potentially via introduction of co-regulation schemes.

Views on licensable areas

1.34 Some who were generally positive about licensing stated that there was a case for borough-wide selective licensing. A few questionnaire respondents sought reassurance that the scheme would be introduced into their areas.

1.35 One area that was particularly discussed in relation to which parts of the borough should be licensed was Wembley Park: one reason given in favour of its inclusion was that the more unscrupulous landlords could be encouraged to start moving into the area if it was not licensed.

1.36 On the other hand, it was also suggested (by the main Wembley Park developer) that Build-to-Rent (which comprises the vast majority of the PRS in Wembley Park) is distinctive and that Wembley Park therefore warrants being excluded – not just from the selective licensing proposals, but from the proposed additional licensing designation as well.

1.37 Elsewhere there was some scepticism (particularly widespread among landlords) about extending selective licensing, and a few highlighted certain wards (e.g. Brondesbury Park and Alperton) where they felt the justification given for selective licensing was weak, generally on the grounds of being more affluent or having newer housing stock.

1.38 Having said that, one or two landlords expressed a view that it should be borough-wide, on the basis that it would be fairer if all Brent landlords were affected and not just those in certain areas.

Views on fees and conditions

1.39 As noted above (under 'Quantitative feedback') the majority view among residents was that the fees were appropriate (a view that a few landlords shared, although in general they were far more likely to maintain that the fees are too high).

1.40 Some individuals (typically those responding as local residents in the open questionnaire) argued for the fees (and/or any fines for non-compliance) to be higher, often because they believed this would allow the Council to have a better-resourced enforcement programme or to invest in other services.

1.41 Many landlords in particular were unhappy that the licence fee is the same irrespective of how long the scheme has left to run (i.e. the fact that a landlord applying for a licence four years into the five-year period would only be able to keep this licence for a year before having to pay once again in full). One landlord representative also felt it was onerous that if the household composition changes (e.g. from multiple occupation to a single family) then the landlord would need to re-apply for a different type of licence and pay another fee.

1.42 There were also calls for a more nuanced fee structure (e.g. taking the property's rental yield or size, or the landlord's previous level of compliance, into account) and for LBB to introduce a wider range of ways to qualify for the discount (e.g. by accepting those who are accredited by other landlord or agent representative bodies, not just the London Landlord Accreditation Scheme).

1.43 In terms of the conditions, a range of suggestions were made as to how these could be supplemented or enhanced. For example, many residents felt that there should be greater emphasis on the exterior of the property and in terms of gardens, outbuildings etc. Many also placed a high level of importance on the correct disposal of waste (e.g. by advocating conditions that specify appropriate numbers of bins per property and having information about waste and recycling displayed in common areas of

the property). As outlined above, there were some concerns about whether overcrowding and sub-letting are adequately addressed (with a few mentioning related issues such as parking problems in streets).

1.44 However, there were also some concerns expressed about the existing proposed conditions. As mentioned above, many landlords (and their representative bodies) were concerned about proposed licensing conditions relating to tenant behaviour, which was felt to often be outside the licence holder's ability to control. It was also suggested that these conditions could in fact impact negatively on tenants and contribute to wider problems, such as increased evictions and homelessness.

1.45 Two written submissions questioned some of the proposed conditions, feeling they were likely to contravene the Court of Appeal's judgement in the case of Brown v Hyndburn Borough Council (2018), Clark v Manchester City Council (2015) related to the council's Amenity and Space Standards, and recommending removal of the 'Finder's Fee', arguing that is not lawfully permitted within the constraints of the Housing Act 2004 [referencing Crompton v Oxford City Council(2013)].

Overall conclusions

1.46 In summary, throughout the consultation period a range of positive and negative views were expressed around the proposals to renew the licensing schemes that were first introduced in 2015, and to extend selective licensing into new areas of Brent.

1.47 Both the quantitative and deliberate elements of the consultation showed a contrast in views between general residents (who were largely positive, and sometimes very enthusiastic, about the proposals) and landlords, agents and representative bodies (who were much more negative and sceptical about licensing schemes in general, and particularly of selective licensing, even though many supported the general ambition to improve standards and reduce criminality in the PRS).

1.48 Many of those who were opposed to licensing outlined particular concerns or grievances that they felt make licensing more onerous for those affected and which they might wish to see addressed or alleviated, while a wide range of stakeholders put forward several detailed points for the council's consideration.

1.49 Should it wish to proceed with the proposals, it will be up to LBB to consider how it might address these and to decide what (if any) mitigations it might introduce.

2. The Consultation Process

Overview of the Consultation

The commission

2.1 In January 2015, the London Borough of Brent introduced a borough-wide additional licensing scheme for Houses in Multiple Occupation (HMOs) and a selective licensing scheme covering three wards for other privately rented houses. This was done to address problems associated with poor property management of HMOs, and anti-social behaviour (ASB), aiming to improve the quality and management of the private rented sector.

2.2 In cases where there is need for designation or re-designation, the Council is required to undertake a consultation process before the expiry of the schemes. With the original scheme due to expire after five years, LBB has developed proposals to extend both licensing schemes for another five-year period. It has also developed proposals to extend the scheme to cover several new wards where selective licensing has not previously been applied.

2.3 To help inform its final decision, LBB commissioned Opinion Research Services (ORS), a spin-out company from Swansea University with a UK-wide reputation for social research and major statutory consultations, to undertake an extensive programme of consultation activities and independently report on the findings.

2.4 The Council successfully carried out its own consultation in late 2016, and subsequently in 2018, introduced Selective Licensing in five additional wards (Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park) for a five-year period. As this designation is not yet due to expire, these five wards were not included in any of the specific proposals being consulted on at this time.

Quantitative engagement

2.5 A consultation document outlining the issues and proposals under consideration was produced by LBB. With that foundation, ORS and LBB then designed two questionnaires tailored for different groups of respondents, with each questionnaire featuring broadly the same common or core questions. In each of the two versions there were sections inviting respondents to make any further comments and also to profile those responding.

Residents' survey

2.6 The first form of quantitative engagement was the face-to-face residents' survey, undertaken with residents aged 16 and over. The purpose of the survey was to achieve a representative profile of opinions using broadly the same core questions as in the consultation questionnaire. ORS interviewers conducted 707 structured face-to-face interviews over a period of roughly four weeks beginning 20th June 2019, using Computer Assisted Personal Interviewing ('CAPI') technology. The survey was conducted using a quota-controlled sampling approach, to ensure a broadly representative sample of residents aged 16 or over across Brent, and in adjacent areas (600 interviews were targeted inside the

borough itself, and a further 100 were targeted in wards outside of but adjacent to the Brent boundary).

Consultation questionnaire

2.7 The second form of quantitative engagement was the open consultation questionnaire, which in principle was available for anyone to complete - either via the dedicated consultation page on LBB's website or through paper versions that could be requested from LBB.

2.8 LBB publicised the questionnaire (and the consultation more broadly) through a variety of means, including leaflets; posters and banners in public buildings; billboards, social media and digital advertising; internally, via LBB media; and by directly contacting interested parties such as landlord representatives, tenant and resident groups, and neighbouring London boroughs.

2.9 Open questionnaires are not random sample surveys of a given population - so they cannot normally be expected to be representative of the general balance of opinion. For example, the more motivated groups are typically over-represented compared with others. However, they are extremely important forms of engagement in being inclusive and in giving people an opportunity to express their views. This open questionnaire also contained equalities/demographic questions in line with the Council's standard form.

2.10 In total, 1,110 responses were received, including 306 from those identifying themselves as private landlords or letting agents; 769 from individuals who identified they lived in Brent (this group also included 4 responses from local businesses) and 35 from other individuals or stakeholders (a mixture of individuals with another type of connection to the borough, or to a neighbouring borough; and a very small number responding on behalf of an organisation. This compares well with the 2016 questionnaire response where 1,207 responses were received: 205 from landlords and agents, 855 from residents (including 227 tenants living in the PRS) and 147 from others.

Deliberative engagement

2.11 ORS was involved with four events in total: one with landlords, agents, investors and developers; two with residents; and one with stakeholder organisations. Taken together all these meetings are best understood as 'deliberative' meetings in which LBB's proposals to renew and extend licensing were 'tested' against landlords' and other stakeholders' opinions - in order to see the extent to which the proposal is acceptable or otherwise.

Deliberative forums with landlords

2.12 The landlord forum took place during the annual Brent Landlord, Investor and Developer Consultation Forum, held in the Civic Centre on 25th June 2019. It began with a began with some short opening presentations covering the main issues (the current licensing schemes in Brent and their impacts, the reasons for considering renewing and extending the schemes, the proposed schemes themselves and other key aspects such as fee levels and licence conditions). The presentation was then followed by questions and answers, with opportunities for discussion around the proposals.

Forums with residents

2.13 Two groups were held with residents in the first half of August 2019: one in the Civic Centre and one in Willesden Green Library. Face-to-face recruitment was undertaken by ORS' field interviewers, with a loose quota-based approach used to ensure an appropriate spread of participants according to different demographics, as well as to ensure the inclusion of some private renters. Recruitment was also supplemented by a recontact question in the face-to-face residents survey, which allowed respondents to register their interest in potentially taking part.

Meeting with stakeholders

2.14 A stakeholder meeting was held to give some key stakeholder organisations an opportunity to present their views on licensing in the PRS. The meeting took place on 14th August 2019 at the Civic Centre.

Written submissions

2.15 ORS was asked to read and summarise written submissions from 16 organisations and individuals.

2.16 The organisations that contributed were:

ARLA Propertymark
Brent Women's Advisory Resource Centre
Harlesden Area Action
National Landlords Association
Residential Landlords Association
Safeagent (previously National Approved Lettings Scheme)
Quintain and Tipi
Willesden Green Residents Association
Willesden Green Town Team

Nature of consultation

2.17 Accountability means that public authorities should give an account of their plans and take into account public views: they should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully. This does not mean that the majority views should automatically decide public policy; and the popularity or unpopularity of draft proposals should not displace professional and political judgement about what is the right or best decision in the circumstances. The levels of, and reasons for, public support or opposition are very important, but as considerations to be taken into account, not as factors that necessarily determine authorities' decisions.

2.18 Above all, public bodies have to consider the relevance and cogency of the arguments put forward during public engagement processes, not just count heads. In this context, it was helpful that the consultation programme included both 'open' and deliberative elements, to allow many people to take part via the open questionnaire while promoting informed engagement via the deliberative focus groups.

Interpreting the outcomes

2.19 Importantly, the different consultation methods cannot just be combined to yield a single point of view on the future of licensing that reconciles everyone's differences and is acceptable to all stakeholders involved. There are two main reasons why this is not possible. First, the engagement methods differ in type: they are qualitatively different and their outcomes cannot be just aggregated into a single result. Second, different areas and sub-groups will inevitably have different perspectives on the proposals and there is no formula in the consultation process that can reconcile everyone's differences in a single way forward.

2.20 It is also important to recognise that the outcomes of the consultation process will need to be considered alongside other information available about the likely impact of LBB's proposals. Whilst the process highlights aspects of this information that stakeholders consider to be important, appropriate emphasis should be placed on each element. In this sense there can be no single 'right' interpretation of all the consultation elements and other information in the decision-making process.

The report

2.21 This report summarises the feedback on LBB's private rented sector licensing proposals. Verbatim quotations are used, in indented italics, not because we agree or disagree with them - but for their vividness in capturing recurrent points of view. ORS does not endorse any opinions, but seeks only to portray them accurately and clearly.

2.22 ORS is clear that its role is to analyse and explain the opinions and arguments of the many different interests participating in the consultation, but not to 'make a case' for any proposal. In this report, we seek to profile the opinions and arguments of those who have responded to the consultation, but not to make any recommendations as to how the reported results should be used. Whilst this report brings together a wide range of evidence for the council to consider, decisions must be taken based on all the evidence available.

3. Residents Survey

Introduction

3.1 The primary purpose of the residents' survey was to achieve a broadly representative sample of face-to-face interviews with residents of Brent, aged 16 and over.

3.2 It was conducted using a quota sampling approach with targets set on the numbers of interviews required by age, gender, tenure, working status and ethnicity, and with randomly selected sample points based on census Lower Super Output Areas (LSOAs). The questions asked in the survey were a subset of those included in the main consultation questionnaire, with some very minor simplifications to the wording (to make them more easily administered as part of a face-to-face exercise).

3.3 To fulfil an additional aim of seeking to understand any impact on residents living in areas neighbouring Brent, a further 100 interviews were targeted in neighbouring local authorities (i.e. in LSOAs within wards outside but adjacent to the borough boundary)[2].

3.4 In total, ORS conducted 707 interviews with residents between 20th June and 18th July 2019, of which 605 were conducted inside Brent and 102 in neighbouring boroughs. A Computer Assisted Personal Interviewing (CAPI) methodology was used, with interviews conducted 'on the doorstep' or in respondents' homes.

3.5 A short summary of the proposals was included to be 'read out' within the survey, for the benefit of respondents who had not had the opportunity to read the consultation document or otherwise find out about the proposals. Interviewers also provided respondents with a map of Brent, on which the four designated areas for selective licensing were clearly marked.

3.6 For the sake of clarity, the views of residents inside and outside of Brent have been analysed and reported separately.

Respondent profile

3.7 The extent to which results can be generalised from a sample depends on how well the sample represents the population from which it is drawn. As is the case for all surveys of this type, the achieved samples were affected by response bias i.e. varying levels of response between different socio-demographic groups.

3.8 Statistical weights were therefore derived for each case in order to compensate for and to ensure that the results were broadly representative of residents across Brent, and of residents in relevant outlying areas.

[2] These interviews were conducted in local authorities neighbouring Brent i.e. the City of Westminster and the London Boroughs of Barnet, Camden, Ealing, Hammersmith and Fulham, Harrow, and the Royal Borough of Kensington and Chelsea.

3.9 The returned samples were first checked against comparative data for ward, age, gender, tenure[3], working status and the Index of Multiple Deprivation (IMD)[4] and then subsequently weighted by IMD, tenure, working status, age and gender (interlaced) and ethnic group. The sample for within Brent was additionally weighted by ward population.

3.10 During the weighting process, it is important to ensure that no individual respondent has an unduly large influence on the overall survey results, so the statistical weights are 'capped'; therefore, the survey data may not be identical to the comparative data even after it has been weighted.

3.11 The survey data for interviews within Brent, once weighted, is broadly representative of the population of Brent, while the interviews undertaken outside of the Brent boundary have been weighted to be representative of the collective population of all wards adjacent to / directly neighbouring Brent.

3.12 Tables at figures 1 and 2 showing the weighted and unweighted profiles of respondents to the survey, alongside the comparative data for the population, are provided below.

Figure 1: Profile of residents' survey responses (unweighted and weighted) and resident population (Note: Interviews inside Brent only; percentages may not sum due to rounding)[5]

Characteristic	Unweighted Count	Unweighted Valid %	Weighted Valid %	Resident Population %
BY AGE				
16 to 24	107	18	14	14
25 to 34	151	25	23	23
35 to 44	114	19	20	19
45 to 54	84	14	16	16
55 to 64	67	11	11	13
65 to 74	51	8	9	8
75 or over	31	5	6	7
Total valid responses	**605**	**100**	**100**	**100**
BY GENDER				
Male	309	51	52	51
Female	296	49	48	49
Total valid responses	**605**	**100**	**100**	**100**
BY WORKING STATUS				
Working	344	57	60	65
Retired	82	14	15	12

[3] Just like the rest of London, Brent's PRS has continued to grow in recent years; therefore, weighting the survey to tenure data from Census 2011 would have under-represented private renters. To obtain a more up-to-date estimate for the tenure profile in Brent, ORS looked at comparative data for London using the English Housing Survey and was thereby able to obtain a reasonable estimate for the likely tenure profile in the borough.

[4] Index of Multiple Deprivation (the achieved sample for inside Brent was weighted by IMD decile; due to the smaller sample size, interviews conducted outside were weighted based on IMD quintiles)

[5] Secondary population data derived from Mid-year Population Estimates 2017, Greater London Authority 2016-based Local Authority Housing Led Projections (2019), Population data derived from London Data for English Housing Survey 2017-18, and the Annual Population Survey (12 months to March 2019).

Otherwise not working	179	30	25	23
Total valid responses	**605**	**100**	**100**	**100**
BY TENURE				
Own outright	127	21	22	23
Own with a mortgage/Shared ownership	123	20	22	23
Social Rent	113	19	19	18
Private Rent	241	40	37	36
Total valid responses	**604**	**100**	**100**	**100**
Not known	*1*	-	-	-
BY ETHNIC GROUP				
White	243	40	39	38
Mixed	16	3	4	4
Asian	197	33	35	35
Black	94	16	17	16
Other ethnic group	53	9	6	6
Total valid responses	**603**	**100**	**100**	**100**
Not known	*2*	-	-	-

Figure 2: Profile of residents' survey responses (unweighted and weighted) and resident population (Note: Interviews outside Brent; percentages may not sum due to rounding)[6]

Characteristic	Unweighted Count	Unweighted Valid %	Weighted Valid %	Resident Population %
BY AGE				
16 to 24	18	18	14	13
25 to 34	28	27	26	24
35 to 44	18	18	22	20
45 to 54	9	9	10	16
55 to 64	13	13	11	12
65 to 74	12	12	13	8
75 or over	4	4	4	7
Total valid responses	**102**	**100**	**100**	**100**
BY GENDER				
Male	50	49	50	50
Female	52	51	50	50
Total valid responses	**102**	**100**	**100**	**100**
BY WORKING STATUS				
Working	60	59	57	58
Retired	15	15	15	13
Otherwise not working	27	26	28	29
Total valid responses	**102**	**100**	**100**	**100**
BY TENURE				

[6] Secondary population data derived from Mid-year Population Estimates 2017 and Census 2011.

Own outright	24	24	23	20
Own with a mortgage/Shared ownership	18	18	21	27
Social Rent	27	26	23	20
Private Rent	33	32	33	33
Total valid responses	**102**	**100**	**100**	**100**
BY ETHNIC GROUP				
White	57	56	52	52
Mixed	2	2	2	4
Asian	29	28	29	28
Black	8	8	10	10
Other ethnic group	6	6	7	6
Total valid responses	**102**	**100**	**100**	**100**

Interpretation of the Data

3.13 Graphics are used extensively in this chapter to make it as user friendly as possible. The pie charts and other graphics show the proportions (percentages) of respondents making relevant responses. Where possible, the colours of the charts have been standardised with a 'traffic light' system in which:

- Green shades represent positive responses
- Beige and purple/blue shades represent neither positive nor negative responses
- Red shades represent negative responses
- The bolder shades are used to highlight responses at the 'extremes', for example, very satisfied or very dissatisfied

3.14 Where percentages do not sum to 100, this may be due to computer rounding, the exclusion of "don't know" categories, or multiple answers. Throughout the volume an asterisk (*) denotes any value less than half a per cent. In some cases figures of 2% or below have been excluded from graphs.

3.15 Many percentages quoted in the commentary have been 'grouped' (by e.g. merging together the 'strongly' and 'tend to' agree/disagree categories) in order to report the overall proportions in agreement/disagreement.

3.16 It should be remembered that a sample, and not the entire population of Brent (and relevant outlying areas), has been interviewed. In consequence, all results are subject to sampling tolerances.

Findings of the residents survey

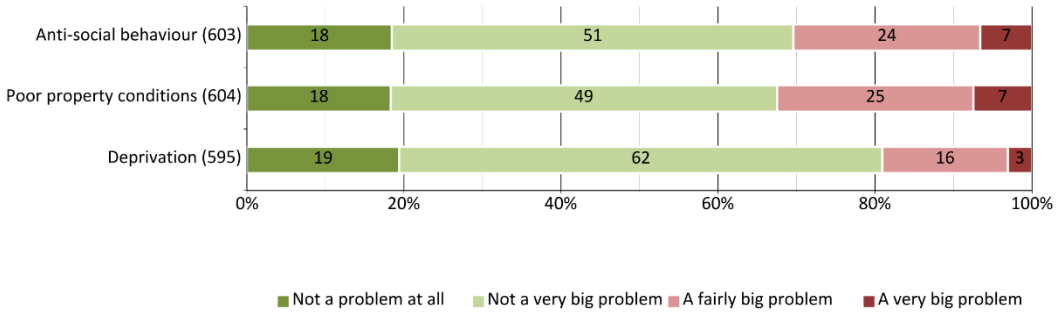
Local issues?

3.17 Around one in three Brent residents felt that anti-social behaviour (30%[7]) and poor property conditions (32%) are at least a fairly big problem in their local area. Fewer, although still around one in five (19%), felt that deprivation is a problem.

3.18 Fewer residents outside of Brent felt that anti-social behaviour (11%), poor property conditions (13%) and deprivation (9%) are a problem in their areas.

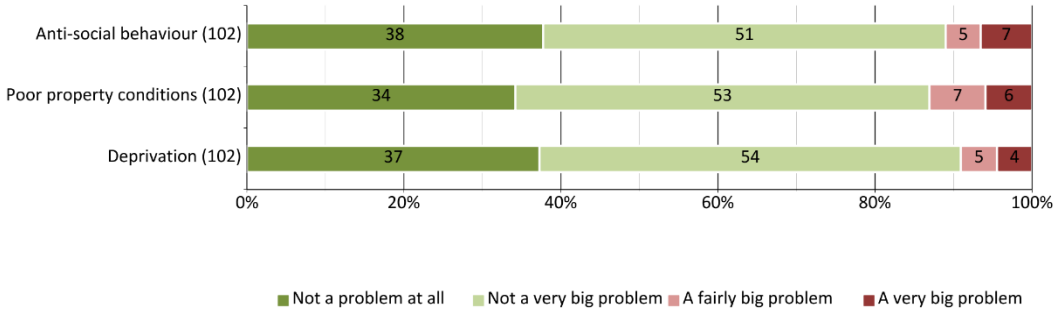
INSIDE BRENT

Figure 3: To what extent do you believe each of the following to be a problem in your local area?
Base: All residents (number shown in brackets)



OUTSIDE BRENT

Figure 4: To what extent do you believe each of the following to be a problem in your local area?
Base: All residents (number shown in brackets)



[7] The sum of the percentages for grouped answers (e.g. "fairly big" and "very big") is affected by rounding and therefore will not necessarily be exactly equal to the sum of the two percentages presented in the chart.

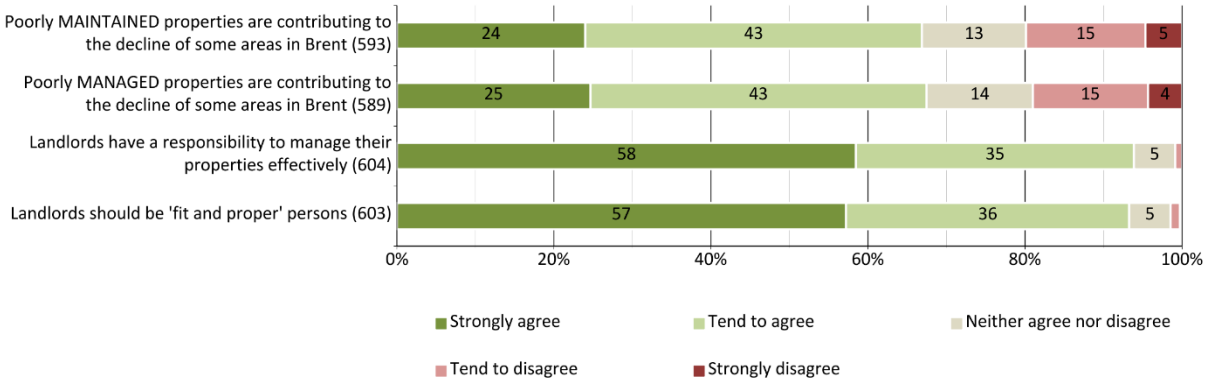
3.19 Very high proportions of Brent residents at least tended to agree that landlords have a responsibility to manage their properties effectively (94%) and that landlords should be 'fit and proper' persons (93%).

3.20 Fewer Brent residents, though still around two thirds, agreed that poorly maintained (67%) and managed (67%) private properties are contributing to the decline of some areas of Brent.

3.21 Very similar results were obtained outside of Brent: more than nine in ten agreed landlords have a responsibility to manage their properties effectively (94%), and that they that should be 'fit and proper' persons (95%), while around two thirds agreed that poorly maintained (67%) and poorly managed (68%) properties were causing decline.

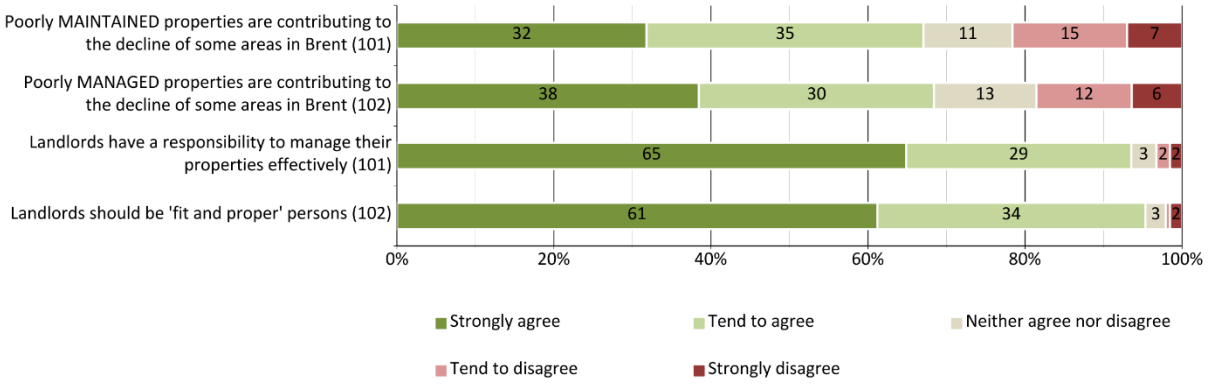
INSIDE BRENT

Figure 5: Thinking about the private rented sector as a whole in Brent, do you agree or disagree with the following statements? Base: All residents (number shown in brackets)



OUTSIDE BRENT

Figure 6: Thinking about the private rented sector as a whole in Brent, do you agree or disagree with the following statements? Base: All residents (number shown in brackets)



The current licensing scheme

3.22 The proportions of Brent residents who felt that various issues in Figure 7 had improved, ranged from around a third or more (waste dumped on streets, condition of properties, overcrowding and waste in front gardens) to around one-in-four (reduced noise).

Figure 7: In which of the following ways do you think the current licensing schemes have improved things in Brent? Percentages based on proportion of respondents identifying each option as an improvement

Potential improvement	Inside Brent (544)	Outside Brent (80)
	%	%
Improved the condition of properties	32	25
Reduced waste/rubbish such as mattresses dumped in private property front gardens	32	25
Reduced waste/rubbish dumped on streets	38	39
Reduced noise from neighbouring privately rented properties	24	25
Reduced overcrowding in privately rented properties	33	27
None of these	*35*	*40*

3.23 Just over half of Brent residents felt that not continuing with the licensing scheme could lead to the amount of waste dumped on streets (55%), overcrowding (54%), the amount of waste dumped in front gardens (53%) and the condition of properties (52%) getting worse (Figure 8).

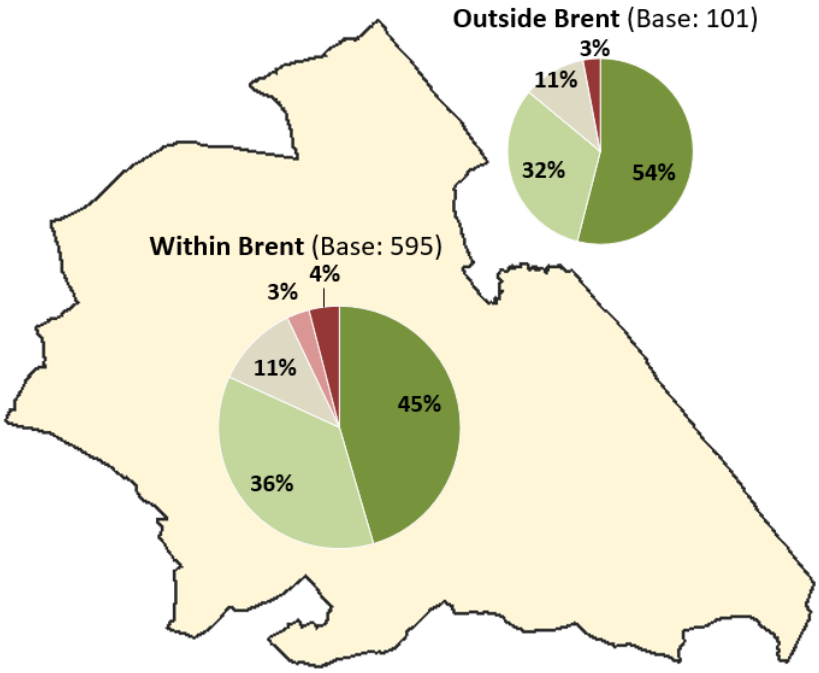
3.24 A comparatively small proportion (14%) felt that none of the issues listed were likely to get worse (the equivalent result for outlying areas was 20%).

Figure 8: If the current licensing schemes in Brent stopped and were NOT continued, which of the following do you think would get worse as a consequence? Percentages based on proportion of respondents identifying each option as likely to get worse

Potential issue that could get worse	Inside Brent (576)	Outside Brent (92)
	%	%
The condition of properties	52	50
The amount of waste/rubbish such as mattresses dumped in private property front gardens	53	44
The amount of waste/rubbish dumped on streets	55	52
Noise from neighbouring privately rented properties	40	38
Overcrowding in privately rented properties	54	49
None of these	*14*	*20*

3.25 The majority of Brent residents (81%) agreed that continuing the licensing scheme would improve (or further improve) the condition and management of privately rented properties in Brent (Figure 9). There was also widespread agreement in the outside areas.

Figure 9: Do you agree or disagree that continuing the licensing scheme would improve/further improve the condition and management of privately rented properties in Brent? Base: All residents (number shown in brackets)



Renewing the current licensing scheme

3.26 More than four fifths (85%) of Brent residents agreed with the proposal for renewing the additional licensing scheme for HMOs (Figure 10), while an almost identical proportion (84%) agreed with the proposal for renewing the selective licensing scheme in Harlesden, Willesden Green and Wembley Central (i.e. Designated Area 1) (Figure 11). The levels of agreement for those living just outside of Brent were 83% and 84% respectively.

Figure 10: Do you agree or disagree with this proposal for renewing the additional licensing scheme for Houses in Multiple Occupation? Base: All residents (number shown in brackets)

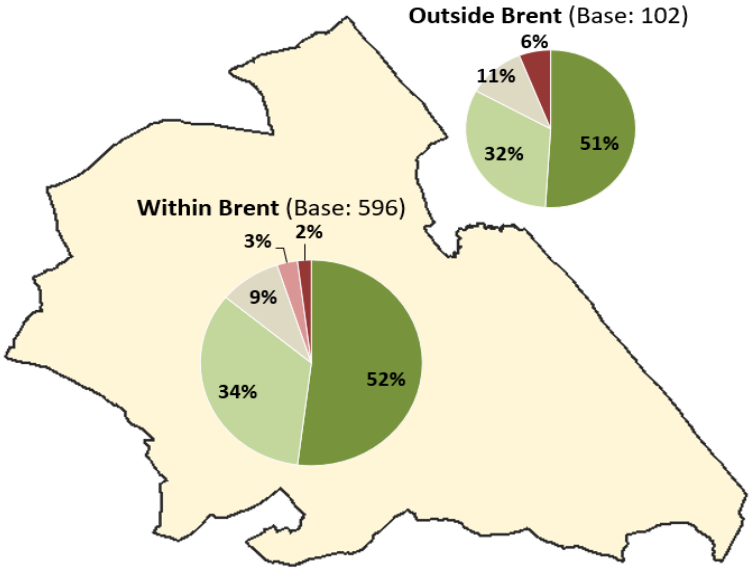
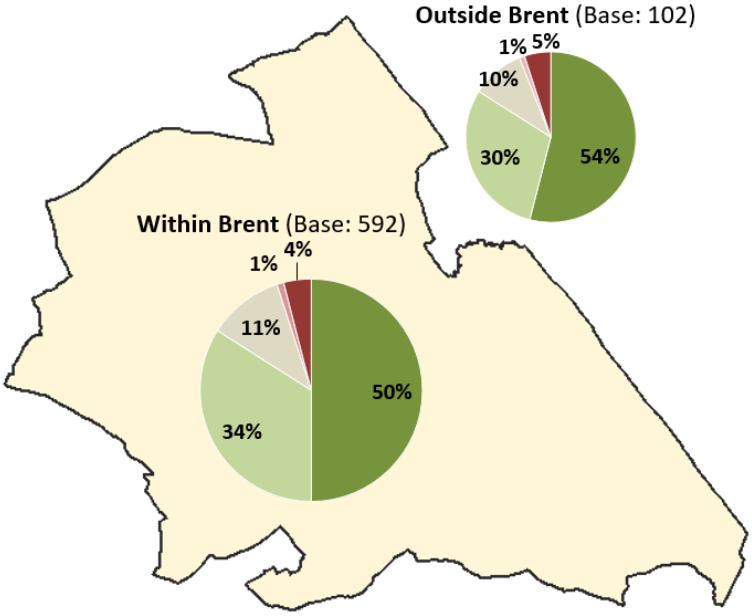


Figure 11: Do you agree or disagree with this proposal for renewing the selective licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central [i.e. Designated Area 1]?



Extending selective licensing to new areas

3.27 Brent residents were generally supportive to introducing selective licensing into the proposed new areas: 78% agreed with introducing it into Designated Area 2 (Queensbury, Fryent and Brondesbury Park) (Figure 12), 79% with introducing it into Designated Area 3 (Barnhill and Welsh Harp) (Figure 13), and 80% with introducing it into Designated Area 4 (Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury) (Figure 14).

3.28 Outside of Brent, the proportions who agreed with introducing Selective Licensing into Designated Areas 2, 3 and 4 were 88%, 87% and 88% respectively.

Figure 12: Do you agree or disagree with the proposals to introduce selective licensing in...? Queensbury, Fryent and Brondesbury Park [i.e. Designated Area 2]? Base: All residents (number shown in brackets)

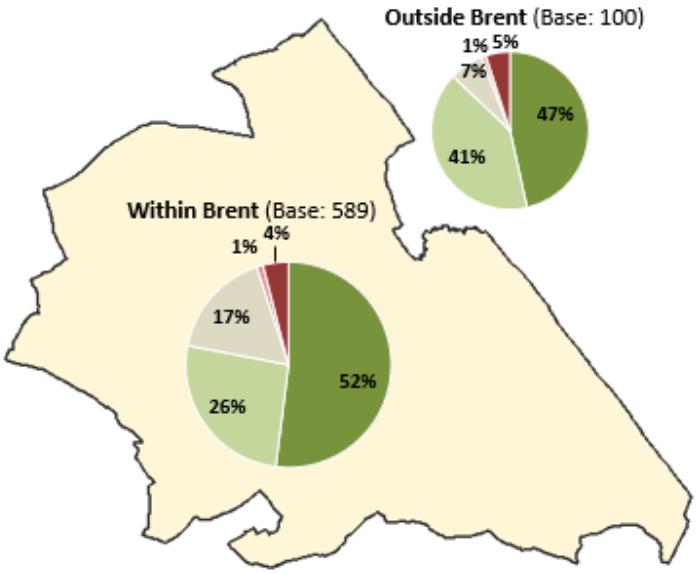


Figure 13: Do you agree or disagree with the proposals to introduce selective licensing in...? Barnhill and Welsh Harp [i.e. Designated Area 3]? Base: All residents (number shown in brackets)

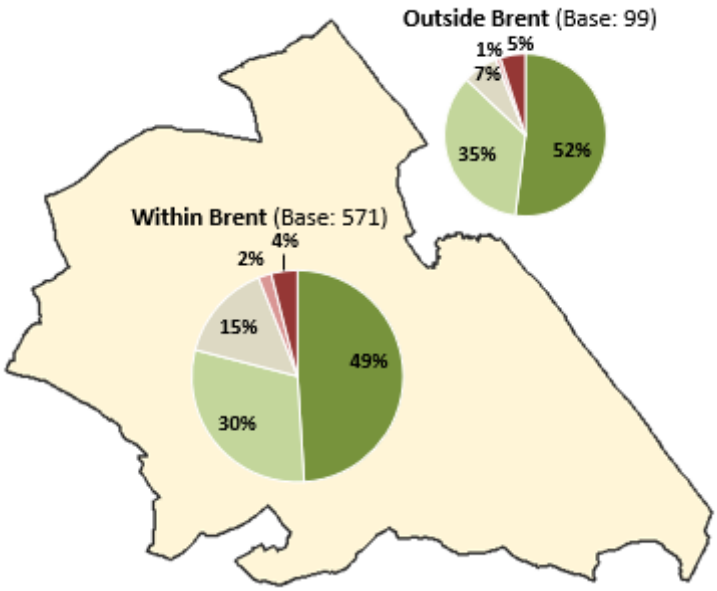
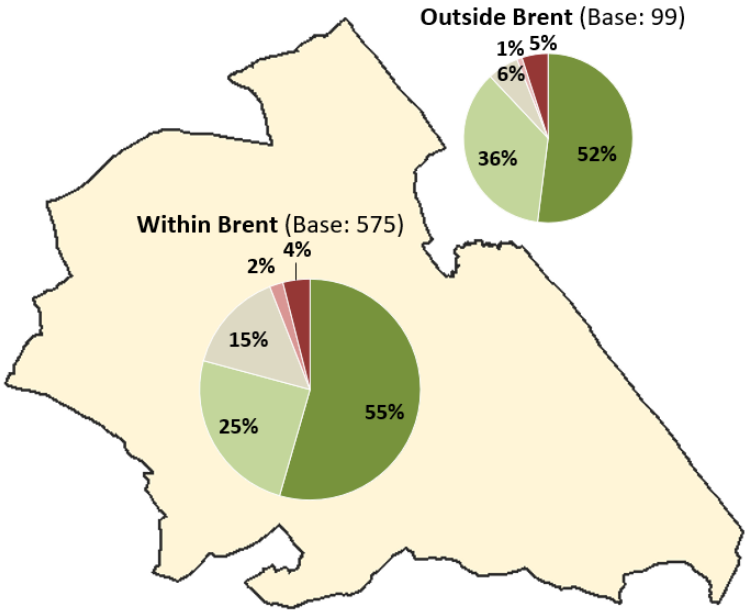


Figure 14: Do you agree or disagree with the proposals to introduce selective licensing in...? Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury [i.e. Designated Area 4]? Base: All residents (number shown in brackets)



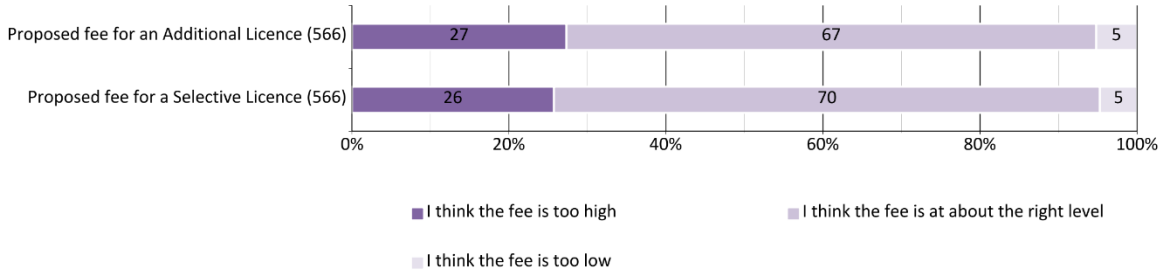
Fees

3.29 The majority of Brent residents felt that the proposed fees are at about the right level: 67% for the additional licence and 70% for the selective licence (Figure 15). Just over a quarter (27% and 26% respectively) felt they are too high, while relatively small proportions (both 5%) felt that they are too low.

3.30 Views outside Brent were broadly similar(Figure 16), with large majorities feeling that the proposed fees for an additional and a selective licence are about right (73% and 77% respectively).

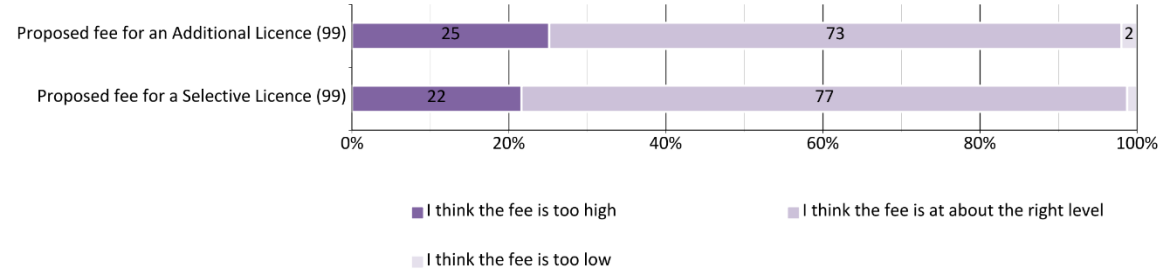
INSIDE BRENT

Figure 15: Do you think the proposed fee for an additional/selective Licence is too high, about right or too low? Base: All Respondents (number of respondents shown in brackets)



OUTSIDE BRENT

Figure 16: Do you think the proposed fee for an additional/selective licence is too high, about right or too low? Base: All Respondents (number of respondents shown in brackets)



4. Consultation Questionnaire

Introduction

4.1 A consultation document outlining the issues under consideration was produced by LBB, who also worked with ORS to develop a consultation questionnaire with questions intended to elicit views on the various aspects of the proposals. The questionnaire also allowed respondents to make any further comments, and captured information about the type of response being submitted and respondents' demographic information to assist in determining the extent to which the views collected reflect Brent's diverse population.

4.2 The consultation document and open questionnaire were available via a dedicated Council webpage between 10th June and 25th August 2019 (the duration of the consultation period). Paper versions were also made available on request for those who preferred this version or were unable to fill in the questionnaire online.

4.3 LBB publicised the questionnaire through a variety of means, including (but by no means limited to):

- Leaflets dropped door-to-door
- Posters and pull-up banners in public buildings
- JC Decaux billboards
- Social media and digital display advertising (Facebook, Twitter, Adwords, local news media etc)
- Internal LBB media: Yammer, web banners, Your Brent, email signatures etc.
- Direct notification of various organisations e.g. landlord representative organisations (London Landlords LLAS, London Property Licensing, NLA, RLA), Brent Landlords Forum, tenant representative groups (e.g. Shelter, Brent CAB), other stakeholder groups (e.g. Brent Connects) and neighbouring borough councils.
- An internet search found a number of other postings e.g. Renter Rights London, Letting Agent Today, Wired.Gov.net, Hivebm.com, Easthamandco.co.uk, and 'Centralhousinggroup.com

4.4 The open consultation questionnaire could be completed by individuals, landlords or on behalf of organisations. In total, 1,110 responses were received, including 306 from those identifying themselves as private landlords or letting agents in Brent; 769 from individuals who identified they lived in Brent (this group also included 4 responses from local businesses[8], although for sake of brevity they are referred to throughout as 'residents'); and 35 from other individuals or stakeholders (a mixture of individuals with another type of connection to the borough, or to a neighbouring borough; and a very small number responding on behalf of an organisation e.g. Brent Parks Forum and Renters' Rights London).

4.5 The data from the consultation questionnaire has not been combined to produce "overall" findings because the size of the stakeholder groups, and the numbers of their respective responses, are quite

[8] But not landlords or lettings businesses, who were directed to complete the landlords/agents profile section

different – and, moreover, they have distinctive views; so they cannot simply be merged. Therefore, this chapter show the results for each main stakeholder group, without an overall percentage.

Respondent profile

4.6 Figure 17 provides a breakdown of the profile of the 1,110 respondents who responded either online or by post to the open consultation questionnaire. Reponses from landlords and other stakeholder increased significantly from a similar consultation in 2016 (by around 50% and 400% respectively); it is likely that this is due, in part, to the existence of the Council's Landlords Register which made engaging them more straightforward.

Figure 17: Response profile for open questionnaire (Note: Percentages may not sum due to rounding)

Type of respondent		n	%
A Brent resident or a local business in Brent	Private tenant living in a single-family dwelling	136	12.3%
	Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities	36	3.2%
	Brent Council tenant	20	1.8%
	Housing association tenant	34	3.1%
	Owner occupier	507	45.7%
	Shared owner - with a share in the equity of the home	18	1.6%
	Local business in Brent (but not a landlord)	4	0.4%
	Other	8	0.7%
	No other details known	6	0.5%
	ALL Brent residents	**769**	**69.3%**
Landlords and letting or managing agents		**306**	**27.6%**
Other stakeholders		**35**	**3.2%**
	TOTAL	**1,110**	**100.0%**

Interpretation of the Data

4.7 Graphics are used extensively in this chapter to make it as user friendly as possible. The pie charts and other graphics show the proportions (percentages) of respondents making relevant responses. Where possible, the colours of the charts have been standardised with a 'traffic light' system in which:

- Green shades represent positive responses
- Beige and purple/blue shades represent neither positive nor negative responses
- Red shades represent negative responses
- The bolder shades are used to highlight responses at the 'extremes', for example, very satisfied or very dissatisfied

4.8 Where percentages do not sum to 100, this may be due to computer rounding, the exclusion of "don't know" categories, or multiple answers. Throughout the volume an asterisk (*) denotes any value less than half a per cent. In some cases, figures of 2% or below have been excluded from graphs.

4.9 Many percentages quoted in the commentary have been 'grouped' (by e.g. merging together the 'strongly' and 'tend to' agree/disagree categories) in order to report the overall proportions in agreement/disagreement.

4.10 Results for 'other stakeholders' should be interpreted with some caution due to the small size of this group, and its diverse nature (comprising, for example, organisations and various individuals with a range of different connections or interests in the borough).

Consultation questionnaire findings

Local issues?

4.11 Respondents were asked about the extent to which they felt three types of issues were a problem in their area of Brent (Figure 18). Around half or more Brent residents felt that each of the issues were either a fairly big or very big problem, as did the majority of other stakeholders.

4.12 Fewer landlords and agents felt that each of the issues were a problem, although a third (34%) felt ASB was a problem, approximately a fifth (21%) felt the same about poor property conditions, and a quarter (25%) felt this way about deprivation.

Figure 18: To what extent do you believe each of the following to be a problem in your local area of Brent? Percentages based on proportion of respondents answering a 'very' or 'fairly big' problem.

Type of issue	Group		
	Residents of Brent	Landlords and agents	Other stakeholders
	%	%	%
Anti-social behaviour	60	34	70
Poor property conditions	63	21	61
Deprivation	58	25	58

4.13 Respondents were asked about the extent to which they agreed or disagreed with four statements (see Figure 19).

4.14 In relation to two of the statements, about property management and maintenance, landlords and agents were clearly less likely to at least tend to agree, than residents and other stakeholders, as follows:

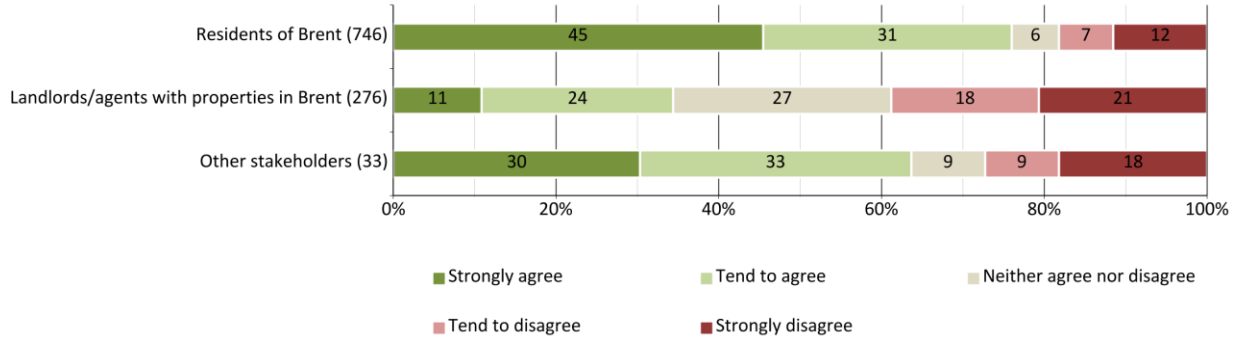
- Poorly maintained properties are contributing to the decline of some areas in Brent (76% of Brent residents, 34% of landlords/agents and 64% of other stakeholders agreed);
- Poorly managed privately let properties are contributing to the decline of some areas of Brent (76% of Brent residents, 30% of landlords/agents and 64% of other stakeholders agreed).

4.15 However, clear majorities were supportive of the remaining two statements. Moreover, in relation to the statement about landlords having a responsibility to manage their properties effectively, landlords and agents were the most supportive group. The results were as follows:

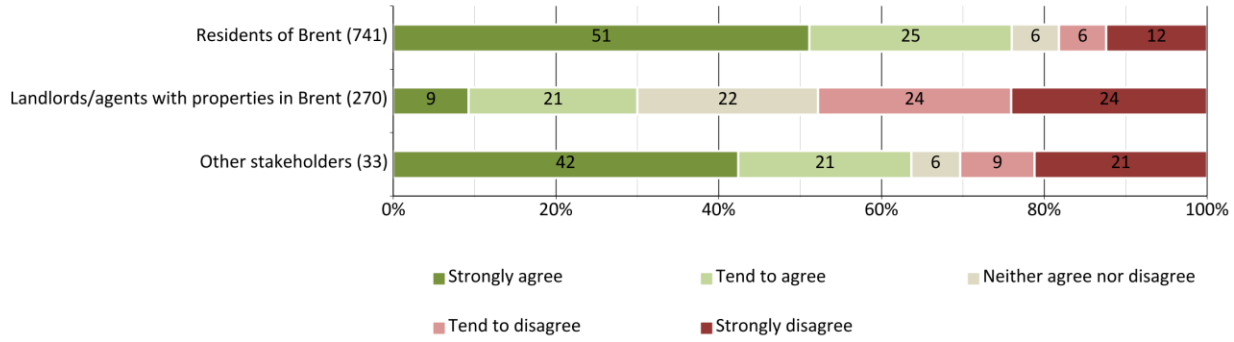
- Landlords having a responsibility to manage their properties effectively (88% of Brent residents, 93% of landlords/agents and 94% of other stakeholders agreed); and
- Landlords should be 'fit and proper' persons (81% of Brent residents, 70% of landlords/agents and 79% of other stakeholders agreed).

Figure 19: And thinking about the private rented sector as a whole in Brent, to what extent do you agree with the following statements? Base: All Respondents (number of respondents shown in brackets)

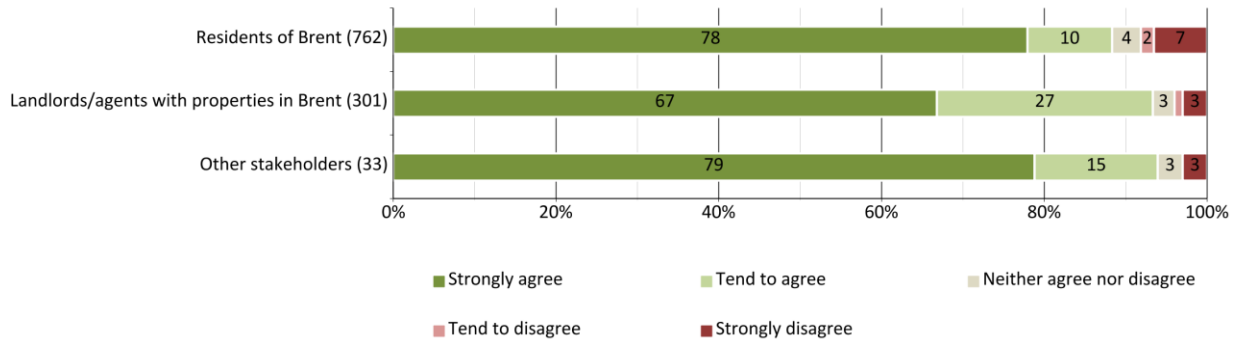
a. Poorly maintained properties are contributing to the decline of some areas in Brent



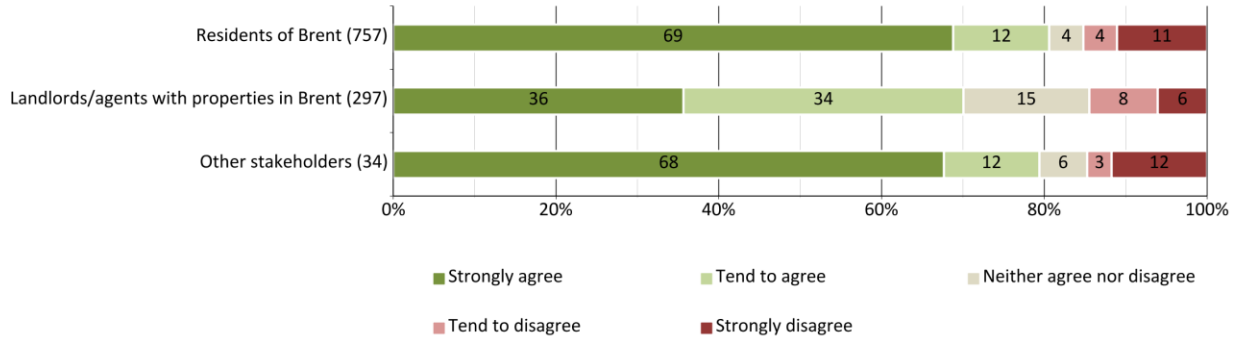
b. Poorly managed privately let properties are contributing to the decline of some areas of Brent



c. Landlords have a responsibility to manage their properties effectively



d. To help with the management of privately let properties in the borough, landlords should be fit and proper persons



4.16 The figures below summarise respondents' views about what (if any) improvements have arisen as a result of licensing, and what (if any) problems might get worse if licensing did not continue.

4.17 Compared with landlords and agents, consistently higher proportions of Brent residents and other stakeholders felt that various issues had improved, and that the same problems were likely to get worse if licensing did not continue.

4.18 However, it is worth noting that around a quarter of landlords and agents felt that licensing had reduced overcrowding (Figure 20), and more than a third of them felt this would be likely to get worse if Brent's licensing schemes stopped (Figure 21).

Figure 20: In which of the following ways do you think the current licensing schemes have improved things in Brent? Percentages based on proportion of respondents identifying each option as an improvement

Potential improvements	Group		
	Residents of Brent (690)	Landlords/agents (273)	Other stakeholders (32)
	%	%	%
Improved the condition of properties	40	19	44
Reduced waste/rubbish such as mattresses dumped in private property front gardens	29	8	25
Reduced waste/rubbish dumped on streets	24	8	28
Reduced noise from neighbouring privately rented properties	23	7	25
Reduced overcrowding in privately rented properties	44	24	53
Other	6	6	6
None of these	39	61	28

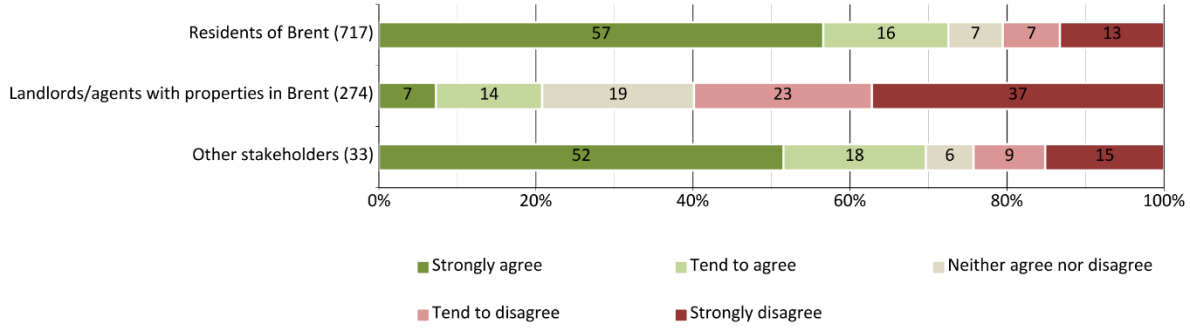
Figure 21: If the current licensing schemes in Brent stopped and were NOT continued, which of the following do you think would get worse as a consequence? Percentages based on proportion of respondents identifying each as likely to get worse

Potential issues	Group		
	Residents of Brent (721)	Landlords/agents (276)	Other stakeholders (33)
	%	%	%
The condition of properties	70	23	67
The amount of waste/rubbish such as mattresses dumped in private property front gardens	61	12	48
The amount of waste/rubbish dumped on streets	57	11	48
Noise from neighbouring privately rented properties	53	9	45
Overcrowding in privately rented properties	74	36	76
The amount of ASB[9]	1	-	3
Other	5	6	15
None of these	19	54	18

[9] Not offered as an option (which should be borne in mind when interpreting percentage results), but mentioned a sufficient number of times under 'Other' to be classified separately

4.19 Most Brent residents (73%) and other stakeholders (70%) agreed that continuing with the licensing schemes would improve or further improve the condition and management of privately rented properties (Figure 22), compared with only a minority of landlords and agents (21%). Around one fifth (19%) neither agreed nor disagreed with the statement.

Figure 22: To what extent do you agree or disagree that continuing the licensing schemes would improve/further improve the condition and management of privately rented properties in Brent? Base: All Respondents (number shown in brackets)

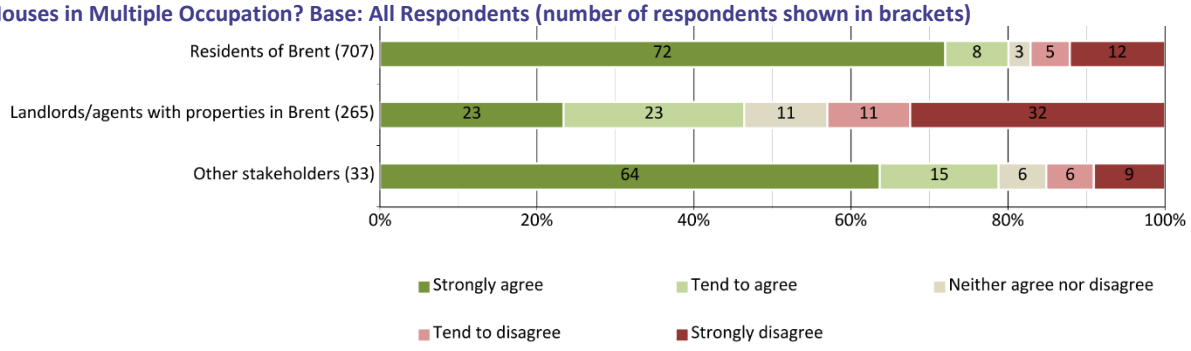


Renewing the current licensing schemes

4.20 Around four fifths of Brent residents (80%) and other stakeholders (79%) agreed with the proposal to renew the additional licensing scheme (for HMOS).

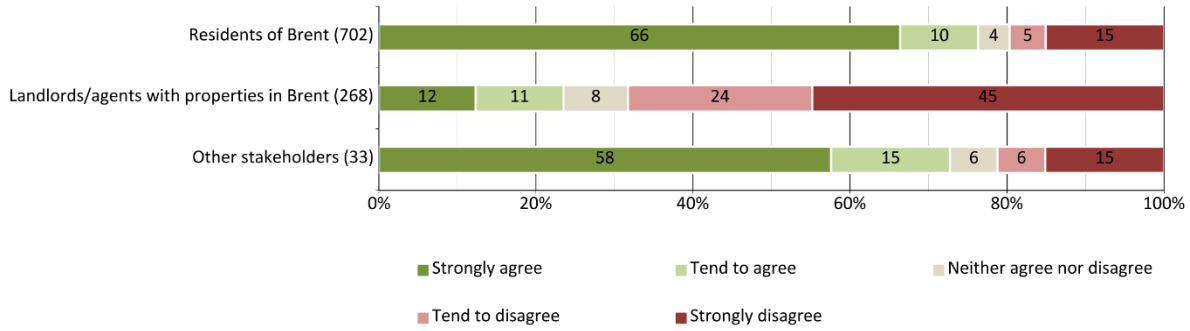
4.21 Landlords and agents were quite evenly split, with slightly more (46%) in agreement than disagreement (43%) and the remainder neither agreeing nor disagreeing.

Figure 23: To what extent do you agree or disagree with this proposal for renewing the additional licensing scheme for Houses in Multiple Occupation? Base: All Respondents (number of respondents shown in brackets)



4.22 Around three quarters of Brent residents (76%) and other stakeholders (73%) agreed with the proposal to renew selective licensing in Designated Area 1 (Figure 24), compared with only around a quarter of landlords and agents (24%).

Figure 24: To what extent do you agree or disagree with this proposal for renewing the selective licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central? Base: All Respondents (number in brackets)



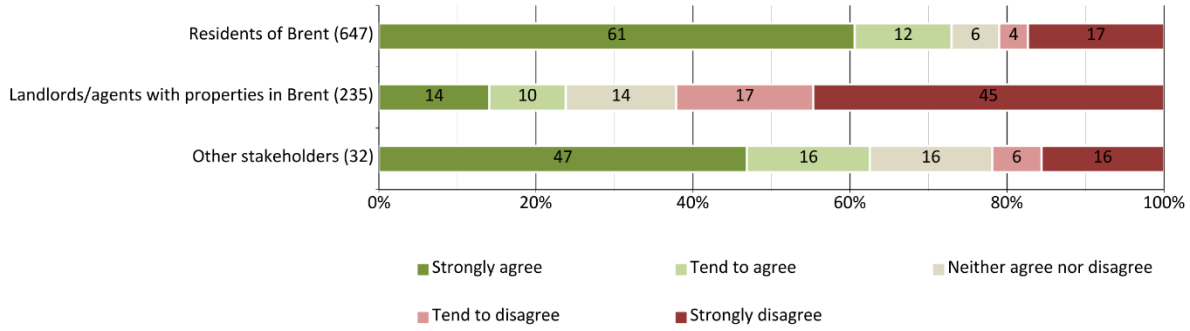
Introducing selective licensing into new areas

4.23 The proportions agreeing with the proposals to introduce selective licensing into new areas (Figure 25) were as follows:

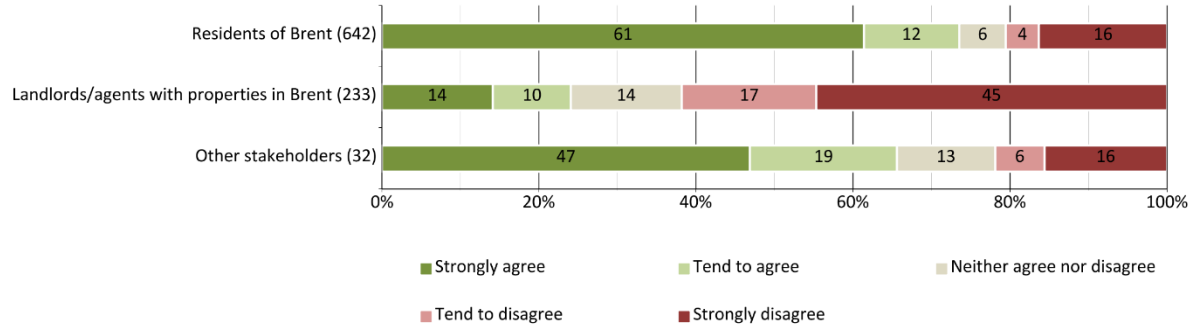
- Designated Area 2: 73% of Brent residents, 24% of landlords and agents, and 63% of other stakeholders
- Designated Area 3: 74% of Brent residents, 24% of landlords and agents, and 66% of other stakeholders
- Designated Area 4: 73% of Brent residents, 22% of landlords and agents, and 66% of other stakeholders

Figure 25: To what extent do you agree or disagree with the proposals to introduce selective licensing in the following areas?
Base: All Respondents (number of respondents shown in brackets)

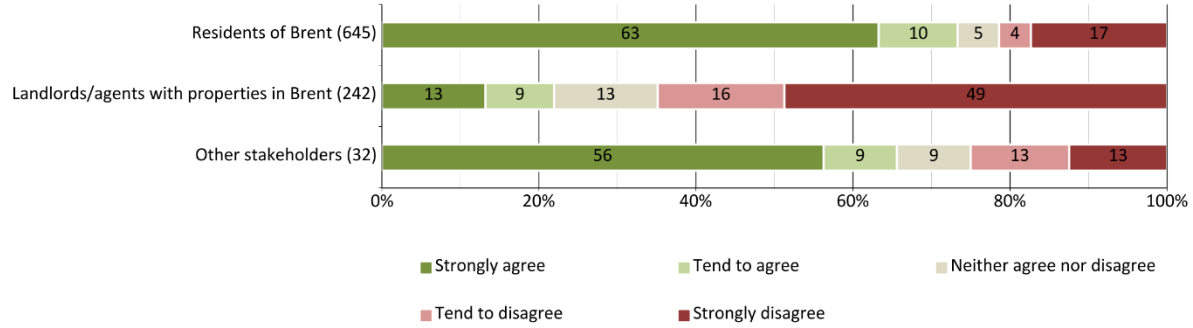
Designated Area 2: Queensbury, Fryent and Brondesbury Park



Designated Area 3: Barnhill and Welsh Harp



Designated Area 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury



Licence fees and conditions

Fees

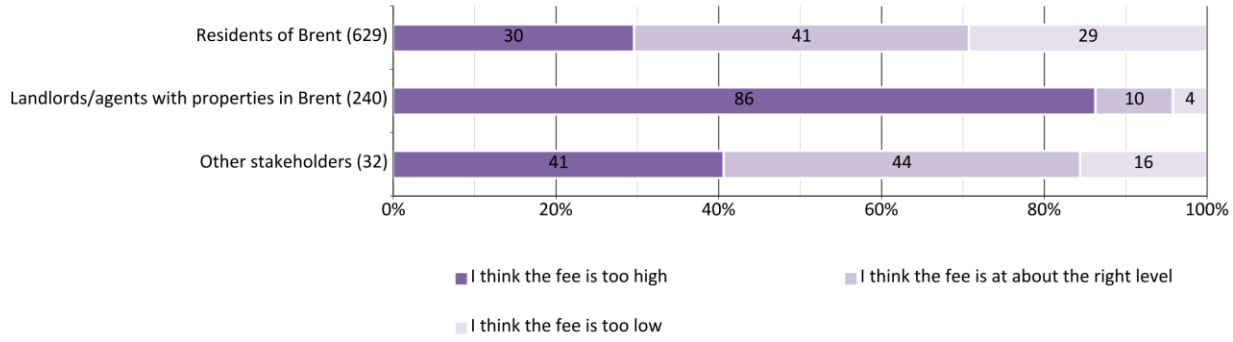
4.24 Brent residents were fairly evenly split as to the appropriateness of the fees: around two fifths felt that the proposed fees for the additional licence (41%) and selective licence (42%) were at about the right level, although three in ten felt they were too high (30% and 31% respectively), or too low (29% and 27% respectively).

4.25 In contrast, more than four fifths of landlords and agents (86%) felt the proposed additional licence fee is too high, and an even higher proportion (94%) felt this way about the proposed selective licence fee.

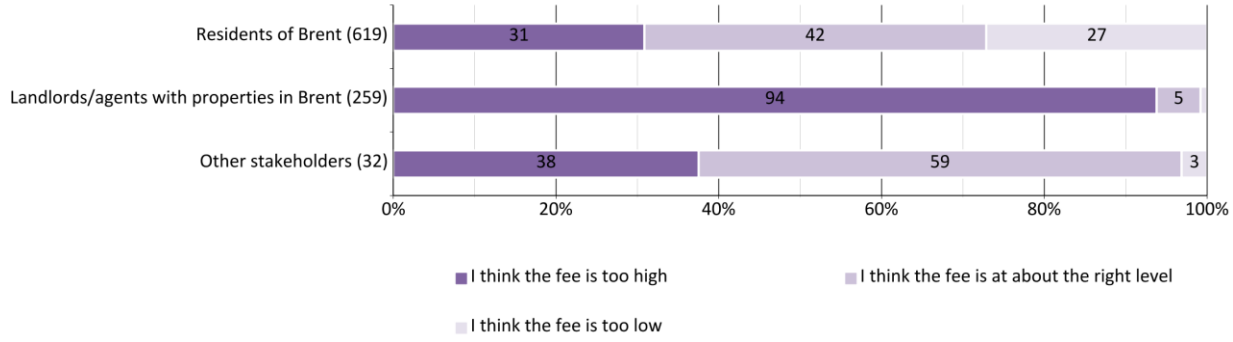
4.26 Among the remaining, other stakeholders, the majority view was that the fees are at about the right level, although a sizeable minority (around two fifths in both cases) felt they are too high.

Figure 26: What are your views on the proposed fees? Base: All Respondents (number of respondents shown in brackets)

A basic fee of £840 per property for an Additional HMO licence



A basic fee of £540 per property for a Selective licence



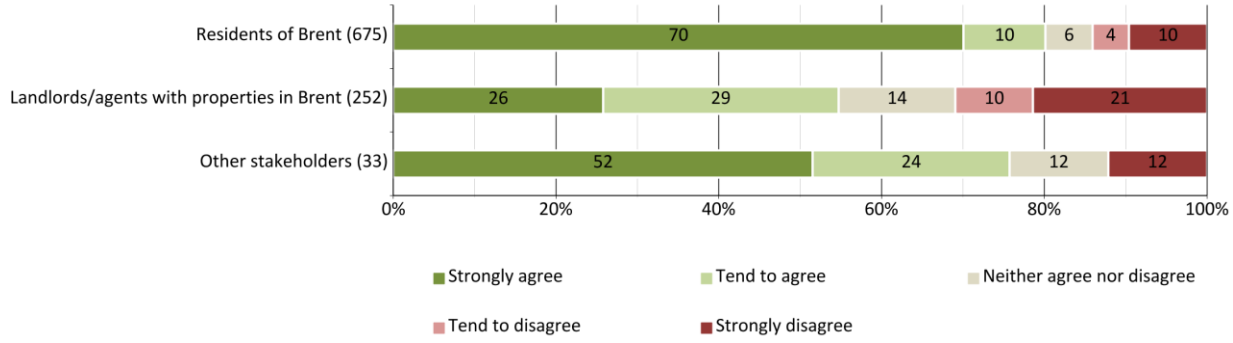
Conditions

4.27 Across all three of the respondent groups, an absolute majority agreed with the proposed additional (HMO) licence conditions: 80% of Brent residents, 55% of landlords and agents, and 76% of other stakeholders. 31% of landlords and agents disagreed and 14% neither agreed nor disagreed with the statement (Figure 27).

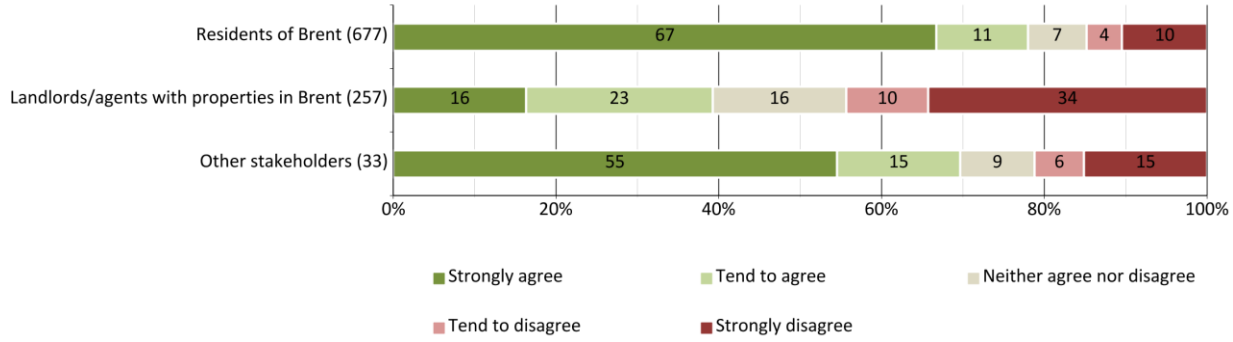
4.28 Substantial majorities of Brent residents and other stakeholders agreed with the proposed conditions for a selective licence (78% and 70% respectively). Landlords and agents were fairly split: with 39% agreeing and 44% disagreeing.

Figure 27: To what extent do you agree or disagree with the proposed… Base: All Respondents (number of respondents shown in brackets)

…Additional HMO licensing conditions?



…Selective licensing conditions?



Text comments in the consultation questionnaire

4.29 The questionnaire provided respondents with three opportunities to comment on the proposals in their own words, specifically:

> If they disagreed with the proposals, asking them to explain why and to suggest any alternatives they would prefer to address the problems
>
> If they disagreed with any of the licensing conditions, to explain why
>
> Whether there was anything else the Council should consider to help to improve the condition and management of properties, ASB, deprivation and other issues about the private rented sector in Brent, or whether they had any further comments in general.

4.30 To analysis the text comments, responses were categorised in themes so that the proportion of respondents who expressed common views could be determined. This data is presented in full in Appendix 2 and summarised below.

Overall views

4.31 Many comments simply expressed general agreement or disagreement with the proposals (with residents, on the whole, being more likely than landlords to give a view that the proposals were a good idea).

4.32 Other arguments that were frequently made (particularly by landlords) were along the lines that that the existing scheme had not worked, or that the proposals are effectively a money-making scheme or a 'tax' on landlords. Others expressed the view that the fees are too high, that 'good' landlords are punished unnecessarily, or that LBB should make better use of existing legislation as an alternative to licensing. There was also some concern (among residents and landlords) about the possibility of rent increases e.g. as a result of landlords 'passing on' the licence fee to their tenants.

4.33 Particularly in relation to the final question (about what else the Council should consider to address the issues in the PRS), one of the main themes raised among both residents and landlords was around the need for suitable levels of enforcement, with appropriate numbers of inspections etc.

Theme I - General comments on the existing and proposed schemes

4.34 In addition to general expressions of agreement or disagreement, the most common general concerns raised by landlords, residents and other stakeholders in relation to the proposed schemes included:

- That the schemes would not work, based on perceptions of the existing schemes being ineffective and hard to implement;
- That the scheme would waste time and add an additional layer of unnecessary bureaucracy into the PRS;
- That responsible landlords already manage their properties well and do not require licensing;
- That sufficient legislation is already in place in regard to the PRS, which should be enforced instead of introducing or extending licensing schemes; and
- That additional evidence and/or information is required to prove the effectiveness of existing schemes and to justify the proposals.

Theme II - The likely impacts of the proposed schemes

On landlords

4.35 One of the most common concerns raised by landlords and, to a lesser extent, by residents, related to the view that licensing schemes penalise responsible landlords with additional fees and responsibilities, while poor and rogue landlords will ignore the scheme and/or go unpunished.

4.36 Other common themes related to the impact of the proposed schemes on landlords included:

- Concerns about the financial implications, from decreased profits to landlords being forced to sell their properties;
- Concerns that landlords will be held responsible for factors outside of their control, e.g. anti-social behaviour, fly tipping etc;
- Licensing giving "too much power" to tenants at the expense of landlords, making it harder for them to deal with problems; and
- PRS licensing may put off potential investors and new landlords from renting out their properties.

On tenants

4.37 By far the most common concern in relation to the impact of the proposed schemes on tenants was the perception that licensing would result in an increase in rental prices as landlords passed on the costs to their tenants.

4.38 Other concerns included:

- Disruption and additional pressure for tenants due to, for example, increased property inspections; and
- Specific concerns related to low income households due to increased costs, including the potential for increased homelessness.

Theme III – Licensing conditions and fees

Conditions

4.39 There were not many comments relating directly to licensing conditions from questionnaire respondents, beyond those reported above concerning the view that good landlords are already adhering to the conditions of licensing, and that the schemes only add additional "red tape". Perhaps surprisingly, the latter view was shared by some tenants, as well a considerable proportion of landlords.

Fees

4.40 Among respondents, and landlords in particular, who objected to the proposed schemes, the primary concern expressed regarding fees, and to some extent the proposed licensing schemes overall, was that they would at best be a waste of money and, at worst, were simply a money-making exercise.

4.41 Landlords also expressed the view that the proposed fees were too high, a view shared by some residents, with some respondents suggesting that the licenses should be free.

4.42 Other views included:

- Perceived unfairness that landlords applying for PRS licences part way through the scheme still have to pay the full fee amount;
- That compliant landlords should receive a discount on licenses.

Theme IV – Enforcement

4.43 Comments regarding enforcement of PRS landlord licensing can be roughly split into two categories: the first are comments related to the need for robust enforcement if the proposals are accepted and the schemes are to be effective; the second category relates to concerns that enforcement efforts are or would be targeted at private landlords only, leaving other issues unaddressed.

The need for robust enforcement

4.44 The main points raised by questionnaire respondents regarding the need for good management and robust enforcement, if licensing is renewed and extended, were:

- That extensive property inspections and landlord vetting will be required;
- That a more efficient and effective system for reporting problems and logging complaints with the Council is required;
- Easy access to a list of good and bad landlords is needed; and
- That Council staff will require better or additional training to be able to enforce the scheme and/or deal with complaints and enquiries.

4.45 An additional and related concern raised by both landlords and residents was that landlords asking prospective tenants for references was neither worthwhile nor effective, as they can easily be faked and/or they are not reliable.

Concerns about targeting landlords only

4.46 Comments about the targeting of enforcement focused on the following areas:

- That landlords shouldn't be held responsible for the behaviour of their tenants, or that tenants should also be subject to a similar scheme;
- The Council ought to focus on anti-social behaviour not directly related to housing (e.g. fly-tipping);
- The Council needs to deal with its own and other unlicensed properties and problem tenants (e.g. in social housing); and
- That licensing and enforcement should be better targeted at problem households and HMOs, rather than private properties.

Theme V – Alternatives to the proposals

4.47 Comments made regarding alternatives or amendments to the proposed schemes fell into the following areas:

- That licensing should be extended to other areas/the whole borough;
- The education of landlords and/or tenants would be more effective than licensing;

- Licensing and enforcement should be extended to cover property management companies, letting agents and housing associations; and
- The Council should improve other services (e.g. waste collection and removal of large items) and/or spend money in other areas (e.g. community projects) that to address problems such as fly-tipping and ASB.

Other text comments

4.48 Many comments could not be easily categorised and have therefore been classed as 'other'. These comments have been provided to LBB for closer consideration; nonetheless, the summary below covers many of the main additional points raised.

Other comments about whether to introduce designations covering particular wards or areas

4.49 The following are verbatim comments about particular areas that respondents asked to be included (NB: some of these areas are included in the proposed or existing Selective Licensing designations; a few are not. Additionally, some respondents referred to neighbourhoods that might not correspond exactly to specific wards):

Neasden is in dire need of council intervention to bring the neighbourhood back to what it used to be ... Huge problem with tenants and now there is a serious problem of rats in the gardens and properties of Cairnfield Avenue

Neasden shopping centre, Welsh Harp and surrounding areas have seen an unprecedented rise in rentals with the areas depreciating considerably.

Please ensure Willesden Junction is included.

Scheme should be extended to Stonebridge

Will Cricklewood be included? It's getting to be bedsit city here.

I hope you will consider Dollis Hill NW2 area

[In Tokyngton] it is required on the side of the road, which is the same as Stonebridge Park station

4.50 In particular, there was some concern that the Council's figures underestimate the scale and size of the PRS in a couple of areas:

Dollis Hill is excluded on the grounds of below 20 percent rented? I live here and can tell you that the private rental figure is way higher than that. How has this been assessed? Are the numerous illegal HMO conversions included?

I find it difficult to believe that PRS proportions in Preston ward are under 36%. My gut feeling would be closer to 60%.

4.51 On the other hand, there was some scepticism around the justification for including certain wards, including Brondesbury Park and Alperton:

Areas like Sudbury, Northwick Park, Welsh Harp, Brondesbury Park, Alperton, and Barnhill rank low in terms of deprivation nationally ... Some areas like Northwick Park even rank pretty high in

positions above 25,000 out of 32,000 neighbourhoods in the UK- equivalent to affluent places like Wimbledon, and Kingston upon Thames

I am surprised to see Brondesbury Park included in scheme, but appearances may be deceiving

There are errors in the report provided by the council… the charts on disrepair, HHRS hazards and ASB show that the [Alperton] area is significantly below average for the borough/London/England. Therefore, Alperton does not meet either of the two characteristics to be tackled in designation 4.

4.52 One respondent also queried why Brondesbury Park was in a designated area with Fryent and Queensbury, when it is 'miles apart' from them.

4.53 Some wanted more widespread selective licensing while a few advocated no further extension to the scheme:

HMO licensing will hopefully help weed out the worst landlords. But I feel more can be done and I would be in favour of a licencing scheme for all landlords in the borough.

It is absolutely ridiculous that all these rules regarding landlords are not borough wide. How can you just choose certain wards and then penalise them with the licence fee, when the majority get away with paying nothing!

I strongly think we should not extend the licensing to the further parts of the borough. There are only rare rogue landlords.

Other comments relating to fees

4.54 The following points or arguments were made in relation to **the fees**:

- If the fee comprises two separate amounts to cover the assessment of the property and of the licence holder, then the element that refers to the vetting of the licence holder should only be charged once, not across all properties that the individual owns or manages (in other words, if a landlord is deemed a 'fit and proper' person to manage one property, then presumably they are 'fit and proper' to manage all of them)
- There should be pro rata licence fees (i.e. fees adjusted according to the remaining duration of the scheme) and discounts for multiple properties
- The licence fee should be linked to the rental value of the property
- Fees need to take account of other expenses (e.g. loans, regulatory changes, agency fees, letting fees, maintenance fees) impacting on landlords
- The fee effectively wipes out 4-6 months' profit on a typical property, and profitability is likely to decrease further due to changes to buy-to-let mortgage tax relief
- The Council should be allowed to make a profit from the scheme, to improve services more generally
- The fees should be higher, as they would be 'nothing' to the typical landlord of an HMO
- The discount should be extended to those who are accredited with the NLA and/or RLA, not just LLAS (with one respondent claiming that the NLA/RLA accreditations are superior

to LLAS, as LLAS accreditation only requires attendance at a one-day course, and places less emphasis on maintaining the landlord's competence levels over time).

Comments relating to conditions / granting of a licence

4.55 The following points or arguments were made in relation to the **proposed conditions** and/or the **circumstances under which a licence is to be granted**:

- The conditions affecting gardens need to be strengthened to cover (for example) weeds, length of grass, not allowing shrubbery to overhang onto pavements etc
- There should be conditions aimed at reducing noise and air pollution complaints (e.g. from bonfires in gardens) and neighbours should be able to contract the landlord
- More emphasis needed in general on the property frontage / maintenance and appearance of the exterior or public areas
- Stricter action should be taken against illegal outbuildings
- Anecdotally, there are concerns that HMO rules are being circumvented because the occupants claim to be all be members of one household when they are clearly not
- Adequate numbers of bins need to be provided and it needs to be made clear to tenants what goes in which bin
- There are issues with shared driveways: landlords should be forced to share in the maintenance, as if one ignores the issues it affects the tenant in the adjoining property
- First floor flats in converted houses should be soundproofed and carpeted
- HMO licence applicants should make contributions to fly tipping and urban greening management, through planning legislation e.g. s106
- Conditions should to take account of the energy efficiency of the home to reduce fuel poverty and associated impacts (e.g. properties should only be let out if they are at least EPC Band E, there should be a programme to install more double/triple glazing in properties etc)
- There should be stricter rules for agents/managers to provide a direct contact for landlord when s/he is overseas or if he/she cannot be contacted (view of a tenant who has had to wait 9 months for permission to install internet, as the landlord was unreachable)
- The granting of the licence should be dependent on how well it's been managed previously, and on the recommendation of tenants
- There needs to be a consideration of parking (e.g. more use of permits etc) rentals lead to too many cars on streets, which affects other residents (it is also claimed many landlords might visit their properties more and take in interest, if it was easier for them to park)
- There is uncertainty how overcrowding will be picked up and addressed (as the number occupying the property may be lower than what has been declared)
- More information should be provided to the Council to ensure the landlord's compliance with tax legislation, or to confirm that he/she is not involved with money laundering, all assets are legally obtained etc.

- There are concerns about ongoing issues with maintenance (e.g. boilers etc). even in licensed properties, and around the use of fake gas and electrical safety certificates.

Other alternative or additional suggestions that came up in the text comments

4.56 Some suggested either **alternatives or enhancements** to the existing proposals. For example, it was suggested that there should be:

- Star ratings awarded to landlords or areas, to make them more proactive to obtain recognition and learn how to look after their properties and tenants.
- Incentives to the public to report bad landlords
- Limits on the numbers of HMOs that are permitted in any given street (e.g. no more than 2 allowed in a street of 20 i.e. 10%)
- A register (with much lower fee) where landlords could submit their documents via an online portal, which (it is claimed) would be less intrusive than licensing and still achieve could standards
- A national 'rogue landlords' database, with benefit payments withheld to these landlords until they comply
- A database of anti-social tenants, to help landlords decide whom they should let to
- Exemptions from licensing for student properties that are accredited and inspected under the approved Unipol National Codes (e.g. like in Bristol)
- Free removal by the Council of up to five household items, to reduce fly tipping
- More inspections (e.g. every year) as landlords will often get through an initial inspection by making very cosmetic changes (e.g. using wallpaper to hide a crack in a wall) and then the underlying issues are not addressed
- The Council should build more stock and look at increasing opportunities for individuals to purchase a single room of their own (as opposed to a larger property)
- A more intelligence-led approach e.g. cross-referencing fly tipping incidents with changes in council tax records (to identify cases that might be associated with the end of a tenancy)
- More support to deal with tenants who cause problems e.g. LBB support workers to guide tenants on how to behave, who could also flag property maintenance issues in the process.

Other miscellaneous comments

4.57 The following additional points were also made:

- There were concerns about the data protection implications of publishing information about licence holders…
- However, the opposite view was also expressed i.e. that information about those responsible for rented properties should be readily available and accessible
- Some felt deprivation was a consequence of cuts to council services in recent years and therefore unlikely to be impacted by licensing

- High levels of renting and people moving into area (e.g. Wembley) were said to have caused infrastructure issues that the Council would need to address
- There are wider issues of a local 'mafia' in Brent who use property developments to launder money
- There needs to be adequate support for the homeless, victims of domestic violence and those who suffer poor mental health.

5. Deliberative meetings

Introduction

5.1 ORS conducted a total of four deliberative engagement events: a forum of landlords, agents, investors and developers, two focus groups with Brent residents, and a meeting of key stakeholders. Taken together, all these engagements are best understood as 'deliberative' meetings in which Brent Council's proposals to renew and extend additional and selective licensing of privately rented homes in Brent were 'tested' against landlords and other stakeholders' opinions - in order to see the extent to which the proposals are acceptable or otherwise.

Arguments rather than numbers

5.2 In deliberative meetings it is not appropriate to 'count heads' in an apparent numbers game – as the results cannot be certified as statistically significant because of the numerically small samples. However, such meetings are effective and important in revealing issues, arguments, considerations, implications, assumptions and experiences that deserve to be taken into account by those making decisions – and that was the case in the engagement activities reported here.

Landlords and agents

5.3 The landlords forum took place during the Annual Brent Landlord, Investor and Developer Consultation Forum, held on Tuesday 25th June. It began with a short presentation about the current PRS situation in Brent. There followed four short presentations covering the main issues (the current licensing schemes in Brent and it's impacts, the reasons for considering renewing and extending the schemes, the proposed schemes themselves and key features of the schemes such as fee levels and licence conditions). Each short presentation was then followed by questions and answers, with opportunities for discussion around the proposals.

5.4 There was a total of 568 tickets booked for the Annual Brent Landlord, Investor and Developer Consultation Forum, with approximately 300 attendees on the night comprising a mixture of private landlords, agents and developers and investors. ORS is satisfied that, with this mix, and because the attendees were diverse by age, class, ethnicity and area of the city, the meeting was broadly representative of Brent landlords.

5.5 Although time was limited for the scheduled section of the evening regarding PRS licensing, with approximately 90 minutes given to the presentations and discussion, every effort was made to ensure that as many voices as possible were heard from a variety of perspectives. Attendees were invited to make their thoughts and feelings known, albeit in an atmosphere of mutual respect and professionalism, and robust questions and discussions were forthcoming.

5.6 Just as important, the discussions in the landlords meetings were detailed and forensic enough to have provided a thorough examination of LBB's proposals through robust questions and discussions lasting nearly three hours in each case. Participants were able to express their opinions freely and to highlight areas on which they required clarification while suggesting matters for the council officers to consider.

5.7 Most landlords and agents held strong views and were negative and at times hostile to PRS licensing in general. In particular, the perceived negative impacts of the current and proposed schemes on "good landlords" were common themes, as well as robustly expressed scepticism that landlord licensing is simply a "money-making exercise" for the Council.

5.8 Overall, the prevailing views expressed by landlords were strongly negative; there were, however, many attendees agreeing with the view that landlord licensing was inevitable, regardless of any consultation, and therefore made points and suggestions about ways that Brent Council might act to make the scheme either more effective or less unpalatable to landlords and agents.

5.9 In deliberative discussions in forums, it is the nature and strength of the arguments that matter, rather than the numbers in support of or against particular options – so the Council will wish to consider carefully the issues raised by the landlords and agents. These are explained below and illustrated with some verbatim quotations.

Stakeholders

5.10 A stakeholder meeting was held to give the opportunity to key organisations to present their views on Landlord Licensing in the Private Rental Sector. The invitations were sent to a range of expert stakeholders who are known to be widely informed about the private rented sector. The meeting took place on Wednesday August 14th at the Brent Civic Centre. Representatives of the following organisations were present:

- National Landlords Association
- Residential Landlords Association
- Citizens Advice Brent
- Shelter
- London Fire Brigade
- Quintain/Tipi. (Wembley Park property developer)

5.11 The meeting began with a short introduction by ORS about the consultation process, followed by a short presentation by the Council covering the:

- PRS in Brent and the current licensing scheme
- Proposals for renewing and extending additional and selective licensing in Brent
- Licensing conditions and fees

5.12 As stated above, the Council will wish to consider the nature and strength of the issues raised by stakeholders, particularly so in this case when a small number of people were present who represented very distinct groups. A "balance of opinion" would not be reliable, and each viewpoint should be assessed on its own merit.

5.13 With a small number of expert stakeholders, the discussions were well-informed and at times highly detailed. With this in mind, each point explained below is illustrated with a number of quotes to provide as much detail as to the reason behind stakeholders' views as possible.

Residents and tenants

5.14 The two residents and tenants' (henceforth 'residents') focus groups were recruited by ORS using fieldwork staff going door-to-door in target geographic areas. Attendees were recompensed for their time and expenses in attending the meetings. The meetings lasted about two-and-a-half hours and were successful in explaining the issues and encouraging wide-ranging debate in which some important issues were identified for consideration.

5.15 The residents' groups were held on the following dates with the following attendances:

Wednesday August 7th, Willesden Green Library – 11 attendees

Thursday August 8th, Brent Civic Centre – 13 attendees.

5.16 Therefore, 24 residents in total took part in the meetings. They were purposely diverse by area, tenure, age, class and ethnicity – and so the meetings (taken together) were broadly representative of Brent residents. The groups began with a short introduction by ORS about the consultation process and the Council's reasons and evidence for renewing its licensing scheme. This was followed by discussions in pairs and as a whole group which were captured via worksheets and voice recordings. Participants were able to express their opinions freely and to highlight areas on which they required clarification while suggesting matters for the council officers to consider.

5.17 Residents were significantly less emphatic in their views than landlords, but there were a diverse range of views expressed. In general terms, most attendees supported licensing in principle and in practice as a legitimate and sensible way of trying to raise standards in the private rented sector (PRS). Some attendees, however, did share some concerns similar to those expressed by landlords and agents, as well as reservations about the impact of licence fees and enforcement on PRS rental prices in the borough.

5.18 While effort was made to communicate relevant information regarding PRS licensing through short presentations and a Q&A with the Brent Private Housing Manager, the priority was to gather views, even when some opinions were based on misconceptions. Nonetheless, the discussions and activities were productive and enabled a broad range of cogent views to be captured.

5.19 Once more, the Council will wish to consider the considerations and issues the residents raised, which are explained below and illustrated with quotes where possible.

Views on the PRS in Brent and predicted trends

Landlords and agents

5.20 While Brent Council made a short presentation regarding current and predicted trends in population growth and other factors affecting the growth of the PRS in Brent, landlords themselves were eager to move on to discussing the licensing scheme itself. Those comments that were made acknowledged that the PRS is likely to continue to grow but, as seen below, landlords questioned whether the existing and/or proposed licensing schemes were appropriate for tackling the resulting challenges and issues.

5.21 One landlord stated that they liked that the Council will take good landlords into account but shared the point that London is nuanced. He explained that properties are all sorts of types and some tenants like to share a small room. This should be considered when making applications.

Can you please try your best to be reasonable? Because I liked that you said you're willing to work with good landlords, that was reassuring. Property in London is nuanced, it's developed over time. What you've said might make sense from a Government's spreadsheet, but properties are not like that, London is not like that, Londoners don't live like that. You might have people that like to share a small bedroom, it's their prerogative, it's their choice. Properties are all sorts of types in the city. So, I'm just asking you from the bottom of my heart, please consider that when processing an application because it's not always that straightforward.

Stakeholders

5.22 A strong theme emerging from the stakeholders meeting was concern regarding criminality in the PRS, particularly in relation to illegal sub-letting of properties. It should be noted that representatives of landlords associations disliked using the term "rogue landlords" in this context, preferring to simply refer to criminals operating in the sector:

You've got criminal gangs putting people in overcrowded homes, exploiting people, not having any standards, and then the landlord [is blamed].

National Landlords Association

A percentage of landlords are legal and law-abiding – they do everything properly… then you have a small percentage of landlords that don't really care. -

London Fire Brigade

5.23 Landlords representatives, in particular, pointed to the combination of housing shortages and increasing population as a factor which might lead to exploitation of tenants by criminals. In doing so, they also highlighted their concern that "blanket" licensing schemes and changes to housing legislation could backfire and lead to an increase in such incidences:

There's not a shortage of tenants, there is a shortage of housing. By definition, you are going to be pushing the people who can't get housed - the vulnerable, people who have been victims - into [the hands] of the criminals because those will be the only people who are going to house them… It's actually going to create an opportunity for criminals.

National Landlords Association

5.24 Changes to national legislation were also raised in the context of the PRS in Brent; in particular, proposed changes to Section 21 of the Housing Act 1988 and how that might impact the ability of landlords to remove tenants from their properties.

5.25 Landlords representatives focused on two issues: the first being that losing the option of "no-fault evictions" may make landlords more reticent to rent to prospective tenants who have a history of, for example, rent arrears, ASB or a criminal record:

…how is that going to work with the government's changes to Section 21? …It's going to create an "un-houseable" group of people who are more likely to be exploited by the criminals and more likely to end up in overcrowded and substandard housing. How is the Council going to work with the good landlords to actually solve those problems?

National Landlords Association

5.26 The second concern raised by landlords groups is the prospect of moving toward fault evictions, as covered by Section 8 of the Housing Act 1988, and how that might affect the willingness of witnesses to come forward, knowing that they might be identified:

By moving to a fault eviction and moving to an adversarial court system, you are going to force people to give evidence - it will be known who [the complainants and witnesses] are…

National Landlords Association

5.27 Stakeholders representing tenants and residents agreed that there was a potential issue with regard to changing Section 21 of the Housing Act and an increase in fault evictions, but nonetheless felt that the changes were necessary to offer tenants more protection:

It is hard for Landlords to use grounds-based possession action; it'll be based on the involvement of police and witnesses, which are hard to get. There has always been the option for landlords to use Section 8, but landlords will use Section 21 […] there is no protection for the [tenant].

Shelter

Residents and tenants

5.28 When asked for their views on the present state of the PRS in Brent, and potential trends in the future, some residents said that they were aware of the growth in the sector, which they attributed to a variety of factors:

There is a lack of council houses, so the Council is encouraging people to rent privately. People whose livelihoods are in London want to stay within the area, so they'll go into the rental sector.

Willesden Green Library focus group

In my road I have noticed that over the last 20 years there has been a shift from owner occupiers to people renting their property and having a second property. People are moving in and out of the properties and it's all rented now.

The area, especially central Wembley, has completely changed. It used to be quite industrial and now it is dominated by big blocks. There has been an explosion in terms of property increase generally and private rented property generally. There are people moving to catchment areas to take their kids to the best schools.

Brent Civic Centre focus group

5.29 Some residents felt that property development in Brent was itself causing issues, not only in terms of the increased population, but also with the loss of facilities as new buildings were constructed, or existing ones converted for residential use:

As these private flats are being built, we're losing areas that could be given over to amenities to stop ASB as there would be activities for people that might be susceptible to doing something more positive with their evenings.

The housing that is currently being built in Brent is not necessarily the kind of housing that is needed for the people currently living in Brent […] Properties being built with insufficient facilities. A lot of properties built in the area have no parking for example and the Council is issuing parking spaces even though they know there are not enough parking spaces in the area.

Willesden Green Library focus group

5.30 By contrast, a few residents said that they had not noticed a large increase in properties in their areas; other residents, while not necessarily aware of the growth of the PRS, did recognise an increase in the population of the borough and were able to relate this to an increase in the number of privately rented properties in the area:

We were not aware in a growth of the PRS, but we were aware in the increase of growth in population across Brent. The feeling is that the council hasn't been able to keep up with the need for social housing stock so the assumption is that it must be falling to the private landlords.

Willesden Green Library focus group

5.31 Many of the residents attending the focus groups were concerned about problems which they related to growth of the PRS and increasing population in Brent, including ASB, poor property management and homelessness, among others:

More people are moving out of London and renting their property but there is no check in place of who they're renting to. That is increasing fly-tipping, ASB, vermin. The tenants are not taking care of the property, their street, there is a lack of respect for neighbours with noise and parties.

Willesden Green Library focus group

There has been an issue with the landlord renting out the property to a couple and then 20 people end up living there. A lot of people living in crowded accommodation seems to be an issue. The knock-on effect is that you end up seeing more groups of people in the streets because they want to get out of their crowded accommodation. In my street I see quite big groups.

Brent Civic Centre focus group

We've noticed instances of prostitution in the area which often doesn't go checked. There is apathy from the Council, we don't see things being done. We believe the cause of ASB is overpopulation without the right kind of facilities. Willesden Green areas is one of the worst affected by ASB.

Willesden Green Library focus group

Rubbish and begging are a problem, but we don't know if it's linked to homelessness.

Brent Civic Centre focus group

5.32 Poor PRS property management was a concern for some residents, with some feeling that the issue had become worse over time:

I have been living in Brent for 5 years and I see that the prices for rooms have gone up, but the condition of the property is worse. Some landlords rent their property for cheap [sic], but they don't care if the tenant drinks or whatever, they are just happy to receive the money and they don't care about the condition of the house.

There are people who don't update the property or maintain the property. There are landlords that don't take care of the tenants. There seems to be an increase in littering and fly-tipping.

Brent Civic Centre focus group

5.33 Problem tenants and rogue landlords:

There are also problem tenants. I was renting a property and the tenants were blocking the toilet with sanitary towels but I couldn't prove it.

[There is] the illegal behaviour of the tenants as well. The tenants are culpable as well as they may have an illegal arrangement between them and the landlord, e.g. paying cash in hand.

Brent Civic Centre focus group

5.34 Notwithstanding the issue of poor property management, residents also shared their positive experiences of renting privately in the borough:

In terms of what's working well, it depends on the landlord. If you have a good relationship with the landlord, then it tends to work quite well.

Like it has been mentioned, not every landlord is bad. My current landlady is the only good one I've had. The rest of them never did anything to the property.

Brent Civic Centre focus group

Awareness of the current licensing scheme

Landlords and agents

5.35 In almost all cases, the attendees of the landlords forum were well informed regarding both the existence and details of the current licensing schemes. There were a few exceptions, exclusively private landlords with one or very few properties, who asked questions about the schemes and these were dealt with straightforwardly by the Brent Council staff present at the event.

Stakeholders

5.36 Without exception, the stakeholders were well informed about the current PRS licensing schemes and were able to discuss every aspect in considerable detail.

Residents and tenants

5.37 At the residents forums, awareness of the existing PRS licensing schemes in place in the London Borough of Brent were more mixed. Some tenants said that they had been unaware of the scheme at all prior to the invitation to the forum, or when a licensing inspection had taken place:

We've been all living in licensed properties for 5 years and none of us know what the scheme is doing. We've never witnessed an inspection for the property. My property didn't have fire alarms until I sorted it out.

I didn't know about the scheme until I got a knock on the door to tell me about it. As tenants, we don't know that the scheme exists.

Willesden Green Library focus group

5.38 Other residents were aware of landlord licensing, but did not know any detail regarding how the schemes work:

I'm aware because my landlord is a licence holder, but I still don't know what they mean, and I haven't seen any evidence of enforcement.

Willesden Green Library focus group

Views on the impact and effectiveness of the current licensing schemes

Landlords and agents

5.39 Overall, landlords were concerned about the current schemes and their effectiveness. The primary concerns expressed were in relation to perceived lack of protection for good landlords when faced with problem tenants, and a lack of support provided for landlords in general:

Is it possible to have some protection for good landlords?

We would like some support as everything is against us.

We the landlords feel like giving up and then you'll have more problems on your hands.

5.40 A view that garnered a great deal of support in the room was that PRS licensing, by focusing on private landlords, does nothing to address issues surrounding social housing, e.g. anti-social behaviour, fly-tipping etc:

A lot of [problems] come under social housing, so what is the Council doing to address the social housing aspect? You can't just come for the private landlord. My tenants would be happy to give me a reference and the same would be for a lot of other landlords.

5.41 One attendee summed up the feeling of many of those present about the need, or lack thereof, for PRS licensing:

We don't need to be told what's needed, we know what's needed. The tenants are our bread and butter; we do our best for them and on top of that you lot come upon us with a hammer. You're killing us…

5.42 The views expressed by landlords and other attendees in relation to the current scheme were covered again in more depth as part of the discussion about the proposal to renew and extend PRS landlord licensing and are reported in the sections below.

Stakeholders

5.43 As was the case with discussions around almost all aspects of PRS licensing, there was a stark divide in opinion regarding the effectiveness of the current additional (HMO) and selective licensing schemes in Brent. Representatives from landlords associations were highly sceptical about the need for the schemes and their effectiveness, whereas those stakeholders focused on residents' rights held overwhelmingly positive views.

5.44 Landlords representatives continued to express the view that the major problems in the PRS were linked to criminality rather than to anything that landlords could influence directly through their actions, going on to put forward their view that PRS licensing schemes are not an effective tool:

The problem lies in that here is organised crime exploiting both landlords and tenants - they are both victims in this - putting people in substandard housing or that's not designed for what it is being used for.

What we've always been clear about is that there is a lot of criminality in the PRS… The licensing scheme hasn't necessarily stopped [that]… Licensing is waved around as a magic wand, but actually is not the solution in itself.

National Landlords Association

5.45 As might be expected, groups representing tenants and other residents were significantly more positive about the impact of PRS licensing, specifically mentioning how it has been used to address poor property management by their clients:

Our clients just want to make sure that, while they are paying their rent, they are living in a decent place. The licensing has helped that; we have encouraged [tenants], when we see levels of disrepair to such an extent that it is damaging the family, to report it… We have had some very good successes as a result of that.

Citizens Advice Brent

Generally, Shelter does support increased use of licensing.

Shelter

5.46 Regarding additional licensing of HMOs, for which it has some legal responsibility, the London Fire Brigade's representative stated that the service is in favour of the scheme and of licensing in general:

London Fire Brigade takes an interest in HMO licensing because we have a legal responsibility for them… Licensing schemes as a whole – we like them, if they work.

London Fire Brigade

Residents and tenants

5.47 Although, as noted above, residents tended to be significantly less aware of both the existence of, or details of, the current PRS landlord licensing schemes in place in Brent, there was generally a positive view of them:

As a tenant it is good for me if I can check the property is licensed as I can then know straightaway.

Brent Civic Centre focus group

We do agree that there should be regulations to how landlords look after tenants and landlords should be responsible for the calibre of [the] tenants they bring in.

No single thing is going to change [anti-social behaviour], but [PRS licensing] is part of the system.

Willesden Green Library focus group

5.48 For some residents, their acknowledgement of the usefulness of PRS landlord licensing was caveated by the need for funding and effort to be directed toward enforcement so that tenants and residents feel the benefits:

If we see evidence that it is enforced, then that is the value of the scheme. As a populous we would have assumed protection from the scheme. That means that if we see an issue we can ring the council.

Willesden Green Library focus group

If the scheme works well it means that there will be better managed property which would be a benefit for the community but only if the money that is generated from this scheme actually goes towards the enforcement activity. If the money goes to other council expenses, then it won't be useful.

Brent Civic Centre focus group

5.49 For others, there were concerns that measures taken by the Council, including the introduction of PRS licensing, were neither appropriate nor sufficient to address the challenges of an increase in privately rented properties and associated problems:

It seems like the Council is prepared for the PRS to take on a bit of the slack, but they haven't put in the check and balances to ensure they're doing that well.

Willesden Green Library focus group

There are rogue landlords who will rent their property to 18-20 people and make a lot of money and they may be contacted by the council every 6 years, but the fine is nothing compared to the money they've made. This scheme will not catch rogue landlords.

There is already plenty of legislation, health and safety and otherwise that control all the things that the licensing scheme offers.

It will not catch the rogue landlords. Rogue landlords will not make themselves known.

Brent Civic Centre focus group

5.50 Finally, one resident had a specific suggestion for how the current and any future licensing schemes could be made more effective:

Tenants should receive a pack including contacts to report issues that breach the licence to help enforce the scheme. This would offer accountability and deter bad landlords and nuisance tenants.

Willesden Green Library focus group

Evidence in favour of, and monitoring and evaluation of, PRS licensing

Landlords and agents

5.51 Although there were not a great many comments or views expressed in relation to the evidence in support of PRS licensing schemes, those attendees who did speak up focused on the need for the Council to share specific data which might help to convince doubters of their effectiveness:

Are you prepared to share the data in terms of how effective the selective licensing has been?

I think what the Council and the consultation will have to do is to show that there is a real cost benefit in terms of having this scheme…

5.52 Other attendees also called for the Council to provide further evidence that licensing, particularly selective licensing, has been effective since it came into force.

Stakeholders

5.53 In the meeting of stakeholders, detailed discussions took place around the evidence presented by the Council, particularly in relation to the areas chosen in the proposal for selective licensing. Representatives of landlords associations questioned the justification for the selection of some areas and were eager to see compelling proof of the need for, and effectiveness of, selective licensing.

You've had selective licensing in three wards for coming up to 5 years - there is no evaluation of that in the consultation document. I'd expect to see income against spend, how long it takes to process licenses; I would expect to see a table of improvements against the grounds that the licensing scheme was introduced, but everything seems merged.

Then you come back to the stats that we've got here, these three areas were introduced on the grounds of ASB, two of them still top the rankings for ASB for the borough, so it hasn't worked on the ground that it was introduced.

Residential Landlords Association

5.54 As was the case at the landlords and agents event, suggestions were made for the type of evidence that might go some way to landlords that there is a case for PRS in the borough:

Commit to doing a public annual report that says how much money you've bought in, how much you're spending, do future predictive spend, tell them how many licenses you've issued, tell how long it's taking to issue a licence, tell how many civil penalty notices have been issued, how many have been collected, tell them how many prosecutions, tell them how many inspected.

Residential Landlords Association

5.55 By contrast, representatives of residents agreed with the evidence presented by the Council about poor property management and anti-social behaviour in areas where selective licensing is being proposed:

The representation on the map [of Category 1 and 2 hazards and ASB across Brent] was spot on in terms of what is reflected and what our clients are telling us.

Citizens Advice Brent

5.56 The speaker went on to confirm that their clients in Brent were reporting an improvement in property conditions following the introduction of additional and selective licensing:

In terms of licensing, we welcome that because, when compared to the sort of disrepairs which are still happening - the severity and the health and safety [issues] - prior to licensing, compared to now, has gone down.

Citizens Advice Brent

5.57 While supportive of PRS licensing in general, and HMO licensing in particular, the representative of the Fire Service gave anecdotal evidence that the process of evaluating landlords and properties before awarding licences ought to be improved:

[Based on previous joint training inspections with Brent Council], out of 11 randomly selected licensed HMOs, if we were the licensing agent, we wouldn't have licensed 10 of them…

London Fire Brigade

Residents and tenants

5.58 Overall, the participants at the residents focus groups accepted the evidence presented by the Council, with a number of people sharing their own experiences in support of the schemes.

5.59 Some residents questioned the need for licensing schemes in their areas, saying that they had never seen evidence of anti-social behaviour or poor property management; these were often countered, however, by other residents giving personal accounts of problems they had experienced in the same areas.

5.60 There were some general concerns expressed by residents that rents would rise as a result of licensing (see below), but no specific examples were given and, when it was pointed out that licensing had already been in place for many properties since 2015, the majority of people accepted that the risk of significant increases was relatively low.

Renewing borough-wide additional licensing of Houses in Multiple Occupation

Landlords and agents

5.61 The overriding view of landlords and other attendees of the Annual Brent Landlord, Investor and Developer Consultation Forum, expressed robustly and in no uncertain terms, was that PRS licensing schemes are unnecessary and wholly undesirable. Multiple short statements were made to this effect, often followed by applause from other members of the audience.

5.62 Common themes arising were:

- PRS licensing is ineffective in tackling criminals operating in the housing sector.
- The licensing schemes punish good landlords.
- Landlords are often victims and should not be blamed for the actions of their tenants.

5.63 There were not many statements from landlords directly related to the specific proposal regarding renewing additional licensing of HMOs, and comments about other aspects of the schemes and proposals are reported elsewhere in this chapter.

Stakeholders

5.64 There was, relatively speaking, less disagreement over the renewing of additional licensing at the stakeholders' meeting. Landlords representatives made it clear that they disagreed in principle with "blanket licensing", reiterating their concerns that it would do little to deter criminals operating in the housing sector, but accepted (albeit reluctantly) that HMO licensing is inevitable.

5.65 The London Fire Brigade again acknowledged the concerns of landlords around criminals and rogue landlords, but stated that licensing all HMOs was a key factor in seeing an improvement in property conditions:

With HMO licensing, we would like to see that continue. We think that landlord licensing overall will drive up standards with [good landlords]. For the criminal 10% - that's crime – you deal with it as crime.

London Fire Brigade

5.66 Furthermore, the Fire Service representative went on to say that a consistent approach across all London boroughs is needed in order to improve the safety of PRS properties:

[HMOs] have to be licensed… We'd like the 33 boroughs to get together and have the same system because at the minute, we have 33 different boroughs with different systems. It makes it difficult for us when everyone is doing different stuff.

London Fire Brigade

5.67 Residents groups were enthusiastically in favour of additional licensing, seeing it as a key tool for empowering tenants in the face of difficulties:

We're all in agreement for the additional licensing. It helps us help our clients, if we need to make a complaint, we know how to make a complaint. It also helps us to frame it in such a way, not only to the landlord but also to the local authority.

Citizens Advice Brent

Residents and tenants

5.68 Among residents, there was generally acceptance of the evidence presented by the Council in support of the proposals, with many attendees responding with personal anecdotes which they connected to a need for PRS licensing. In addition to ASB, these issues included, among others:

- lack of security as tenants;
- poor property management and disrepair – damp, insect infestations, etc;
- lack of disabled facilities;
- empty properties not being looked after;
- rude and unresponsive landlords or having to deal with agents rather than directly with landlords.

5.69 There were calls, however, for more (and regular) evidence to be made available to show that the licensing schemes are having an impact. For example:

We feel we need to see more [happening] to see the council keep on top of this issue. We need to see that the licensing ensures that these properties are fit for purpose, and we currently don't see that.

Willesden Green Library focus group

Renewing and extending selective licensing of privately rented properties

Landlords and agents

5.70 Regarding selective licensing, and in keeping with their views of licensing schemes as a whole, landlords were extremely negative in response to the proposal put forward by Brent Council to renew and extend the scheme in the borough.

5.71 Criticisms included, among others, that:

- the choice of geographic areas, particularly where it was felt that the areas in question did not suffer from the types of problems that PRS licensing aims to tackle;
- that, as reported elsewhere, good landlords would be punished while bad landlords and tenants would not;
- that the whole licensing scheme is a "money-making exercise" for the Council;
- that tenants should be held responsible for ASB, not landlords.

5.72 One landlord pointed out that having selective licencing means increasing rent and could end up in the property not being rented out. The increase in rent could result in more homelessness which is what the Council is trying to counter:

Once selective licensing comes in the landlord will have to recoup some of the costs, which will mean increasing rent, then the tenant might not leave which means there's a legal battle. The tenant might leave but then there might not be tenants that want to pay more, which means the property could be left empty for a long time. This defeats the purpose of what the Council is trying to do.

Stakeholders

5.73 As was the case at the landlords and agents' forum, representatives of landlords associations at the stakeholder meeting also robustly challenged both the principle and practice of selective licensing. A major focus, once again, was the perceived unsuitability of licensing for tackling criminality in the PRS, with the additional point that other legislation is already in place to ensure that properties are being management and maintained correctly:

We have concerns over how selective licensing will be implemented with the other bits of legislation coming through. The Council will be focusing in one area and the criminality will be prospering at the expense of landlords and tenants.

Licensing isn't the solution, it's a process. All the conditions that you talk about are still the legal conditions anyway. Licensing doesn't make you have a smoke alarm; the law makes you have a smoke alarm. Licensing takes away the resources from the local authority from doing the enforcement side against the criminals, it actually ends up a process driven exercise.

National Landlords Association

5.74 The specific geographic areas for which selective licensing is being proposed were also questioned by landlords groups. A lot of attention was focused, through the discussions, on the "10%" of landlords who acted in a criminal manner in the sector, in contrast to the "90%" of landlords who acted responsibly:

… if you didn't have that "10%", I don't think you'd be looking at all at licensing in those areas. The ramifications of that, I think, will be an increase in criminality. A lot of landlords will be victims because their properties will be smashed up and subdivided, etc.

National Landlords Association

5.75 There was some discussion around the areas of Brent which were ***not*** being targeted for selective licensing in the Council's proposals; in particular, regarding the new property developments around Wembley Park. The reasons given by the Council for not including them on this occasion is that, as newly built properties with their own security measures in place to prevent ASB and other problems, that there was no need for licensing at this time. This drew disagreement from some stakeholders, who argued along the lines that "everywhere was a new area once":

I believe Wembley Park shouldn't be excluded. We don't get a lot of clients from this area at the moment, but we certainly anticipate that we will be in the future and we need to plan for the future, although the legislation and policies plan for now…

Citizens Advice Brent

At the minute Wembley Park is the brand-new super part. By giving that area a pass, we're almost forcing the criminality to move to where the pass is. Me personally, I would do the whole of Brent. Otherwise, what will happen is that criminality will find a gap.

London Fire Brigade

5.76 As previously, stakeholders representing residents and tenants were strongly in favour of selective licensing, seeing it as a key factor in seeing housing conditions improve in the borough:

When you ask us the question, "Do you want licensing in Brent?" - yes, we do. We want selective licensing; we want to improve the housing conditions of our clients. It may be very basic, but that's where we are at the moment.

Citizens Advice Brent

Residents and tenants

5.77 In general terms, residents and tenants were in favour of selective licensing and, in some cases, of extending selective licensing to the whole borough:

In terms of the areas, we said yes - we think they are the right areas. It's pretty much all of the borough.

Brent Civic Centre focus group

If extended to all landlords, we will feel [there would be] a benefit in knowing that every private property is licensed.

The broader reaching the scheme, the more likely all private properties are being inspected and so the general housing stock is better for the people of Brent. Accountability would in theory allow the scheme to reduce issues of ASB etc.

Willesden Green Library focus group

Get every property to register, including owned properties.

Brent Civic Centre focus group

Enforcement

Landlords and agents

5.78 Landlords and agents were strongly of the opinion that PRS licensing penalises the majority of landlords, those who operate correctly, by making them pay for the costs of a scheme that fails to identify and prosecute rogue and unlicensed landlords. There was general disbelief that the scheme would be enforced effectively and have any positive impact.

5.79 Landlords raised the issue of what action is being taken by Brent Council to address criminality, for which they felt landlords could and should not be held responsible. For example:

Has the Council ever persecuted a tenant that has sublet the property illegally? […] This has happened to me twice.

How will property licensing reduce crime?

Stakeholders

5.80 At the stakeholders' meeting, there was consensus that enforcement is a key measure of the success of a licensing scheme. As with other issues, however, the conclusions drawn from that premise differed markedly between representatives of different groups.

5.81 Landlords representatives argued that the perceived inability of the Council to successfully enforce licensing conditions brings the schemes themselves into question:

No council has the resources to properly run and enforce a licensing scheme […] You need to have an enforcement team that is relative to the area you're trying to police to have effective enforcement. Large scale licensing doesn't deliver on that.

Residential Landlords Association

5.82 Other stakeholders acknowledged the challenges of large scale enforcement, but felt that it was right to continue the effort to bring it into place:

We'd like to see that robustness of enforcement and someone to actually check in on it. It's ok having a bit of paper saying I've got a licence, but we need some sort of robustness.

London Fire Brigade

5.83 Stakeholders representing residents in Brent were keen to point out that there is evidence that enforcement efforts are not just taking place, but bearing fruit:

I was pleased to see on our Citizens Advice Housing Update [that] they recognised Brent Council is cracking down on rogue landlords, bearing in mind the austerity that councils are going through. At least it's on your agenda and we really appreciate that.

Citizens Advice Brent

5.84 Returning to a theme raised elsewhere, it was pointed out that PRS licensing and the work of the housing department is just one element of what needs to be a coordinated and multi-agency approach to tackling challenges facing Brent tenants – a view shared by the majority of those present:

It's absolutely vital how the local authority looks to use its other services, like its environmental health enforcement, private sector advice, tenancy relations officers and trading standards… Prevention has to be increased to work alongside [licensing].

Shelter

Residents and tenants

5.85 Generally speaking, residents were supportive of strong enforcement of licensing rules. The key message was that the success of PRS licensing schemes hinge on successful enforcement:

Inspections should be carried out with a notice.

It's only a benefit if the fees generated are enough to enforce activities.

The Council could follow its data stream and ring the police to knock on their door. That's how the scheme could work.

Willesden Green Library focus group

Council representatives should be able to turn up to properties to check the properties are safe.

Brent Civic Centre focus group

5.86 As at the stakeholders' meeting, several residents pointed out that enforcing licensing conditions and tackling issues like ASB are the responsibility of a number of agencies – the police service and courts, the council, landlords – and that licensing schemes, while important, are not the total solution.

Licence fees

Landlords and agents

5.87 The vast majority of landlords and agents speaking up felt that the fees which need to be paid in order to receive a licence are unjustifiably high, with too much money going toward the administration of the scheme and not enough (if any) toward enforcement and other investment in the housing market:

With the administration involved, the process is all online, the person that applies for the licence does it, it's all computerised. I don't understand it, that's why the fee is extortionate for the actual service that the council provides.

If there was investment into housing then that would be another point, but you can't see it, they're all on fat salaries and they don't do anything to compensate for the problems with housing.

Isn't it a simple application and nothing has changed? So why is it costing so much?

5.88 There was also overwhelming cynicism about the real purpose of the licensing schemes, with a lot of attendees of the view that it was a way for the council to raise money. This view can be summed up with one quote:

I really think this is a money-making [exercise], without a shadow of a doubt…

5.89 Others felt that the discounts being offered to those people who choose to take measures to prove that they were good landlords were not worthwhile:

My understanding is that if you go on a one-day course it's £200 and if you go on the course it gives you a £40 discount, I can't see the maths in that. Why pay £200 for a course to get a £40 discount?

5.90 Considerable attention was focused on the perceived unfairness of having to pay full fees when the licence purchased would only cover part of the licencing period, with many landlords applauding to show their agreement with these points:

When a new landlord enters the market, they have to pay the full amount even if they're only using it for one year and then you have to pay the same amount to extend the licence.

You're charging me for admin fees whereas for other people admin fees have become illegal, especially for agencies, whereas the Council is still allowed to charge that same amount for a licence that either lasts 5 years or 1 year if you're in that last year period.

Stakeholders

5.91 While most stakeholders felt that the proposed fees where reasonable, especially when compared to those levied by other London boroughs, landlords representatives were quick to point out some of the same issues raised at the landlords and agents' forum, for example:

The discount doesn't offer much of an incentive to get yourself accredited.

Residential Landlords Association

5.92 Other stakeholder agreed that, if landlords are going to pay the fee of £840 for an HMO licence, that they needed to see the benefit from their investment, rather than just experience inspections to check that they are complying:

The landlords who comply have to see a benefit. If they see that they pay £840, it goes away for 5 years and I might get inspected once every couple of years then that's not a system you want. You want a system where there is a reward.

London Fire Brigade

5.93 Again, the theme of how criminality in the PRS would be combated was raised, with an acknowledgement that evidence of successful enforcement might go some way to making the scheme more palatable for landlords:

If landlords saw people who were unlicensed or criminal operators being attacked, then they'd be happy to see the money spent like that.

Residential Landlords Association

5.94 One criticism, combined with a suggestion of how to address the problem, was that if a property changed from a family home to an HMO (and back again) in the same licensing period, then the landlord had to purchase additional licenses:

Once you buy an additional licence, it should also include a selective licence. If a landlord can swap and change terms in relation to that it makes it easier, if they can't it basically crystallises the housing stock, so it removes the ability for the landlord to operate. A landlord should have an additional licensing and a selective licensing but there should only be one price for it.

National Landlords Association

Residents and tenants

5.95 Overall, residents were in favour of PRS licensing and the proposed renewal and extension of the schemes, albeit it with some caveats. In regard to fees, views among residents were more mixed than might have been expected; while some attendees feeling that they were reasonable, others that they were either too high or too low, but for a range of different reasons.

5.96 Some residents in both focus groups expressed concerns that the cost of fees would be passed on to tenants via increased rents, although it should be noted that this concerns tended to be allayed when they were made aware of the fact that the fees covered a full five-year period:

We feel the licensing should be free as the cost of the fees will be passed on to the tenant. I see the landlord's point of view as not only do they have these fees, but their stamp duty is much higher.

Willesden Green Library focus group

I think the licensing will make the landlord put the rent up.

Brent Civic Centre focus group

5.97 Other residents felt that the fees should be increased in order to ensure effective and impactful enforcement to tackle problems in the PRS:

We felt the fees are probably too low to have a significant impact because when you compare it to what people are paying for rent it is very low. A bigger fee would generate more income for enforcement.

Brent Civic Centre focus group

5.98 While there was considerable agreement with the statement above, a small number of residents did express concern that higher fees would result in increased costs to the tenants:

If the licensing fee rises, the money requested for landlords will demanded from the tenants, which means general increase of rent prices.

We felt that if the landlords have to pay more, then they will want to recoup that money and it will fall on the tenant. To maintain a property cost money so landlords are not making a fortune.

Brent Civic Centre focus group

5.99 There were several suggestions made for changes to the proposed fee structure, and for some exemptions or discounts could be put in place in recognition of the work of good landlords:

The fees should depend on the size of the property. The price shouldn't be the same for a 5-bedroom property and 3-bedroom one. I do think the cost would be passed on to the tenant, but the landlord should be held accountable.

Willesden Green Library focus group

Two types of landlords should be exempt: the ones that are going through a reputable agent and the agent can then evidence to the council all the health and safety requirements, and the private landlord who doesn't use an agent but can evidence the gas safety etc. If they can [provide] evidence to the Council, then it's just that they have to register. They should be exempt from the fees or the fees shouldn't be as much.

Brent Civic Centre focus group

5.100 One resident, who spoke out in favour of licensing, nevertheless pointed out that the view of the public in general might be negative and that the Council should act to address this:

Public opinion is that fees will be a money earner for the Council. The way the scheme works needs to be communicated better to inform the public.

Willesden Green Library focus group

Licence conditions

Landlords and agents

5.101 In general terms, landlords and agents did not argue against the condition of licensing, e.g., gas safety certificates, smoke alarms etc. Instead, they questioned whether licensing itself a reasonable and worthwhile way of enforcing them, given that "good" landlords would be meeting those conditions anyway, while rogue landlords would not, regardless of any licensing scheme.

5.102 A few landlords raised the issues of the costs incurred as a result of work undertaken to bring PRS properties into line with the requirements set out in the licence conditions:

On the subject of getting properties to a good standard: isn't there some sort of grant scheme you can give to landlords? Because it's a hell of a cost to bring properties up to that standard. Just the basics of carbon dioxide for the average flat is £1200.

5.103 Another view shared, related to enforcement of licensing conditions, was that the Council could do more to work in partnerships with landlords, rather than issuing threats of fines for non-compliance:

A lot of the time there are conditions that are sent out to the landlord of what they can do to make improvements to their property. A lot of the time it could be quite quickly resolved by meeting in person, by having a conversation, whether that's at the property or one of the council offices. […] Will Brent Council encourage that, or will they tend to hide behind letters saying that we'll get fined?

5.104 As in discussions about other aspects of the proposal, landlords robustly expressed their opinions that too much emphasis is being placed on the landlords responsibilities to address issues like ASB, when tenants should be held responsible for their own actions:

The scheme seems to put the rules and regulations on the landlord to be responsible. How is the landlord responsible for the behaviour of the tenant? I think that's absurd. … The tenant is always right; the landlord is always wrong. The landlord is being demonised.

The tenants should be given seminars too, to be educated.

Stakeholders

5.105 As in the case of other discussions, stakeholders tended to be split in their opinions on licensing conditions based on who they represented; nonetheless, as with the landlords forum, the conditions themselves tended not to be contested by representatives from landlords associations, rather the purpose and effectiveness of the licensing scheme itself.

5.106 By contrast, representatives of residents and the Fire Service agree with both the conditions and the licensing schemes themselves, calling again for rigorous enforcement.

5.107 One issue raised was that the process of applying for and receiving a PRS licence was taking too much time and that, if the proposals were to go ahead, that it needed to be as efficient and straightforward as possible for the sake of the landlords:

We're dealing with local authorities that are taking two years to issue a licence. All staff are doing is bureaucracy and issuing licenses. Your scheme must be big enough to run efficiently and properly to be able to have administration systems in place to issue licenses within three months or six months.

Residential Landlords Association

Residents and tenants

5.108 Overall, residents were content with the licensing conditions proposed. There were a few comments regarding the need for better communication so that tenants would be better aware of both the conditions and the licences themselves:

The problem is that as tenants we don't know what the conditions of the licence are. Unless it's communicated effectively the scheme is a failure because tenants need to know what the scheme is offering.

It should be a condition that the landlord shows the licence to the tenant, showing when the council had inspected the property.

Willesden Green Library focus group

Consultation process

5.109 As has been the case in the past, there were some landlords who voiced the opinion that the consultation process itself was a "pointless exercise" and that PRS licensing was "going to happen anyway", regardless of what landlords and agents said.

5.110 Stakeholders and residents were generally happy with the process, with resident and stakeholders representing them being particularly appreciative of the opportunity to have their voices heard.

6. Written Submissions

Introduction

6.1 The following organisations and individuals provided written contributions during the formal consultation process:

ARLA Propertymark
Brent Women's Advisory Resource Centre
Harlesden Area Action
National Landlords Association
Residential Landlords Association
Safeagent (previously National Approved Lettings Scheme)
Quintain and Tipi
Willesden Green Residents Association
Willesden Green Town Team
7 other contributors i.e. individual residents and/or landlords

6.2 ORS has read all the written submissions and has summarised them in this chapter; none have been disregarded even if they are not expressed in a 'formal' way. It is a painstaking but necessary process to identify the main issues raised by respondents.

6.3 The lengthier, more detailed submissions from organisations, have been summarised individually. The remaining submissions (i.e. from individuals) tended to be much shorter, or to raise similar points to one another or to those seen elsewhere in the other consultation activities, and these have therefore been summarised together at the end of the chapter.

Summaries

Submissions from major landlords/agents and their representatives

ARLA Propertymark

6.4 ARLA Propertymark is a professional and regulatory body for letting agents. In general, it does not believe that discretionary licensing schemes are an effective way of promoting higher quality accommodation, feeling that they penalise good landlords, while allowing 'rogues' to operate under the radar. Specifically, ARLA Propertymark states that:

- Many councils have indicated that the schemes cost more to operate than the funding generated from licence fees.
- Licensing schemes can be time-consuming, administrative exercises and they can divert staff away from enforcement in order to process large volumes of applications
- Even though legislation allows civil penalty fines levied for offences in the private rented sector to be retained by the Local Authority for further enforcement, recent research has highlighted that relatively few penalties are being issued (moreover 50 per cent of the prosecutions that have occurred have been undertaken by just one council – London Borough of Newham)

- The issue therefore does not lie with existing legislation, but rather with a lack of enforcement and councils failing to utilise their existing powers
- A more collaborative approach, working with letting agents, landlords and professional bodies to tackle issues, would better recognise good practice and would enable local authorities to better target their resources on effective intelligence-led enforcement.

National Landlords Association (NLA)

6.5 The NLA contends that the proposals are flawed e.g. because of the limits on a landlord's authority to deal with ASB (especially outside of the curtilage) and because it feels the council has not made sufficient use of existing powers. There are concerns about impacts arising from changes to Section 21 and the possible displacement of problem tenants around the borough, as well as about the impacts on homelessness and on services like adult social care. The NLA also feels there are certain gaps in the information provided e.g. in terms of the council's strategies for dealing with problematic tenants, and how it proposes to support landlords and tenants impacted by issues like subletting and overcrowding. A more detail summary of the issues raised is provided in the following list:

- Licensing fuels the cost of renting and exacerbates issues around a lack of affordable housing; this will have a particular impact on those who are most vulnerable
- The council already has existing powers that it is failing to use; it should try these first before resorting to licensing (e.g. it should consider using enforcement notices and management orders to target the small number of problematic properties immediately, rather than relying on licensing to bring about improvements over a five-year period)
- Regulatory burdens should be balanced: while some enforcement is required, it is also important to recognise and encourage good practice (which the NLA feels is not currently the case)
- Councils must work with all stakeholders (including the NLA, which is keen to engage with LBB) and not simply blame one group (i.e. landlords)
- The proposal does not address issues such as rent-to-rent, illegal subletting and exploitation, nor does it consider AirBnB
- It is difficult to address subletting, or to manage overcrowding when the tenants are responsible; these practices hurt landlords as well as tenants, and so affected landlords should be supported to help them address the issues
- A joined-up approach is required but there is little information on how, for example, services like adult social care will be impacted (given that many tenants will have issues with addiction or mental health), nor does the proposal consider possible link with homelessness
- If a tenant is causing problems and the landlord ends the tenancy, they will have fulfilled their obligations under the licensing scheme; however, this just displaces the issue and the tenant gets 'lost in the system'
- Referencing requirements, along with changes to Section 21 will also make it harder for tenants (especially those who have been evicted) to get housed in the PRS in Brent (e.g. because landlords will be more risk averse, and refuse to take on any tenants who do not have perfect references and histories)

- The landlord can manage a tenant only to the extent of their contract for living in the property; s/he cannot be responsible for activities that occur outside the property or in neighbouring streets
- It is almost impossible to the landlord to know if a tenant is the subject of a false or malicious allegation (the tenant can be labelled as guilty without the allegations having been tested)
- Landlords can resolve issues by ending a tenancy, but this will exacerbate, rather than resolve, the issue of high tenancy turnover (the council should instead adopt a policy similar to Leeds or Doncaster)
- Landlords may be tempted to house tenants from other boroughs (who are offering incentives) which will impact on the housing supply within Brent itself.
- Waste issues are exacerbated by the difficulties involved in accessing municipal waste points. NLA would be willing to work with LBB on a strategy for the collection of excess waste at the end of tenancies (mentioning Leeds Rental Standard is an example)
- Given that the size of the PRS is being used as a justification for licensing, the NLA would like clarification on whether the council has any policies to reduce or grow the PRS in particular areas
- Introducing licensing into areas identifies them as 'problem zones' – this stigmatises the area (affecting property prices, insurance premiums and so on, in ways that stakeholders might not be aware of) and also deters investment.
- The social rented sector has made many efforts to remove problem tenants – how can the PRS be expected to deal with the issues when the social sector has failed?
- Some of the conditions the landlord is expected to comply with conflict with the tenant's right to 'quiet enjoyment'
- The council needs a strategy to deal with tenants who are persistent offenders, especially where the problems arise from complex needs (e.g. drug and alcohol addiction) that landlords are not qualified to address
- The NLA is concerned about gaps in evidence and justification and would appreciate: clarification on how the council will support landlords when notices are served or there are issues involving tenants; more data on ASB incidents, including breakdowns by tenure, how homelessness has been considered, and what additional services will be provided to deal with mental health
- Once this information has been provided, it feels that the council should then reconsult on its proposals with all relevant stakeholders.

Residential Landlords Association (RLA)

6.6 The RLA welcomes the opportunity to respond to the consultation, but is opposed to licensing in general, stating:

- That councils should use existing enforcement powers rather than relying on licensing schemes. They should also take into account the informal enforcement activity already undertaken between local authorities and private landlords, as well as considering the Tenant Fees Bill that provides guidance and support regarding enforcement
- They argue that there is little evidence that licensing schemes improve housing standards, as effort and prosecutions tend to focus on whether or not a property is licensed, rather than

improving the management standards and property conditions. Furthermore, that the council already has the necessary tools to tackle poor housing management and conditions in the PRS and should focus effort on this, rather than introducing a potentially a bureaucratic licensing scheme that will see scarce resources focused mainly on processing applications.

6.7 In terms of Brent Council's particular scheme, the RLA object to a number of aspects:

- The 'Finder's Fee', which they feel is not lawfully permitted within the constraints of the Housing Act 2004 [referencing Crompton v Oxford City Council: 2013] and should be removed
- That the proposed condition that a landlord should ask a tenant about any unspent convictions raises concerns of privacy, and should not be a barrier to a tenancy
- That the council's proposed licence conditions around Amenity and Space standards, in particular minimum room sizes and maximum number of occupants, cannot overrule mandatory standards set by national legislation [referencing Clark v Manchester City Council: 2015]. The RLA recommends that if the council does decide to move forward with licensing, it should amend the Amenity and Space Standards so that they are *guidance* only, and would not constitute a breach of licence
- That certain wards should not be included in the designated areas, as they do not exhibit all the elements of poor property conditions, examples primarily including those within designated area D4: lperton, Preston, Sudbury, Northwich Park, Tokyngton

6.8 In conclusion, the RLA objects to licensing as a solution to the problems, and instead supports alternatives including:

- a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints
- and that the council tax registration process is used to identify private rented properties and landlords (as opposed to self-identification), thereby making it harder for criminals to operate under the radar

Safeagent

6.9 Safeagent (previously NALS) is an accrediting organisation for lettings and management agents in the private rented sector.

6.10 Specifically, in relation to the evidence base and general case for licensing, Safeagent notes:

- High levels of gang and drug-related crime reflect wider societal problems that cannot be addressed by landlords (e.g. because these are 'street crimes' that don't tend to affect individual properties)
- The fact that criminality has increased over the lifetime of the current scheme indicates both a lack of causation between the PRS and street crime, as well as the difficulty of using property licensing as a means to address this issue
- There is a very high level of non-compliance under LBB's existing HMO licensing scheme, but there is no suggestion as to how this would be addressed moving forward (it is unfair, meanwhile, for a small proportion of landlords and agents to be subsidising the scheme).

- It is queried whether the council would be required to undertake HHSRS inspections on all properties over the next 5 years to address concerns around property conditions, doubting it has the resources to do so.

6.11 Some specific issues are identified around the inclusion of section 257 HMOs. Safeagent feels it would be difficult for a typical agent to know if the building qualified as a HMO under the section 257 definition[10] (and therefore if an Additional Licence was needed), because:

- They would not have the expertise to state whether the standard of the conversion met the required building regulations
- The mix of tenures of the different flats in a converted building might change over time, potentially affecting the licence status of the building in doing so; however the agent would not necessarily have any way of knowing about these changes
- To address the above it is recommended that Brent follows a similar approach to LB Ealing e.g. in terms of restricting licensing only to section 257 HMOs where the whole building and all the flats within it are in single ownership or effectively under the same control, and where the number of flats exceeds the number of storeys in the building.

6.12 In relation to fees, Safeagent is pleased there is no uplift in the proposed fees and it welcomes the proposed discount associated with renewal. However:

- It is unconvinced about the legality (under the Housing Act 2004) of LBB's proposed additional fees for reminder letters and missed inspections
- It encourages LBB to follow the example of Ealing and Islington, by extending the £40 discount for accreditation to include those licensed properties where the designated manager is an accredited letting agent e.g. via Safeagent's own accreditation scheme

6.13 In relation to the proposed licence conditions:

- Safeagent identifies what it sees as various issues in the proposed conditions for both HMOs and other privately rented properties (specifically, it believes that some of the licensing conditions contravene the judgement in the case of Brown v Hyndburn Borough Council 2018)
- Full details of the issues raised have already been provided to the council for closer consideration on a case by case basis.

6.14 Some remaining points raised by Safeagent are as follows:

- In other boroughs, licence approvals have taken 6 months or more due to backlogs in processing applications. Safeagent therefore asks the council to publish clear service standards, setting out the timescale for processing licence applications and allowing its performance to be monitored;
- The council must maintain an appropriately sized, well-resourced and effective enforcement team (to prevent the regulatory burdens falling solely on those who apply for a licence)

[10] Under Section 257 of the Housing Act 2004, a building or part of a building converted into self-contained flats is considered to be a HMO if a) the standard of the conversion does not meet that required by Building Regulations 1991 or 2000, or b) fewer than two-thirds of the flats are owner-occupied

- The council is encouraged to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents
- To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a 'holistic' approach that extends beyond licensing, recognising (for example) efforts to regulate lettings agents in legislation by requiring them to belong to a government-approved redress scheme. Safeagent has produced an Effective Enforcement Toolkit, to assist councils in regulating the private rented sector an in effectively using enforcement powers against lettings and management firms who break

Quintain and Tipi

6.15 Quintain is the developer responsible for the regeneration of the 85-acre Wembley Park site which, when completed, will include one of the UK's largest single-site, purpose-built Build-to-Rent developments. This Build-to-Rent element is managed by Tipi, a lifestyle focused rental company owned by Quintain. Quintain and Tipi have made representation for the exclusion of the site within the additional licensing designation on the following grounds:

- All Tipi properties are professionally managed by a dedicated Build-to-Rent management company, and therefore are unlikely to give rise to the problems that justify Additional Licensing;
- The 'uniqueness' of Wembley Park's regeneration justifies its exclusion e.g. in terms of the *'scale and quality of housing being delivered in one location by one developer'*;
- The Build-to-Rent sector is distinctive and for these purposes should not be classed as part of the PRS; moreover, the consultation document provides no evidence of a link between the sector and those issues said to be affecting the PRS;
- In recent years, Get Living London successfully argued that East Village in Stratford should be excluded from additional and selective licensing in London Borough of Newham; this has set an important precedent for excluding Build-to-Rent from discretionary licensing schemes;
- Wembley Park is unaffected by Mandatory HMO Licensing (due to the exemptions around having three or more self-contained flats in a purpose-built block) and it has also been excluded from LBB's proposed new selective licensing designations. It is 'irrational' for it to be included it in the additional licensing proposals when these other forms of licensing will not apply;
- Properties built by Quintain that go on to be managed by a Registered Provider are exempt from Additional Licensing; however, as there is no difference in standards between these and the remaining Quintain properties, they should all be exempt;
- All Quintain homes are either Lifetime Homes Standard or Part M Building Regulations compliant;
- Crime and ASB are continuously monitored on the site and are not a significant issue. Moreover, security is enhanced because Quintain (through Wembley Park Estate Management Co Ltd and Tipi) controls and manages not only the homes themselves, but also *'the common parts and the public realm'* – which is very different to the situation under which an ordinary residential landlord operates.
- The inclusion of the site would be in contravention of Section 56 of Housing Act 2004 as the power to implement an Additional Licensing area must be "consistent with the authority's overall housing strategy" and Quintain have provided evidence that they contribute and are

helping to deliver that strategy in a way that is not possible by PRS landlords; moreover through its Social Corporate Responsibility Policy Quintain demonstrates that they wish to improve the wellbeing of as many residents of Brent as possible (not just those that live within the Tipi homes).

Submissions from residents groups

Harlesden Area Action (HAA)

6.16 HAA is fully supportive of the continuation of the scheme but has further suggestions to improve its effectiveness, which include:

- Reaching out to landlords: making sure s/he is the person responsible for the licence, and making sure s/he reads the conditions (e.g. by making them sign each page of the conditions booklet)
- Introducing a knotweed policy for gardens
- Stipulating the number of grey and blue bins needed per property, so that landlords have no excuse not to provide adequate number, and to prevent situations where tenants are wary of requesting additional bins due to the possibility of an additional charge;
- Requiring landlords to display posters in the common areas of shared accommodation, which would provide information on recycling and waste disposal (these posters would be designed by HAA in conjunction with partners)

6.17 Finally, having consulted the licence conditions in place in the London Boroughs of Camden and Ealing, HAA has provided various suggestions on how to develop/improve those used in Brent, in a marked-up version that has been provided to the council for closer consideration.

Willesden Green Residents Association (WGRA)

6.18 WGRA agrees that the present licencing scheme is 'only a small positive step' and more needs to be done. It 'fully and emphatically' endorses the additional measures suggested by HAA (described above, and included in HAA's additional submission to the Council i.e. the marked up copy of the conditions).

Willesden Green Town Team

6.19 The Willesden Green Town Team also shared some proposed amendments to the licence conditions including proposals for additional posters/information and additions to the conditions around external areas, refuse and waste, pest control, means of escape and various other aspects of the property condition and management.

Brent Advisory Women's Resource Centre

6.20 Brent Advisory Women's Resource Centre believes all private landlords should be registered, and that there should also be rent control mechanisms to regulate 'extortionate' private landlords. It notes the benefit system is not meeting the total rent cost for those on low income and this should be addressed.

6.21 It is noted that many low-income people are struggling with high rents which, BAWRC regards these as 'innocent victims' of unreasonable landlords. More broadly, it is concerned about the ways crime operates in families and the role contributed by financial hardship in family breakdowns

6.22 BAWRC recognises these issues might seem to be beyond the scope of the current exercise; however, it feels they should be considered as part of the consultation and would ask the council to consider them.

Submissions from individuals

6.23 The remaining contributions were from individual residents and landlords. There was some criticism of the proposals and/or the council, with the following claims or points raised:

- There is already plenty of existing legislation to address issues in the PRS
- The costs of obtaining a licence will be passed on to tenants
- Many landlords act responsibly and operate to good standards, without being compelled to by licensing
- Others will evade the scheme, and will also avoid paying income tax etc.
- Where 'slum' landlords are identified, enforcement action is not always taken against them (with the implication that this is unfair on the compliant majority)
- The council needs to get its 'own house in order' before it tries to regulate landlords
- Complaints about online systems used by the council generally, and during the consultation

6.24 One respondent was sceptical that the crime rates and deprivation in some wards (e.g. Preston, Northwick Park, Welsh Harp) had really got so much worse over the last five years, as to now suddenly justify selective licensing. He/she felt that if these issues were really that much of a problem in these areas, then they would have been included in one of the previous designations that were introduced in 2014 and 2018.

6.25 There were also a couple of requests for evidence to show the impacts of licensing (and particularly selective licensing in those areas where it already exists) i.e. in terms of addressing the issues said to affect the PRS.

6.26 Other themes raised were:

- There are problems with tenants illegally subletting and overcrowding the properties, and these properties are not paying the appropriate level of council tax
- There are issues with 'beds in sheds' - the respondent sought reassurances that LBB is trying to address these
- One respondent felt strongly that Welsh Harp should be included as he/she felt it has big problems with overcrowded privately rented properties and tenant-related ASB
- One landlord expressed surprise that the scheme is not borough wide, finding this to be unfair on those who operate in the licensed areas

- One respondent was supportive of efforts to tackle 'bad landlords', but also concerned about the impacts on good landlords who might be driven to stop letting out their properties (and by implication, the impact on the tenants living in these properties)

6.27 There was also one enquiry from a respondent wishing to clarify the level of the fees and to determine whether LBB recognises NLA accreditation.

6.28 Another respondent sought reassurances that LBB was doing everything it could to identify privately rented properties and to maximise the number of licences, suggesting that the Council could: send out letters to all addresses in particular areas, or put adverts in the Brent magazine encouraging tenants to contact them confidentially; increase the amount of information collected on the Household Notification Letter; and look at county court eviction cases.

List of Figures

Figure 1: Profile of residents' survey responses (unweighted and weighted) and resident population (Note: Interviews inside Brent only; percentages may not sum due to rounding) 17

Figure 2: Profile of residents' survey responses (unweighted and weighted) and resident population (Note: Interviews outside Brent; percentages may not sum due to rounding) 18

Figure 3: To what extent do you believe each of the following to be a problem in your local area? Base: All residents (number shown in brackets) 20

Figure 4: To what extent do you believe each of the following to be a problem in your local area? Base: All residents (number shown in brackets) 20

Figure 5: Thinking about the private rented sector as a whole in Brent, do you agree or disagree with the following statements? Base: All residents (number shown in brackets) 21

Figure 6: Thinking about the private rented sector as a whole in Brent, do you agree or disagree with the following statements? Base: All residents (number shown in brackets) 21

Figure 7: In which of the following ways do you think the current licensing schemes have improved things in Brent? Percentages based on proportion of respondents identifying each option as an improvement 22

Figure 8: If the current licensing schemes in Brent stopped and were NOT continued, which of the following do you think would get worse as a consequence? Percentages based on proportion of respondents identifying each option as likely to get worse 22

Figure 9: Do you agree or disagree that continuing the licensing scheme would improve/further improve the condition and management of privately rented properties in Brent? Base: All residents (number shown in brackets) 23

Figure 10: Do you agree or disagree with this proposal for renewing the additional licensing scheme for Houses in Multiple Occupation? Base: All residents (number shown in brackets) 24

Figure 11: Do you agree or disagree with this proposal for renewing the selective licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central [i.e. Designated Area 1]? 24

Figure 12: Do you agree or disagree with the proposals to introduce selective licensing in...? Queensbury, Fryent and Brondesbury Park [i.e. Designated Area 2]? Base: All residents (number shown in brackets) 25

Figure 13: Do you agree or disagree with the proposals to introduce selective licensing in...? Barnhill and Welsh Harp [i.e. Designated Area 3]? Base: All residents (number shown in brackets) 25

Figure 14: Do you agree or disagree with the proposals to introduce selective licensing in...? Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury [i.e. Designated Area 4]? Base: All residents (number shown in brackets) 26

Figure 15: Do you think the proposed fee for an additional/selective Licence is too high, about right or too low? Base: All Respondents (number of respondents shown in brackets) 27

Figure 16: Do you think the proposed fee for an additional/selective licence is too high, about right or too low? Base: All Respondents (number of respondents shown in brackets) 27

Figure 17: Response profile for open questionnaire (Note: Percentages may not sum due to rounding) 29

Figure 18: To what extent do you believe each of the following to be a problem in your local area of Brent? Percentages based on proportion of respondents answering a 'very' or 'fairly big' problem. 30

Figure 19: And thinking about the private rented sector as a whole in Brent, to what extent do you agree with the following statements? Base: All Respondents (number of respondents shown in brackets) 31

Figure 20: In which of the following ways do you think the current licensing schemes have improved things in Brent? Percentages based on proportion of respondents identifying each option as an improvement 32

Figure 21: If the current licensing schemes in Brent stopped and were NOT continued, which of the following do you think would get worse as a consequence? Percentages based on proportion of respondents identifying each as likely to get worse..... 32

Figure 22: To what extent do you agree or disagree that continuing the licensing schemes would improve/further improve the condition and management of privately rented properties in Brent? Base: All Respondents (number shown in brackets) 33

Figure 23: To what extent do you agree or disagree with this proposal for renewing the additional licensing scheme for Houses in Multiple Occupation? Base: All Respondents (number of respondents shown in brackets) 33

Figure 24: To what extent do you agree or disagree with this proposal for renewing the selective licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central? Base: All Respondents (number in brackets) 34

Figure 25: To what extent do you agree or disagree with the proposals to introduce selective licensing in the following areas? Base: All Respondents (number of respondents shown in brackets) 34

Figure 26: What are your views on the proposed fees? Base: All Respondents (number of respondents shown in brackets)..... 36

Figure 27: To what extent do you agree or disagree with the proposed… Base: All Respondents (number of respondents shown in brackets) 37

Appendix 1: Profile of consultation questionnaire respondents

Demographics (all stakeholder types): Counts

Characteristic	Residents of Brent (769)	Landlords / agents with properties in Brent (306)	Other stakeholders (35)
BY AGE			
Under 25	5	-	1
25 to 34	81	18	3
35 to 44	116	40	7
45 to 54	111	62	3
55 to 64	129	52	10
65 or above	144	41	1
Total valid responses	**586**	**213**	**25**
Not known	*183*	*93*	*10*
BY GENDER			
Male	297	136	9
Female	285	64	14
Total valid responses	**582**	**200**	**23**
Not known	*187*	*106*	*12*
BY DISABILITY			
Has a disability or longstanding illness	83	18	4
No disability or illness	464	169	16
Total valid responses	**547**	**187**	**20**
Not known	*222*	*119*	*15*
BY ETHNIC GROUP			
White	348	91	11
Mixed	29	14	1
Asian	96	62	6
Black	40	6	2
Other ethnic group	12	7	1
Total valid responses	**525**	**180**	**21**
Not known	*244*	*126*	*14*

Demographics (all stakeholder types): Percentages

Characteristic	Residents of Brent (769)	Landlords / agents with properties in Brent (306)	Other stakeholders (35) [11]
BY AGE			
Under 25	1%	-	N=1
25 to 34	14%	8%	N=3
35 to 44	20%	19%	N=7
45 to 54	19%	29%	N=3
55 to 64	22%	24%	N=10
65 or above	25%	19%	N=1
Total valid responses	**100%**	**100%**	**100%**
Not known	*183*	*93*	*10*
BY GENDER			
Male	51%	68%	N=9
Female	49%	32%	N=14
Total valid responses	**100%**	**100%**	**100%**
Not known	*187*	*106*	*12*
BY DISABILITY			
Has a disability or longstanding illness	15%	10%	N=4
No disability or illness	85%	90%	N=16
Total valid responses	**100%**	**100%**	**100%**
Not known	*222*	*119*	*15*
BY ETHNIC GROUP			
White	66%	51%	N=11
Mixed	6%	8%	N=1
Asian	18%	34%	N=6
Black	8%	3%	N=2
Other ethnic group	2%	4%	N=1
Total valid responses	**100%**	**100%**	**100%**
Not known	*244*	*126*	*14*

[11] Stakeholder figures are given in counts as, in view of the small number of respondents and high proportion of "not known" responses, percentages would not provide a satisfactorily accurate representation of the demographics of respondents

Landlord and agent profile (landlords and agents only): Counts and percentages

Characteristic	Count	Valid %
BY TYPE		
Landlord who manages their own property	210	69%
Landlord who uses a managing agent	77	25%
Letting agent	5	2%
Managing agent	7	2%
Other	5	2%
Total valid responses	**304**	**100%**
Not known	*2*	-
BY ORGANISATION MEMBERSHIP (MULTI-RESPONSE; PERCENTAGES WILL SUM TO MORE THAN 100%)		
National Landlords Association (NLA)	38	13%
Residential Landlords Association (RLA)	49	16%
London Landlord Accreditation Scheme (UKLAS/LLAS)	21	7%
Association of Residential Lettings Agents (ARLA)	8	3%
Another landlord/letting agent association	7	2%
No, none of these	*203*	*68%*
Total number of respondents	**298**	**-**
Total number of responses	**326**	**-**
Not known	*8*	-

Appendix 2: Text responses to the consultation questionnaire

Question	If you disagree with any of the above, please can you explain why and what alternatives you think should be considered to address the problems?		
Comments	%		
	Residents	Landlords	Others
Base (Number of respondents making comments in each group):	142	160	9
Overall views on the proposal			
Generally against proposal/don't think they are a good idea	19.0	14.4	n=1
Generally support proposals/think they are a good idea	7.0	1.9	n=1
Theme I - General comments on the existing and proposed schemes			
Proposed licensing scheme won't work/previous scheme was difficult to implement/nothing changed/improved with previous scheme	9.9	28.1	n=2
Sufficient legislation already in place/should enforce existing legislation rather than complicating issues	4.2	10.0	n=1
Responsible landlords are already adhering to guidelines/meeting requirements i.e. managing tenants/vetting tenants/keeping housing to a high standard etc.	4.2	8.1	n=2
The proposed licensing scheme should cover all of borough/not just selected properties	7.7	4.4	n=2
Proposals adds unnecessary bureaucracy/red tape/additional waste of time/resources/too complicated	6.3	3.8	n=1
Wembley Park should be included in the licensing scheme	7.7	1.3	.
More information/evidence needed i.e. information on differences from current scheme/evidence that current scheme is working etc.	3.5	3.8	n=1
No problems/issues of HMOs/ASB in my area	3.5	3.1	.
Proposal will reduce the number of available housing in area due landlords not investing in area/deterring first time landlords etc.	2.1	2.5	.
Council does not need to be involved with privately rented properties	1.4	.	.
Theme II - The likely impacts of the proposed schemes…			
…on landlords			
It punishes good landlords/only good landlords comply with legislation/bad landlords avoid scheme/scheme should only be applied to bad landlords	13.4	25.0	n=1
Proposals affect profitability for landlords i.e. not making enough money/won't make it worthwhile/forcing landlords to sell etc.	3.5	9.4	n=2
Smaller/accidental landlords shouldn't be treated the same as bigger landlords/discounted or tiered approach for smaller properties	2.1	3.8	.
Licensing scheme is giving too much power to tenants/taking power form landlords/problem tenants are playing the system	0.7	2.5	.
…on tenants			
Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already	12.7	14.4	n=2
Proposals will affect people on lower income i.e. increase people on benefits/increase homelessness	4.2	1.3	.
Licenses are causing difficulties for the tenants/no benefits i.e. added pressure on landlords passed on to tenants, invasion of privacy by housing officers etc.	2.1	1.3	.
Theme III - Licensing conditions and fees			
Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements, etc.	19.7	30.0	n=1
Proposed licensing fee is too high/should be lower/should be free	3.5	11.9	.

Good landlords should pay less than bad landlords/discounted if landlord is proven a good landlord i.e. give a rebate if meeting guidelines/previous license holder/provide incentives etc.	.	0.6	.
The two types of licenses should cost the same across Brent	.	0.6	.
Theme IV – Enforcement			
Robust enforcement			
Proposals will need to be properly managed/enforced efficiently/inspections will need to be made/vetting landlords etc.	9.9	10.0	n=1
Better way of communicating/easier system to log complaints i.e. one number you can call	2.8	1.9	.
More informed/educated staff to deal with issues/enforces the rules	2.1	0.6	.
Enforce regulations on property management companies/letting agents/housing associations	2.1	.	.
Need a list of good/bad landlords easily available	0.7	1.3	.
More information/awareness about making complaints/protect tenants from harassment/eviction when they do complain	.	1.9	.
Concerns about targeting landlords only			
Council should target bad households/HMOs etc. where the real problems are not just privately rented properties.	4.9	8.1	n=1
Landlords shouldn't be held responsible/should have similar scheme for tenants/would be more effective to license tenants/tenants should take more responsibility	3.5	6.9	.
Council should target their own problem properties i.e. problem tenants/fly tipping/ASB etc.	4.2	2.5	n=2
Stricter enforcement on tenant subletting/subletting in AirBnBs	1.4	0.6	.
Stricter conditions on behaviours of tenants i.e. ASB	1.4	0.6	.
Theme V - Alternatives to licensing proposals			
Landlords/agents are not responsible for tackling ASB/police/council should be more involved	4.2	4.4	.
Councils should focus more on ASB prevention i.e. more officers patrolling, stopping fly tipping etc.	4.2	1.9	.
Educating landlords would be more efficient than the licensing scheme	2.8	1.3	.
Council should improve the waste/rubbish collection i.e. the high cost of removal of large items are causing the fly tipping issues	2.8	0.6	.
Council are blaming tenants and landlords for rubbish issues when it is the council's responsibility	0.7	3.1	.
Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area	1.4	0.6	.
Council should work with/communicate with the tenants/landlords to help tackle problems with the area/properties	0.7	1.9	.
Need more council housing/housing support/landlords are doing the council's job by housing people	0.7	.	.
Other themes			
Criticism of Brent council in general	4.9	1.3	n=1
Criticism of consultation i.e. biased/flawed/leading answers etc.	2.1	.	.
General complaints about the area i.e. cleanliness	2.1	.	.
Other comments	16.9	11.9	n=1

Question	**If you disagree with any of the conditions for Selective and Additional licensing, please can you explain why?**		
Comments	%		
	Residents	Landlords	Others
Base (Number of respondents making comments in each group):	108	93	5
Overall views on the proposal			
Generally support proposals/think they are a good idea	8.3	2.2	n=1
Generally against proposal/don't think they are a good idea	10.2	14.0	.
Theme I - General comments on the existing and proposed schemes			
Sufficient legislation already in place/should enforce existing legislation rather than complicating issues	10.2	25.8	n=2
Proposals adds unnecessary bureaucracy/red tape/additional waste of time/resources/too complicated	3.7	14.0	n=2

Proposed licensing scheme won't work/previous scheme was difficult to implement/nothing changed/improved with previous scheme	7.4	12.9	n=1
Responsible landlords are already adhering to guidelines/meeting requirements i.e. managing tenants/vetting tenants/keeping housing to a high standard etc.	2.8	12.9	n=1
Council does not need to be involved with privately rented properties	3.7	2.2	.
More information/evidence needed i.e. information on differences from current scheme/evidence that current scheme is working etc.	0.9	2.2	n=1
No problems/issues of HMOs/ASB in my area	.	1.1	.
Wembley Park should be included in the licensing scheme	0.9	.	.
Theme II - The likely impacts of the proposed schemes…			
…on landlords			
It punishes good landlords/only good landlords comply /bad landlords avoid scheme/scheme should only be applied to bad landlords	4.6	5.4	.
Proposals affect profitability for landlords i.e. not making enough money/won't make it worthwhile/forcing landlords to sell etc.	1.9	3.2	.
Licensing scheme is giving too much power to tenants/taking power form landlords/problem tenants are playing the system	1.9	3.2	.
Smaller/accidental landlords shouldn't be treated the same as bigger landlords/discounted or tiered approach for smaller properties	0.9	3.2	.
…on tenants			
Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already	6.5	6.5	n=2
Proposal will reduce the number of available housing in area due landlords not investing in area/deterring first time landlords etc.	1.9	3.2	.
Licenses are causing difficulties for the tenants/no benefits i.e. added pressure on landlords passed on to tenants, invasion of privacy by housing officers etc.	0.9	1.1	.
Proposals will affect people on lower income i.e. increase people on benefits/increase homelessness	1.9	.	.
Theme III - Licensing conditions and fees			
Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements, etc.	10.2	20.4	.
Proposed licensing fee is too high/should be lower/should be free	.	4.3	.
Criticisms of the difference of the rules and conditions for different property types	.	2.2	.
The two types of licences should cost the same across Brent	.	1.1	.
Landlords are paying to police themselves	.	1.1	.
Theme IV – Enforcement			
Robust enforcement			
Proposals will need to be properly managed/enforced efficiently/inspections will need to be made/vetting landlords etc.	9.3	4.3	n=1
Demanding references is pointless i.e. can easily be faked, doesn't mean anything/prove anything etc.	9.3	6.5	n=1
More informed/educated staff to deal with issues/enforces the rules	3.7	1.1	.
Better way of communicating/easier system to log complaints i.e. one number you can call	1.9	.	.
More information/awareness about making complaints/protect tenants from harassment/eviction when they do complain	1.9	.	.
Need a list of good/bad landlords easily available	.	1.1	.
Concerns about targeting landlords only			
Council should target bad households/HMOs etc. where the real problems are not just privately rented properties.	4.6	3.2	.
Landlords shouldn't be held responsible/should have similar scheme for tenants/would be more effective to license tenants/tenants should take more responsibility	1.9	4.3	.
Council should target their own problem properties i.e. problem tenants/fly tipping/ASB etc.	0.9	3.2	.
Stricter enforcement on tenant subletting/subletting in AirBnBs	0.9	.	.
Stricter conditions on behaviours of tenants i.e. ASB	1.9	.	.
Theme V - Alternatives to licensing proposals			
Educating landlords would be more efficient than the licensing scheme	0.9	2.2	.
Tenants should be given more information/rules to prevent ASB, littering issues etc.	2.8	.	.
Councils should focus more on ASB prevention i.e. more officers patrolling, stopping fly tipping etc.	0.9	1.1	.
Landlords/agents are not responsible for tackling ASB/police/council should be more involved	0.9	.	.

Council should improve the waste/rubbish collection i.e. the high cost of removal of large items are causing the fly tipping issues	0.9	.	.
Need more council housing/housing support/landlords are doing the council's job by housing people	0.9	.	.

Other themes			
Criticism of Brent council in general	2.8	.	n=1
Criticism of consultation i.e. biased/flawed/leading answers	0.9	1.1	.

Other comments	23.1	15.1	.

Question	**Are there any other things you think the Council should consider to help improve the condition and management of properties, ASB, deprivation and other issues about the private rented sector in Brent? Or are there any other comments?**		
Comments	**%**		
	Residents	Landlords	Others
Base (Number of respondents making comments in each group):	364	179	18

Overall views on the proposal			
Generally support proposals/think they are a good idea	15.7	5.6	n=3
Generally against proposal/don't think they are a good idea	4.9	10.1	n=2

Theme I - General comments on the existing and proposed schemes			
Proposed licensing scheme won't work/previous scheme was difficult to implement/nothing changed/improved with previous scheme	5.2	12.3	n=1
Responsible landlords are already adhering to guidelines/meeting requirements i.e. managing tenants/vetting tenants/keeping housing to a high standard etc.	0.5	9.5	.
Proposals adds unnecessary bureaucracy/red tape/additional waste of time/resources/too complicated	1.4	6.1	n=1
Sufficient legislation already in place/should enforce existing legislation rather than complicating issues	0.8	5.0	n=1
The proposed licensing scheme should cover all of borough/not just selected properties	2.2	3.9	n=1
Wembley Park should be included in the licensing scheme	0.8	.	.
More information/evidence needed i.e. information on differences from current scheme/evidence that current scheme is working etc.	2.2	7.8	n=2
Better online licensing facilities i.e. easier to submit/less complicated etc.	1.4	1.1	.
Council does not need to be involved with privately rented properties	0.8	.	n=1
No problems/issues with HMOs/ASB in my area	0.3	.	.

Theme II - The likely impacts of the proposed schemes…			
…on landlords			
It punishes good landlords/only good landlords comply with legislation/bad landlords avoid scheme/scheme should only be applied to bad landlords	7.1	27.9	n=2
Proposals affect profitability for landlords i.e. not making enough money/won't make it worthwhile/forcing landlords to sell etc.	2.5	7.3	n=1
Licensing scheme is giving too much power to tenants/taking power form landlords/problem tenants are playing the system	0.8	3.4	.
Smaller/accidental landlords shouldn't be treated the same as bigger landlords/discounted or tiered approach for smaller properties	0.8	2.8	.
…on tenants			
Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already	6.3	8.4	.
Proposal will reduce the number of available housing in area due landlords not investing in area/deterring first time landlords etc.	2.7	2.8	.
Proposals will affect people on lower income i.e. increase people on benefits/increase homelessness	1.9	0.6	n=1
Licenses are causing difficulties for the tenants/no benefits i.e. added pressure on landlords passed on to tenants, invasion of privacy by housing officers etc.	0.3	0.6	.

Theme III - Licensing conditions and fees			
Proposed licensing fee is too high/should be lower/should be free	4.4	25.1	n=1
Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements, etc.	7.4	17.9	n=2
Good landlords should pay less than bad landlords/discounted if landlord is proven a good landlord i.e. give a rebate if meeting guidelines/previous license holder/provide incentives etc.	1.4	4.5	n=1
Shouldn't have to pay full licensing scheme price for scheme if entered part way through/should be reduced rates for the less time scheme is available	0.3	2.2	.
Theme IV – Enforcement			
Robust enforcement			
Proposals will need to be properly managed/enforced efficiently/inspections will need to be made/vetting landlords etc.	20.1	16.2	n=2
Better way of communicating/easier system to log complaints i.e. one number you can call	4.7	0.6	n=2
More informed/educated staff to deal with issues/enforces the rules	2.2	2.2	.
More information/awareness about making complaints/protect tenants from harassment/eviction when they do complain	3.8	.	n=2
Enforce regulations on property management companies/letting agents/housing associations	2.7	0.6	.
Need a list of good/bad landlords easily available	1.6	1.1	.
Agree that references/criminal checks on tenants should be compulsory	0.3	.	.
Concerns about targeting landlords only			
Council should target bad households/HMOs etc. where the real problems are not just privately rented properties.	5.5	3.9	.
Landlords shouldn't be held responsible/should have similar scheme for tenants/would be more effective to license tenants/tenants should take more responsibility	0.5	6.1	n=1
Council should target their own problem properties i.e. problem tenants/fly tipping/ASB etc.	2.7	2.8	n=1
Stricter conditions on behaviours of tenants i.e. ASB	3.3	1.7	n=1
Stricter enforcement on tenant subletting/subletting in AirBnBs	4.4	.	n=2
Theme V - Alternatives to licensing proposals			
Council should work with/communicate with the tenants/landlords to help tackle problems with the area/properties	2.7	4.5	.
Council should improve the waste/rubbish collection i.e. the high cost of removal of large items are causing the fly tipping issues	4.9	1.1	.
Councils should focus more on ASB prevention i.e. more officers patrolling, stopping fly tipping etc.	3.0	4.5	.
Landlords/agents are not responsible for tackling ASB/police/council should be more involved	1.1	3.4	.
Tenants should be given more information/rules to prevent ASB, littering issues etc.	1.4	0.6	n=1
Educating landlords would be more efficient than the licensing scheme	0.5	1.1	.
Need more council housing/housing support/landlords are doing the council's job by housing people	0.3	1.1	.
Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area	0.8	0.6	.
Council are blaming tenants and landlords for rubbish issues when it is the council's responsibility	0.5	0.6	.
Other themes			
Criticism of Brent council in general	3.3	2.2	.
General complaints about the area e.g. cleanliness	2.7	0.6	n=1
Criticism of consultation i.e. biased/flawed/leading answers etc.	0.8	0.6	.
Criticisms of the difference of the rules and conditions for different property types	.	0.6	.
Other comments	35.4	19.6	n=7

Appendix 3: Questionnaire

Consultation on Licensing Landlords of Private Rented Housing

Over the last 10-20 years, there has been an increase in the number of properties in Brent that are rented out by private landlords. The London Borough of Brent wants to ensure that private rented properties offer residents a choice of safe, good quality and well managed accommodation.

In January 2015 it introduced licensing schemes for privately rented properties. These schemes will end in December 2019 and the Council is considering introducing new schemes to replace them. The Council is also proposing to extend selective licensing to other wards of the borough.

You can read about the proposals for the new scheme in the council's 'consultation proposals' document, which is available at www.brent.gov.uk/landlordlicensing

To give your feedback, please complete this questionnaire and return it to: **Opinion Research Services, FREEPOST SS1018, PO Box 530, Swansea, SA1 1ZL.** Please post it back **no later than 21st August 2019**. There is also an online version of this questionnaire, which you can access via the webpage above.

Brent Council has appointed Opinion Research Services (ORS), an independent research company, to manage the questionnaire responses and other consultation feedback. ORS will produce an independent consultation report in which feedback from individual members of the public will be anonymous, but views from organisations may be attributed in full.

All the questions are entirely optional, and any information that you provide in response to this consultation will be processed by ORS in accordance with the UK Data Protection Act and the EU General Data Protection Regulation. Information will only be used to inform this consultation and any personal information that could identify you will be kept for no more than 1 year after any decisions have been finalised. For further information, please see www.ors.org.uk/privacy

If you have any queries about the consultation, please contact Tony Jemmott, Private Housing Licensing Manager at Brent Council on 020 8937 2384/5 or email: prslicensing@brent.gov.uk

YOUR CONNECTION TO LONDON BOROUGH OF BRENT

In what capacity are you responding to this questionnaire?

PLEASE TICK ✓ ONLY ONE BOX THAT BEST APPLIES TO YOU

☐	**As a Brent resident or a local business in Brent (but not a landlord)** – *please answer the red shaded question overleaf, then go to the 'Local Issues?' section*
☐	**As a landlord, letting or managing agent with properties in Brent** – *please answer the blue section overleaf, then go to the 'Local Issues?' section*
☐	**As another type of stakeholder** – *please answer the green shaded section on page 3, and following questions*

Please provide the following information about yourself (where relevant) so that we can monitor the representativeness of the responses and identify trends. We will take all feedback into account, regardless of whether you provide your details.

INFORMATION ABOUT YOU: BRENT RESIDENTS & BUSINESSES

If you are a resident living in Brent, or responding on behalf of a local business in Brent… which of the following best describes you? PLEASE TICK ✓ ONE BOX ONLY

- ☐ Private tenant living in a single family dwelling (e.g. a self-contained flat or house)
- ☐ Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (e.g. toilet, bathroom, kitchen) with others
- ☐ Brent Council tenant
- ☐ Housing association tenant
- ☐ Owner occupier
- ☐ Shared owner – with a share in the equity of the home
- ☐ Local business in Brent (but not a landlord)
- ☐ Other

INFORMATION ABOUT YOU: LANDLORDS AND AGENTS

If you are a landlord or agent with properties in Brent…which of the following best describes you?
PLEASE TICK ✓ ONE BOX ONLY

- ☐ Landlord who manages their own property
- ☐ Landlord who uses a managing agent
- ☐ Letting agent
- ☐ Managing agent
- ☐ Registered social landlord
- ☐ Other

Please indicate how many properties you own/manage in Brent, for each of the following types.
PLEASE WRITE IN A NUMBER FOR EACH TYPE OF PROPERTY

Single occupancy house	Self-contained flat	Houses in Multiple Occupation (Fewer than 5 people)	Houses in Multiple Occupation (5 or more people)

Are you a member of any of the following? PLEASE TICK ✓ ALL THAT APPLY

- ☐ National Landlords Association (NLA)
- ☐ Residential Landlords Association (RLA)
- ☐ London Landlord Accreditation Scheme (UKLAS/LLAS)
- ☐ Association of Residential Lettings Agents (ARLA)
- ☐ Other landlord/letting agent association
- ☐ No

INFORMATION ABOUT YOU: ORGANISATIONS AND OTHER STAKEHOLDERS

If you are responding on behalf of an ORGANISATION, which organisation do you represent?
PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

Please give us the name of the organisation and any specific group or department. Please also tell us who the organisation represents, what area it covers and how you gathered the views of members.

If you are another stakeholder (e.g. with links to a neighbouring borough), please use the box below to provide full details. PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LOCAL ISSUES?

To what extent do you believe each of the following to be a problem in your local area of Brent? PLEASE TICK ✓ ONE BOX IN EACH ROW

	Not a problem at all	Not a very big problem	A fairly big problem	A very big problem	Don't know
Anti-social behaviour	☐	☐	☐	☐	☐
Poor property conditions	☐	☐	☐	☐	☐
Deprivation	☐	☐	☐	☐	☐

And thinking about the private rented sector as a whole in Brent, to what extent do you agree with the following statements? PLEASE TICK ✓ONE BOX FOR EACH STATEMENT

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Poorly **maintained** properties are contributing to the decline of some areas in Brent	☐	☐	☐	☐	☐	☐
Poorly **managed** privately let properties are contributing to the decline of some areas of Brent	☐	☐	☐	☐	☐	☐
Landlords have a responsibility to manage their properties effectively	☐	☐	☐	☐	☐	☐
To help with the management of privately let properties in the borough, landlords should be 'fit and proper' persons *(e.g. have proper management or financial arrangements in place, and not have convictions for certain types of offences)*	☐	☐	☐	☐	☐	☐

THE CURRENT LICENSING SCHEMES

In January 2015 Brent Council introduced two five-year licensing schemes intended to tackle some of the problems associated with private rented properties in the Borough. The Additional Licensing scheme applies to all small Houses in Multiple Occupation across the whole of the borough, and the current Selective Licensing scheme applies to all other privately rented homes in the wards of Harlesden, Willesden Green and Wembley Central.

Since the schemes were introduced, the Council has licensed 11,550 properties including 3,410 Houses in Multiple Occupation (HMOs). Licensing has also been used strategically to deal with problems of ASB and to improve conditions associated with the PRS. For example, the Council has operated a licence condition and compliance inspection regime, along with proportionate enforcement action, to target non-compliant landlords and improve properties. This has led to over 4,400 properties being improved in the period outturns for the 4 years 2015/16 to 2018/2019.

Over the same period, over 2,200 notices have been served on private landlords and there have been 160 prosecutions resulting in fines and costs totalling £1.5m. As an alternative to prosecutions, in some cases the Council has also issued over 100 civil penalty notices.

In which of the following ways do you think the current licensing schemes has improved things in Brent? PLEASE TICK ✓ ALL THAT APPLY

Improved the condition of properties	☐
Reduced waste/rubbish such as mattresses dumped in private property front gardens	☐
Reduced waste/rubbish dumped on streets	☐
Reduced noise from neighbouring privately rented properties	☐
Reduced overcrowding in privately rented properties	☐
Other (Please specify)	☐
None of the above	☐

If the current licensing schemes in Brent stopped and were <u>NOT</u> continued, which of the following do you think would get worse as a consequence? PLEASE TICK ✓ ALL THAT APPLY

The condition of properties	☐
The amount of waste/rubbish such as mattresses dumped in private property front gardens	☐
The amount of waste/rubbish dumped on streets	☐
Noise from neighbouring privately rented properties	☐
Overcrowding in privately rented properties	☐
Other (Please specify)	☐
None of the above	☐

To what extent do you agree or disagree that continuing the licensing scheme would improve / further improve the condition and management of privately rented properties in Brent?
PLEASE TICK ✓ ONE BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

RENEWING THE CURRENT LICENSING SCHEME

Brent Council knows that many landlords operate properly. However, as the number of people moving into Brent continues to grow, the council remains concerned about levels of anti-social behaviour, overcrowding, poor living conditions, and poor tenancy and property management.

Therefore, Brent Council proposes to renew the current licensing schemes, which will expire on 31 December 2019. The council believes that renewing these schemes would allow it to continue to find landlords who are not fit and proper, to improve conditions for tenants and to improve the area in general by tackling anti-social behaviour, poor property conditions and deprivation.

If the schemes are implemented, landlords will be required to apply to the council for a licence for each privately rented property they own or manage in the area. Each licence application must be accompanied by a licence fee. Conditions would be attached to each licence and landlords would be bound by these conditions.

Details of the proposed areas, licence conditions and fees are detailed in the consultation documents on the website www.brent.gov.uk/landlordlicensing.

The Council is considering proposals for two specific types of licensing, each affecting different types of privately rented properties….

Houses in Multiple Occupation

Some rented properties are known as 'Houses in Multiple Occupation' (HMO). This is a property that is rented by three or more people who are not all related and who share some areas like a kitchen and bathroom. Larger HMOs must be licensed by law.

Since January 2015, Brent Council has required all landlords renting out smaller Houses in Multiple Occupation **anywhere in Brent** to have a licence for each of these properties. This is known as Additional licensing.

While the council believes actions have been taken to improve standards, it remains concerned that many HMOs in the borough remain unlicensed, poorly managed or in an unsatisfactory state of repair.

Therefore, the council is now proposing to **renew the current Additional licensing scheme across the whole of Brent** (i.e. the whole of the area within the red outline, in the map on the back of this booklet) **for another five years**, in January 2020.

To what extent do you agree or disagree with this proposal for renewing the Additional licensing scheme for Houses in Multiple Occupation? PLEASE TICK ✓ ONE BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

Other privately rented properties

Other rented properties (i.e. which aren't HMOs) will be occupied by a single family or household, or by two unrelated people sharing. Currently, Brent Council requires many landlords who rent these other types of privately rented properties to have a licence for each of these properties. This is known as Selective licensing.

In January 2015 Brent Council introduced a selective licensing scheme in three wards: **Harlesden**, **Willesden Green** and **Wembley Central** (Designated area 1, shaded yellow on the map on the back of this questionnaire). It is now proposing to renew Selective licensing in these three wards for another 5 years, in January 2020 or at a later date as specified by the Government.

The council believes that the proposed Selective licensing areas satisfy one or more of the following conditions: poor property conditions, significant and persistent problem caused by ASB and/or deprivation.

Please note: in 2018 the Council introduced another Selective licensing scheme covering Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queen's Park wards (shaded green in the map on the back of this questionnaire). Selective licensing will remain in place in these wards until at least 2023 (when this five-year scheme expires), therefore these wards do not form part of the proposals currently being consulted on.

To what extent do you agree or disagree with this proposal for renewing the Selective licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

INTRODUCING SELECTIVE LICENSING INTO NEW AREAS

Selective licensing (i.e. the licensing of properties occupied by a single family or household, or by two unrelated people sharing) can also be considered for any other areas of the borough where certain issues (such as poor property conditions, anti-social behaviour and/or deprivation) are causing a particular problem.

The council has identified particular problems with property conditions in Alperton, Barnhill, Brondesbury Park, Fryent, Northwick Park, Preston, Queensbury, Sudbury, Tokyngton (excluding Wembley Park) and Welsh Harp wards. It also believes the majority of these areas have persistent problems with ASB, and that a couple have specific issues with deprivation. The council believes that there are links between these issues and the private rented sector.

It is therefore proposing to introduce Selective licensing in these wards from April 2020 or at a later date as specified by the Government. There would be three separate designations, as follows:

» Designated area 2**: Queensbury, Fryent and Brondesbury Park** (Grounds: Property Conditions and ASB)

» Designated area 3: **Barnhill and Welsh Harp** (Grounds: Property Conditions, Deprivation and ASB)

» Designated area 4: **Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury** (Grounds: Property Conditions and ASB)

The affected areas are indicated on the map on the back of this booklet: Designated Area 2 in pink, Designated Area 3 in purple, and Designated Area 4 in blue.

Three wards (Dollis Hill, Kenton and Stonebridge) are not included in this proposed extension. The council feels they do not satisfy the legal criteria for selective licensing in that those wards have less than the national average of 20% of the properties being privately rented. The council has also chosen to exclude the Wembley Park area of Tokyngton ward because it does not believe the area is suffering from poor property conditions, ASB linked to the private rented sector or deprivation.

Factors that have been used to determine whether a proposed area suffers from high level of deprivation include: the employment status of adults; the average income of households; the health of households; the availability and ease of access to education, training and other services for households; housing conditions; the physical environment; and levels of crime.

More information about the criteria and evidence used to select the areas above, and about the evidence linking the issues to the private rented sector, can be found in Sections D & E of the 'consultation proposals' document at www.brent.gov.uk/landlordlicensing.

To what extent do you agree or disagree with the proposals to introduce Selective licensing in the following areas?

PLEASE TICK ✓ ONE IN EACH ROW	**Strongly agree**	**Tend to agree**	**Neither agree nor disagree**	**Tend to disagree**	**Strongly disagree**	Don't know
Designated Area 2: Queensbury, Fryent and Brondesbury Park	☐	☐	☐	☐	☐	☐
Designated Area 3: Barnhill and Welsh Harp	☐	☐	☐	☐	☐	☐
Designated Area 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury	☐	☐	☐	☐	☐	☐

If you disagree with any of the above, please can you explain why and what alternatives you think should be considered to address the problems?

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENCE CONDITIONS

Selective licence conditions

The council has discretion to set the precise conditions of the licence. These can include conditions relating to the management, use or occupation of the house, and measures to deal with anti-social behaviour of the actual tenants or those visiting the property. There are also certain mandatory conditions which must be included in a licence. For example, licensees are required to:

- Present a gas safety certificate annually to the Local Housing Authority, if gas is supplied to the house;
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition;
- Install smoke and carbon monoxide alarms and keep them in proper working order;
- Supply the occupier with a written statement of the terms of occupation; and
- Demand references from persons wishing to occupy the house.

Full Selective licensing conditions can be found in annexe C of the consultation document found at www.brent.gov.uk/landlordlicensing

To what extent do you agree or disagree with the proposed Selective licensing conditions?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

Additional HMO licence conditions

The council also has discretion to set the precise conditions of the HMO licence. These can include conditions relating to the management, use and occupation of the house, and its condition and contents. These can also include measures to deal with anti-social behaviour of the actual tenants or those visiting the property.

There are also certain mandatory conditions in addition to those above, for example, licensees are required to:

- Present a gas safety certificate annually to the Local Housing Authority, if gas is supplied to the house;
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition;

Full HMO licensing conditions can be found in annexe B of the consultation document found at www.brent.gov.uk/landlordlicensing

To what extent do you agree or disagree with the proposed Additional HMO licensing conditions?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

If you disagree with any of the conditions for Selective and Additional licensing, please can you explain why?

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENCE FEES

The council charges a fee to cover the costs of administering the licensing scheme over five years but does not make a profit. As long as the conditions are complied with, the licence would remain valid until the end of the scheme (i.e. up to a maximum of 5 years). The basic fees under the existing scheme are:

£840 for an Additional (HMO) licence and **£540 for a Selective licence**

There is also a £40 discount per application for landlords accredited to the London Landlords Accreditation Scheme. The council **proposes to keep the Additional and Selective fees at the current level**. The licensing fees will be kept under review at least annually.

What are your views on the proposed fees? PLEASE TICK ✓ ONE BOX ON EACH ROW

	I think the fee is too high	**I think the fee is at about the right level**	**I think the fee is too low**	Don't know
A basic fee of **£840 per property** for an Additional HMO licence	☐	☐	☐	☐
A basic fee of **£540 per property** for a Selective licence	☐	☐	☐	☐

DO YOU HAVE ANY FURTHER COMMENTS?

Are there any other things you think the council should consider to help improve the condition and management, ASB, deprivation and other issues about the private rented sector in Brent? Are there any other comments that you would like to make about the licensing proposals?

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENSING DESIGNATION(S)

Brent Council is legally obliged to offer to send you a copy of the Licensing Designation(s) before any licensing scheme is introduced. These are supporting documents that define various things including the area where licensing will be required, as well as detailing the commencement and duration of the designation(s).

If you would like to receive a copy of the Licensing Designation(s) please provide your name with either an email or postal address in the box below.

Please be aware that Brent Council are the data controllers and that Opinion Research Services (ORS) are the data processors for this questionnaire and that any contact details you provide will be sent to Brent Council. Your contact details will be separated from your questionnaire response before being sent, therefore you will not be identified in the results and report of findings received by the Council. ORS will not pass your details on to any third parties. The Council's Data Protection Officer can be contacted via dpo@brent.gov.uk, or 020 8937 1402.

Your contact details will be used by Brent Council only for the purpose of the Notification under the **Housing Act 2004,** and of issuing the Licensing Designation(s), as required to fulfil the council's duties under **Regulation 9 (3) - The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 –** the Publication requirements relating to designations made under the Housing Act 2004, require that within 2 weeks after the designation was confirmed or made the local housing authority must send a copy of the notice to any person who responded to the consultation.

The contact information will not be shared, shall be retained for no more than 3 years after decisions have been finalised, and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten. If you are dissatisfied with the processing of your information, you can raise your concern with the council's data protection officer. You have a right to lodge a complaint with the Information Commissioner's Office (www.ico.org.uk).Further information can be found at www.brent.gov.uk/privacy

MORE INFORMATION ABOUT YOU

What is your full postcode?
This will help us understand views in different areas

If you are providing your own PERSONAL RESPONSE, please answer the questions below…

Brent Council has a duty to promote equality and want to make sure all parts of the community are included in this consultation, but these questions are optional. All consultation responses will be taken fully into account when making decisions, regardless of whether you provide your details.

What was your age on your last birthday?

- ☐ Under 25
- ☐ 25 to 34
- ☐ 35 to 44
- ☐ 45 to 54
- ☐ 55 to 64
- ☐ 65 or above
- ☐ Prefer not to say

What is your gender?

- ☐ Male
- ☐ Female
- ☐ Prefer not to say

How would you describe your ethnic origin?

- ☐ White: English/Welsh/Scottish/Northern Irish/British
- ☐ White: Irish
- ☐ White: Gypsy or Irish Traveller
- ☐ Any other White background
- ☐ Mixed: White and Black Caribbean
- ☐ Mixed: White and Black African
- ☐ Mixed: White and Asian
- ☐ Any other mixed/multiple ethnic background
- ☐ Black/Black British: African
- ☐ Black/Black British: Caribbean
- ☐ Any other Black/Black British background
- ☐ Asian/Asian British: Chinese
- ☐ Asian/Asian British: Bangladeshi
- ☐ Asian/Asian British: Pakistani
- ☐ Asian/Asian British: Indian
- ☐ Any other Asian/Asian British background
- ☐ Arab
- ☐ Any other ethnic group
- ☐ Prefer not to say

Do you have any long-standing illness or disability?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

What is your religion or belief?

- ☐ Agnostic
- ☐ Buddhist
- ☐ Christian
- ☐ Hindu
- ☐ Humanist
- ☐ Jewish
- ☐ Muslim
- ☐ Sikh
- ☐ No religion/belief
- ☐ Other *(please specify)*
- ☐ Prefer not to say

What is your sexual orientation?

- ☐ Heterosexual/straight
- ☐ Lesbian
- ☐ Gay man
- ☐ Bisexual
- ☐ Other *(please specify)*
- ☐ Prefer not to say

How did you hear about this consultation? *(tick all that apply)*

- ☐ Leaflet
- ☐ Email
- ☐ Brent Connects
- ☐ Brent Citizens' Panel
- ☐ Poster
- ☐ Brent website
- ☐ Local newspaper
- ☐ Word of mouth
- ☐ Other *(please specify)*

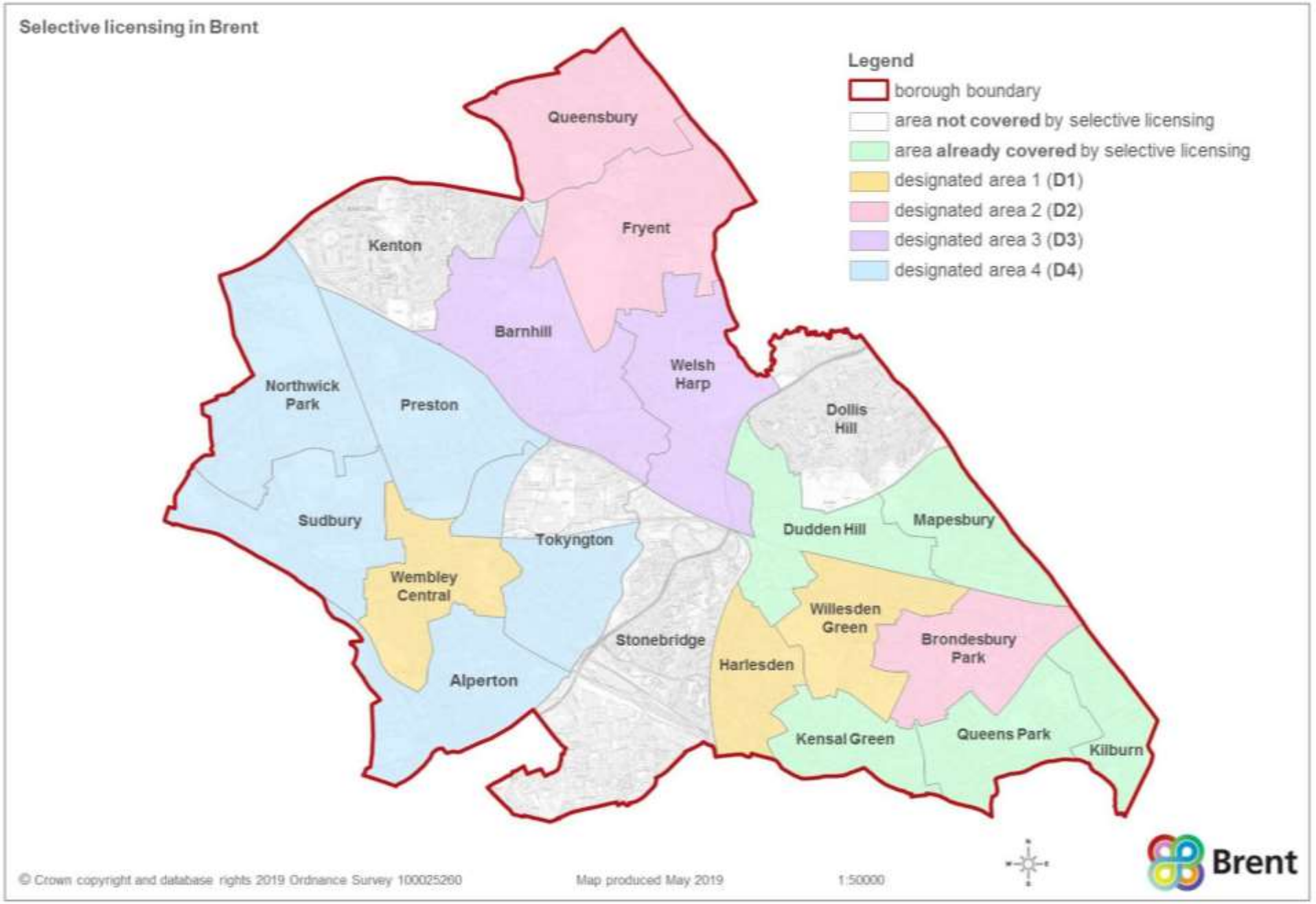
How long have you owned property in Brent?

- ☐ Less than one year
- ☐ 1 -2 years
- ☐ 2 - 5 years
- ☐ 5 - 10 years
- ☐ 10+ years
- ☐ Not applicable

THANK YOU VERY MUCH FOR YOUR TIME

Please post the questionnaire by **21st August 2019** to

Opinion Research Services
FREEPOST SS1018 · PO Box 530 · Swansea · SA1 1ZL


Selective licensing in Brent
Legend
borough boundary
area not covered by selective licensing
area already covered by selective licensing
designated area 1 (D1)
designated area 2 (D2)
designated area 3 (D3)
designated area 4 (D4)
Queensbury
Fryent
Kenton
Barnhill
Welsh Harp
Northwick Park
Preston
Dollis Hill
Sudbury
Tokyngton
Dudden Hill
Mapesbury
Wembley Central
Willesden Green
Brondesbury Park
Stonebridge
Harlesden
Alperton
Kensal Green
Queens Park
Kilburn
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Map produced May 2019
1:50000
Brent

Cabinet Report

Private Housing Licensing in Brent

Appendix 2:

Title: Summary of Representations made to the Consultation and of the Council's Considerations and Responses

Introduction:

Sections 56(3) and 80(9)(b) Housing Act 2004 requires the Council to consider any representations made in accordance with the consultation which are not withdrawn. The representations received are captured in this document. The table also shows the Council's considerations, responses. Some representations are duplicated and as such the Council's response may not be repeated where the presentation has been considered earlier in the table. We have considered and detailed more comprehensively in a thematic way (Tables 1-6) those comments which have come across more passionately or frequently.

September 2019

Author	Tony Jemmott/Final

Submission	Consultation Response	Council's Response
ARLA	In general, ARLA does not believe that discretionary licensing schemes are an effective way of promoting higher quality accommodation, feeling that they penalise good landlords, while allowing 'rogues' to operate under the radar. Specifically, ARLA states; » Many councils have indicated that the schemes cost more to operate than the funding generated from licence fees. » Licensing schemes can be time-consuming, administrative exercises and they can divert staff away from enforcement in order to process large volumes of applications » Recent research has highlighted that relatively few penalties are being issued; the issue therefore does not lie with existing legislation, but rather with a lack of enforcement and councils failing to utilise their existing powers » A more collaborative approach, working with letting agents, landlords and professional bodies to tackle issues, would better recognise good practice and would enable local authorities to better target their resources on effective intelligence-led enforcement.	We have employed other measures to work alongside licensing. We do not think that there are absolute alternatives to licensing which will in isolation deliver the improvements needed in the private rented sector. Brent has calculated the scheme costs to ensure that is balanced over the life of the scheme. We have included evidence of the enforcement work done to ensure that additional funding is levered in from the prosecution and civil penalties. Brent Council is profiled as one of the leading Councils taking private Housing enforcement action Since the introduction of discretionary licences in Brent there are many instances of better collaboration externally e.g. the well attended Brent Landlord Forum, together with the involvement with UKLAS, NLA, RLA, tenants groups
NLA	The NLA contends that the proposals are flawed e.g. because of the limits on a landlord's authority to deal with ASB (especially outside of the curtilage) and because it feels the council has not made sufficient use of existing powers. There are concerns about impacts arising from changes to Section 21 and the possible displacement of problem tenants around the borough, as well as about the impacts on homelessness and on services like adult social care. The NLA also feels there are certain gaps in the information provided e.g. in terms of the council's strategies for dealing with problematic tenants, and how it proposes to support landlords and tenants impacted by issues like subletting and overcrowding. A	The Council recognises that there are limitations to dealing with the occurrences and responsibilities of certain types of ASB. However, the Council believes that licensing along with other measures is an effective tool to reduce to deal with the problems. The proposals have included considerations from the Council's Homelessness Team and asserted that overall licensing has a positive impact on tenants. However, we have noted that the issue of the s21 reforms were raised at several forums during the consultation

	more detail summary of the issues raised is provided in the following list:	period. Brent Council will be responding to the Government consultation which closed on 12th October 2019
	» Licensing fuels the cost of renting and exacerbates issues around a lack of affordable housing; this will have a particular impact on those who are most vulnerable	We have no particular evidence that Licensing drives up renting costs. Our Licensing fees are reasonably set, but we note that some properties and landlords will needs to invest funds to become complaint. Bad landlords may face enforcement costs. These costs will help tenants, especially those who are most vulnerable.
	» The council already has existing powers that it is failing to use; …. rather than relying on licensing to bring about improvements over a five-year period) » Regulatory burdens should be balanced: while some enforcement is required, it is also important to recognise and encourage good practice (which the NLA feels is not currently the case) » Councils must work with all stakeholders (including the NLA, which is keen to engage with LBB) and not simply blame one group (i.e. landlords)	Brent Council has stepped up its enforcement. Our proposals show extensive use of prosecutions and civil penalties. We accept the Council could do more to recognise good practice as good landlords feel tarnished by the reports of the bad landlords. The Council works with the London Accreditation Scheme regarding licence discounts and their annual achievement awards
	» The proposal does not address issues such as rent-to-rent, illegal subletting and exploitation, nor does it consider AirBnB » It is difficult to address subletting, or to manage overcrowding when the tenants are responsible; these practices hurt landlords as well as tenants, and so affected landlords should be supported to help them address the issues	Rent to rent and sub-let situations are discovered during application processing and when carrying out inspections of properties. Where such accommodation is found to be occupied on this basis we will alert the relevant persons and reflect the corrective measures needed as part of our compliance schedules. Properties used as Airbnb are exempt from property licensing and the objectives of the scheme are to tackle housing conditions and ASB, etc.
	» A joined-up approach is required but there is little information on how, for example, services like adult social care will be impacted (given that many tenants will have issues with addiction or mental health), nor does the proposal consider possible link with homelessness » If a tenant is causing problems and the landlord ends the tenancy, they will have	In 2017 the Council undertook a study on the impact of licensing on tenants. The action plan was recently reviewed. The plan involved the work of Community Champions and Our Housing Need colleagues I assisting vulnerable tenants. Addressed above

	fulfilled their obligations under the licensing scheme; however, this just displaces the issue and the tenant gets 'lost in the system'	
	» Referencing requirements, along with changes to Section 21 will also make it harder for tenants (especially those who have been evicted) to get housed in the PRS in Brent (e.g. because landlords will be more risk averse, and refuse to take on any tenants who do not have perfect references and histories)	Referencing is a mandatory condition in relation to selective licences. There are good agencies who assist landlords in tenancy checks to help to ensure that landlords know more about the tenants they will be renting their properties to. The Council will work with landlords and tenants on the approach to the changes to s21.
	» The landlord can manage a tenant only to the extent of their contract for living in the property; s/he cannot be responsible for activities that occur outside the property or in neighbouring streets	The landlord is being required to take steps to address ASB. We believe that regular property inspections, communication with the tenants, neighbours and the Council will assist in reducing or eliminating problems which may arise at the licensed property.
	» It is almost impossible to the landlord to know if a tenant is the subject of a false or malicious allegation (the tenant can be labelled as guilty without the allegations having been tested)	
	» Landlords can resolve issues by ending a tenancy, but this will exacerbate, rather than resolve, the issue of high tenancy turnover (the council should instead adopt a policy similar to Leeds or Doncaster)	Our practices allow for advice and support to landlords and tenants e.g. referrals to landlord bodies, tenant agencies and internal Housing Needs colleagues.
	» Waste issues are exacerbated by the difficulties involved in accessing municipal waste points. NLA would be willing to work with LBB on a strategy for the collection of excess waste at the end of tenancies (mentioning Leeds Rental Standard is an example)	The Council has looked closely at the licensing condition relating to waste. We have included a web-link to information about Brent's Waste Strategy and will continue to work closely with our Waste Management Service.
	» Given that the size of the PRS is being used as a justification for licensing, the NLA would like clarification on whether the council has any policies to reduce or grow the PRS in particular areas	Due to housing pressures and housing supply initiatives we expect that the PRS in Brent will continue to grow. Please refer to the Council's Housing Strategy for information on new Homes etc.,
	» Introducing licensing into areas identifies them as 'problem zones' – this stigmatises the area (affecting property prices, insurance premiums and so on, in ways that stakeholders might not be aware of) and also deters investment.	Licensing Schemes are meant to address particular problems in an area. Certain costs and decisions may be due to market forces, not just licensing which many believe creates a level playing field.
	» The social rented sector has made many efforts to remove problem tenants – how can	Our experience is that ASB link with the PRS is more positively correlated

	the PRS be expected to deal with the issues when the social sector has failed?	than ASB in the social sector. Our evidence shows profiles in areas of high social housing e.g. Stonebridge ward. The matters will be referred to the Housing Management Team to consider as part of their action plan
	» Some of the conditions the landlord is expected to comply with conflict with the tenant's right to 'quiet enjoyment'	We have addressed matters of conditions separately in this response. However, by working with tenants support agencies tenants will be able to get better information on their rights.
	» The council needs a strategy to deal with tenants who are persistent offenders, especially where the problems arise from complex needs (e.g. drug and alcohol addiction) that landlords are not qualified to address	The ASB Team in Brent are working on an ASB action plan. PHS Licensing is part of the working its working party.
	» The NLA is concerned about gaps in evidence and justification and would appreciate: clarification on how the council will support landlords when notices are served or there are issues involving tenants; more data on ASB incidents, including breakdowns by tenure, how homelessness has been considered, and what additional services will be provided to deal with mental health » Once this information has been provided, it feels that the council should then re-consult on its proposals with all relevant stakeholders.	The 2017 report provides evidence of ASB at tenure level. These proposals have built on the 2017 report adding data from the BRE Housing Stock Condition study (2019) on property conditions and deprivation to detail the problems in the ward areas and also at LSOA level. It is not possible to include the full reports and reference is made to evidence at various sections of the proposal document. In addition, we have duly carried out an Equalities Analysis to consider and to address the impact of licensing on Brent's population and notably with regard to the protected characteristics, socio-economic and homelessness status. The reports mentioned above can be made. As such there is no need to re-consult on our proposals.
RLA - Residential Landlords Association	Though we appreciate the issues that Brent Council have mentioned and the impact they can have on tenants, landlords and the housing market in areas proposed, the RLA is opposed to the scheme and has many general objections to Licensing overall. **Enforcement Powers**	The proposal document provides detailed evidence of the use of formal

	There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector. Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016 and Housing Act 2004 to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords. The Tenant Fees Bill has also introduced a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements. **Raising Standards** There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS. The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources focused on processing applications, the council should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action. **Fee Structure charges -** Finder's Fee Only one licence fee can be charged per application. The proposed fee of £300 for "where a licensable property was found by the Council (landlords may still be subject to prosecution by the Council for operating an unlicensed rental accommodation). The	and informal enforcement powers by Brent Brent will be working with its Trading Standards Team in relation to The Tenant Fees Act. Landlords and tenant will be signposted to our websites for guidance e.g. 'How to Rent' and 'How to Let', and policies. Referrals for enforcement will be shared with colleagues and entries made on the relevant rogue databases. We argue strongly that licensing particularly where backed by robust inspection and enforcement drives us PRS standards. The Council aims to use Part 1 – HHSRS enforcement measures to tackle poor property conditions but recognise the extra burdens that Local Authorities have expressed concerning the use of the HHSRS, albeit any improvements to be made following the reviews of the system. We believe that licensing and enforcement offers better tools than enforcement alone. See earlier response

	council should, therefore, remove the proposed Finder's Fee. **Licence Conditions** The proposed licence conditions relating to the licence holder requesting information about previous unspent convictions goes beyond the scope of information a landlord should ask a tenant as it raises concerns of privacy. A tenant's unspent convictions should not be a barrier to a tenancy. **Amenity Standards** Appendix 1 of the document titled "Annexe B Additional Licensing Proposed Conditions" sets out the Council's Amenity and Space Standards that licence holders must ensure there are compliant. Although a local authority can produce local guidance on such standards, they cannot overrule mandatory standards set by national legislation. The relevant case law is Clark v Manchester City Council [2015] UKUT 0129 (LC). Therefore, the RLA recommends that the council, should it go forward with licensing, amend Condition 3 to state that the Amenity and Space Standards are only guidance, and would not constitute a breach in licence should they not be complied with by the licence holder. Table 16 of the summary of findings (page 53) show that it is not necessary for certain wards to be included in the licensing designation. Examples primarily include designated area D4 (Alperton, Preston, Sudbury, Northwich Park, Tokyngton) which does not qualify all the elements of poor property conditions outlined. If the council were to proceed with licensing, we strongly argue that certain wards do not need to be included and the designation should be redone to reflect this.	See Licence conditions responses - Table 1. See Licence conditions responses - Table 1. Condition amended See Table1 and Appendix 8 Table 16 shows that these wards fail the poor housing conditions category for either all Cat1 hazards (Northwick Park, or for at least 1 Cat hazard (Alperton, Preston, Sudbury, Northwick Park and Tokyngton). Northwick Park also has high Cat 2). In addition, Tokyngton fails for disrepair. All four wards except Northwick Park fails for ASB. The findings are from a BRE 2019 study commissioned by Brent for this purpose.
Safeagent previously NALS	» High levels of gang and drug-related crime reflect wider societal problems that cannot be addressed by landlords (e.g. because these are 'street crimes' that don't tend to affect individual properties) » The fact that criminality has increased over the lifetime of the current scheme indicates	The analyses show a link between high levels of ASB in the vicinity of high levels of PRS properties. Hotspot maps provide evidence. There is evidence from the Brent Safety Partnership on Police reported crime and hotspots.

	both a lack of causation between the PRS and street crime, as well as the difficulty of using property licensing as a means to address this issue	We have found an increase in ASB in Harlesden, Wembley Central and Willesden Green since the introduction of selective licensing in those areas. Reviews of licensing schemes report that ASB rises, giving one reasons as the increased awareness, reporting and recording of incidences by residents and the Council. We believe that it is necessary to continue with licensing to realise the scheme benefits
	» There is a very high level of non-compliance under LBB's existing HMO licensing scheme, but there is no suggestion as to how this would be addressed moving forward (it is unfair, meanwhile, for a small proportion of landlords and agents to be subsidising the scheme).	Whereas mandatory HMO licensing has seen greater than the predicted number of licence applications, we have found the take up for additional licensing much lower. We expect that the new mandatory licensing definition, and the widening of selective licensing will create more voluntary applications. We will be using data analytics (following our BRE data), as well as continuing with targeted enforcement, publicity, and will be encouraging reporting of unlicensed properties to identify those landlords who fail to apply for licences.
	» It is queried whether the council would be required to undertake HHSRS inspections on all properties over the next 5 years to address concerns around property conditions, doubting it has the resources to do so.	The resources aim to strike a balance between getting all HMOs licensed and ensuring compliance with HMO standards and licence conditions. In stating how HMO licensing will work, performance measures will be set.
	»Some specific issues are identified around the inclusion of section 257 HMOs. Safeagent feels it would be difficult for a typical agent to know if the building qualified as a HMO under the section 257 definition1 (and therefore if an Additional Licence was needed… » To address the above it is recommended that Brent follows a similar approach to LB Ealing e.g. in terms of restricting licensing only to section 257 HMOs where the whole building and all the flats within it are in single ownership or effectively under the same control, and where the number of flats	It is accepted that the complex definition of s257 makes it difficult for some landlords. The HMO scheme continues the approach to s257 with Licensing officers working with our Building Control and Planning colleagues to apply to fair and consistent approach to licensing these properties. Several other authorities have not sought to restricted the HMO description for licensing purposes.

	exceeds the number of storeys in the building. In relation to fees, Safeagent is pleased there is no uplift in the proposed fees and it welcomes the proposed discount associated with renewal. However: » It is unconvinced about the legality (under the Housing Act 2004) of LBB's proposed additional fees for reminder letters and missed inspections » It encourages LBB to follow the example of Ealing and Islington, by extending the £40 discount for accreditation to include those licensed properties where the designated manager is an accredited letting agent e.g. via Safeagent's own accreditation scheme In relation to the proposed licence conditions: » Safeagent identifies what it sees as various issues in the proposed conditions for both HMOs and other privately rented properties (specifically, it believes that some of the licensing conditions contravene the judgement in the case of Brown v Hyndburn Borough Council 2018)	Comments regarding the levels of the basic fees. Fees are responded to separately in the report. The basic fee i.e. Part 1 and 2 charges have been examined and have been properly structured. Additional charges are not made with the same legality. We believe that it is fair to level the additional costs on those landlords who have not yet licenced or who caused the service to incur costs, without spreading such costs onto compliant landlords. Brent works in Partnership with UKLAS (LLAS), in hosting accreditation for training for landlords. The discount promotes this training locally. Landlords are able to recover training cost as a business expense. Given the number of comments received ton regarding the licensing conditions, the considerations for both selective and HMO conditions are in a table below as a part of this document
	» In other boroughs, licence approvals have taken 6 months or more due to backlogs in processing applications. Safeagent therefore asks the council to publish clear service standards, setting out the timescale for processing licence applications and allowing its performance to be monitored; » The council must maintain an appropriately sized, well-resourced and effective enforcement team (to prevent the regulatory burdens falling solely on those who apply for a licence) » The council is encouraged to explore mechanisms for effective liaison with letting	It is proper that standards and expectations around application processing are clear. Whilst at peak times of applications being received delays can occur, in general licences are processed within 6 weeks. We will provide resources to minimise any backlog and will keep landlords informed about the status of the applications, expediting cases as necessary. Enforcement has already responded but given the strength of the representation made regarding enforcement, the theme is responded to further in the Table 5 below. Licensing works with the Brent Consumer Protection Team with

	agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents » To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a 'holistic' approach that extends beyond licensing, recognising (for example) efforts to regulate lettings agents in legislation by requiring them to belong to a government-approved redress scheme. Safeagent has produced an Effective Enforcement Toolkit, to assist councils in regulating the private rented sector an in effectively using enforcement powers against lettings and management firms.	regard to regulating letting agents. This area is worth further examination to ensure that we are working with others holistically.
Quintain /Tipi	Quintain and Tipi object to the inclusion of the site within the proposed Additional Licensing designation, for the reasons summarised below: » All Tipi properties are professionally managed by a dedicated Build-to-Rent management company, and therefore are unlikely to give rise to the problems that justify Additional Licensing; » The 'uniqueness' of Wembley Park's regeneration justifies its exclusion e.g. in terms of the *'scale and quality of housing being delivered in one location by one developer'*; » The Build-to-Rent sector is distinctive and for these purposes should not be classed as part of the PRS; moreover, the consultation document provides no evidence of a link between the sector and those issues said to be affecting the PRS; » In recent years, Get Living London successfully argued that East Village in Stratford should be excluded from Additional and Selective Licensing in London Borough of Newham; this has set an important precedent for excluding Build-to-Rent from discretionary licensing schemes; » Wembley Park is unaffected by Mandatory HMO Licensing (due to the exemptions around having three or more self-contained flats in a purpose-built block) and it has also been excluded from LBB's proposed new Selective Licensing designations. It is	Brent Council recognises the circumstance of Wembley Park. Its proposals have excluded the area from the selective licensing, but have included the area for additional licensing. The key reason is that for additional licensing we have considered the "area" as the entire borough and that the problems associated with HMOs extend across the area. The consultation responses do not support the exclusion of Wembley Park from either scheme and in the online questionnaire have given overwhelming support to detailed designations. Whilst we understand that tipi feel that they are not a typical landlord, as the legislation stands their properties are not statutorily exempted from licensing. The Authority will monitor the decision to exclude their area from selective licensing. Going forward we would be interested to hear of the reasons for the Newham decision to exclude Build-to-Rent HMOs from their additional scheme. We have applied the mandatory licensing definition. HMO which fall

	'irrational' for it to be included it in the Additional Licensing proposals when these other forms of licensing will not apply; » Properties built by Quintain that go on to be managed by a Registered Provider are exempt from Additional Licensing; however, as there is no difference between these and the remaining Quintain properties (in terms of the standard of the properties and of the quality of their management), they should all be exempt; » Crime and ASB are continuously monitored on the site and are not a significant issue. Moreover, security is enhanced because Quintain (through Wembley Park Estate Management Co Ltd and Tipi) controls and manages not only the homes themselves, but also *'the common parts and the public realm'* – which is very different to the situation under which an ordinary residential landlord operates.	outside that scope (subject to the exemptions) will be included in the additional scheme. We have considered ASB, Crime, etc., in relation to selective licensing and have applied the parameters for designation the "area". We have looked at HMO and selective licensing separately. As mentioned earlier, we feel that it was reasonable to exclude the "area".
Harlesden Area Action (HAA)	HAA is fully supportive of the continuation of the scheme but has further suggestions to improve its effectiveness, which include: » Reaching out to landlords: making sure s/he is the person responsible for the licence, and making sure s/he reads the conditions (e.g. by making them sign each page of the conditions booklet) » Introducing a knotweed policy for gardens » Stipulating the number of grey and blue bins needed per property, so that landlords have no excuse not to provide adequate number, and to prevent situations where tenants are wary of requesting additional bins due to the possibility of an additional charge; » Requiring landlords to display posters in the common areas of shared accommodation, which would provide information on recycling and waste disposal (these posters would be designed by HAA in conjunction with partners)	The legislation already makes that the licence holder and the manager, if any bound by the conditions imposed. Every effort will be made to ensure landlords understand their obligations The licence conditions have been reviewed to include areas which are lawful and enforceable. (see Table 1 below) We note where other regulations and strategies will complement licensing and aim that licensing does not become too bureaucratic or an unnecessary burden on landlords.
Willesden Green Residents Assoc.	WGRA agrees that the present licencing scheme is 'only a small positive step' and more needs to be done. It 'fully and emphatically' endorses the additional measures suggested by HAA (described above, and included in HAA's additional	Supportive of schemes See considerations under HAA immediately above

	submission to the Council i.e. the marked up copy of the conditions).	
Willesden Green Town Team	The Willesden Green Town Team also shared some proposed amendments to the licence conditions including proposals for additional posters/information and additions to the conditions around external areas, refuse and waste, pest control, means of escape and various other aspects of the property condition and management.	See considerations under HAA immediately above
BAWRC	Brent Advisory Women's Resource Centre believes all private landlords should be registered, and that there should also be rent control mechanisms to regulate 'extortionate' private landlords. It notes the benefit system is not meeting the total rent cost for those on low income and this should be addressed. It is noted that many low-income people are struggling with high rents which, BAWRC regards these as 'innocent victims' of unreasonable landlords. More broadly, it is concerned about the ways crime operates in families and the role contributed by financial hardship in family breakdowns BAWRC recognises these issues might seem to be beyond the scope of the current exercise; however, it feels they should be considered as part of the consultation and would ask the council to consider them.	Our proposals justify borough wide HMO licensing and an evidence base application of selective licensing. The Council has area level data on the economic status and deprivation. We have undertaken a thorough Equalities Analysis (Appendix 10), detailing several of the protected characteristics and issues in relation to women. We have involved tenants and residents' associations, welfare groups and Community champions. The consultation is via an open questionnaire but the process has also been designed to capture the views of the cross-section of Brent's residents through the sampling of participants selected for the residents and tenants' forums and the for the face-to-face interviews.
Submissions from individuals	» There is already plenty of existing legislation to address issues in the PRS » The costs of obtaining a licence will be passed on to tenants » Many landlords act responsibly and operate to good standards, without being compelled to by licensing » Where 'slum' landlords are identified, enforcement action is not always taken against them (with the implication that this is unfair on the compliant majority)	In adopting these discretionary licensing, the Council is able to extend the use regulatory powers available. See the fees/impact on tenant response We recognise that many landlords manage their properties responsibly, but where landlords negligent we will to use our licensing schemes to enforcement and support them. Relatively, Brent has an excellent record in Private Rented Sector enforcement (see Table 5 below for further on enforcement)

Main Themes emanating for the consultation responses

The Consultation generally sought submissions and the questionnaire provided respondents with three opportunities to comment on the proposals in their own words, specifically:

a) The conditions table (1) is significantly drawn from the written submissions

b) The Text comments in the consultation questionnaire provided respondents with three opportunities to comment on the proposals in their own words, specifically:

- If they disagreed with the proposals, asking them to explain why and to suggest any alternatives they would prefer to address the problems
- If they disagreed with any of the licensing conditions, to explain why
- Whether there was anything else the Council should consider to help improve the condition and management of properties, ASB, deprivation and other issues about the private rented sector in Brent, or whether they had any further comments in general

Tables 2-6 are selected (notably where there were a high percentage of respondents with that particular view) comments drawn from the findings and summarised under the main themes.

1. Specific Responses in relation to Property Conditions

HMO / Selective Licensing Condition	Consultation Response	Council's Consideration
HMO Condition 2 Overcrowding:	This clause does not reflect the regulations	Appendix 8 Condition 2 has been redrafted
HMO Condition 3 Amenity and space (size of rooms) standards:	Do not agree that the property must comply precisely with the council's amenity and space standards.	Appendix 8 Condition 3 Reworded and Council's standards shown as appendix.
Selective Condition (3) Rent Payments:	Rent books are only appropriate if the tenant pays their rent in cash.	Considered where payments are made otherwise but no change
HMO Condition 7 Deposits: **Selective Condition 4 Deposits:**	The requirement is to give the tenants prescribed information within 30 days of taking a deposit	Both Appendices amended
HMO Condition 8 Complaints **Selective Condition 5 Complaints:** **HMO Condition 9 (ASB)**: **Selective Condition 6 Anti-social behaviour (ASB)**:	It is excessive to require every tenant to be given a copy of a written complaints/ ASB procedure at the start of their tenancy	Conditions considered – No changes

HMO Condition 9a Prevention: **Selective Condition 6a Prevention:**	In relation to references, landlords may be restricted from releasing such personal information under GDPR	No change
Selective Condition 11 External areas:	Clause (a), the Court of Appeal have ruled that the condition of the property cannot be dealt with by way of a selective licence condition Clause (b), for single family properties, it is highly likely that the upkeep of any garden where the tenant has exclusive use would be the tenant's responsibility under the terms of the tenancy.	Condition amended to remove requirement to carry out works
Selective Condition 13 Repairs:	Clause (b). The condition of the property cannot be dealt with by way of a selective licence	Condition essentially deleted to leave requirement for the licence holder to detail arrangement for repairs
Selective Condition 14 Compliance Works:	The condition of the property cannot be dealt with by way of a selective licence condition. Any perceived hazards would need to be dealt with under the HHSRS.	Action to be taken under Part 1 Housing Act 2004 and therefore condition is deleted.
HMO Condition 15(c) Common Parts (shared areas):	For the purposes of this clause, it would be helpful for the council to define "common parts"	HMO Management Regs. Definition clarified. See Appendix 8, condition 15
Selective Condition 16.1 Smoke alarms:	Exceeds the mandatory licence condition. The requirement to install mains wired smoke alarms with battery back up in some single family dwellings cannot be imposed as a selective licence condition	Deleted the mains wired specification and amended to say that the smoke alarms are to be appropriate to the house. LACORs will be considered in deciding the appropriateness.
HMO Condition 17 Refuse and waste	It would be useful to attach a brief summary of the council's waste policy or to provide a web-link where information can be found.	Web-link inserted
Selective Condition 17 Means of escape:	Condition should be deleted as it is not appropriate in the context of a single family house or flat. There is no designated fire escape route in a single family dwelling and the licence holder or their agent cannot stop families placing items in their hallway. Secondly, a selective licence condition cannot apply to the area outside the licensed property – for example in the	Amended see Condition 16, Appendix 9

	common parts of a building containing a licensed flat. As such, the condition is also not appropriate in that context. This clause is more appropriate to HMOs which are licensed under a separate scheme.	
Selective Condition 18 Electrical Installations	This condition should be deleted completely. Whilst the government are considering making this a legal requirement, the Court of Appeal have ruled that an electrical inspection report cannot be required by way of a selective licence condition.	Deleted. Condition of the property and not management or use
HMO Condition 22 Fire precautions: In clause (b),	The wording should clarify that it applies to properties that fall within the remit of the Fire Safety Order.	Condition 22 clarified
HMO Condition 33 Absence of the licence holder: **Selective Condition 21 Absence of the licence holder**	Think it is excessive to require the licence holder to display a notice in the communal hallway in the event of their absence.	No change not accepted. For all HMO information should be given where the licence holder is absent, for selective licensing if not displayed, then appropriate 24hr emergency information must be given.
HMO Condition 34 Compliance inspections: **Selective Condition 22 Compliance inspections**	For an HMO let on a single tenancy it would not be possible to guarantee compliance with this condition	No change. As a minimum it is reasonable to ask that access must be facilitated.
HMO Condition 36 Documents to be displayed within the property:	Whilst it may be reasonable to display all the documentation in a bedsit-HMO occupied we do not think the same approach is appropriate in a property rented to a small group of sharers on one tenancy	No change not accepted. This reasonably covers HMOs whilst allowing flexibility in enforcement.
HMO Appendix 1:	The advice on bedroom sizes, kitchen, bathing and sanitary facilities should be published separately as guidance document.	Mandatory requirements are clear. The Council HMO amenities and space standards are provided as guidance. These standards will be applied in deciding the suitability of the HMO at the time of the licence approval and its compliance.

2. Specific Responses in relation to Fees

Consultation Response	Council's Consideration
The intention to offer a £100 fee discount for the renewal of HMO licences and a £40 discount for renewal of selective licences is welcomed. Regarding the charge of £15 for a reminder letter and £100 for a missed inspection appointment. It is unclear what power exists under the Act to charge fees for other purposes.	The additional charges referred to are not fees. The additional charges are as existing s existing. However, the point is being referred for Legal to clarify the powers being used. The Council has set out its basic fees, which will be collected in two parts in accordance with the legal requirements.
Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements, etc.	The Council is permitted charge a fee to cover the licensing function. The scheme is not designed to make a profit and should break even over the 5-year period.
Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already	Over the course of the 5 years the fee is quite small given the rental income. We have no evidence to suggest that rents will go up or costs passed on to tenants and believe that market forces has the mort impact on the level of rents in the borough
If the fee comprises two separate amounts to cover the assessment of the property and of the licence holder, then the element that refers to the vetting of the licence holder should only be charged once, not across all properties that the individual owns or manages (in other words, if a landlord is deemed a 'fit and proper' person to manage one property, then presumably they are 'fit and proper' to manage all of them)	The fee is worked out across the number of licence applications we estimate in the scheme. We do undertake basic the "fit and proper", but the process is not unduly bureaucratic with more extensive checks as necessary. Certain accredited landlords will be able to get the £40.00 accreditation discount for each property application, not per landlord
There should be pro rata licence fees (i.e. fees adjusted according to the remaining duration of the scheme) and discounts for multiple properties	We note that some authorities have addressed this issue by measures such as prorating, discounted. We believe that this is best addressed by having a clear policy in relation to the duration of the licence, such that licences may be granted for the full five years to extend beyond the end of a designation. This policy will need to be subject to Cabinet approval. The policy will also consider the varying of licences already granted or granted during the period of "overhang" between designations.
The licence fee should be linked to the rental value of the property. Fees need to take account of other expenses (e.g. loans, regulatory changes, agency fees, letting fees, maintenance fees) impacting on landlords	We appreciate that the rental income and expenses vary and that landlords have business considerations. The fees are set as low as possible so as not to be a burden on landlords or to impact negatively on tenants. For larger HMO, there is an additional room charge.
The fees should be higher, as they would be 'nothing' to the typical landlord of a HMO	Brent's fees have been calculated to reflect the costs of the activities in the process. Good landlords will pay the basic cost but non-complaint landlords will incur further enforcement costs

3. Specific Responses in relation to the area Designations

Consultation Response	Council's Consideration
We would encourage the council to delay implementing selective licensing in new areas so that resources can be focused on enforcement of the HMO licensing schemes.	If approved by Cabinet, we intend that additional licensing come in force on 1st February 2020. Given that selective licensing will require Government approval, and if granted, we will look to introduce renewal of the scheme for Harlesden, Wembley Central and Willesden Green in the Spring of 2020, and the scheme for extending selective licensing at a convenient date as soon as possible thereafter, in the Summer of 2020.
The proposal licensing scheme should cover all of borough/not just selected properties.	We recognise the benefits of borough-wide schemes and the proposal to renew and extend provides a significant coverage of private rented sector of the borough area. The additional licensing scheme is proposed borough-wide which gives a blanket coverage of all HMOs (except for those with statutory exemption) in the borough. For example, we have specifically considered s257 HMOs, and any HMOs within the new Wembley Park area of Tokyngton ward. With regard to selective licensing, we are unable to include the wards of Dollis Hill, Kenton and Stonebridge as our evidence should that these wards have less than the 20% private rented properties, which is one of the legal criteria that we must satisfy. There is the option to designation these areas if the evidential situation changes.
Wembley Park should be included in the licensing scheme.	The proposal includes Wembley Park in the additional HMO scheme. We have seriously considered also including the area for selective licensing but do not feel that the area satisfies the condition for inclusion. We note however that the consultation responses suggests the inclusion of the entire Tokyngton ward for selective licensing.
Some of these areas are included in the proposed or existing Selective Licensing designations. In particular, there was some concern that the Council's figures underestimate the scale and size of the PRS in a couple of areas. On the other hand, there was some scepticism around the justification for including certain wards, including Brondesbury Park and Alperton:	We are confident that each area for selective licensing meets one or more of the conditions for the licensing scheme, as well as the satisfying all of the other criteria. An independent housing stock review was Commissioned by the Council and undertaken by the Building Research Establishment (BRE) provides data at borough, ward and Lowest Super Output Areas (LSOA) in Brent. The data is analysed for (poor) property conditions, disrepair, Health and Safety Hazards (HHSRS) and deprivation in particular. Building on our 2017 selective Licensing evidence report, our own ASB evidence from this report shows that there are high levels of ASB linked directly to private rented properties across the borough

	compared to other tenures. We are not able to insert all of the evidence in the proposal document, but details and extracts were included as part of the proposal evidence. This evidence was used as part of the evidence pack and was published during the consultation. The BRE report and also the 2017 report is a background document to the cabinet report.

4. Specific Responses in relation to resourcing the schemes

Consultation Response	Council's Consideration
We understand that if the property conditions criterion is applied, the council would be required to undertake HHSRS inspections on all those properties over the next 5 years. Would there be adequate staffing resources available to undertake the thousands inspections required?	We strongly believe that Conditions in relation to housing conditions only require that it would be appropriate for a significant number of the properties referred to be inspected, We will the balance staffing needed for HMO licensing and HHSRS inspections, both with a view with a view to determining whether any category 1 or category 2 hazards exist on the premises, and carrying out any necessary enforcement action. We have included target in our proposal and if the schemes are approved, we will finalise our targets and performance measures, ensuring adequate staffing to meet the objectives of the schemes.
We would encourage the council to delay implementing selective licensing in new areas so that resources can be focused on enforcement of the HMO licensing schemes.	See above and issue also raised under enforcement

5. Specific Responses in relation to Enforcement

Consultation Response	Council's Consideration
It is a concern that after operating a borough wide additional licensing scheme for five years, the council acknowledge that only 20% of HMOs have been licensed, with inadequate enforcement resources to target those that fail to apply. In this context, we would encourage the council to focus their additional licensing scheme in the areas of greatest concern to achieve maximum impact.	The BRE stock condition survey and other tools provide better data on the locations of the HMOs in the borough. This will allow proactive targeting to identify unlicensed HMO and lessen responsive work. The BRE maps and other analytical tools identify "hotspots", drilled down to LSOAs.

Proposals will need to be properly managed/enforced efficiently/inspections will need to be made/vetting landlords etc.	We agree, but priorities will be to ensure that all applications are submitted for licences, and that the licensing objectives as specified, including compliance to management and property standards are met, if necessary using enforcement in accordance with our enforcement policy
We would encourage the council to delay implementing selective licensing in new areas so that resources can be focused on enforcement of the HMO licensing schemes	It is clearly agreed that licensing will not be effective unless it is supported by robust enforcement. Though we intend that the schemes come into force on different dates, we believe that a balanced strategy and balanced resources is needed to deliver the aims of both the discretionary and mandatory schemes.

6. Specific Responses in relation to alternatives or enhancements to licensing

Consultation Response	Council's Consideration
Star ratings awarded to landlords or areas, to make them more proactive to obtain recognition and learn how to look after their properties and tenants.	We work with UKLAS, where there is an annual awards ceremony
Limits on the numbers of HMOs that are permitted in any given street (e.g. no more than 2 allowed in a street of 20 i.e. 10%)	Brent Council is pursuing the use of Article 4 Directions, where the Planning Service is seeking Cabinet approval to remove permitted development rights for change of use from offices and light industrial to residential and other development rights between residential dwellings and houses in multiple occupation. This will apply to the whole borough. HMO Powers under the Housing Act are different to those found under the Town and Country Planning Act, and therefore licenses may be granted for HMOs which do not have planning permission to operate. An Article 4 Direction which would require planning permission would remove any uncertainty that planning permission is required. The HMO Licensing and HMO Article 4 Direction proposals will assist in a complementary and co-ordinated approach between the Housing and Planning functions in regulating HMOs in the borough, for which clear policies will be developed.
A register (with much lower fee) where landlords could submit their documents via an online portal, which (it is claimed) would be less intrusive than licensing and still achieve could standards	We have considered alternatives e.g. registration, landlord accreditation, co-regulation, but these are voluntary and rogue operators are unlikely to attend/engage.) Licensing provides a legal framework to tackle poor property conditions and bad management practices associated with the private rented

	sector. Alternatives considered are detailed in the proposal document.
A national 'rogue landlords' database, with benefit payments withheld to these landlords until they comply	Brent assisted with the Greater London Authority (GLA) pilot and introduction of the GLA rouge landlord database and have provide entries following successful enforcement. The national rogue database is being consulted upon, with question about the what information should be mandatory. We will be required to make "Banning Order" entries. Both registers mentioned are consulted as part of the "fit and Proper person" test.
A database of anti-social tenants, to help landlords decide whom they should let to	We do not propose to keep a database on anti-social tenants. Though this may help in choosing tenants, professional tenant references bodies already exist. Our licensing conditions demand that licence holders demand references from persons who wish to occupy the house. This condition is made mandatory for selective licences (under Part 3) must include conditions requiring the licence holder to demand references.
There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar	We considered the alternative of co-regulation as part of the 2016 selective licensing consultation at the time meeting with The Home Safe Scheme Ltd. Reference was made to schemes at Doncaster MBC, Blackpool Borough Council and West Lindsey District Council. We do not believe that voluntary or accreditation schemes offer the same degree of a framework or intervention that is needed to effectively tackle poor problems associated with the PRS in Brent.

END

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Improving the Private Rented Sector in Brent: Proposals for Consultation on Additional and Selective Licensing 2019

Table of Contents

1.0 Executive Summary 4
2.0 Introduction 4
3.0 SECTION A - Why are we consulting? 6
3.2 Why is the Council considering this measure? 8
3.3 Supporting the Council's wider objectives 8
3.4 Links to overall draft Housing Strategy 2017-22 9
3.5 Wider context and Other courses of action being taken 9
3.6 Landlord Accreditation and Landlord Forum 9
3.7 Housing Standards, Regulation and Enforcement 10
3.8 Empty Properties 10
3.9 Regulatory Enforcement Group, Partnership working and tasking 10
3.10 Homelessness 10
3.11 Regeneration 11
3.12 The Summary and the Effect our Proposals 12
3.13 What will Private Rented Sector licensing achieve? 14
3.14 Does the Council want to put off landlords from operating in Brent? 14
3.15 How will Private Rented Sector licensing work? 14
3.16 What about the costs for landlords? 15
3.17 The regional Licensing Scheme picture 15
4.0 SECTION B - The legal framework 16
4.1 Licensing in the private rented sector 16
4.2 Conditions applying to additional HMO licensing and further background 16
4.3 Conditions applying to Selective licensing and further background 16
4.4 Satisfying the licensing legal framework 18
5.0 SECTION C - Property Licensing schemes and Enforcement in Brent to date 18
5.1 Licensing take up 18
5.2 Management and Enforcement of the Licensing Function 19
6.0 SECTION D – The Evidence Base to support our proposals 21
6.1 Applying HMO and Selective licensing schemes in Brent 21
6.2 Further evidence for selective and additional licensing 21
6.3 Methodology 21
6.4 Population projections and the PRS in Brent 22
6.5 Population projections for Brent 22
6.6 The private rented sector in Brent: its growth and distribution 23
6.7 The levels of Housing Act ASB and the links to the PRS 24

6.8 Police recorded Anti-Social Behaviour 25
6.9 Council recorded environmental crime 27
6.10 Linking ASB to housing tenure 29
6.11 Poor Housing Conditions – HHSRS hazards and levels of Disrepair 30
6.11.5 Property condition by dwelling age and type for the private rented stock 32
6.12 High levels of Migration 33
6.13 High levels of Deprivation 33
6.14 High levels of Crime 34
7.0 The proposed designations 35
7.1 The proposal for renewing additional HMO licensing in Brent 35
7.2 The Link between ASB and High Risk HMOs 39
7.3 HMO Compliance Inspection Programme 40
8.0 Selective Licensing 41
8.1 The proposal for renewing and extending selective licensing in Brent 41
8.2 Proportions of privately rented dwellings in Brent 42
8.3 Information on property condition – HHSRS hazards and disrepair 43
8.4 Information on poor property conditions – levels of disrepair 48
8.5 Information on deprivation 49
8.6 Information on antisocial behaviour 50
9.0 SECTION E – Proposals summary and Consultation Summary 53
9.1 Summary 53
9.2 Summary of conclusions 54
10.0 The Consultation - Have your say 55
10.6 What happens next? 56
Documents referred to and Annexes 57
Appendix 1 - Selected Glossary 57
Appendix 2 - Analysis of noise, waste and ASB in Brent 57

Consultation Launch Date: 10 June 2019

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1.0 Executive Summary

1.1 Brent Council is consulting on the following 3 proposals;

I. To renew the designation of the whole of the borough, as subject to an additional Houses in Multiple Occupation licensing scheme under Part 2 of the Housing Act 2004, with effect from January 2020.

II. To renew the selective licensing scheme designation in the wards of Harlesden, Wembley Central and Willesden Green wards under Part 3 of the Housing Act 2004 on the grounds of property conditions and ASB with effect from January 2020, or at a later date in accordance with the statutory time required for the scheme to come into force.

III. To introduce a selective licensing scheme under Part 3 of the Housing Act 2004 to the following designated areas of the borough with effect from 1st April 2020, or at a later date in accordance with the statutory time required for the scheme to come into force, for the reasons as follows:
Designation 2: Queensbury, Fryent and Brondesbury Park – This is along the A5 corridor and on the; Grounds; Property Conditions and ASB
Designation 3: Barnhill and Welsh Harp – Grounds; Property Conditions, Deprivation and ASB
Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury; Property Conditions and ASB

1.2 This report summarises the proposals, the statutory provisions for licensing schemes, and the conditions for the designations. The Council considers that the proposals meet the criteria for renewal or extension of the licensing schemes as the most effective way to regulate the condition, management and occupation of privately rented properties in the borough.

1.3 Brent's existing 2014 selective and additional scheme designations will finish on 31st December 2019. In summary we have been successful in delivering a better strategic approach to regulating our private rented sector, to reduce anti-social behaviour in the borough, to improve the quality and management of privately rented properties, and to assist landlords and tenants to improve their status.

1.4 This report, which provides new evidence and builds on our previous evidence base shows the need to continue efforts to eliminate or reduce the ongoing problems associated with the PRS and to make the achievements sustainable. Significant findings are in particular related to the proportion of the PRS, the presence of poor housing conditions, antisocial behaviour and deprivation, which, though they are found at higher or lower levels in areas, are generally widespread across the whole borough.

1.5 The licensing consultation questionnaire and feedback exercise seeks your views about our proposals. This report is a key part of our consultation exercise. We will consider the findings, and any representations made to the consultation, in deciding how we may proceed.

2.0 Introduction

2.1 Our population has increased by 18 per cent over the past 10 years, to 335,000 residents today, projected to increase to almost 350,000 by 2023, and over 375,000 by 2030. We are now the seventh largest of the London boroughs and the fourteenth most densely populated local authority in the country. In 2016-17, 32,900 people moved in and 33,700 moved out – the 22nd highest population turnover rate in UK, and relatively high (202 per 1,000 population) for an Outer London Borough, second only to Merton. Brent has a young population: the median age is 35, five years below the UK average (40).

2.2 Almost two thirds (65%) of the Brent population are from Black, Asian and minority ethnic groups. Brent's largest single ethnic group is the Indian population – who comprise 17% of residents – the fourth largest in London. Brent is the second most ethnically diverse (Index score =9, compared to London score of 5.1) borough in London, after Newham (according to the Simpson's Diversity Index (Ethnicity), London 2019.

2.3 Our vision for 2023 is to make Brent a borough of culture, empathy, and shared prosperity.

2.4 In 2011 there were 35,000 properties in the private rented sector in the Borough - over 32% of the housing stock. Our recent studies have shown that there are 121,250 dwellings in Brent, 41% are owner occupied, the private rented sector is now at 37% and is now bigger than the social rented sector (22%).This significant PRS growth, from 17% of the total stock in 2001 to 31% in 2011 - so that 14% of the stock has changed over that time period to now be private rented. This is higher than the change of 9% seen in England as a whole. The analysis for this current report estimates that 37% of the stock in Brent is now privately rented, implying a further increase since 2011 of 6%.

2.5 The private rented sector includes a growing high-quality segment for those able to pay. At the other extreme is a segment operating outside regulation, characterised by overcrowding, disrepair and poor management. Between these poles is a diverse supply, owned and managed almost exclusively by small landlords catering for a range of incomes and household types.

2.6 There is also evidence that poorly-managed privately rented properties are having a negative impact on some neighborhoods. Anti-social behavior (ASB), nuisance neighbours and accumulations of rubbish can be linked to the failure of private landlords to effectively manage their properties and tenancies. Overcrowding, subletting and illegal conversions are also features of the private rented sector in Brent on the back of the huge demand for housing in the Borough (and London as a whole).

2.7 In 2014, the Council led project (Additional and Selective Licensing in the Private Rented Sector in Brent: A Consultation Exercise, HQN) looked at the links between the private rented sector (PRS) and anti-social behavior and identified areas within the Borough that were suffering from high levels of anti-social behaviour and environmental issues. Based on that evidence the Council introduced an Additional Licensing scheme for the whole borough for houses in multiple occupation (HMOs) and a Selective Licensing designation for three wards of Harlesden, Wembley Central and Willesden Green where anti-social behaviour was identified as a significant problem linked to the poor management of private rented housing. Both of these schemes came into operation on 1st January 2015.

2.8 In 2015 the Government set out new criteria for Councils to take into account when considering the approach to selective licensing. Brent Council followed these changes and on 1st June 2018 selective licensing was extended and came into force in the electoral wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park. Further detail on the changed guidance is set out in section B.

2.9 Whist the 2018 selective scheme is intended to run for the next 5 years, both of the schemes which commenced on 1st January 2015 will expire this year on 31 December 2019. Brent remains committed to improving the standard and safety of all private rented housing in the borough to make the borough better for tenants, landlords and for the community. This current consultation exercise will also help us gather your views on our proposals to address this priority and to act in line with our housing strategy. These proposals and evidence are set out in 5 sections below;

- Section A – Why are we consulting?
- Section B – Satisfying the legal framework
- Section C – Property Licensing schemes and Enforcement in Brent to date
- Section D - The evidence to support our proposal
- Section E – Proposals Summary and Consultation summary

3.0 SECTION A - Why are we consulting?

3.1.1 Our recent studies show that the percentage of the private rented sector (PRS) in Brent is 37%, which is significantly higher than the London (27%) and national (20%) averages.

3.1.2 Brent Council's Private Housing Service in conjunction with using its Business Intelligence Team reported on relevant matters relating to licensing in the private rented sector; PRIVATE RENTED PROPERTY LICENSING IN BRENT: *Examining the link between the PRS, ASB and the other prescribed criteria for extending selective licensing in Brent*, April 2017.

3.1.3 In addition to this study the Council commissioned three studies as well as conducting a public licensing consultation exercise in late 2016. These studies were as follows:

b) Review of the housing conditions in Brent: Building Research Establishment (BRE) Integrated Dwelling Level Housing Stock Modelling and Database for Brent, 2019.

c) Research undertaken by Housing Quality Network (HQN) during the summer of 2013 examined the feasibility of introducing a licensing scheme for the PRS in the Borough.

d) *The case for extending Selective Licensing in Brent*: Research by Mayhew Harper Associates Ltd, December 2016 established the ASB-PRS link in Brent, and

e) Findings from the public consultation on extending selective in Brent 2016

3.1.4 The studies provide the following key findings to support the proposals.

3.1.5 Overall, the percentage of dwellings in the private rented sector across Brent is 37% compared to the national average of 20%. 18 out of the 21 wards in Brent have a percentage of private rented sector dwellings greater than the national average.

3.1.6 There is an estimated 16,984 HMOs in Brent, of which approximately 4,831 come under the mandatory licensing scheme. Our analysis shows that only 21% of HMO are currently licensed. We believe that a borough wide licensing scheme is the most effective method of gaining compliance with HMO licensing and improving the management of such properties.

3.1.7 Anti-social behaviour:

- ASB occurrences in Brent is 33 per 1000 head of population based on the number of ASB calls to the police in 2017/18. ASB is highlighted as a key concern for residents of Brent. Nationally there has been an increase of ASB across the Borough. This could be down to increased reporting and also an escalation in open drug markets and the impact of gang activities in Brent. Visible evidence of disorder through unchallenged ASB leads to less secure communities, and can impact negatively on feelings of safety and mental health.

Environmental ASB is expensive to react to and leads communities to consider their neighbourhoods negatively, which in turn leads to social disorganisation.

- Brent had the third highest number of ASB calls (at 10,000 see chart below), in comparison to the most similar London boroughs, in the 2017-18.
- A review of the enviro-crime data supports the correlation between the private rented sector and anti-social behaviour at specific locations and across the borough. We have examined such factors as noise, waste and fly-tipping now termed (illegal rubbish dumping IRD), alcohol drinking, graffiti etc.

3.1.8 Poor housing conditions:

- The PRS has a high proportion of category 1 Housing Health and Safety Rating System (HHSRS) hazards, this equates to 9% of PRS properties and the highest proportion of high HHSRS category 2 hazards at 49% of dwellings, compared to 43 % of the owner occupied stock.
- 1,956 or 4.4% of private rented dwellings in Brent are estimated to have an energy performance rating (EPC) rating below E (i.e. F and G). Though below the 2014 EHS figure (7.5%), under the new rules on minimum standards these properties are not eligible to be rented out unless certain exemptions apply.
- A significant amount of the request for services received from private tenants relate to poor property conditions. The majority of enforcement interventions where serious hazards exist relate to overcrowding, poor heating, damp and mould, gas, fire and electrical safety owing to poor management by landlords.
- The total number of dwellings with HHSRS category 1 hazards in Brent's private sector stock is 9,628, and total cost for mitigating all Category 1 hazards is £34.2m. For the 3,819 dwellings in the private rented tenure the total cost for mitigating all Category 1 hazards is £13.6m.

3.1.9 Levels of migration: The net migration figures disguise the considerable flows of population. National Insurance Number Registrations of overseas nationals (NINo) 2017/2018 figures from DWP for Brent show total overseas registration 13,984 with 10,605 from the EU. Looking at internal and international migration in 2016-17, the number of international migrants moving into Brent over the year far outweighed the number of Brent residents leaving for destinations outside the UK (+10,800 vs. -4,700) – resulting in a net inflow of 6,000 international migrants into the borough. An ethnicity analysis of the 34 completed private housing prosecutions Jan 2016 – July 2016 show over 62% of tenants are from EU states with a further 18% of Asian origin. As part of a wider strategy, the Council wants to improve the economic conditions of the area and ensure that all people occupying private rented properties live in well managed housing and in acceptable conditions.

3.1.10 Levels of deprivation: Brent has 173 Lowest Super Output Areas (LSOA). 36 Lower Super Output Areas (LSOAs) in Brent fall into the 20% most deprived areas in England, including all of the LSOAs in Stonebridge and the majority of the LSOAs in Harlesden. The analysis shows that the proportion of privately rented dwellings that are in the 20% most deprived areas is 21% for Brent as a whole.

3.1.11 Levels of crime: Crime levels mapped over the last three years from January 2015 – December 2017 shows that the number of Total Notifiable Offences (all crimes) in Brent has increased in the last 12 months from 27,504 to 29,296 providing an overall increase of 7%. Over this same period London has also seen a 7% increase in Total Notifiable Offences. The latest crime rate is 70.8 per 1,000 head of population, the 15th highest in London. Our earlier report analysis of crime showed a positive correlation with the PRS, though this was much less positive than observed in the social sector.

3.1.12 Our evidence shows that problems exist to varying extents for each ward but are but are more significant in certain wards or areas of wards. Specifically, the evidence base justifies the renewal of additional licensing borough wide, and for selective licensing to be renewed and extended. The selective scheme will be subject to multiple designations areas. The areas proposed are shown respectively as maps 9 and 14 of this report as:

i. Brent area designation for additional licensing, and
ii. Brent area designation for selective licensing

3.2 Why is the Council considering this measure?

3.2.1 The existing selective licensing and additional HMO schemes will end on 31st December 2019. In June 2017, Brent Cabinet considered the report on extending selective licensing and approved the recommendations. Brent Council is committed to licensing as part of its strategic approach to improving the general quality of housing in the borough.

3.2.2 The quality of the environment where people live is important both to the Council and to our residents and the Council is committed to improving the living conditions of all of its residents. We also want to build on lessons the existing mandatory and the discretionary HMO and Selective licensing schemes which were introduced in January 2015 and June 2018 to ensure that our residents live in good conditions and in safe communities where criminal and anti-social behaviour is minimised. We have found a strong link between poor property conditions, levels of anti-social behavior, deprivation and homes that are rented out privately.

3.2.3 In seeking to deal with the poor property standards, and also for the large number of HMOs whose owners have neglected to apply for licences, the standard enforcement regime is complicated and time-consuming, making it difficult to act quickly against poorly-managed private rented properties and rogue landlords. To tackle the problems, the Council has identified its private rented sector, and have added discretionary licensing powers to the range of enforcement powers which we use wherever we can.

3.2.4 We believe that our stepped approach to licensing the private rented sector is more in line with the current Government's wishes rather than the blanket approach adopted elsewhere. Therefore, provided all other criteria are reasonably met, we feel that an extended scheme submission for the Secretary of State confirmation is likely to be successful.

3.3 Supporting the Council's wider objectives

3.3.1 The Borough Plan 2019-2023: Building a Better Brent sets out the council's priorities and desired outcomes for Brent within a number of broad themes.

a) A BOROUGH WHERE WE CAN ALL FEEL SAFE, SECURE, HAPPY AND HEALTHY

DESIRED OUTCOMES:

- Reduction in anti-social behaviour, the risk of harm and re-offending
- Support our most vulnerable adults, enabling them to choose and control the services they receive, to remain independent and lead active lives
- Improve the health of Brent residents

b) STRONG FOUNDATIONS

DESIRED OUTCOMES

- Building services around residents and their needs
- Increase in resident satisfaction

c) A CLEANER, MORE CONSIDERATE BRENT

DESIRED OUTCOME
- Reduction in illegally-dumped rubbish

d) A FUTURE BUILT FOR EVERYONE, AN ECONOMY FIT FOR ALL

DESIRED OUTCOMES
- Increase in housing supply
- Reduction in the number of households in temporary accommodation

3.3.2 The plan also supports the objectives of the council's Draft Housing Strategy 2017-22 and other strategies aimed at maximising the contribution of the private rented sector to meeting housing need and demand through the provision of decent and well-managed accommodation.

3.4 Links to overall draft Housing Strategy 2017-22

3.4.1 Within the strategy there are opportunities for the private rented sector to play an important role in delivering new supply but there are serious concerns over standards, access and affordability. The strategy aims to work with the sector, supporting landlords to delivery supply that meets required standards of management and maintenance and is accessible to people on a range of incomes in a market that is well regulated and offers appropriate protection to tenants.

3.5 Wider context and Other courses of action being taken

3.5.1 Licensing is set in the context of the Council's wider programmes to tackle housing need, crime and ASB, for example noise nuisance and fly tipping, which are often associated with poor management in the PRS, particularly of HMOs. Similarly, the Council uses its planning and building control powers to ensure that alterations and improvements to PRS properties are undertaken properly.

3.6 Landlord Accreditation and Landlord Forum

3.6.1 Brent started to host accreditation training in 2017 and as part of the London Landlord Accreditation Partnership and has 857 landlords accredited to this scheme as at January 2019, rising from 632 in December 2014. The licensing schemes give a £40.00 discount per property for accredited LLAS members, however although there are over 3,500 licence holders, and, even accepted that some landlords are accredited to other schemes, the number of licence applicants who have claimed this discount is relatively low. Accreditation has its limitations in that being a voluntary scheme, landlords who are not interested in improving their professionalism are less inclined to join. Accreditation has not achieved the level of participation needed to tackle the problems in the PRS.

3.6.2 Brent's landlord forum had previously been poorly attended. Since 2015 the Council has operated in conjunction with Midas Property Club to host the forums which is on average are attended by over 200 landlords and agents with private property interest.

3.7 Housing Standards, Regulation and Enforcement

3.7.1 Service requests regarding private property standards are treated to an initial response and are referred where there is justification for further investigation. Between January 2015 and 31st December 2018, the Private Housing Service dealt with 2,960 requests for service from tenants, averaging 740 per year. For this period, 2,217 notices have been served on private landlords 1,318 of which required improvement works to be undertaken. There were 159 prosecutions for which £1.5m fines and costs were awarded, as a result of the housing act prosecutions heard. As an alternative to prosecutions the Council have issued over 100 civil penalty notices, 63 of which have been completed and paid.

3.7.2 For each of the 2 yearly periods between January 2014 and December 2015 the Environmental Services Noise Team dealt with 3,443 and 3,539 noise complaints respectively. Between January 2016 and September 2016 the Team dealt with 2,982 complaints. A proportion of these will have emanated from the PRS.

3.8 Empty Properties

3.8.1 Although the exact number fluctuates, Council tax estimates indicate 663 long term empty private properties. Private Housing has a dedicated Empty Properties Team which last year brought over 119 properties back into use. This not only adds to the available homes, as well as to reduce the nuisance and ASB that empty properties are likely to attract.

3.9 Regulatory Enforcement Group, Partnership working and tasking

3.9.1 The EPG (Enforcement Practitioners Group) was set up in 2015 to bring together regulatory enforcement teams from across departments to tackle specific problems which had a visual or environmental impact as the main issue.

3.9.2 We utilise a Local Joint Action Group (JLAG) model to tackle ASB issues in Brent, to seek to identify and manage location-based problems either in the public realm or through nuisance properties and locations. These are undertaken on a problem-solving basis and use analytical products to drive activity. Representatives from statutory organisations, voluntary sector agencies and housing providers come together monthly to manage issues raised by residents (through ward panels) or through data analysis. LJAGs also act as a decision-making body for the use of environmental and place-based ASB tools and powers, for example Public Space Protection Orders.

3.10 Homelessness

3.10.1 Although Brent has continued to increase its dwelling stock over the last 10 years (period 2006 - 2016) by 10.5%, its current housing stock does not meet demand. Brent Council's own housing stock consists of 11,378 homes as of February 2018, comprised of 7,878 rented and 3,500 leasehold properties. According to the Social Housing Regulator, in 2018, there were 55 RPs operating in Brent, managing 20,221 affordable homes for rent.

3.10.2 As of 1st April 2018, 3,632 households are in Bands A-C on the Housing Register (those considered to be in housing need). Brent has had one of the largest temporary accommodation portfolios in the country for many years. As of 31st December 2018, Brent Council reports to have 2,348 households in Temporary Accommodation, a total reduction of around 44% since 2004. In 2016/17 294 individuals were recorded rough sleeping in Brent, a 39% increase on figures from 2015/16. Brent is taking a range of actions to address demand arising from homelessness and reduce reliance on temporary accommodation.

3.10.3 The Draft London Plan (2017) sets a new target of 29,150 additional homes to be delivered in Brent over the period 2019/20 to 2028/29, an average of 2,915 per annum. This is almost double the 2015 target of 1525 homes per annum. Of these new homes, The Council's Housing Strategy aims to facilitate the delivery of 1,000 new affordable homes each year from all possible sources with 70% for affordable rent and 30% for affordable homeownership. This includes the Councils own development programme which will deliver 817 new council homes. The Greater London Authority report that Registered Providers who are receiving grant will have 3,330 units started on site in the Brent by 2020. It is important to note, 841 will be Social Rent, London Affordable Rent or Affordable Rent.

3.10.4 The number of housing benefit claimants in Brent reached its peak in 2012-13 at 38,099, as of March 2019 this number is 32,644, a reduction of 1,924 since November 2018, when Universal Credit (UC) went live in Brent. The UC caseload in Brent, at 31st March, was 5,849, an increase of 3,674 on November. (This will include our former HB cases plus UC claims from non-dependants etc., with no rent liability.). Brent has the highest number of housing benefit claimants in all of the outer London Boroughs, and has the 2nd highest number of housing benefit claimants in social rented accommodation.

3.10.5 As of Q3 2017, Brent had the 12th highest median private rent levels in London, and the highest median private rent levels in outer London.

3.10.6 The private sector therefore plays an important role being a key source of temporary and permanent accommodation to meet it. Licensing can play a significant role in ensuring that the sector is well managed and provides settled and decent accommodation for Brent residents. It is also recognised though a Brent commissioned study report by Future of London 2017, that licensing enforcement action could lead to homelessness and the council acts to secure the rights of tenants and provide advice and assistance as required. There has been no evidence of any significant level of homelessness applications directly arising from licensing activity.

3.11 Regeneration

3.11.1 Alongside our work with private landlords, our key priority is to increase supply of affordable housing, including the supply of private rented housing. LB Brent was the first local authority to secure designation for Housing Zones in Wembley and Alperton and these two zones have the capacity to support the greatest growth moving forward, with over 20,000 new homes in total and specific interventions to accelerate delivery of over 5,000 new homes by 2025. This represents a significant contribution to London-wide targets and public realm improvements in Brent.

3.12 The Summary and the Effect our Proposals

3.12.1 The Council is proposing to renew the additional licensing designation which applies to the entire area of Brent. The current designation will end on 31st December 2019. The reason the Council is proposing to do so is because it considers that a significant proportion of the HMOs of this description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

3.12.2 The Council is proposing to renew the existing selective licensing scheme designation applying to Harlesden, Wembley Central and Willesden Green which will end on 31st December 2019. The grounds for the designation are the areas are experiencing one or more of either poor property conditions, deprivation and or antisocial behaviour.

3.12.3 The Council is proposing that selective licensing is extended to the Brent wards of Alperton, Barnhill, Brondesbury Park, Fryent, Northwick Park, Preston, Queensbury, Sudbury, Tokyngton (excluding Wembley Park) and Welsh Harp. The grounds for the designation are the areas are experiencing one or more of either poor property conditions, deprivation and or antisocial behaviour.

3.12.4 The evidence we have collected so far tells us that there is a strong connection between poor property conditions, anti-social behaviour, deprivation and the management of the private rented sector in Brent. We are using the consultation exercise to see if residents and businesses think that the Council should renew and extend licensing schemes.

3.12.5 We are also consulting about where selective licensing should apply based on certain criteria.

3.12.6 Our proposals are primarily governed by the provisions of the Housing Act 2004. A summary of the legislation that underpins our proposals for additional and for selective licensing, can be found at paragraphs 4.1 to 4.4.

3.12.7 We have designed a questionnaire to capture your views on our proposals. This is an open questionnaire for anyone likely to be affected by the proposals. It is for residents including tenants, businesses, private landlords with properties in the borough and also for stakeholders in the London Boroughs of Barnet, Camden, Ealing, Harrow, Hammersmith and Fulham, Kensington and Chelsea, and Westminster, as these boroughs border Brent.

3.12.8 The consultation questionnaire will be conducted online, although paper forms will be made available on request and in certain circumstances. Paper forms can be completed by hand and returned to the in a pre- paid self- addressed envelope. The outline consultation will be set out in a communications plan.

3.12.9 Licence Fee proposal –We are proposing to keep our basic fee of £840.00 for HMOs and fee of £540.00 for selective licences. The first stage or Part 1 HMO fee is £540.00 and the Part 1 fee for a selective licence proposed is £340.00. The remainder of the full licence fee will be demanded when the licence is ready to be issued. A further discount of £40.00 per application will be given to landlords who are accredited to the London Landlords Accreditation Scheme, which works in partnership with Brent. This is our way of supporting accreditation as an excellent way for responsible landlords to improve their knowledge of the sector as well as demonstrating their professionalism to tenants and to others.

3.12.10 The Council has already introduced a split licence fee regime in compliance with the legal rulings. In setting HMO and Selective licence fees, the council must follow certain principles

established the European Services Directive (ESD). The fees are intended to off-set the cost to the Authority of administering the licensing scheme and is split between costs incurred for the processing and administration of the application, Part 1, and after deciding to issue a licence, Part 2, the enforcement costs. Issues raised concerning fee during the consultation will be considered as part of the consultation response. The fee structure is in **Annex A.**

3.12.11 Licence conditions proposals – We have reviewed our existing licensing conditions, notably in regard to the *Brown V Hyndburn Borough Council* [2018] decision in regard to selective licensing, and also to reflect the new statutory mandatory conditions. Issues raised concerning our licence conditions during the consultation will be considered as part of the consultation response. The proposed additional licensing conditions are at **Annex B.** The proposed selective licensing conditions are in **Annex C.**

3.12.12 If introduced, the effect will be that landlords who rent or let any Additional HMO in Brent; and moreover who let any residential accommodation in any area designated for selective licensing in Brent, that is not occupied as a mandatory House in Multiple Occupation (HMO) must have a licence. There are statutory exemptions to the requirement to licence but in reality this will affect properties occupied;

- For additional licensing: - by at least 3 but less than 5 tenants or licences, living as two or more households irrespective of the number of storeys. The proposal also covers HMOs which are certain converted blocks of flats (section 257 HMOs) and flats in certain purpose built blocks, and,

- For selective licensing: - the whole of it is occupied either, under a single tenancy or licence or, under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence.

3.12.13 In Brent, selective licensing will typically apply to a house or flat occupied by a single family, or occupied by no more than two people forming no more than two tenancies or licences.

3.12.14 All applications must be made to the Council and shall be accompanied by the licence fee. The Council will apply the Housing Act mandatory and its own standard conditions where licences are granted. Specific conditions and schedule of works may also be applied.

3.12.15 Fit and Proper Persons: In determining whether to grant or refuse a licence, the Council must be satisfied that the proposed licence holder and/or manager is a “fit and proper person” to manage the house. We must refuse and may revoke the licence unless other satisfactory arrangements can be agreed. In determining the test of fitness etc. and satisfactory management arrangements, the Council will consider the requirements set out in sections 66 and 89 of the Housing Act 2004.

3.12.16 If the additional or selective licensing schemes are renewed, or the selective licensing scheme is extended in Brent then the designations will last for 5 years unless revoked earlier by the Council.

3.12.17 The Council has the discretion to grant licences for a period of up to 5 years. It is proposed that generally where full licences are granted, the will be granted for 5 years from the issue date. Where licences are granted for a reduced period the reasons for this decision will be stated on the licence.

3.12.18 An Equality Analysis (EA) was undertaken in 2017 to identify those affected, assess the impact of the change and to meet their needs. In general, the licensing proposals will have a positive impact for all protected groups. The scoped EA (**Annex D)** and will be reviewed at the end of the consultation and an updated EA will be presented to Cabinet for a decision**.**

3.12.19 **Paragraph 10.0** provides information about the consultation and details on you can respond to these proposals.

3.13 What will Private Rented Sector licensing achieve?

3.13.1 Overall licensing will help us to work with landlords to drive up management standards for private rented properties in the whole borough and in summary we believe that this will:

- Provide an improved strategic approach to managing the sector
- Help us to identify all properties that are rented out privately and to Establish a register of landlords operating in Brent
- Give us the opportunity to inspect the properties to assess living conditions and to advise landlords, managing agents and tenants about their obligations
- Impose the Housing Act mandatory conditions and a set of local conditions as a minimum letting standard in Brent
- Redefine how the service operates by shifting the emphasis from a customer complaints led, reactive service
- Address issues resulting from the movement of new and emerging communities and to preserve or improve the socio-economic conditions of the area
- Ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded
- Reduce the levels of anti-social behaviour in the borough and take action against those whose properties or tenants cause persistent ASB
- Reduce enviro-crime locally including improvement in the management of waste
- Strengthen enforcement action to tackle the small minority of rogue landlords in the sector

3.13.2 We will focus on poor property conditions and across a wide range of anti-social behavior, including littering and dirty front gardens, noise nuisance and the use of privately rented homes for illegal activities. We will also address sub-standard conversions of and subletting of homes.

3.14 Does the Council want to put off landlords from operating in Brent?

3.14.1 This is not our intention and we recognise that private renting plays a valuable role in providing housing for residents of the Borough. Many landlords operating in the Borough take their responsibilities seriously and we want to encourage and support these landlords. We believe most landlords will welcome our approach. Licensing will help us tackle the worst properties and the poorest management standards in the Borough's private rented sector. Licensing will also help us to support landlords through advice, training and a range of incentives that we believe will assist them in running their businesses effectively and profitably, while mitigating the damage to the sector's reputation caused by bad practice.

3.15 How will Private Rented Sector licensing work?

3.15.1 Where licensing is introduced, properties which are rented out privately must be licensed by the Council. This Part applies to a house if—

(a) it is in an area that is for the time being designated under section 80 as subject to selective licensing, and

(b) the whole of it is occupied either—
(i) under a single tenancy or licence that is not an exempt tenancy or licence or
(ii) under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence

3.15.2 The exemptions to this under s79, subsection (3) or (4) are set out below:

- Properties which are required to be licensed as a house in multiple occupation (HMO) under Part 2 of the Housing Act 2004
- Properties subject to a temporary exemption
- Properties subject to a management order
- Properties let by a Local Authority or registered provider
- Properties let under tenancies or licences described as 'exempt' from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370

3.15.3 Private landlords and managing agents who want to let out a property in the areas where licensing operates will need to submit an on-line application form to the Council. The licence fee will be payable and a current valid gas safety certificate for the premises must be submitted. Certain criteria must be met in order to obtain the licence e.g. we would have to consider if the landlord or managing agent is 'fit and proper'. This means that we could ask whether they have committed certain offences, or, have any criminal convictions and check past history.

3.15.4 There will be conditions attached to the licence which would make sure that landlords keep properties safe; that references are secured for new tenants; and that any complaints of anti-social behaviour are dealt with.

3.15.5 Landlords or managing agents who let homes without a licence would have to pay unlimited fines if they are convicted by the Courts, can face unlimited fines, and may have their licence removed if they do not comply with the licence conditions.

3.15.6 If an applicant feels that a decision is unfair we will discuss the decision and try to resolve it. There is a right to make representations to the Council and also to appeal to the Residential Property Tribunal.

3.16 What about the costs for landlords?

3.16.1 Landlords will have to pay a licence fee for each property that they rent privately within the designated area. Councils are allowed to recover the cost of running the licensing scheme through charging a licence fee but they are not allowed to make a profit on this. The fee structure Annex D shows what activities will be for and those where there is no charge.

3.17 The regional Licensing Scheme picture

3.17.1 Additional licensing schemes have been implemented in half (51%) of London Boroughs. Selective licensing schemes have been implemented in a third (33%) of London Boroughs.

3.17.2 Brent is bordered by boroughs that have part-licensing schemes already in place. Only Kensington and Chelsea and Westminster do not have either additional or selective licensing

schemes. Barnet, Camden, Ealing, Hammersmith and Fulham, and Harrow all have borough-wide licensing for all their HMOs. Strategically, there is a need for Brent to have such a scheme in place to prevent rogue landlords operating in its area.

3.17.3 None of our bordering boroughs have a borough-wide selective licensing scheme. As of November 2017, selective licensing schemes have been introduced in eleven London boroughs - Barking & Dagenham, Brent, Croydon, Ealing, Hammersmith & Fulham, Harrow, Newham, Redbridge, Southwark, Tower Hamlets & Waltham Forest. LB Newham, which was the first to introduce a borough-wide scheme have now renewed their discretionary scheme, while Barking and Dagenham and Waltham Forest are consulting on theirs. Except for very small area these three boroughs have designated or intend to designate most or all of their areas.

3.17.4 Additional licensing schemes have been implemented in half (51%) of London Boroughs. The average licence application fee for an additional HMO containing five single person lettings is £1164. The average selective licence application fee is £560 which is about half that charged under the mandatory HMO scheme (£1116). *[Source: NALS-licensing-fees-research, January 2018].*

4.0 SECTION B - The legal framework

4.1 Licensing in the private rented sector

4.1.1 The Housing Act 2004 enacts three schemes for the licensing of privately rented accommodation, namely mandatory licensing, and discretionary HMO licences and selective licensing of other houses. The discretionary schemes may run for up to five years. Subject to certain exemptions, mandatory licensing was extended on 1st October 2018 to cover all HMOs occupied by five or more persons in two or more households, irrespective of the number of storeys.

4.2 Conditions applying to additional HMO licensing and further background

4.2.1 Part 2 of the Housing Act 2004 provides for HMOs to be licensed if an area is being designated by the authority under section 56 as subject to additional licensing, any HMO in that area which falls within any description of HMO specified in the designation.

4.2.2 We must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. Before making a designation the authority must—

(a) take reasonable steps to consult persons who are likely to be affected by the designation; and

(b) consider any representations made in accordance with the consultation and not withdrawn.

4.2.3 A designation of an area as subject to additional licensing can come into force as it falls within a description of designations in relation to which that authority has given a general approval, in accordance with s58(6) of the Act.

4.3 Conditions applying to Selective licensing and further background

4.3.1 Part 3 of the Housing Act 2004 gives Councils the power to introduce selective licensing schemes for privately rented properties in some or all of its area in order to improve

standards of management in the private rented sector (PRS) and lead to an improvement of the area. In Brent this will apply to privately rented properties falling outside the scope of mandatory or additional licensing. The power to designate is subject to certain conditions and criteria, including the requirement to consult persons who are likely to be affected by the designation; and to consider any representations made in accordance with the consultation being met.

4.3.2 The supporting evidence for the 2014 scheme was based on the criterion; that the area is experiencing a significant and persistent problem caused by anti-social behavior, and that some or all private sector landlords in the area are failing to take action to combat the problem that it would be appropriate for them to take; and that making of a designation, will, when combined with other measures taken by the local housing authority (LHA), or by other persons together with the LHA, will lead to a reduction in, or the elimination of, the problem.

4.3.3 Section 80 of the Housing Act 2004 prescribes two general conditions for selective licensing, i.e. low housing demand and significant and persistent ASB. Additional criteria for making a scheme came into force in 2015. http://www.legislation.gov.uk/uksi/2015/977/contents/made. In addition to the already existing low demand and antisocial behavior criteria, the Department for Communities and Local Government "Selective Licensing in the Private Rented Sector" Guide for Local Authorities states that a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions, being an area experiencing:

i. Low housing demand or is likely to become such an area;
ii. Significant and persistent problem caused by anti-social behaviour (ASB);
iii. Poor property conditions;
iv. High levels of migration;
v. High level of deprivation;
vi. High levels of crime.

4.3.4 A new General Approval came into force on 1 April 2015. Brent Council will be required to obtain confirmation from the Secretary of State for any licensing scheme which would cover more than 20% of its geographical area or would affect more than 20% of the privately rented homes in the Borough. This may be especially so, given that there is a 2018 scheme running which is covering the Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park electoral wards. This 2018 scheme is based on the ASB, poor property conditions, migration and crime criteria.

4.3.5 The new legislation, *The Selective Licensing of Houses (Additional Conditions) (England) Order 2015* is supported by non-statutory guidance document Selective licensing in the private rented sector: A Guide for local authorities, DCLG, March 2015 explains the criteria for making a selective licensing scheme and the type of evidence needed to support a designation.

4.3.6 Before proposing a designation and embarking on a consultation the local housing authority must identify the problems affecting the area to which the designation will apply and provide evidence to support the existence of the problems.

4.3.7 The proportion of properties is a statutory requirement- see The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 - Article 3 (1) (a). It is a prerequisite to making a scheme that such a review has been carried out. The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 – Article 4 (a).

4.4 Satisfying the licensing legal framework

4.4.1 Section 3 of the Housing Act 2004 requires local housing authorities to review the housing statistics in their district. The requirements of the Act are wide-ranging and also refers to other legislation which between them covers the following;

- Dwellings that fail to meet the minimum HHSRS standards
- Houses in multiple Occupation
- Selective licensing of other houses

4.4.2 The Council is permitted to charge a licensing fee. Two landmark rulings - R (Gaskin) v Richmond-upon-Thames LBC [2018] EWHC 1996 (Admin), and R (Hemming t/a Simply Pleasure) v Westminster CC [2017] 3 WLR 317), therefore applies to licensing under Part 2 and Part 3 of the Housing Act 2004, meaning that licensing fees must be levied in two separate stages, Part 1 – a fee levied at the point of application to cover the costs of obtaining authorisation under the scheme, i.e. the costs of processing the application; and Part 2 - a licence fee levied upon applicants if the application is successful and hence the licence is granted to Part cover the running costs and the enforcement of the scheme.

4.4.3 A **The size of the PRS**: at 37%, we consider that Brent has a very high proportion of private rented properties, with reference to the latest English Housing Condition Survey data (January 2019) which reports that the PRS now makes up 20% of the housing stock in England. Existing data sources e.g. the Strategic Market Housing Assessment and Private Housing Services records provide evidence that properties in Brent are occupied under assured tenancies or licences.

5.0 SECTION C - Property Licensing schemes and Enforcement in Brent to date

5.1 Licensing take up

5.1.1 A report to the Brent Housing Scrutiny Committee provided an overview of the progress since the implementation of borough-wide Additional and Selective Licensing in the three wards of Harlesden, Wembley Central and Willesden Green in January 2015. There has been a good take-up of Mandatory and Selective licensing in Brent, far exceeding the totals estimated prior to implementation. However, the take up of additional HMO licensing has been poor.

5.1.2 Currently there are **11,550** properties of all scheme types licensed as at 31st March 2019. The 2014 selective scheme has exceeded the modelled estimates, while the 2018 selective scheme has already within the first nine months achieved 79% of its modelled estimates. It is important to note that these figures are for existing licences granted and therefore when all current applications made are processed and granted the take up will be seen to be higher.

Table 1: Number of licenced properties 31 March 2019

Ward/Licence Type	Properties Licensed	Estimate of licensable properties	%
Harlesden	1588	1,109	143%
Willesden Green	1790	1,011	177%
Wembley Central	1321	703	188%

Dudden Hill*	595	1081	55%
Kensal Green*	660	1105	60%
Kilburn*	685	693	99%
Mapesbury*	827	1012	82%
Queens Park*	674	469	144%
Total (Selective)	**8140**	**7183**	**113%**
HMO Mandatory	1114	300	222%
HMO Additional	2296	16,000	13%
Total HMO	**3410**	16,300	21%
All Grand Total	**11,550**		

*Selective scheme designation commenced 1st June 2018.

5.1.3 As part of our BRE study 2019 we have reviewed the impact on mandatory licensing in response to the 2018 HMO and property licensing reforms. Table 2 below shows the revised estimates and licensing take up.

Table 2: Revised estimates and take up of HMOs in Brent 2019

	Total No. of all HMO	Additional Licensing scheme HMOs	Mandatory Licensing scheme HMOs
Estimated No. of HMOs	16,984	12,153	4,831
No. of HMOs Licensed	3,410	2,296	1114
	20.1%	18.9%	23%

5.2 Management and Enforcement of the Licensing Function

5.2.1 From a very low enforcement base in 2014 of 0 prosecutions and 110 licensed HMOs, Brent is now one of the top housing enforcing authorities nationally, making appropriate use of both *Housing Act 2004* and the *Housing and Planning Act 2016* powers to tackle non-compliant and rogue landlords.

5.2.2 Licensing has been used strategically to deal with problems of ASB and to improve conditions associated with the PRS. A ***License, Inspect, Act*** approach has been used to actively encourage landlord to apply for licences voluntarily, or otherwise to require applications to be made by proactive measures and formal enforcement. A licence condition and compliance inspection regime is operated with proportionate enforcement action, notably to target the most non-compliant landlords and worst offenders, including rogue landlords. Our approach has involved;

- Understanding the PRS in Brent at borough, ward and LSOA levels
- Consolidated licensing communication plan
- Proactive identification and reactive response and targeted joined up enforcement action
- Entirely on-line licence application process and IT structures
- Licences granted, revoked and granted for reduced periods enable compliance
- Inspection programme
- Brent landlord and tenant education and advice
- Licensing scheme KPI reporting, review and scrutiny

Table 3: Enforcement action for conditions and minimum standards since January 2015

Activity	Output	Outcome
Compliance Inspections	2184	• Properties improved see tables 2.1 and 2.2 below • Compliance - Part 1 hazards or parts 2-3 breaches • Failure to licence compliance • Reduction in ASB
Compliance schedules issued	1830	
Unannounced inspections (raids)	1558	
Planned Inspections	1181	
Reduced period licence renewal applications (Jan 2016 – Jan 2016) = 452 (May 2017- March 2019)= 427	879	10.8% of properties licensed to address mainly gas safety certificates, overcrowding, and terms of tenancy agreement conditions
No. of warning letters sent	>3000	High level confidence of failure to licence
Successful Prosecutions (since 1/1/16)	159	£1.5m in court fines and cost. 2x prison sentences issued
Civil Penalty Notices completed and paid	63	Robust application of the Housing and Planning Act 2016. Average penalty £4,600
Proceeds of Crime Act (POCA) 2002 awarded	2	£365k in confiscation order, fines and costs. In December 2018, Brent became first LA to be granted a Confiscation Order under the H. Act 2004
Linking licensing with Council Tax and Housing Benefits	>£100k reclaimed	Increase in c/tax revenue and HB from landlords
Landlord training and accreditation	857 Brent landlords accredited	8th highest number of accredited landlords of all London boroughs (at January 2019)

5.2.3 4,424 properties were improved over the 4 years 2015-2019 (Table 4). On inspection only 23.3% of properties were found complaint (Table 5). Of the properties inspected 49.4% were HMOs and only 16.7 % of these were found to be complaint with housing standards.

Table 4: The total PRS properties Improved (yearly outturns)

Year	***2015/16***	***2016/17***	***2017/18***	***2018/19***
Totals	*1,281*	*968*	*1,008*	*1,167*

Table 5: Inspection programme improvement 2015 - 2018

How Improved	Count	%	HMO Count	HMO %
Breach of Licence	1503	34%	1830	83.3%
Cat 1 removed	1424	32.20%		
Cat 2 removed	464	10.50%		
Found Compliant	1033	23.30%	354	16.7%
Total	**4,424**	**100%**	**2184**	**100%**

6.0 SECTION D – The Evidence Base to support our proposals

6.1 Applying HMO and Selective licensing schemes in Brent

6.1.1 In Brent additional licensing will apply to a House in Multiple Occupation (HMO) which is any house or flat that is occupied by three or more people who form more than one household.

6.1.2 Brent Council considers that the local authority has taken necessary actions to improve standards in the HMO sector in the Borough using the powers currently available. There is evidence however that many HMOs in the borough remain unlicensed, poorly managed and are in an unsatisfactory state of repair.

6.1.3 Brent is taking a sensible approach to operating its licensing schemes. Analysis of licensing takes shows HMO licensing take up is higher in wards where these is also a selective licensing designation. Licensing of HMOs (both mandatory and additional licensing) is intended to ensure that:

- the landlord of an HMO is a fit and proper person (or employs a manager who is)
- each HMO is suitable for occupation by the number of people allowed under the licence and that overcrowding is eliminated, or is at least reduced
- the standard of management of the HMO is acceptable
- vulnerable tenants are protected.
- high-risk HMOs can be identified and targeted for improvement

6.2 Further evidence for selective and additional licensing

6.2.1 The following sections further sets out the evidence the Council has looked at before deciding to consult on renewing and extending our licensing scheme. Evidence is presented for the PRS overall and then focused first on the HMO dwellings and thereafter on the single family dwellings. The analysis is for:

- The growth and the distribution of the PRS
- Levels of poor housing conditions and deprivation in particular, with general data on migration and crime
- The levels of Housing Act ASB reported to the Council and to the Police and the links between ASB and the PRS

6.3 Methodology

6.3.1 Data was gathered from the Council, the Metropolitan Police reported incidences and national databases over the last 2-3-year period. For ASB, incidences that met the MHCLG guidance and Housing Act definition were mapped against the LSOA PRS distribution to establish a correlation between the ASB and the PRS.

6.3.2 Brent Council commissioned BRE to undertake a series of modelling exercises on their housing stock which required BRE to produce an integrated stock model which includes Local Land and Property Gazetteer (LLPG), benefits, enforcement/grant records, Houses in Multiple Occupation (HMO), Tenancy Deposit Scheme (TDS) and additional tenure data provided by Brent Council.

6.3.3 The main aims of this work were to provide estimates of the percentage of dwellings meeting each of the certain key indicators for Brent overall and broken down by tenure and then mapped by Census Output Area (COA) (private sector stock only), and including an

assessment of Category 1 and high Category 2 hazards. The BRE Housing Stock Models were used to provide such estimates at dwelling level and focussing on private sector housing. The key indicators provide Brent with detailed information on the likely condition of the stock and the geographical distribution of properties of interest. The BRE report also provides additional bespoke analysis to assess the potential for proposals for its private rented sector selective and additional licensing schemes.

6.4 Population projections and the PRS in Brent

6.5 Population projections for Brent

6.5.1 The figure at 2018 is 334,700. According to the latest GLA projections, the Brent population is expected to rise by 18% in the next twenty years which equates to an additional 61,100 residents by 2038 – around an extra 3,000 residents per year.

Figure 1: The population projections for Brent shows annual population increase.

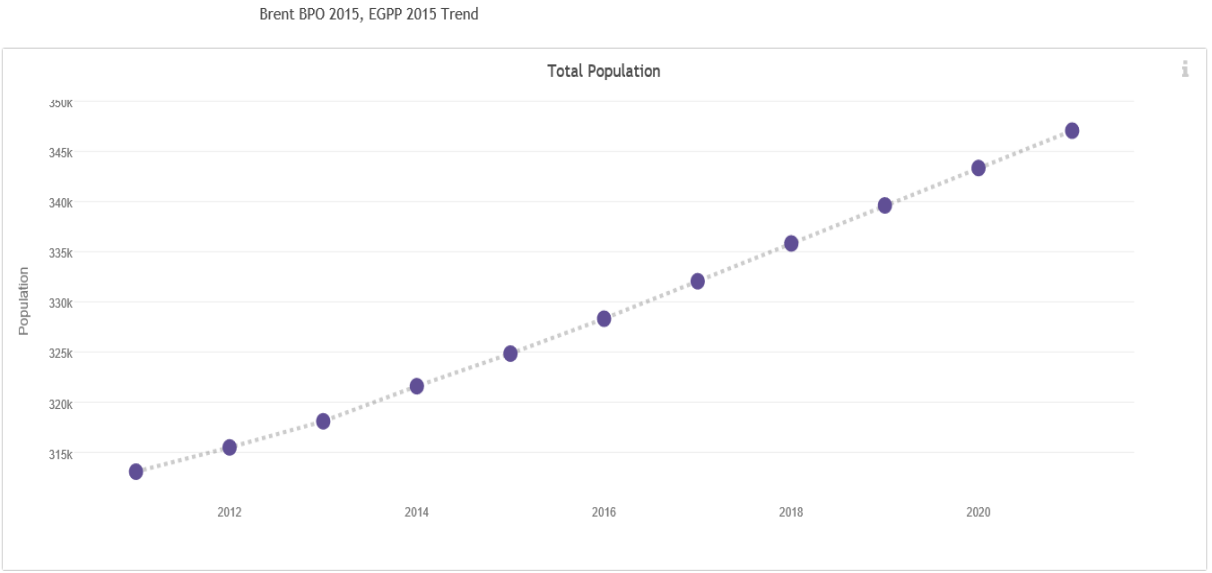
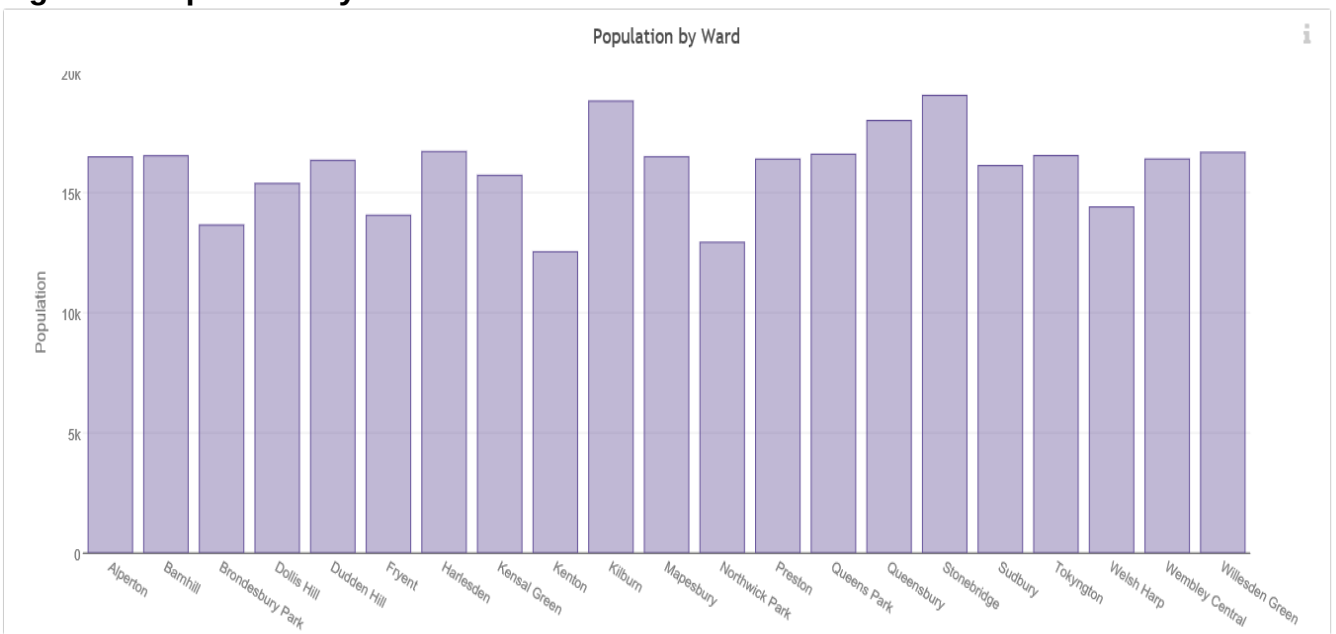


Figure 2: Population by ward

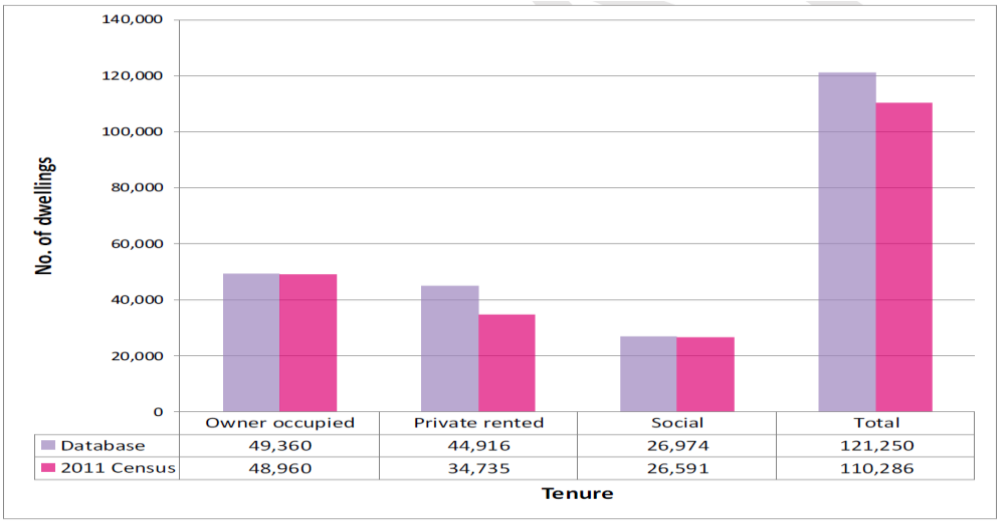


6.6 The private rented sector in Brent: its growth and distribution

6.6.1 The private rented sector in Brent is large and growing. In 2011 there were 35,000 properties in the sector in the Borough - over 31% of the housing stock, a growth from 17% of the total stock in 2001.

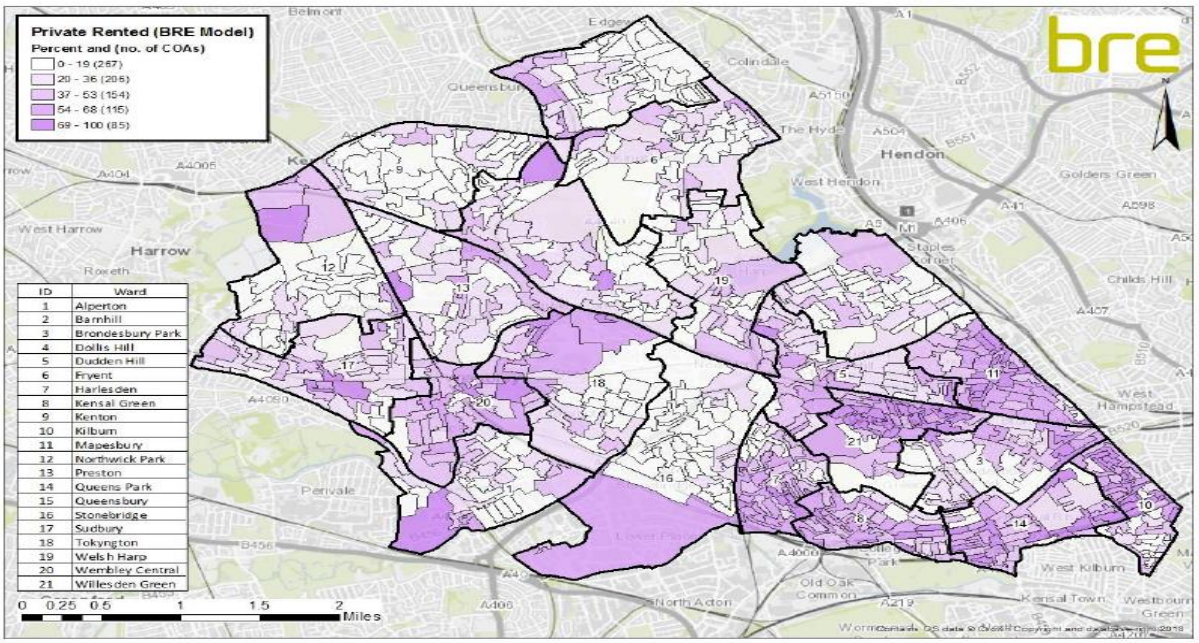
6.6.2 The analysis for this current BRE report estimates that 37% of the stock is now privately rented, implying a further increase since 2011 of 6%. As this trend continues the private rented sector is now bigger than the social rented sector provided by the Council and housing associations in Brent. The percentage of households in Brent who live in the private rented sector is higher than both the London and national averages.

Figure 3: Tenure Split – comparison of BRE HSCD with 2011 Census figures for Brent



BRE Database (2019) – Map 1

Map 1: Distribution of estimated percentage of private rented dwellings in Brent – based on data



6.6.3 Table 6 below is the count and percentage of estimated privately rented dwellings across Brent. The three wards covered by the selective licensing scheme introduced in 2015 are

Harlesden, Wembley Central and Willesden Green. These wards have high levels of private rented stock – 49%, 46% and 60%, respectively.

6.6.4 The five wards covered by the selective licensing scheme introduced in 2018 also have private high rented stock proportions; Dudden Hill – 40%, Kensal Green – 51%, Kilburn – 47%, Queen's Park – 52% and Mapesbury – 58%. Of the remaining thirteen wards, not currently covered by selective licensing, Dollis Hill (19%), Kenton (19%), and Stonebridge (16%) all fall below the 20% national average for percentage of private rented stock.

Table 6: The count and percentage of estimated privately rented dwellings across Brent.

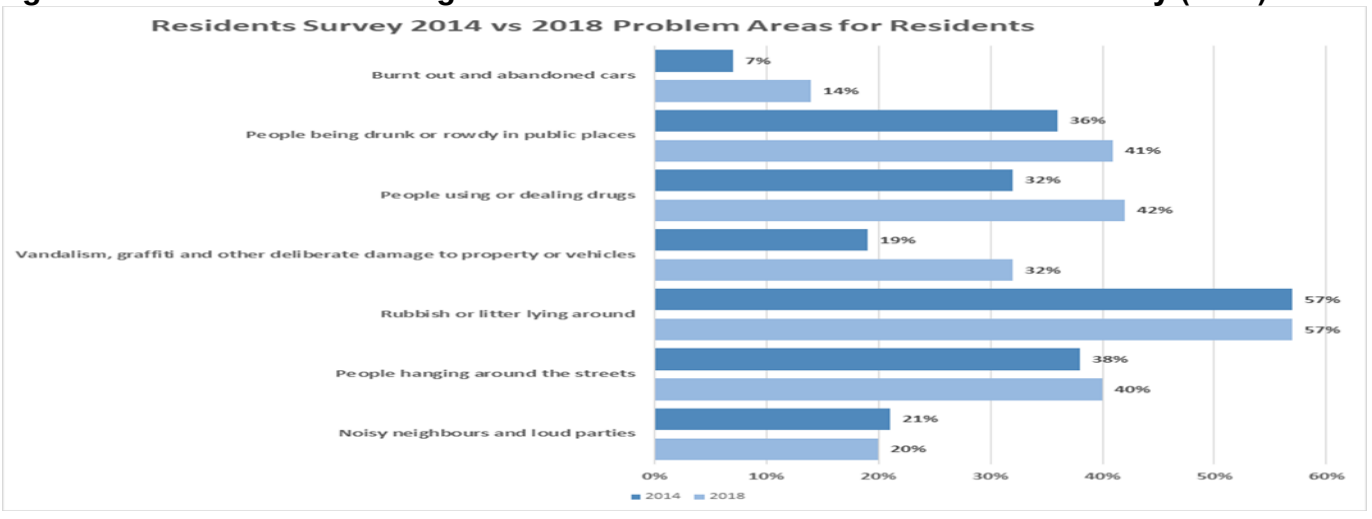
Ward	Dwellings - all stock	Dwellings - private	
		Count	%
Alperton	5,137	1,776	35%
Barnhill	5,824	1,481	25%
Brondesbury Park	5,759	2,316	40%
Dollis Hill	5,009	937	19%
Dudden Hill	5,684	2,271	40%
Fryent	4,622	1,088	24%
Harlesden	7,069	3,433	49%
Kensal Green	6,243	3,154	51%
Kenton	4,170	776	19%
Kilburn	8,155	3,871	47%
Mapesbury	6,779	3,948	58%
Northwick Park	3,916	795	20%
Preston	5,698	1,660	29%
Queens Park	6,473	3,334	52%
Queensbury	5,457	1,164	21%
Stonebridge	6,983	1,106	16%
Sudbury	5,439	1,869	34%
Tokyngton	6,050	2,444	40%
Welsh Harp	5,106	1,219	24%
Wembley Central	5,066	2,312	46%
Willesden Green	6,611	3,962	60%

6.7 The levels of Housing Act ASB and the links to the PRS

6.7.1 In terms of ASB evidence, we are providing some headline stats for ASB in Brent as a well as showing the relationship between ASB and PRS. Three sources highlighted are the residents' attitude survey, Council recorded enviro-crime data and police recorded enviro-crime. In defining anti-social behavior in our evidence we have used the Police and the Housing Act definitions of ASB to (a), highlight the general problems of ASB and then to, b) link the incidences to the PRS.

6.7.2 Brent Residents Attitude Survey 2018:

Figure 4: Problems in the Neighbourhood: Brent's' Residents Attitude Survey (RAS) 2018



6.7.3 The responses in figure 4 above is a face-to-face survey of 2,100 representative residents carried out during May-June 2018 which captures residents' views about their neighbourhood and the Council. The topics include, community and local area, local priorities and community safety. Figure 4 above shows that both enviro-crime e.g. rubbish and litter, noise, graffiti etc., and police reported crime e.g. alcohol misuse, robbery rank as matters of highest concern, with no significant change in the residents' views in relation to litter, people hanging around the streets and noise nuisance.

6.8 Police recorded Anti-Social Behaviour

6.8.1 Anti-Social Behaviour (ASB) is any behaviour that causes alarm, harassment or distress to one or more persons not of the same household. This is divided into three types of behaviour – personal (where the behaviour is deliberately addressed at an individual to cause intimidation or harassment), nuisance (where harm is caused by non-deliberate nuisance behaviour) and environmental (where harm is caused to the environment). ASB creates particularly high levels of demand on services - Brent Police receive around 12,000 calls for ASB in a calendar year.

6.8.2 In responding to ASB we have used licensing as part of a coordinated approach. Some cases are managed with liaison with the council Safer Neighbourhood Team (SNT)which includes a number of regulatory partners including the Police. Our partnership involves taking enforcement action using statutory tools and powers, managing high-risk locations generating ASB, diverting offenders from anti-social behaviour and working to reduce the vulnerability of those likely to suffer harm from ASB.

6.8.3 Figure 5: Data source: calls received by the Metropolitan Police (Brent) where the call handler has flagged the call as ASB related. During this three-year period ASB calls received by the Police had a slight downturn between 2013 and Sept 2015 but since then reports have slowly increased. as demonstrated by the 12 month rolling average shown in the graph below.

Figure 5: Data source: calls received by the Metropolitan Police (Brent)

6.8.4 Figures 6 and 6.1 break this down to ward level. This shows high levels of ASB across all wards though wards such as Wembley Central, Stonebridge, Harlesden, Willesden Green, Kensal Green, Queensbury and Kilburn were significantly higher than the ward average. There is also a rise in some wards e.g. Barnhill and Queensbury over the two-year period, but clearly

we have seen a reduction of calls in terms of Willesden Green and Wembley Central, and no increase in the Harlesden wards.

Figure 6: Distribution of ASB calls to police by electoral ward 2013-2016

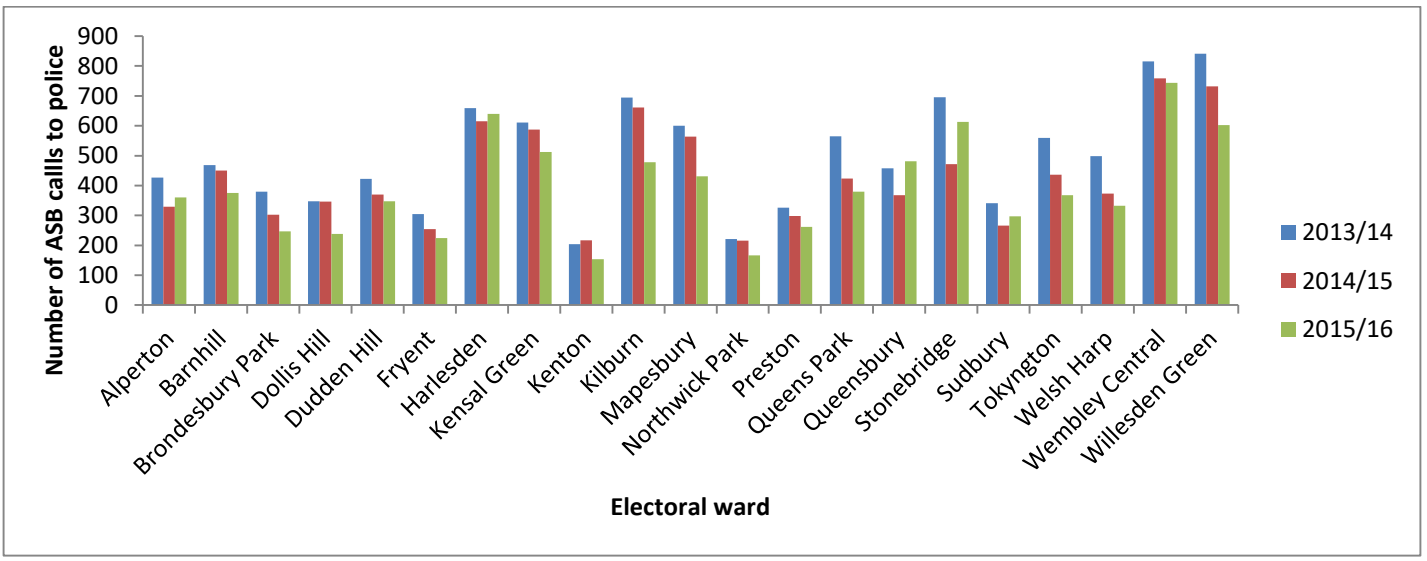
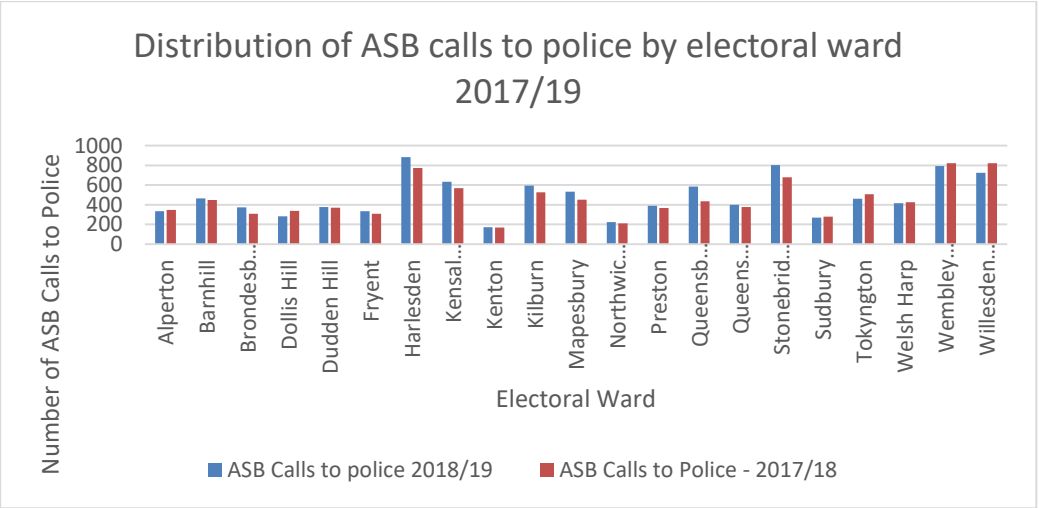


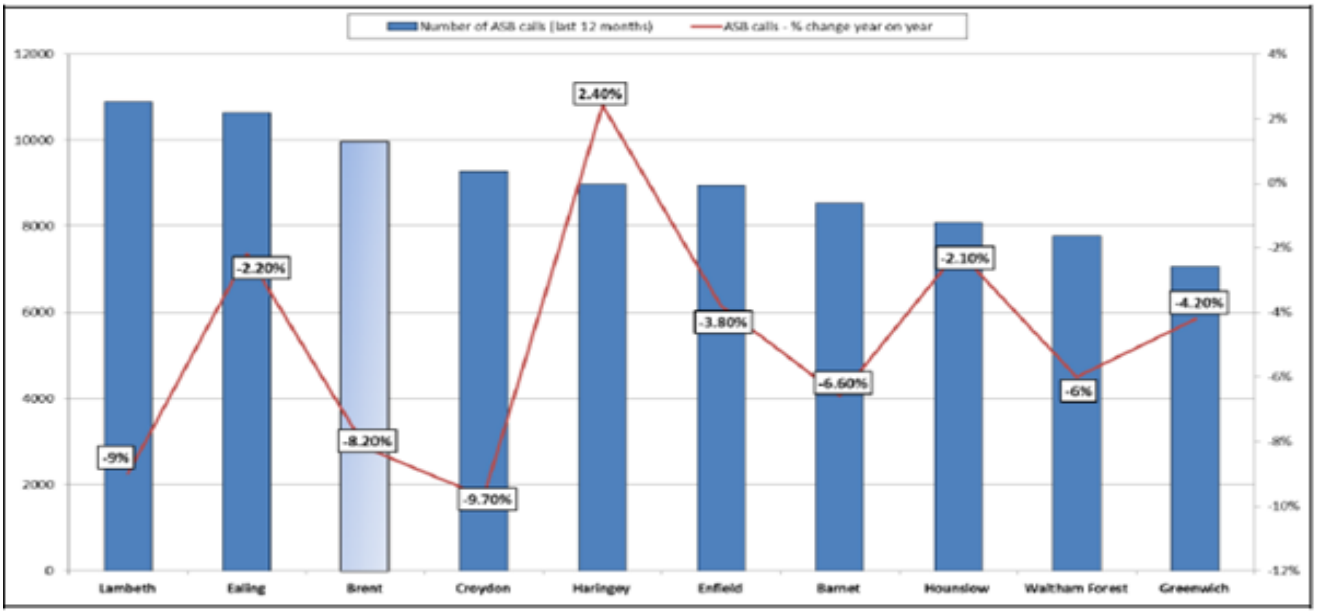
Figure 6.1 Distribution of ASB calls to police by electoral ward 2017/19



6.8.5 Brent ASB Performance borough comparison 2017-18

6.8.6 ASB in Brent 33 per 1000 head of population for ASB calls to police in 2017-18. Anti-social behaviour nationally has increased across the Borough. Brent has the third highest number of ASB calls (see Fig. 7 chart below), in comparison to the most similar London boroughs, in the last 12 months.

Figure 7: Brent ASB Performance borough comparison 2017-18



6.9 Council recorded environmental crime

6.9.1 In Table 7 below, the analysis counts different issues by (Lowest Super Output Areas – see glossary) LSOA in 2015-16. The top 25 LSOAs for each type of tenure are then looked at in turn, and the number of environmental / ASB issues are then counted. The table shows, for example that the top 25 LSOAs for home ownership saw 787 fly tip reports over a year, while the top 25 LSOAs for private rental saw 3,761 fly tip reports. Though we have not updated this table for the immediate 2 years, the table shows that the PRS tenure has the highest link to persistent and significant occurrences of ASB in Brent.

Table 7: Environmental / ASB issues by tenure type

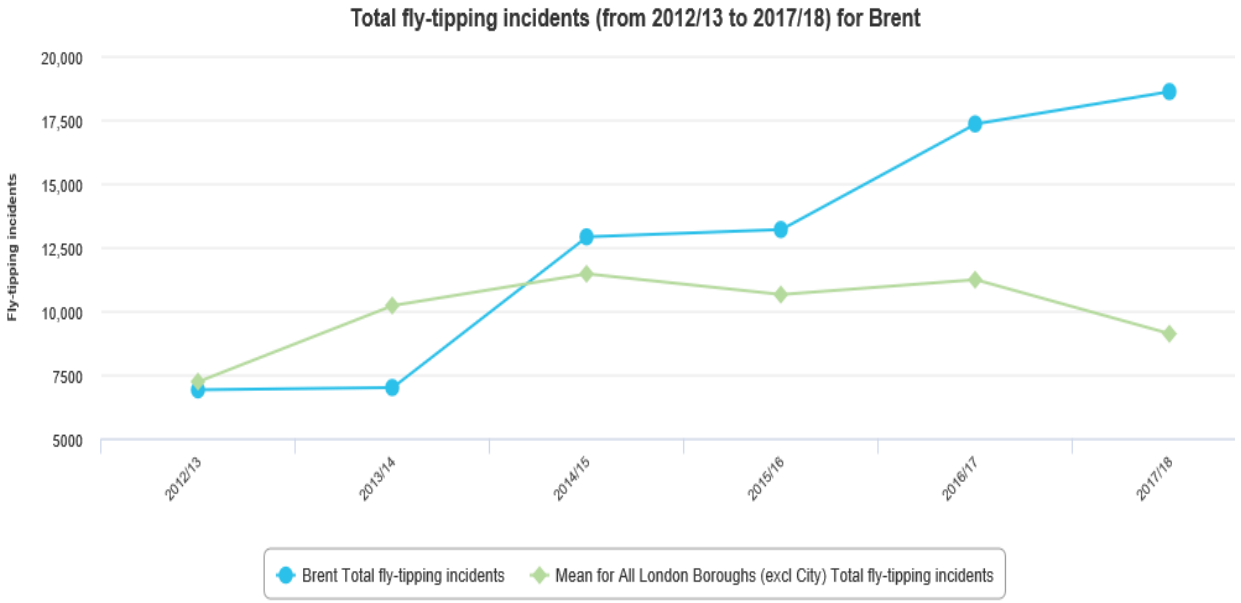
Top 25 LSOAs (by % tenure type)	Illegally dumped waste* (08/09/2015 – 09/09/2016)	Noise complaints (19/09/2015 – 19/09/2016)	Police recorded crimes – last 12 months	Council reported ASB – last 12 months
Owned	787	143	1,747	13
Shared ownership	1,756	274	6,732	34
Social rented	1,726	263	5,661	22
Private rented	**3,761**	**369**	**4,951**	**41**

*Reported by members of the public through the Cleaner Streets App

Fly- tipping in Brent

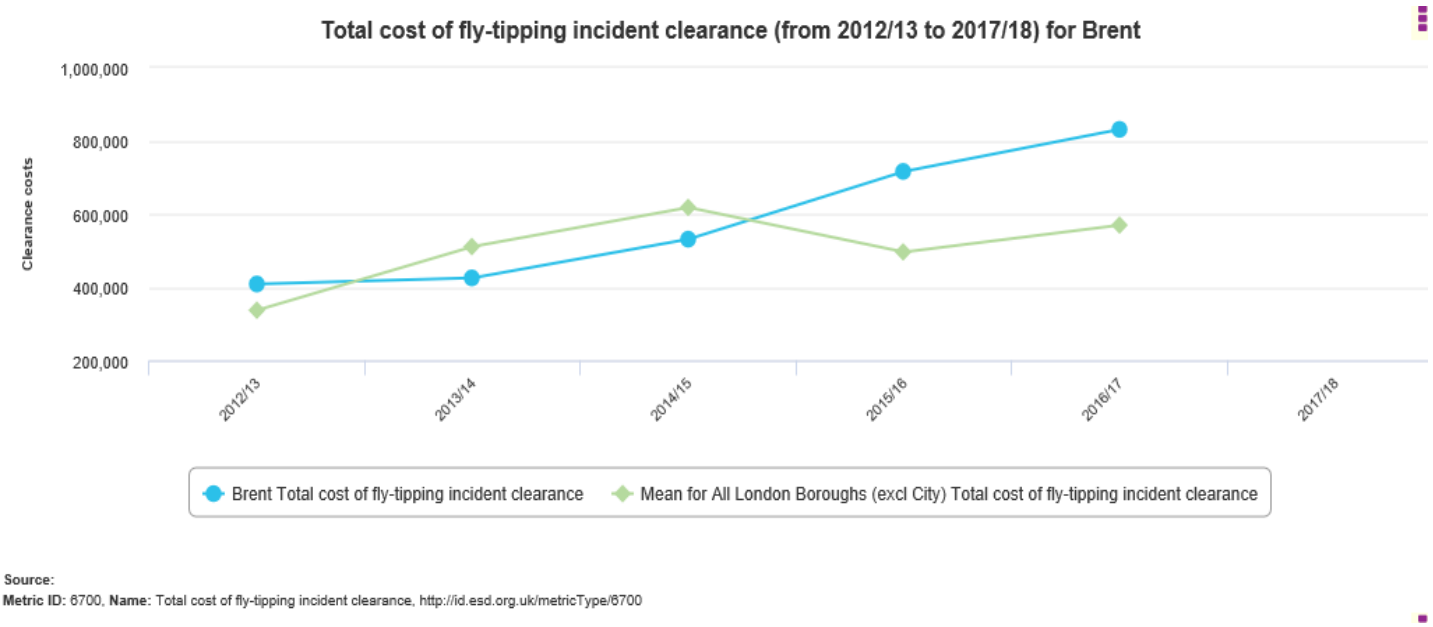
6.9.2 Brent normally lies about mid-table for all London Boroughs in the incidences of fly tipping reported. In Brent there was a total of 18,609 incidents fly-tipping incidents reported by the local authority. This is an increase on the previous period when it was 17,340 incidents. (source: Local Authority Reported Fly-tipping [Defra ENV 24]).

Figure 8: Fly-tipping incidences in Brent 2013-2018



6.9.3 In Brent the total number of fly-tipping enforcement actions carried out by the local authority was 7,483. This is more than the previous period when there were 5,660 enforcement actions. The total cost of clearance Fig 9; and enforcement actions for 2017-18 fly-tipping incidents was missing, but the cost for previous period was £830,973 and £187,950 respectively.

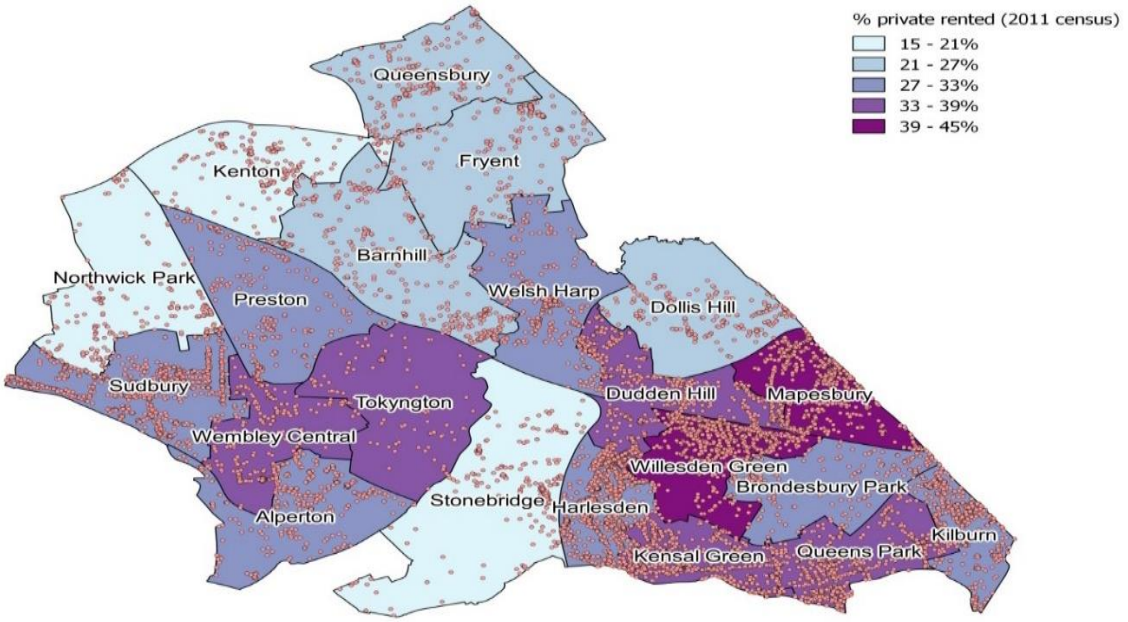
Figure 9: Total cost of clearance in Brent



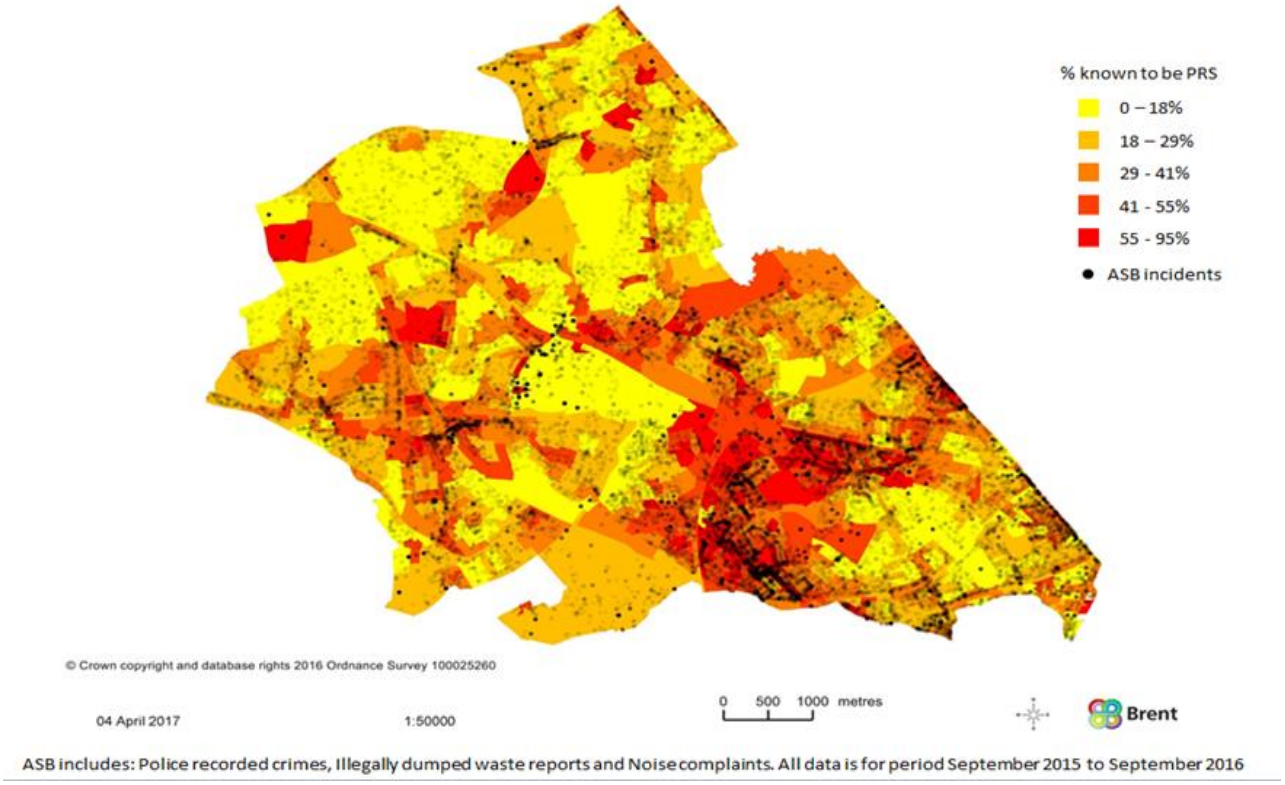
Source:
Metric ID: 6700, **Name:** Total cost of fly-tipping incident clearance, http://id.esd.org.uk/metricType/6700

6.10 Linking ASB to housing tenure

Map 2: All ASB related issues combined (noise complaint, illegally dumped waste and council reported ASB) 2015/16



Map 3: Map showing % of properties known to be PRS by recorded ASB incidents



ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

6.10.1 The ASB report is for the whole of the PRS. As can be seen, wards with a high proportion of PRS housing as a percentage of their total housing stock are also more likely to see higher levels of ASB. The R-squared value for this is 0.73. The map shows that ASB incidences occur at high levels across all wards with significant showings in wards southeast of the borough.

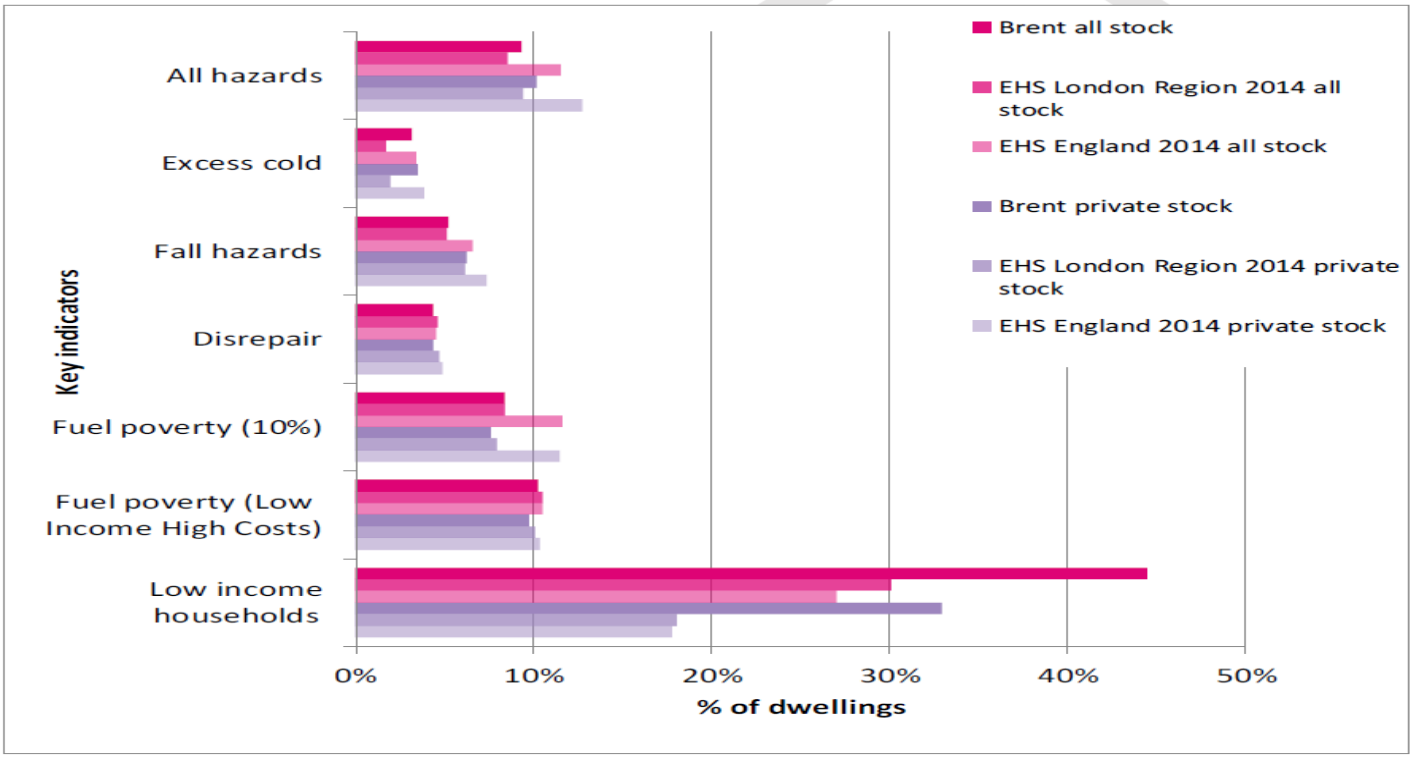
6.10.2 Analysis which were produced in 2017 demonstrate the correlations between different issues (e.g. noise complaints, illegally dumped waste) by different tenure types. In general, there can be seen to be a positive correlation (R^2 = 0.15) between areas with high amounts of private sector rented accommodation and ASB incidents. Through the coefficients, R^2 may have changed, there is no reason to doubt that the correlation trend is any different.

6.11 Poor Housing Conditions – HHSRS hazards and levels of Disrepair

6.11.1 There are circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/ or the health and safety of their occupants. As part of a wider strategy to tackle housing conditions, the Council considers it appropriate to make a selective licensing scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration and achieve improvements.

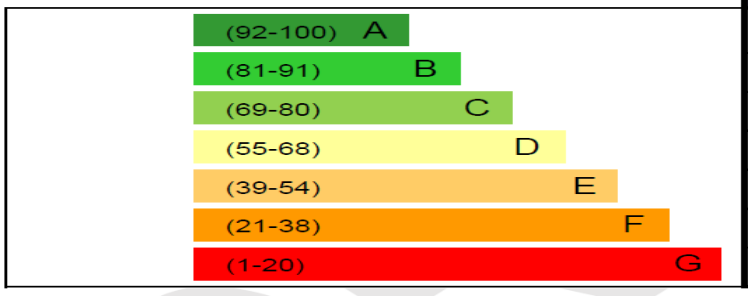
6.11.2 Evidence of our housing conditions considers a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards. The table below shows the results for 7 of the key indicators in Brent compared to regional data and England (EHS 2014) - split into all stock and private sector stock. For the private sector, compared with the London averages, Brent performs worse for all hazards, excess cold and low income households and similarly for falls hazards, and fuel poverty. Disrepair rates are marginally lower.

Table 8: Estimates of the percentage of dwellings meeting the key indicator criteria for all stock and private sector stock – Brent compared to the London and England (EHS 2014)



6.11.3 The table 9 below shows the number and percentage of Brent of private rented dwellings in Brent with a rating below band E and below. This is 11,212 or 24% of the PRS. Those in bands F and G, is estimated to be 1,957 (4.4%) which are not now allowed to be rented.

Table 9: Number and percentage of Brent's private rented stock falling into each of the EPC ratings bands (based on SimpleSAP)

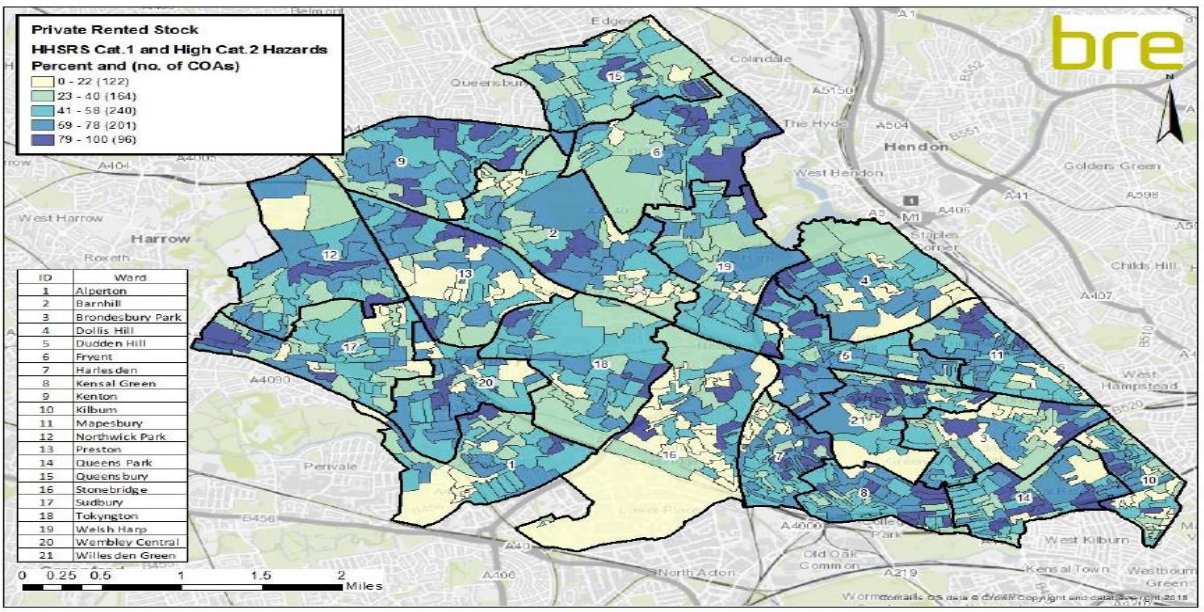


	Brent		2014 EHS England
	Count	Percent	Percent
(92-100) A	0	0.0%	1.4%
(81-91) B	1,681	3.7%	
(69-80) C	10,390	23.1%	23.8%
(55-68) D	21,633	48.2%	48.9%
(39-54) E	9,255	20.6%	18.3%
(21-38) F	1,706	3.8%	5.4%
(1-20) G	251	0.6%	2.1%

6.11.4 Information on conditions is also provided by the presence of category 1 (Bands A-C) and high category 2 (Band D or E) hazards (Map 4). The analysis also includes proportions of dwellings in disrepair – based on the former Decent Homes Standard. The BRE modelling was enhanced by datasets from Brent's PHS Acolaid system including property inspection and complaints records. The PRS percentages of Cat 1 and Cat 2 hazards in Brent is explained in more detail in paragraph 7.3.

Map 4: PRS percentages of Cat 1 and Cat 2 hazards in Brent

Map 31: Percentage of private rented sector dwellings in Brent with the presence of both a HHSRS category 1 hazard and high category 2 hazard

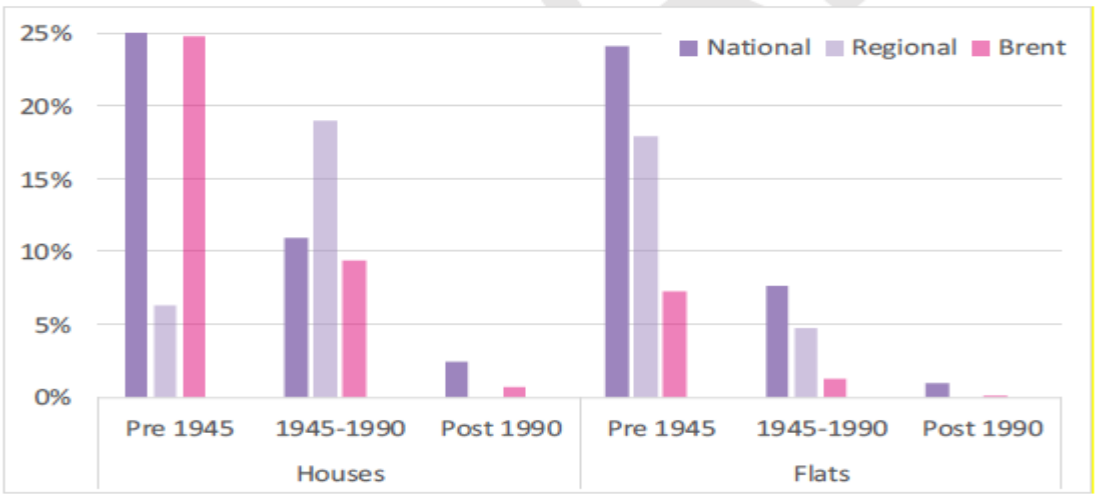


6.11.5 Property condition by dwelling age and type for the private rented stock

The Figure 10 below looks at the private rented stock only and compare various measures of property condition in Brent to the London and national averages for houses and flats of different ages. It is clear that, overall, issues of poor property condition are mainly in houses compared to flats and there are higher levels of problems generally in pre-1945 houses.

The proportion of category 1 hazards in pre-1945 houses in Brent is significantly higher than the regional average – almost 25% of private rented pre-1945 houses in Brent are estimated to contain a category 1 hazard. Looking at the other indicators of property condition it can be seen that this is made up of a much higher proportion of fall hazards in private rented pre-1945 houses in Brent (almost 20% in Brent compared to less than 15% nationally). The proportion of excess cold hazards in private rented 1945-1990 houses is much higher than the regional and national averages and is likely to be indicative of poor energy efficiency in these dwellings. It would appear that dwellings of these ages in the rest of London may have had energy efficiency upgrades – e.g. new boilers, cavity wall insulation, loft insulation – but in Brent these upgrades may be less common.

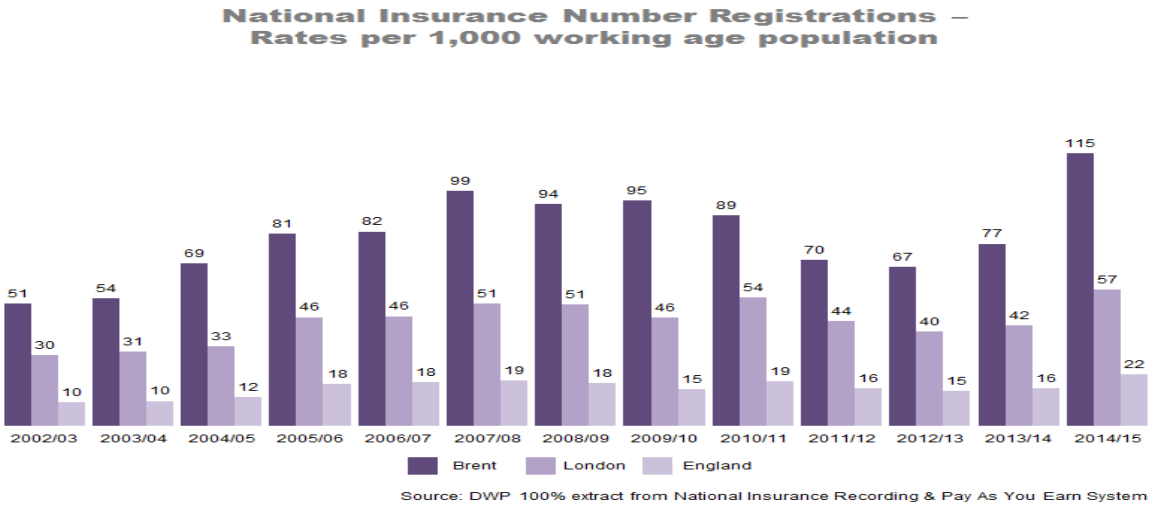
Figure 10: Category 1 hazards by dwelling age band in Brent compared to London and national averages (EHS data) – private rented dwellings, split into houses and flats



6.12 High levels of Migration

6.12.1 Migration refers to the movement of people from one area to another, whether within the UK or from overseas. Brent experiences considerable levels of international in-migration. Within the wards themselves and in Brent there are a high proportion of privately rented properties with a significant number of migrants to the area occupying them. A selective licensing designation can be made, as part of wider strategy, to preserve or improve the economic conditions of the area to which migrants have moved and ensure people occupying private rented properties do not live in poorly managed housing or unacceptable conditions, including that of overcrowding.

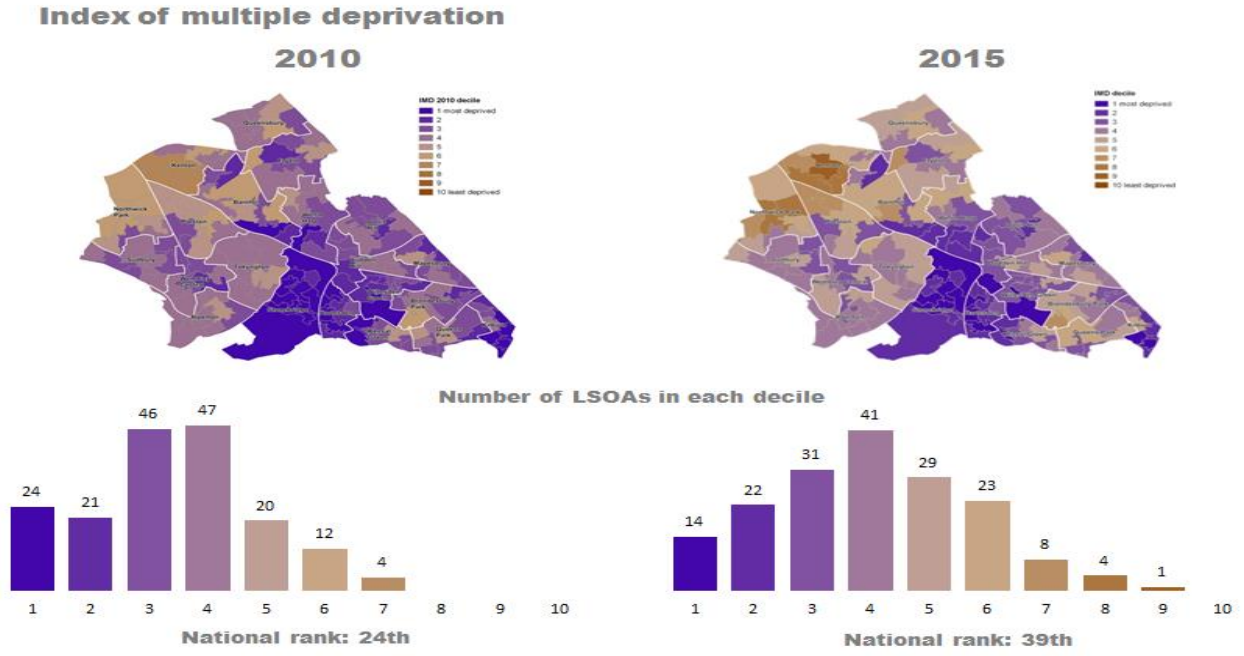
Figure 12: NINo Registrations in Brent (Source: DWP)



6.13 High levels of Deprivation

Map 5: There have been some improvements from the 2010 national ranking position (ranked 24th) to the 2015 national ranking position (ranked 39th), 1 being the most deprived, on 10 being the least deprived on the scale.

Brent Indices of Multiple Deprivation (IMD) 2010 - 2015



6.13.1 The graphs and maps shown in Figures 15 and 16 show that Brent suffers from high level of deprivation. Factors included in the index of deprivation are:

- the employment status of adults;
- the average income of households;
- the health of households;
- the availability and ease of access to education, training and other services for households;
- housing conditions;
- the physical environment;
- levels of crime.

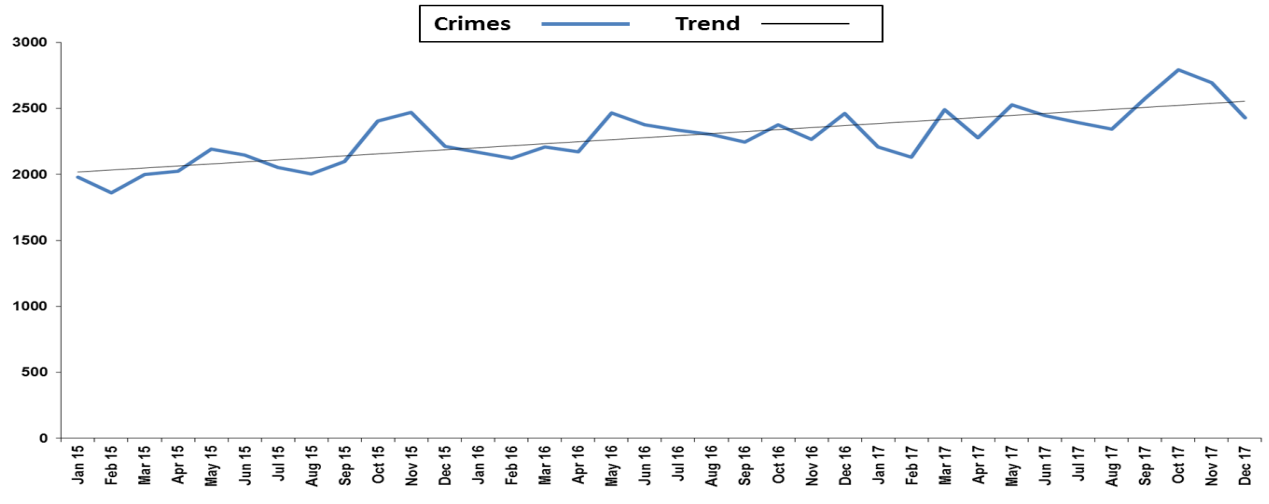
6.14 High levels of Crime

6.14.1 In considering whether an area suffers from a high level of crime we have had regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months and note that though crime is reduced (down 9%), it is still higher than the London average and that there is strong correlation with the rented sectors. Residents have indicated the perception to crime and safety as seen in the 2018 Residents' Attitude Survey.

6.14.2 Any licensing scheme will be part of a wider strategy to address crime in the designated area. It is indicating that there a cross-over of ASB and environmental crime. The evidence gathered has included the nature of the criminal activity, e.g. theft, burglary, arson, criminal damage, graffiti; In addition, the maps show a position correlation between the PRS location and the crime incidences.

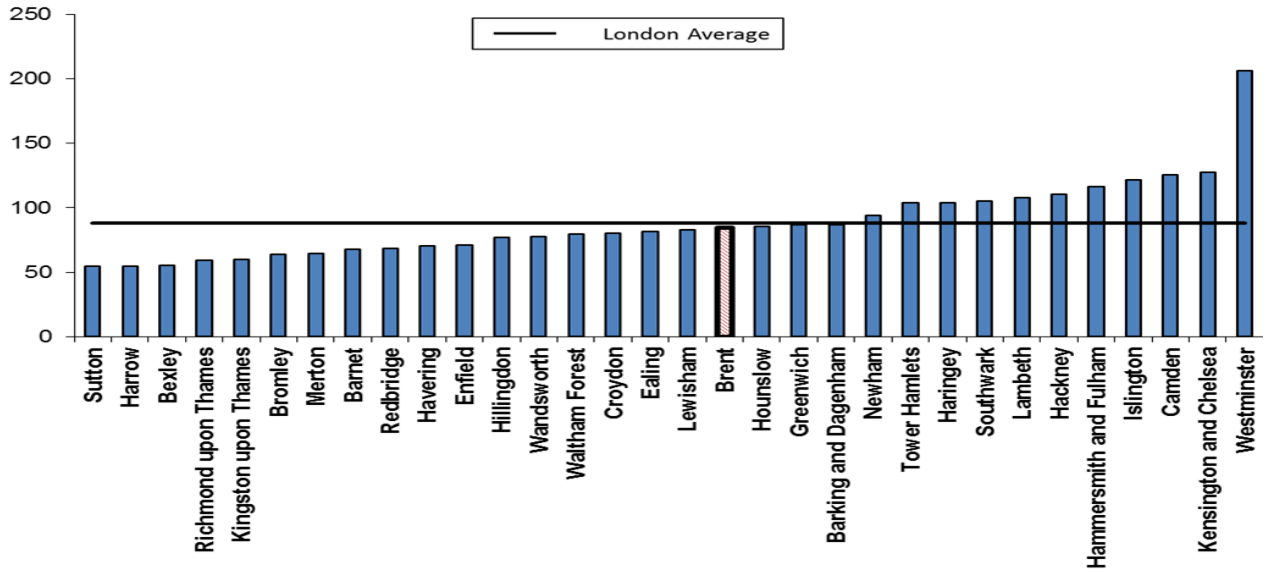
6.14.3 Between February 2015-February 2016 the number of Total Notifiable Offences (all crimes) in Brent had increased from 27,504 to 29,296 providing an overall increase of 7%. Over this same period London had also seen a 7% increase in Total Notifiable Offences. Brent's crime rate per 1000 of the population is still below the London average as seen below (Figure 14), even though there is an overall increase in crime.

Figure 13: Total Notifiable Offences recorded by Brent Police over the three years 2015-2017:



OFFICIAL SENSITIVE - Provisional data before it is finalised and published by the Office for National Statistics

Figure 14: Crimes per 1000 of the population in London, January 2017 - December 2017:



7.0 The proposed designations

7.1 The proposal for renewing additional HMO licensing in Brent

7.1.1 In summary, this proposal is to require those managing or having control of HMOs, that are not subject to mandatory licensing, but are occupied by at least three persons forming two or more households, who share facilities such the bathroom and kitchen to license their property. We are not consulting about mandatory HMO licensing, which is for HMOs occupied by five or more persons forming two or more households, who share said facilities. The recently published *"Houses in Multiple Occupation and residential property licensing reform*" provides guidance to local authorities on changes to rules on licensing HMOs.

7.1.2 Additional licensing applies to HMOs only with the aim of improving conditions for local occupiers and the surrounding communities. In order to make an additional licensing scheme, the local authority must do the following:

- consider that a significant proportion of the HMOs in the area are being managed ineffectively, so as to give rise to one or more particular problems, either for those occupying the HMOs or for the public.
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question
- Identify the objective or objectives that a designation will help it to achieve. In other words,
- The Local Authority must identify whether the area is suffering problems that are caused by or attributable to any of the criteria for making the designation and how it expects the designation to help resolve them.
- The local authority must also consider whether there are any alternative courses of action that would meet its objectives without the need for a designation;
- and it must ensure that its approach is consistent with its housing strategy and its approach to empty properties, homelessness and anti-social behaviour.

7.1.3 Our studies have used different methods to estimate the proportion and location of HMOs. The risk ladder concept and risk factor profiling used in the Mayhew Harper Associates (2016)

and Brent In-house (2017) studies estimated approximately 20,000 HMO properties. The impact in changes in policy on mandatory HMOs, 1st October 2018, made it necessary to review the HMO estimates.

7.1.4 Table 10 below summarises the results of proportion of HMOs, additional and mandatory found in the private rented stock in Brent at ward level. Additional licensing will cover 27% of the total 38% of HMOs found in the private rented stock.

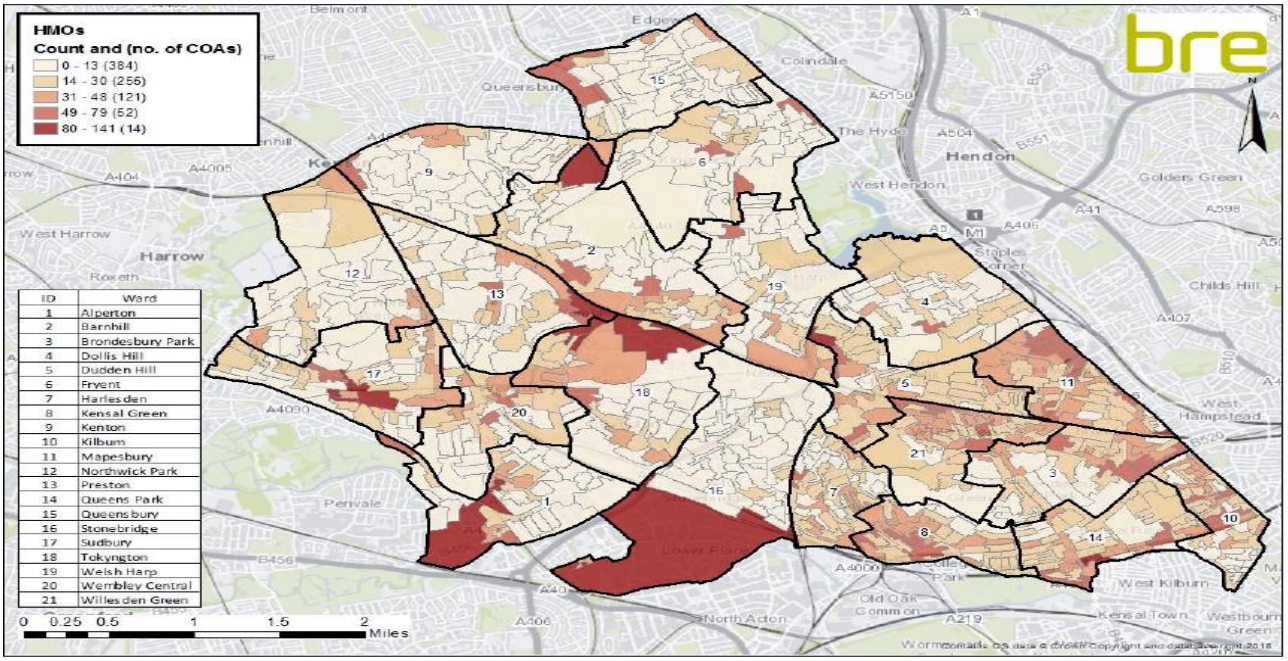
Table 10: Number of HMOs – Additional and mandatory licensable HMOs by ward

Ward	Dwellings - private rented stock	HMOs	Mandatory Licensable HMOs	Additional Licensable HMOs
Alperton	1,776	699 (39%)	144 (8%)	555 (31%)
Barnhill	1,481	798 (54%)	137 (9%)	667 (45%)
Brondesbury Park	2,316	1,063 (46%)	201 (9%)	862 (37%)
Dollis Hill	937	394 (42%)	152 (16%)	242 (26%)
Dudden Hill	2,271	1,058 (47%)	432 (19%)	626 (28%)
Fryent	1,088	486 (45%)	117 (11%)	369 (34%)
Harlesden	3,433	811 (24%)	249 (7%)	562 (17%)
Kensal Green	3,154	1,169 (37%)	454 (14%)	715 (23%)
Kenton	776	315 (41%)	70 (9%)	245 (32%)
Kilburn	3,871	1,232 (32%)	339 (9%)	893 (23%)
Mapesbury	3,948	1,661 (42%)	437 (11%)	1224 (32%)
Northwick Park	795	409 (51%)	107 (13%)	302 (38%)
Preston	1,660	751 (45%)	213 (13%)	538 (32%)
Queens Park	3,334	1,163 (35%)	367 (11%)	796 (24%)
Queensbury	1,164	411 (35%)	127 (11%)	284 (24%)
Stonebridge	1,106	426 (39%)	89 (8%)	337 (31%)
Sudbury	1,869	804 (43%)	183 (10%)	621 (33%)
Tokyngton	2,444	900 (37%)	241 (10%)	659 (27%)
Welsh Harp	1,219	527 (43%)	177 (15%)	350 (29%)
Wembley Central	2,312	600 (26%)	158 (7%)	442 (19%)
Willesden Green	3,962	1,307 (33%)	437 (11%)	870 (22%)
Totals	**44,916**	**16,984 (38%)**	**4,831 (11%)**	**12,153 (27%)**

7.1.5 The BRE report now estimates that there are 16,984 total HMOs and found that under the previous mandatory licensing definition there were 1,472 HMOs in Brent which met the licensing criteria. This has now more than tripled to 4,831 licensable HMOs in Brent under the new criteria, which means we estimate that 12,153 properties will fall under the additional licensing designation.

7.1.6 Below Map 6 shows the geographical distribution of all licensable HMOs at ward and COA level revealing that HMOs are scattered across the borough in high numbers with a slight tendency towards the south east. – in fact the data in Table 6 shows that the wards with the highest numbers of HMOs are Mapesbury (1,661), Willesden Green (1,307) and Kilburn (1,232). Map 6 shows a similar picture for the Additional licensable HMOs with a propensity towards the south east corner and again, the data in Table 6 shows that the wards with the highest numbers of licensable Mapesbury (1,224), and Kilburn (893), Willesden Green (870) and Brondesbury Park 862). The data in Table 6 shows that the wards with the highest percentages of licensable additional HMOs are Barnhill (45%), Northwick Park (38%), Brondesbury Park (37%), Fryent (34%) and Sudbury (33%).

Map 6: HMO Count and (no. of COAs)

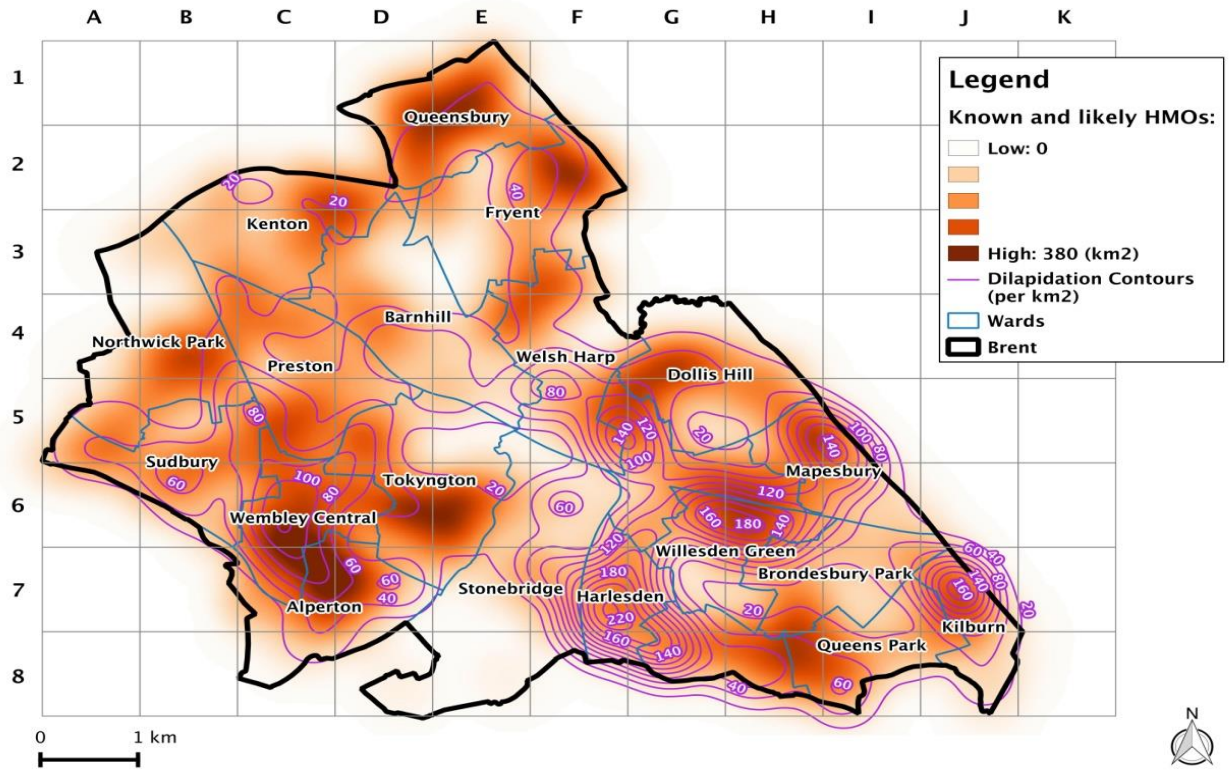


Key Indicators for HMOs

7.1.7 Results for each of the key indicators in Brent for the private rented sector split into non-HMOs and HMOs and compared with 2014 EHS regional and national averages. In general, HMOs in Brent show similar levels of HHSRS hazards and disrepair to non-HMOs in the private rented sector. The levels of HHSRS category 1 hazards are slightly higher for HMOs (9% compared to 8% for non-HMOs), but similar for the 2104 EHS regional average (9%). Levels of disrepair are the same for all HMOs (5%) and the 2014 EHS regional average (5%). The levels of fuel poverty are higher for HMOs for the Low Income High Costs definition (11% compared to 10%). Low income households 43% is higher than the 2014 EHS regional average (31%) and 2014 EHS national average (33%).

7.1.8 Map 7 below mirrors the general distribution of HMO to indicate that the ASB and poor property condition are closely correlated. HMOs are present in all wards and with high proportions of hazards or in disrepair are therefore proposed for a borough wide Additional HMO licensing scheme.

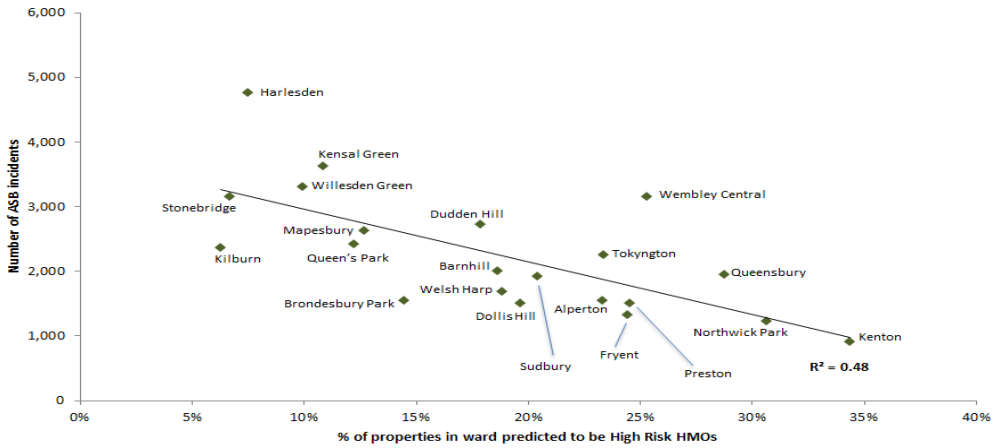
Map 7: Hotspot and contour map showing concentrations of high risk HMOs, attributable ASB and poor housing conditions



7.2 The Link between ASB and High Risk HMOs

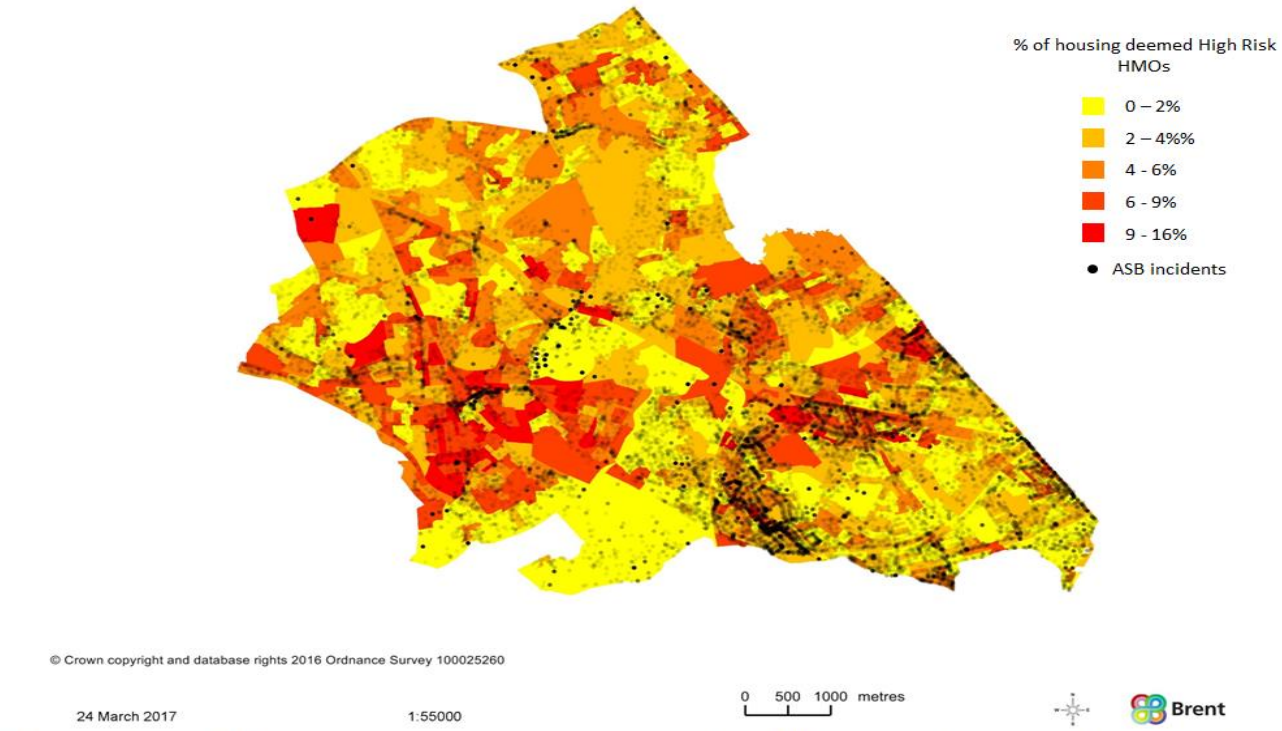
7.2.1 In 2017 we analysed the ASB incidents and established a positive link with HMO at ward level. The correlation R^2 =0.48 was higher than the link between ASB and single family private rented (R^2 =0.20) and the ASB incidents linked to the social sector R^2 =0.01). The resultant map at COA level shows that the incidents are borough-wide with significant concentrations in the south of the borough.

Figure 15: Number of ASB incidents* against % of ward where housing is predicted to be High Risk HMOs



*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level
**20,826 properties were identified as being high risk of being HMOs. This was deduced by indicators including; no council tax reduction at address, three or more adults at address, reported dilapidations or noise and council tax band D to H.

Map 8: Map showing % of properties by census output area predicted to be High Risk of being HMOs by recorded ASB incidents



ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

7.2.2 The predicted level of ASB in additional HMOs is high and similar to the ASB predicted in other PRS tenures.

Tenure	Dwellings	Attributable % PRS and ASB incidents of total 2016	Incidents per 1000 dwellings
All PRS	44,916	47,511	1058
Single Family	27,932	62% (29,457)	1055
Mandatory HMOs	4,831	11% (5,226)	1081
Additional HMOs	12,153	27% (12,828)	1055

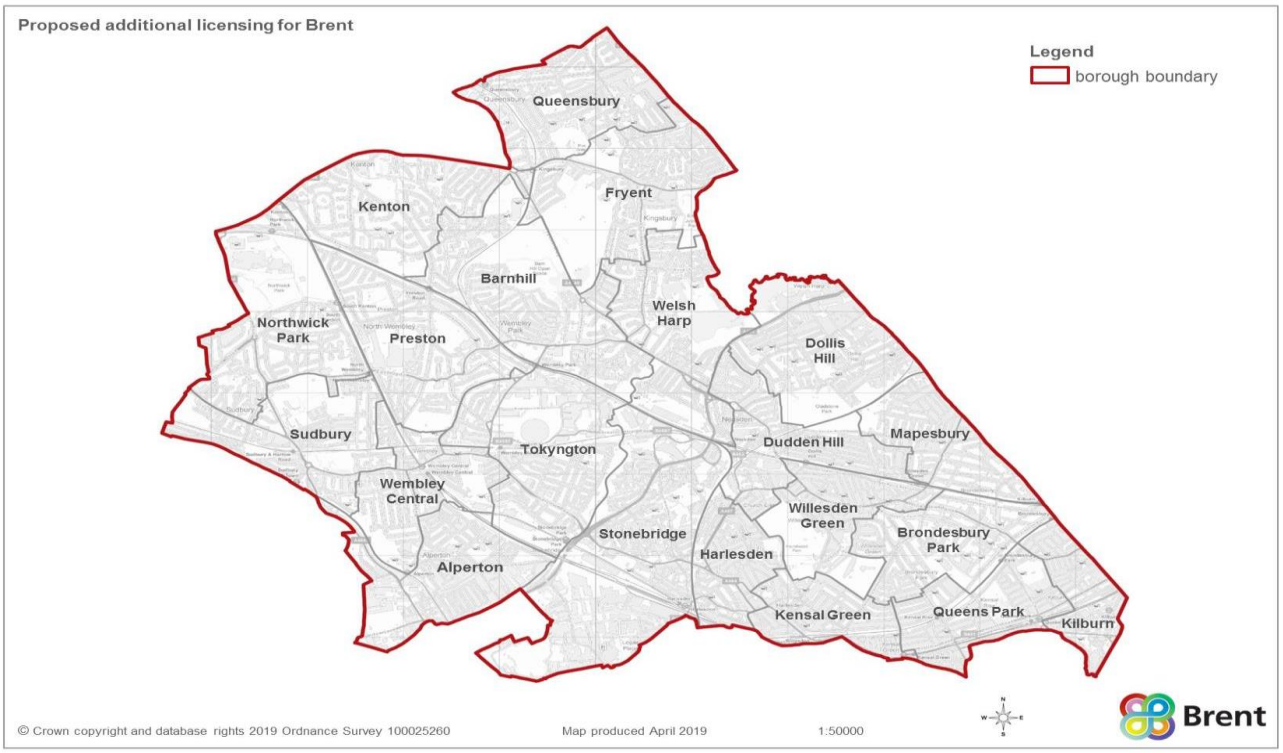
Table 11 Attributing levels of ASB to HMOs

7.3 HMO Compliance Inspection Programme

7.3.1 Earlier Table 2.2 provided evidence that of 2,184 HMOs inspected, 83% were non-compliant. A joint inspection exercise of HMOs undertaken by the Brent Fire Brigade and Private Housing in 2018 showed licensed HMO were more compliant than unlicensed HMOs, and further that those properties which had had compliance inspections by Housing officers were significantly more compliant.

7.3.2 Based on the foregoing information we believe that renewing the borough-wide additional licensing scheme will assist in combating the problems caused by those significantly proportion of HMOs in Brent which are poorly managed. The proposed designation area is delineated in Map 9.

Map 9 - Designation Map for Proposed Additional Licensing as delineated in Red



Selective Licensing

8.0 Selective Licensing

8.1 The proposal for renewing and extending selective licensing in Brent

8.1.1 These proposals are to require those managing or having control of other privately rented accommodation that does not have to be licensed under mandatory or additional licensing schemes, to obtain a licence to let their property. In order to designate an area as a selective licensing area, the local authority must be satisfied that certain, prescribed conditions are met. In summary, the designated area must be experiencing one or more of the following:

- low housing demand (or likely low housing demand in the future);
- a significant and persistent problem caused by ASB;
- poor property conditions;
- high levels of migration;
- high levels of deprivation; and/or
- high levels of crime.

8.1.2 In addition, the area must have a high proportion of property in the private rented sector (PRS) that is let under either assured tenancies or licences.

8.1.3 Further, when considering whether to make a selective licensing designation a local housing authority must identify the objective or objectives that a designation will help it to achieve. In other words,

- The Local Authority must identify whether the area is suffering problems that are caused by or attributable to any of the criteria for making the designation and how it expects the designation to help resolve them.
- The local authority must also consider whether there are any alternative courses of action that would meet its objectives without the need for a designation;
- and it must ensure that its approach is consistent with its housing strategy and its approach to empty properties, homelessness and anti-social behaviour.

8.1.4 The proposed selective designations, especially when combined with our existing 2018 scheme cover more than 20% of an authority's geographical area or would affect more than 20% of the privately rented homes in the area, and therefore the local authority must apply to the Secretary of State for confirmation of the scheme.

8.1.5 Table 8 below shows the estimated number of PRS at ward and a summary of the criteria conditions for the designation of the wards/areas. As detailed, there are various criteria which can be used to designate areas for Selective licensing. The criteria which were investigated in more detail above are:

- The proportion of dwellings that are privately rented is high compared with the total number of properties in the area – this is the latest reported EHS national average (currently 20%)
- Information on property condition: - proportion of dwellings with the presence of one or more Category 1 or 2 hazards covered by the HHSRS
- In disrepair – this is based on the former Decent Homes Standard criteria for disrepair which is assessed by looking at the age of the dwellings and the condition of a range of building components including walls, roofs, windows, doors, electrics and heating systems.
- Information on deprivation based on the 2015 Indices of Multiple Deprivation (IMD)

8.1.6 The evidence presented below demonstrates that the criteria have been met for:

I. Proposing one designation for renewing selective licensing in the Harlesden, Wembley Central and Willesden Green electoral wards, and,

II. Proposing one further designation for extending Selective licensing to the electoral wards of; Alperton; Barnhill; Brondesbury Park; Fryent; Northwick Park; Preston; Queensbury; Sudbury; Tokyngton (except Wembley Park) and Welsh Harp.

III. We have used Table 16 to show which ground or condition each ward meets. The Table shows that for all wards greater than 20% of PRS dwellings, that the poor property conditions, deprivation or ASB condition is met. Category 1, high Category 2 and disrepair all combine to determine the property condition criteria.

8.2 Proportions of privately rented dwellings in Brent

8.2.1 The percentage of private rented stock for Brent is 37%, this is much higher than the national average of 20%. Areas within Brent with considerably higher levels of private rented stock in Brent, compared to the national average, were identified and table 8 shows that 18 of the 21 wards in Brent have private rented proportions in excess of the national average currently 20% (2015-16 EHS Headline report). We estimate that between 45% and 62% are single family dwellings. The higher figure is the latest from the BRE estimates of 27,932 dwellings.

8.2.2 The three wards which have less than 20% private rented stock are Dollis Hill (19%), Kenton (19%) and Stonebridge (16%) are therefore being excluded.

8.2.3 The three wards covered by the selective licensing scheme introduced in 2015 are Harlesden, Wembley Central and Willesden Green. These wards have high levels of private rented stock – 49%, 46% and 60%, respectively.

8.2.4 The five wards covered by the selective licensing scheme introduced in 2018 also have private high rented stock proportions; Dudden Hill – 40%, Kensal Green – 51%, Kilburn – 47%, Queen's Park – 52% and Mapesbury – 58%.

8.2.5 Removing the eight wards which are covered by existing selective licensing schemes, of the remaining thirteen, the top 3 highest proportions of private rented stock are in Brondesbury Park (40%), Tokyngton (40%), and Alperton (35%).

8.3 Information on property condition – HHSRS hazards and disrepair

8.3.1 For the wards proposed housing conditions in the area are poor (HHSRS and Disrepair) and the Council proposes to inspect them in order to take any necessary enforcement action to improve their conditions.

8.3.2 Table 8 provides a summary of property condition at ward level as well as information on deprivation for each ward. Information on property condition is based on the presence of a category 1 HHSRS hazard (one or more of the 29 covered by the HHSRS). Information on the presence of a high category 2 hazard is also provided.

8.3.3 We have further detailed for the presence of a category 1 hazard for excess cold and a category 1 hazard for all falls (these are fall hazards where the vulnerable person is over 60 and includes falls associated with baths, falling on the level and falling on stairs).

8.3.4 Property condition also includes proportions of dwellings in disrepair. This is based on the former Decent Homes Standard and assesses the age of the dwelling and the condition of a range of building components – e.g. walls, roofs, electrics and heating systems.

8.3.5 Table 12 shows the counts and percentage of poor property conditions (HHSRS hazards and Disrepair) of the estimated privately rented dwelling stock across the Brent wards, and also provides information on deprivation at ward level.

Table 12: Count and percentage of estimated privately rented dwellings across Brent and conditions for selective licensing [BRE, HSCD 2019]

Ward	Dwellings - all stock	Dwellings - private		All HHSRS Count/%	All HHSRS Count/%	Disrepair DH Standard	Deprivation
		Count	%	Cat 1	High Cat 2	Count/%	%
Alperton	5,137	1,776	35%	113 (6%)	582 (33%)	51 (3%)	
Barnhill	5,824	1,481	25%	119 (8%)	620 (42%)	48 (3%)	34%
Brondesbury Park	5,759	2,316	40%	199 (9%)	1,102 (48%)	120 (5%)	
Dollis Hill	5,009	937	19%	80 (9%)	377 (40%)	28 (3%)	9%
Dudden Hill	5,684	2,271	40%	227 (10%)	1,293 (57%)	125 (6%)	21%
Fryent	4,622	1,088	24%	109 (10%)	600 (55%)	51 (5%)	
Harlesden	7,069	3,433	49%	300 (9%)	1,835 (53%)	206 (6%)	93%
Kensal Green	6,243	3,154	51%	303 (10%)	1,834 (58%)	204 (6%)	42%
Kenton	4,170	776	19%	75 (10%)	372 (48%)	30 (4%)	
Kilburn	8,155	3,871	47%	290 (7%)	1,834 (47%)	190 (5%)	41%
Mapesbury	6,779	3,948	58%	365 (9%)	2,211 (56%)	233 (6%)	15%
Northwick Park	3,916	795	20%	85 (11%)	391 49%)	34 (4%)	
Preston	5,698	1,660	29%	120 (7%)	624 (38%)	52 (3%)	
Queens Park	6,473	3,334	52%	314 (9%)	1,838 (55%)	225 (7%)	
Queensbury	5,457	1,164	21%	82 (7%)	452 (39%)	46 (4%)	
Stonebridge	6,983	1,106	16%	58 (5%)	311 (28%)	21 (2%)	100%
Sudbury	5,439	1,869	34%	127 (7%)	686 (37%)	64 (3%)	
Tokyngton	6,050	2,444	40%	173 (7%)	1,119 (46%)	96 (4%)	
Welsh Harp	5,106	1,219	24%	113 (9%)	580 (48%)	61 (5%)	44%
Wembley Central	5,066	2,312	46%	194 (8%)	1,077 (47%)	96 (4%)	
Willesden Green	6,611	3,962	60%	373 (9%)	2,201 (56%)	239 (6%)	4%

N.B. For figure 12, the information on hazards refers to the number of dwellings with a hazard of the stated type. Because of this there is likely to be some overlap – for example, some dwellings are likely to have excess cold and fall hazards but this dwelling would only be represented once under 'all

hazards'. The number of dwellings under 'all hazards' can therefore be less than the sum of the excess cold plus fall hazards.

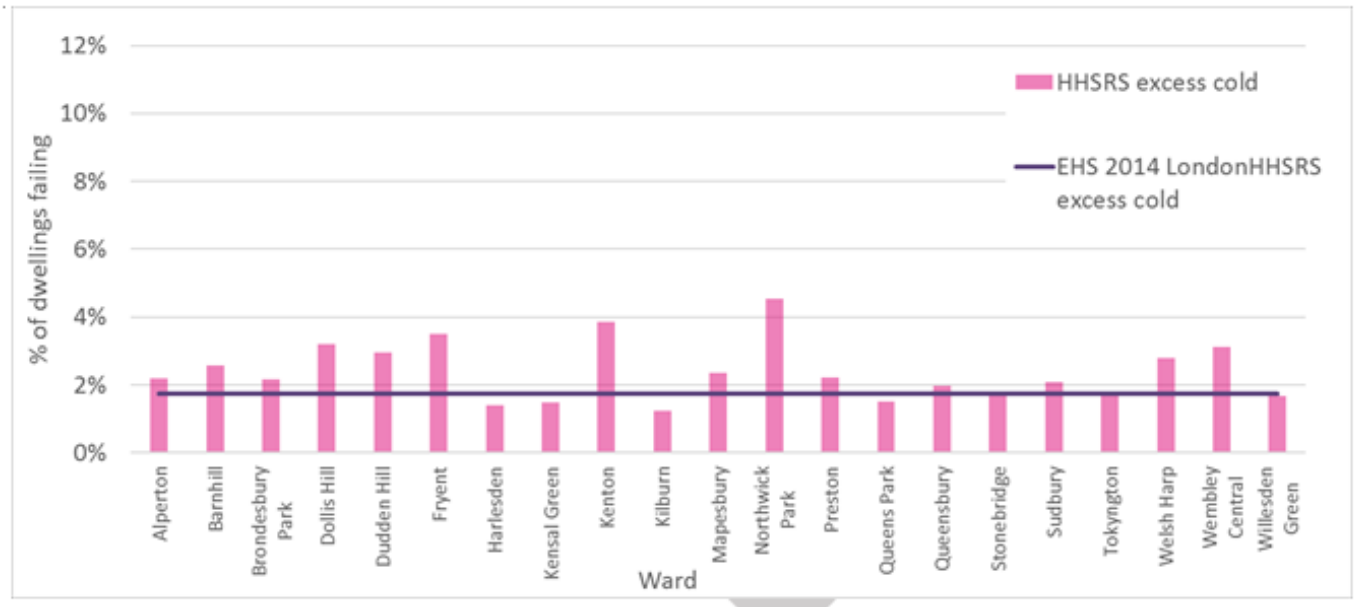
8.3.6 Figure 16 compares these property condition indicators across the wards in Brent and also compared with the London average. Out of the 21 wards, 12 have all category 1 hazards higher or the same levels of hazards compared to the regional average (9%), in particular for selective licensing designation no.1, Harlesden and Willesden Green with (9%) and Wembley Central only slightly less at (8%). For the selective designation no.2, Northwick Park (11%), Fryent (10%) and Welsh Harp (9%) have the highest levels.

Figure 16: Comparison of percentage of dwellings failing the housing condition indicators of HHSRS category 1 hazard across the wards in Brent and compared to the London average



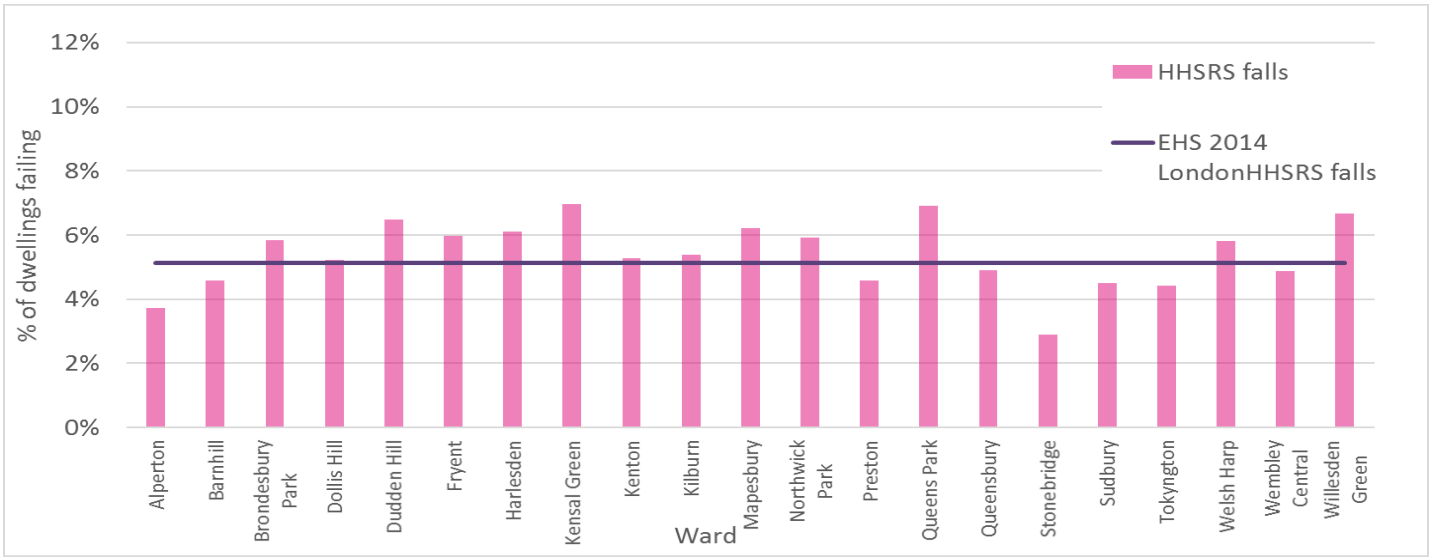
8.3.7 Our analysis looked further at the hazard for excess cold hazard (Fig.17) and found that 14 of the 21 wards have the same or higher levels compared to the regional average – notably Northwick Park, Fryent, Wembley Park, Welsh Harp, Barnhill, Preston and Alperton stand out as having the highest rates.

Figure 17: Comparison of percentage of dwellings failing the housing condition indicators of excess cold hazards across the wards in Brent and compared to the London average



8.3.8 For all HHSRS falls hazards (figure 18, 13 wards have the same or higher levels compared with the regional average, with Willesden Green, Welsh Harp and Harlesden predicted to contain amongst the highest levels.

Figure 18: Comparison of percentage of dwellings failing the housing condition indicators of fall hazards across the wards in Brent and compared to the London average



8.3.9 Most notably, when looking at the data for Brent compared to the averages for London it shows that all of the wards in Brent are either the same as or greater than the London average for one or more of all category 1 hazards, excess cold hazards, fall hazards and disrepair.

8.3.10 **Table 13** shows the total number of dwellings with HHSRS category 1 hazards in Brent's private sector stock the total cost for mitigating all hazards within those dwellings. The costs are based on the average cost of mitigating category 1 hazards for the region using EHS 2014 data.

Table 13: Estimated costs to mitigate all Cat 1 hazards in private sector stock, split into tenure

Tenure	No. of hazards	Total cost (£)
Private Sector	9,628	34,176,535
Owner occupied	5,809	20,620,221
Private rented	3,819	13,556,314

8.3.11 Proportion of PRS dwellings with a high category 2 hazard. Table 14 shows the numbers and proportions of dwellings with a high category 2 hazard in each tenure. The PRS has the highest proportion at 49%, with the owner occupied sector at 43%.

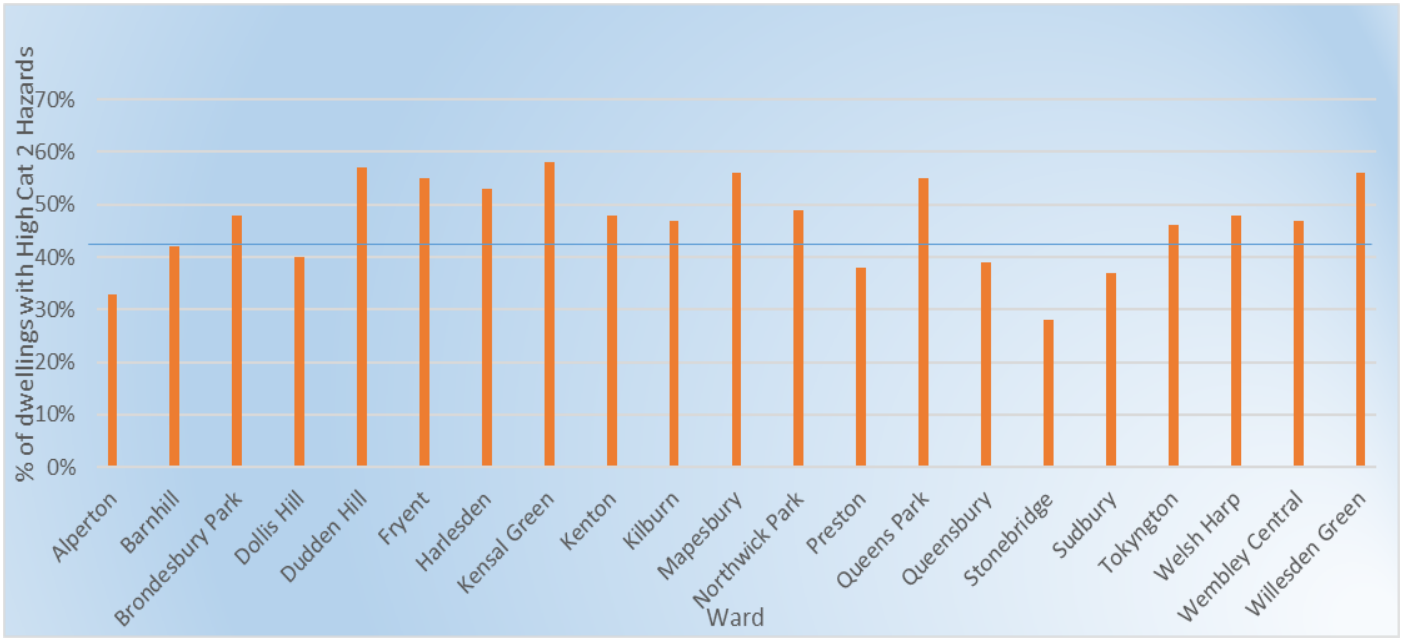
Table 14: Summary of high category 2 hazards by tenure

Indicator	Private sector stock			
	Owner occupied		Private rented	
	No.	%	No.	%
No. of dwellings	49,360	-	44,916	-
HHSRS category 2 hazards	21,026	43%	21,939	49%

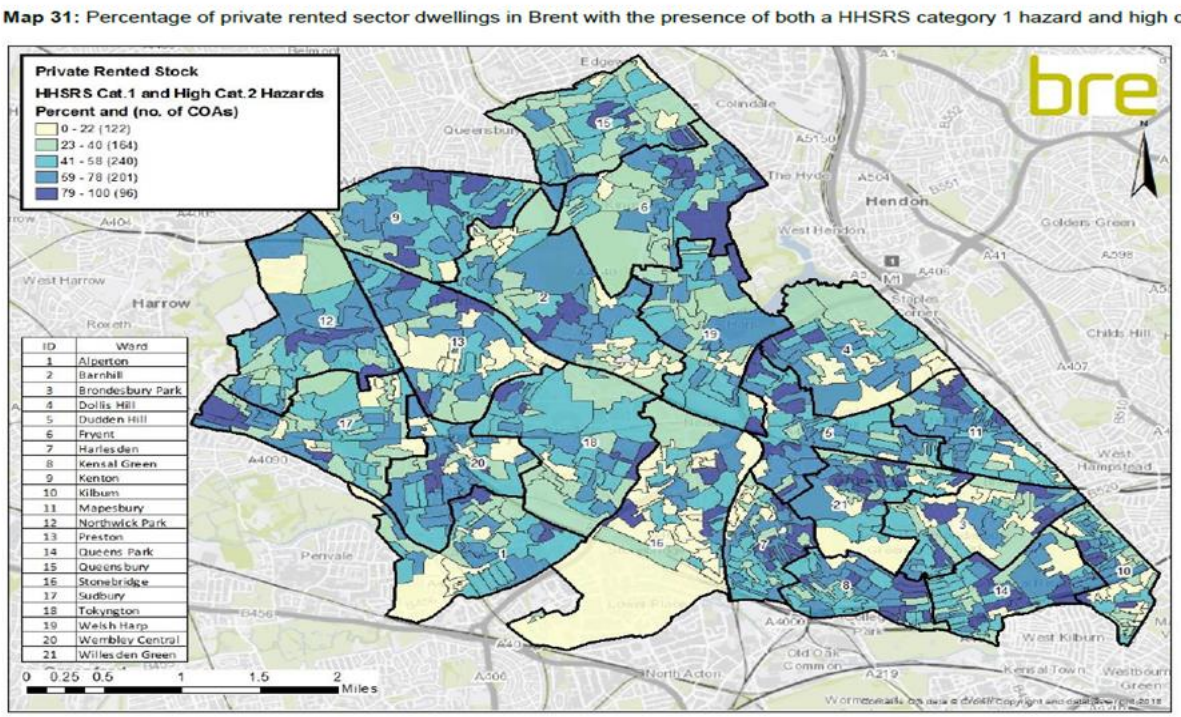
8.3.12 Unlike the other indicators that have been reported, the EHS does not publish data on category 2 hazards. To enable comparisons to be made, the BRE category 2 hazard model has been run for the London region and for England. This shows that the proportion for the private rented stock in London is 47%. For England, the proportion of dwellings with a high category 2 hazard in the private rented stock it is 42%. As can be seen from these figures, the percentage for Brent in private rented sector (49%) is higher than that for London and England. The figures shown in the section above are taken from the BRE category 2 hazard model and should not be confused with the standard comparisons that have been made earlier in the report with figures from the EHS.

8.3.13 Table 12 also provides a summary of the number and percentage of private rented dwellings in each ward with a high category 2 hazard. Kensal Green has the highest level at 58% of private rented dwellings, with Willesden Green 56%, Fryent 55% and Harlesden 53%. In relation to the proposals only Alperton 33% and Sudbury, Preston Queensbury (37%-39%) have levels which are below the England figure. The data and text for high category 2 hazards has been kept apart from the other text as the data for comparison is not taken from the English Housing Survey. Because the comparison data is not the same, it would not be appropriate to add these ***high*** category 2 hazards to the category 1 figures.

Figure 19 Percentage of dwellings with a high category 2 hazard by ward, private rented stock and comparison with London average (42%) and England average (47%)



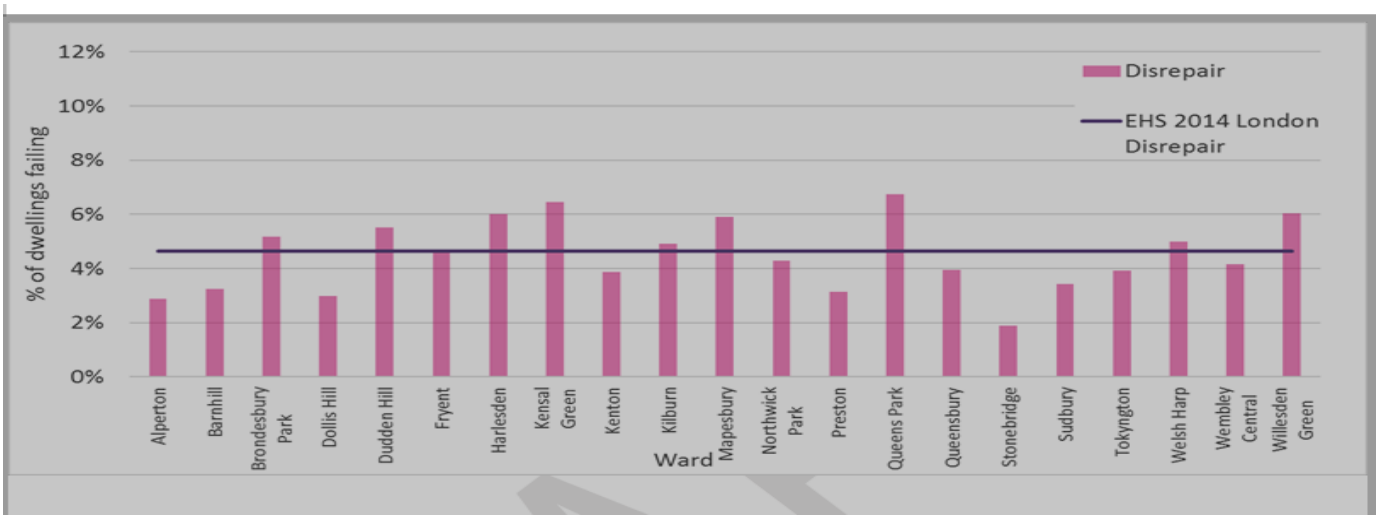
Map 10: The distribution of PRS Cat 1 and High Cat 2 HHSRS hazards at COA level in Brent



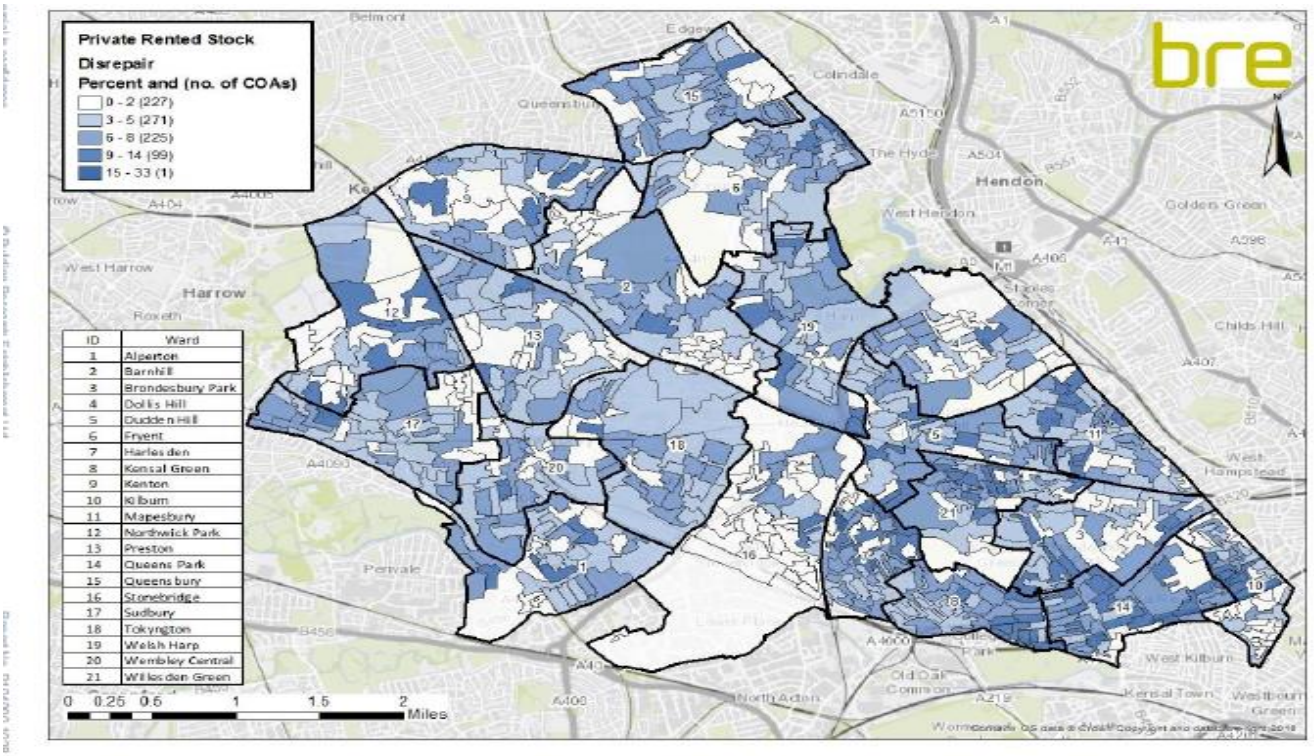
8.4 Information on poor property conditions – levels of disrepair

8.4.1 There is the potential for a dwelling to contain one or more hazards and also be in disrepair. For disrepair, 10 wards are higher than the EHS 2014 regional average (5%), most notably Willesden Green, Harlesden, Welsh Harp and Fryent, again in relation to the proposed designations. The map shows low proportions in Stonebridge and Dollis Hill, with pockets of denser disrepair in Alperton and Tokyngton.

Figure 20: Comparison of percentage of dwellings failing the housing condition indicators of disrepair across the wards in Brent and compared to the London average



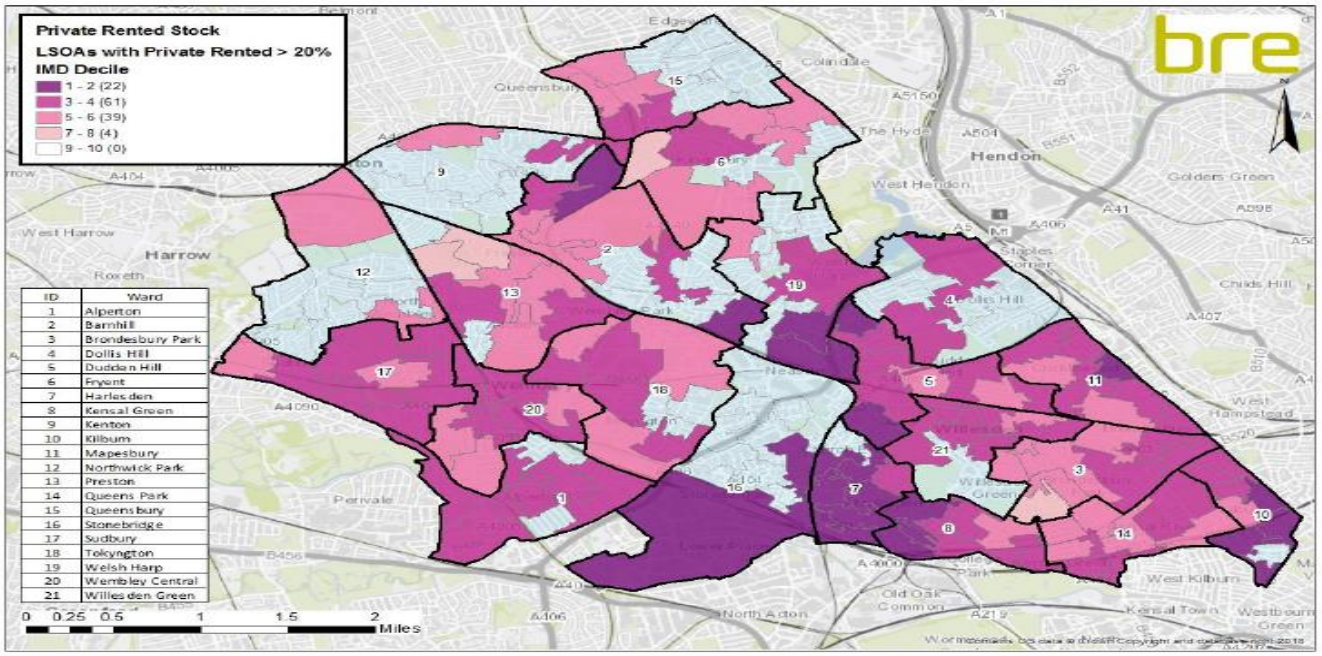
Map 11: Percentage of private rented sector dwellings in Brent in disrepair



8.5 Information on deprivation

8.5.1 To determine deprivation, we have looked at the 2015 Indices of Multiple Deprivation (IMD) taking account of the seven "domains", including income, crime, and living environment deprivation. To determine whether an area is deprived or not for the purposes of this study, the 20% most deprived LSOAs have been used.

Map 12: Distribution of LSOAs containing proportions of private rented dwellings at levels greater than the national average (20%) by IMD decile

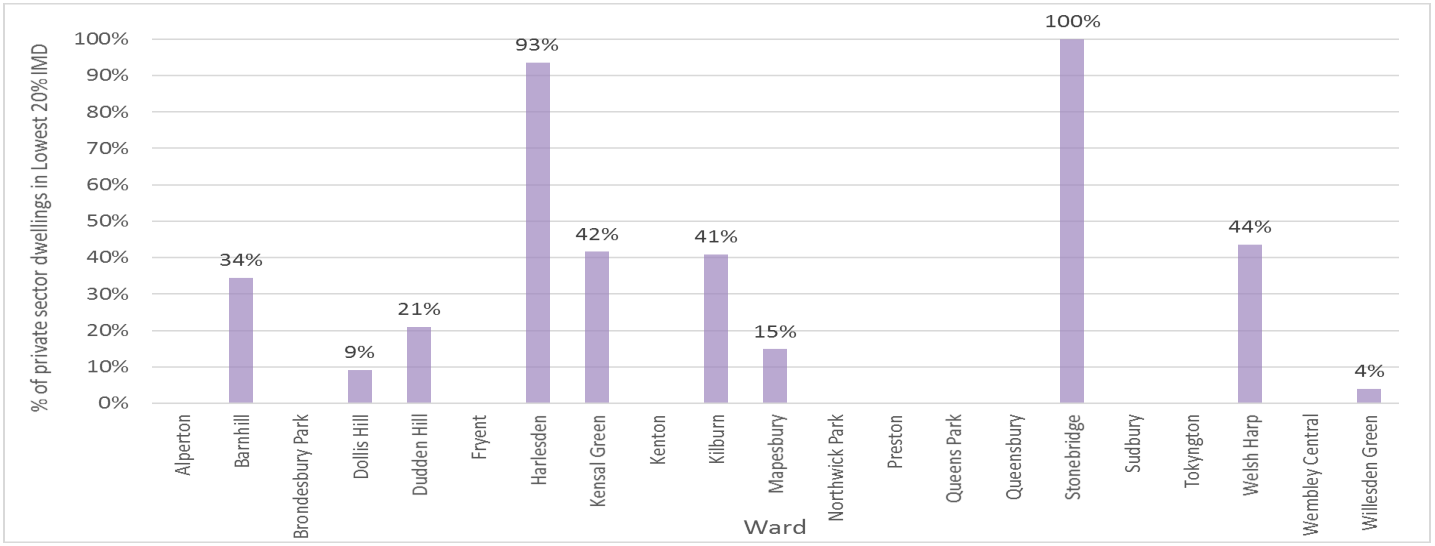


8.5.2 Map 12 shows the distribution of deprivation across Brent at LSOA level with the wards shown over the top (N.B. some LSOAs span more than one ward). The darker colours indicate the most deprived areas – for example, looking at the key there are 36 LSOAs which fall into the

20% most deprived areas in England, including all the LSOAs in Stonebridge and the majority in Harlesden. When cross referencing deprivation our maps show pockets of areas with both high levels of private renting, and deprivation with housing conditions (category 1) in deprived areas, for example most and the Stonebridge and Harlesden wards, and to the of south of Welsh Harp.

8.5.3 Figure 21 shows the results of this analysis from table 19 in graphical form looking at the proportion of privately rented dwellings that are in the 20% most deprived areas in each ward. The figure for Brent as a whole is 21% and it can be seen that in Harlesden 93% of privately rented dwellings are in the 20% of the most deprived LSOAs in England. For Welsh Harp the figure is 44% and for Barnhill 34%.

Figure 21: Percentage of privately rented dwellings in each ward in Brent which are in the 20% most deprived areas in England (IMD 2015)



8.6 Information on antisocial behaviour

8.6.1 The areas likely to be subject to selective licensing are experiencing a significant and persistent problem caused by anti-social behaviour, which some private sector landlords are failing to address. The table below is the residents survey analysis for ASB for the three wards where wider licensing came into effect since 2015. The table shows a reduction in concern of incidences of rubbish and litter across the wards, and some control of noise in Willesden Green with a reduction of incidences in Harlesden. Street drinking concern is reduced in Harlesden.

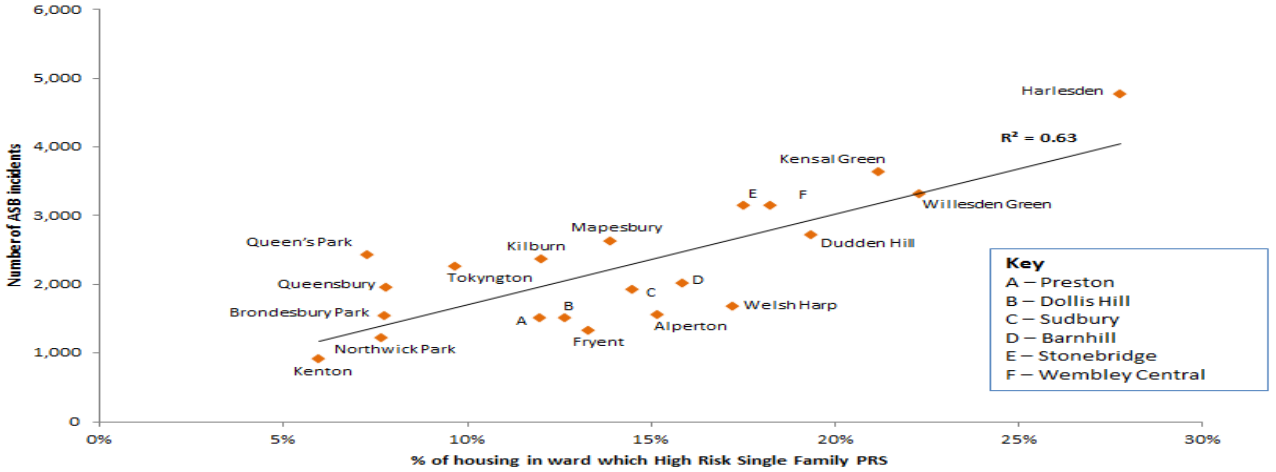
Table 15: Comparison of residents ASB concerns 2014 and 2018

	Wembley Central		Willesden Green		Harlesden	
Issue	**2014**	**2018**	**2014**	**2018**	**2014**	**2018**
Burnt out and abandoned cars	7%	22%	3%	10%	6%	8%
Noisy neighbours and loud parties	19%	30%	31%	32%	23%	20%
People being drunk or rowdy in public places	48%	60%	44%	59%	58%	53%
People hanging around the streets	42%	48%	47%	50%	55%	58%
People using or dealing drugs	39%	42%	33%	56%	53%	62%
Rubbish or litter lying around	69%	70%	72%	65%	75%	57%

Vandalism, graffiti and other deliberate damage to property or vehicles	32%	39%	24%	31%	19%	26%

8.6.2 Within the overall private rented sector, Selective Licensing is concerned with Single Family dwellings. Individual charts of all data sources were prepared and Figure x is a composite chart which illustrates the positive correlation for these properties with $R^2 = 0.63$.

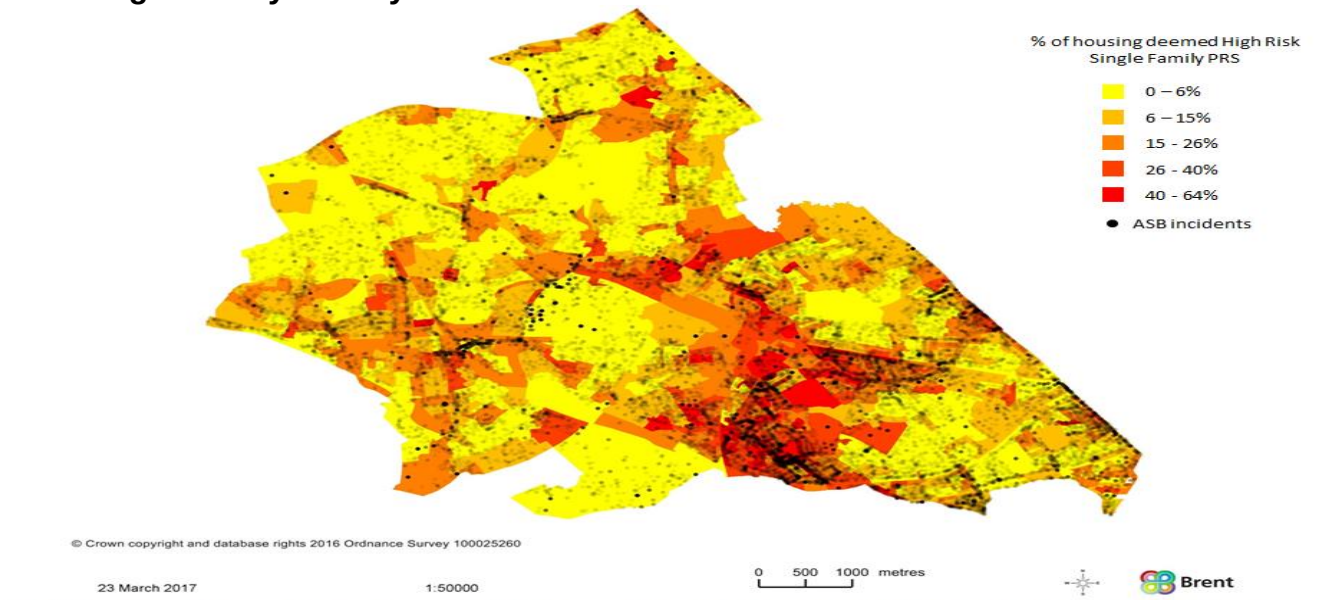
Figure 23: No. of ASB incidents* against % of ward where housing is predicted to be High Risk Single Family PRS



*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level
**17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

8.6.3 The indicators most correlated with private renting are enviro-crime (+0.79), fly-tipping (+0.74), and property conditions (0.68). Those correlated least, albeit still positively, are Police-reported ASB (0.58) and Council reported ASB (0.57) [although it must be noted that the sample size for this indicator was relatively small]. The three wards with the highest levels of contaminated waste reports are Brondesbury Park (13,080), Queensbury (12,206) and Barnhill (11,619). The levels of contaminated waste are also high in other wards. There is also a strong relationship between PRS and reports of illegally dumped waste across the borough, with Harlesden, Kensal Green and Willesden Green showing especially high levels. Overall there is a slight positive correlation (0.32) between noise complaints and private renting, with Harlesden, Mapesbury and Kilburn wards showing the highest correlation. Map 13 below breaks down ASB by single family households and shows that there is significant distribution across all Brent wards.

Map 13: Map showing % of properties by census output area predicted to be High Risk of being Single Family PRS by recorded ASB incidents



ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

9.0 SECTION E – Proposals summary and Consultation Summary

9.1 Summary

Table 16 Summary of findings for selective licensing scheme conditions in Brent

	Conditions for licensing								
	% of Dwellings in the PRS	Poor Property Conditions					Deprivation	ASB	
Ward	Dwellings - private rented stock >20%	All Cat 1 > regional average (9%)	1 no. Cat 1 > regional average for Excess Cold or Falls	High Cat 2 > regional average (42%)	Disrepair > regional 5% average	Has one or more elements of poor property condition	Deprivation % in 20% IMD	Persistent & Significant ASB with wards Ranked	
Alperton	YES		√			YES		YES	13
Barnhill	YES		√	√		YES	YES	YES	10
Brondesbury Park	YES	√		√	√	YES		YES	19
Dollis Hill	NO 19%	√		√		YES	YES	YES	17
Dudden Hill	YES	√		√	√	YES	YES	YES	8
Fryent	YES	√		√	√	YES		YES	18
Harlesden	YES	√		√	√	YES	YES	YES	2
Kensal Green	YES	√		√	√	YES	YES	YES	5
Kenton	NO 19%	√		√		YES			21
Kilburn	YES		√	√	√	YES	YES	YES	3
Mapesbury	YES	√		√	√	YES	YES	YES	3
Northwick Park	YES	√		√		YES			20
Preston	YES		√			YES		YES	15
Queens Park	YES	√		√	√	YES		YES	7
Queensbury	YES		√			YES		YES	12
Stonebridge	NO 16%						YES	YES	9
Sudbury	YES		√			YES		YES	14
Tokyngton	YES	√			√	YES		YES	11
Welsh Harp	YES	√		√	√	YES	YES	YES	15
Wembley Central	YES	√		√		YES		YES	6
Willesden Green	YES	√		√	√	YES	YES	YES	1

9.1.1 Overall table 16 shows that all wards with a PRS stock of 20% and above fits the conditions for inclusion in a selective licensing scheme. The table gives a breakdown of the elements of poor property conditions (Hazards and Disrepair) for each ward where found. Where conditions exist to similar extents, we have grouped wards to form the designations.

Summary of objectives of Additional and Selective licensing

Objective	Performance indicator	Outcome
Improvement in HMO PRS	• Improve 600 properties annually • Undertake 750 Compliance checks	• Achieve 100% licensing • Reduce Cat 1 and Cat high 2 hazards • Increase in % complaint HMO over set baseline
Improvement in Single family dwellings	• Improve 1500 properties annually • Undertake compliance inspection in 25% of licences granted	• Achieve 100% licensing • Reduce Cat 1 and high cat 2 hazards • Achieve a general improvement of property conditions in the designated area within the lifetime of the designation.
Reduction in Antisocial behaviour in HMOs and Single family dwellings	• Ward level analysis annually • Complete 10 cases annually police reported ASB • Complete 60 cases per year council reported ASB	• Reduction in ASB incidents • Reduce ASB concerns by residents over 5 years • Reduce ASB in 200 licensed properties annually
Combat problems of Deprivation	• 25 cases per year regarding excess cold and fuel poverty • 100 incidences of tenant homelessness advice	• Combat deprivation in the 10 most deprived areas • Supporting the most vulnerable tenants

9.2 Summary of conclusions

9.2.1 The information outlined above shows the links between Police and Council housing reported ASB and the PRS in Brent. The mapping exercises carried out show positive correlation with the PRS.

9.2.2 Evidence also shows that poor property conditions and deprivation levels in Brent are high and impact on the PRS.

9.2.3 The wards currently covered by Selective Licensing score highly on all key measures such as poor property conditions. Wards such as Kenton and Northwick Park where private renting is least established show relatively lower scores on almost every indicator.

9.2.4 Only Wembley Central scores higher on enviro-crime and fly tipping. By contrast Kilburn and Mapesbury with the highest concentrations of private renting are ranked joint third. The ASB is positively correlated to the private rented sector.

9.2.5 When the data is taken into the present context there is justification for Brent to engage in the consultation exercise on proposals to renew additional and selective licensing and also to extend selective licensing to other areas of the borough.

9.2.6 We believe that the evidence for selective licensing supports making multiple selective designations, (**Map 14**), these being:

Designation 1: Harlesden, Wembley park and Willesden Green wards - Grounds; Property Conditions and ASB

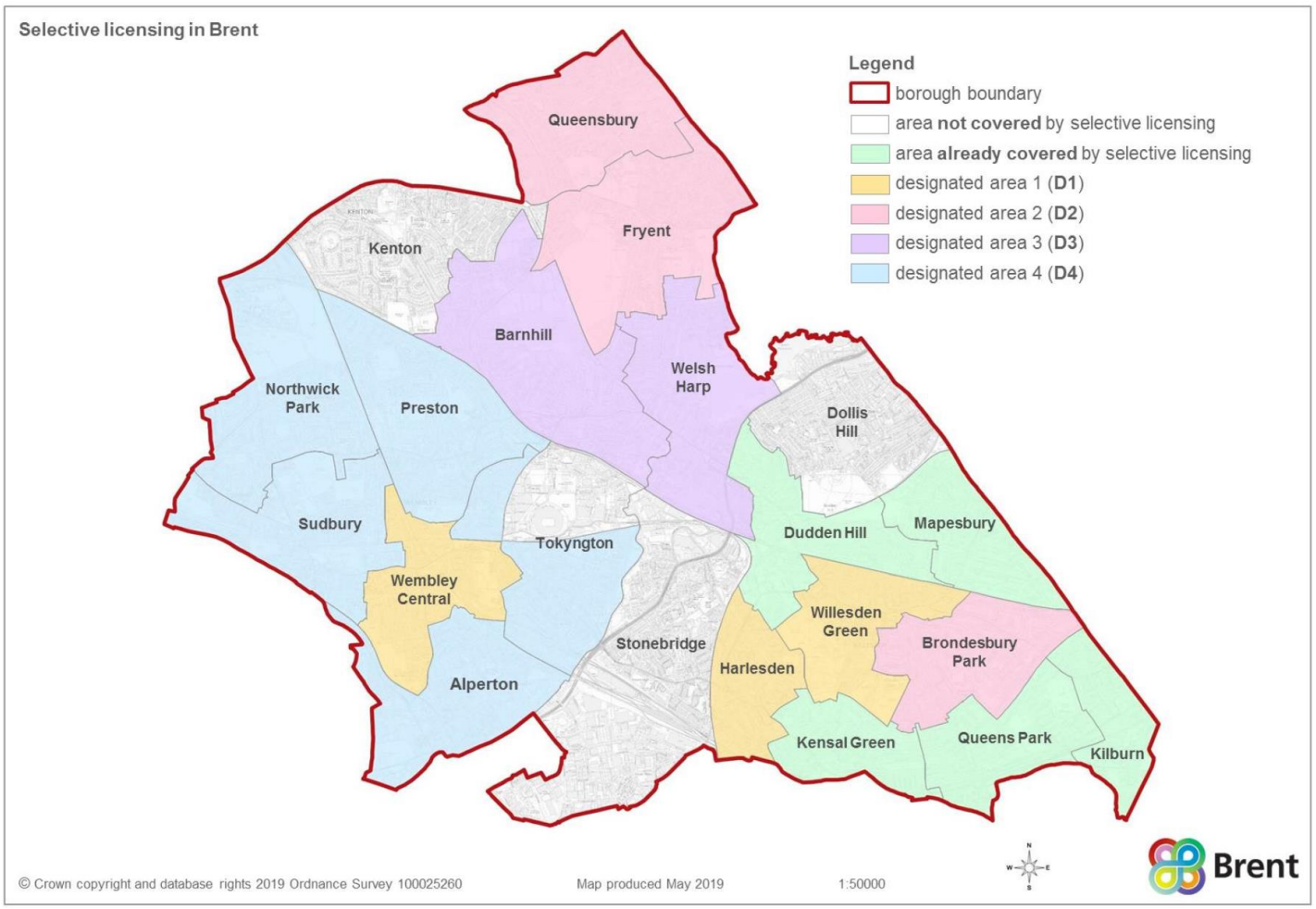
Designation 2: A5 Corridor, Queensbury, Fryent and Brondesbury Park – Grounds; Property Conditions and ASB

Designation 3: Barnhill and Welsh Harp – Grounds; Property Conditions, Deprivation and ASB

Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury; Property Conditions and ASB

We believe this allows for practicable commencement, implementation and enforcement of the schemes should the proposals are approved. Map 14 features three sectors and we intend to focus and coordinate our work based on these sectors in delivering our licensing scheme objectives.

Map 14: Map of designated area for selective licensing



10.0 The Consultation - Have your say

10.1 Based on the information provided in this document, the Council believes that the conditions for extending selective licensing scheme are satisfied. However, we want to know your views before any final decision is made about private rented sector licensing in Brent. If we make a decision to introduce selective licensing borough-wide, it will mean that some homes in the Borough that are rented out privately must be licensed by the Council. The consultation runs between for a minimum of 10 weeks **10th June 2019 and 25th August 2019.**

10.2 The proposals to designate a renew and extend property is also available on the Council website www.brent.gov.uk/propertylicensing2019. You can also call us on 020 8937 2384/5 or email to prslicensing@brent.gov.uk to be sent a copy. Please read the information about our licensing proposals, before completing the questionnaire. There are questionnaires which apply to different groups of people. Please make sure you complete the one(s) that apply to you.

10.3 During the consultation period, we will conduct the following:

- An on-line survey available to all residents, landlords and other stakeholder including people in surrounding areas
- Focus groups with private tenants and representative organisations
- Focus groups with landlords, letting agents and landlords' representative organisations, and
- Face to face interviews with various individuals

10.4 The formal consultation is being publicised widely by Brent through various methods including flyers in Housing Benefit and Council Tax statements to residents and landlords; flyers and Posters sent to local leisure and community centres; continuing advertisements in Brent Magazine and other printed media throughout the consultation; front-page marketing on Brent Council's Website; and council officers' attendance at local landlord and tenant forums.

10.5 There will also be a number of opportunities for you to come along to Brent Connects Forums to find out more about the proposed schemes. Details of these consultation events will be advertised in the local press and posted on the Council's website.

If you wish to comment on the proposals, please feedback by Midnight on 25 August 2019. You can do this by:

- **You can complete the questionnaire available online** at: www.brent.gov.uk/propertylicensing2019
- **Paper copies of the questionnaire are available on request** by e-mailing prslicensing@brent.gov.uk or calling us at 020 8937 2384/5. You can scan it and return to us by e-mail to PRSlicensing@brent.gov.uk, or send it back to us in a pre-paid envelope to:
  Brent Consultation Team
  Civic Centre Level 6
  FREEPOST (SCE 11 999)
  Engineers Way, Wembley,
  HA9 0FJ

You can provide general more comments and representations by sending an email to prslicensing@brent.gov.uk. If you want to know more details about selective licensing and why the Council is considering this measure before completing the questionnaire, please e-mail us at PRSlicensing@brent.gov.uk .

10.6 What happens next?

10.7 The consultation with local residents, landlords, local businesses and other organisations with an interest in the private rented sector in Brent will run until 29th July, 2019 to give everyone time to consider and respond to our proposals fully.

10.8 The Council will publish the findings of the consultation as soon as possible after the consultation ends. The Council will consider any representations made during the consultation period before deciding whether or not approve the implementation of additional and selective

licensing. Any approval of selective licensing over the 20% rule will require the Secretary of State to confirm the decision. Whether by general consent or by the Secretary of State confirmation of the schemes in Brent there will be a minimum of a three months' notification period before any scheme(s) would come into force. This will allow affected landlords time to apply for licences.

Documents referred to and Annexes

14.1 BRE Integrated Level Housing Stock Condition of Brent – Executive Summary
14.3 Mayhew Harper Associates Report 2016
14.4 Cabinet Report: Selective Licensing in the PRS, 2017.
14.5 Annex A - Licence Fees Proposals
14.6 Annex B – Additional Licence Conditions Proposals
14.7 Annex C – Selective Licence Conditions Proposals
14.8 Annex D - The Equalities Assessment (EA) scope

Appendix 1 - Selected Glossary

ASB - Anti-Social Behaviour
PRS - Private Rented Sector
SLS - Selective Licensing Scheme
IRD – Illegal Rubbish Dumping (Fly-tipping)
MHCLG – Ministry of Housing Communities and Local Government (formerly DCLG)
HHSRS - Housing Health and Safety Rating System
LSOA - A Lower Layer Super Output Area is a geographical area designed to improve the reporting of small area statistics.
NINo - National Insurance Number Registrations of overseas nationals
EHS - English Housing Survey
SHMA - Strategic Housing Market Assessment

Appendix 2 - Analysis of noise, waste and ASB in Brent

Figure App1:1 - Illegally Dumped Waste by Ward 2015/16 (13,262 records). Shows high incident areas are Harlesden, Mapesbury, Willesden Green, Kensal Green, Barnhill, Sudbury, Dudden Hill, Queens Park, Kilburn and Queensbury also feature prominently.

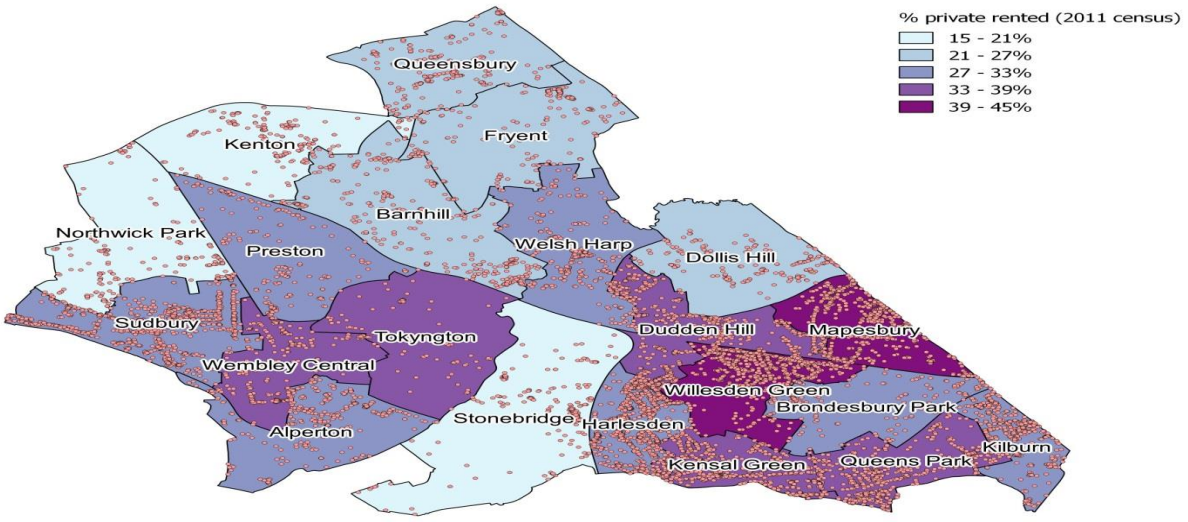


Figure App1:2 - Noise complaints received 2015/16 (998 records)

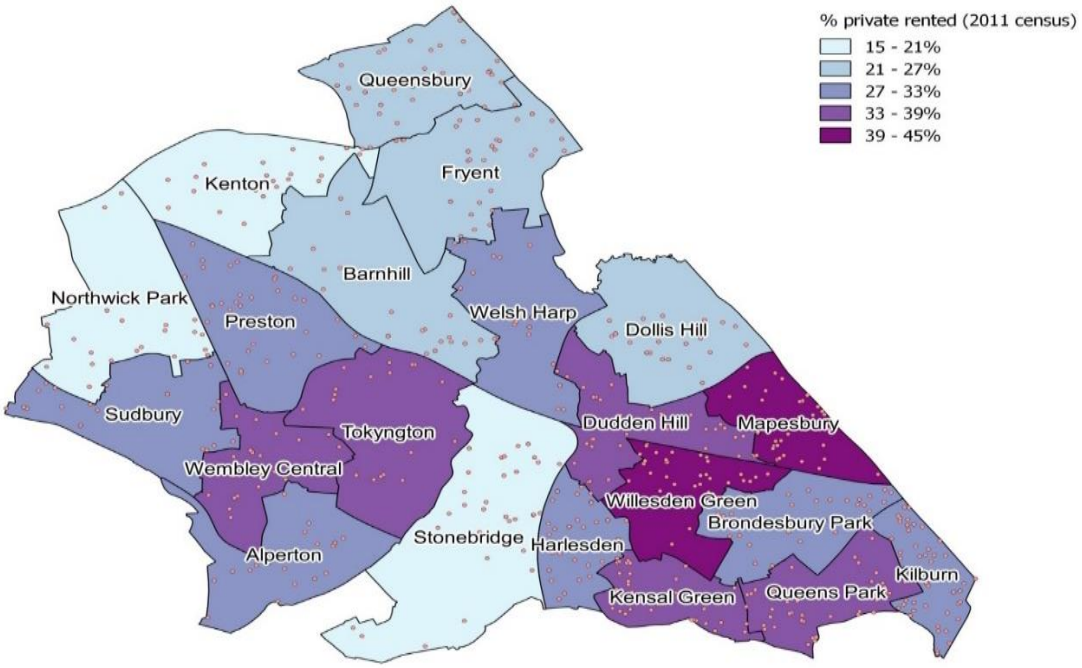


Figure App 1:3 - The link of ASB and the PRS. Council reported ASB 2015/16 (147 records)

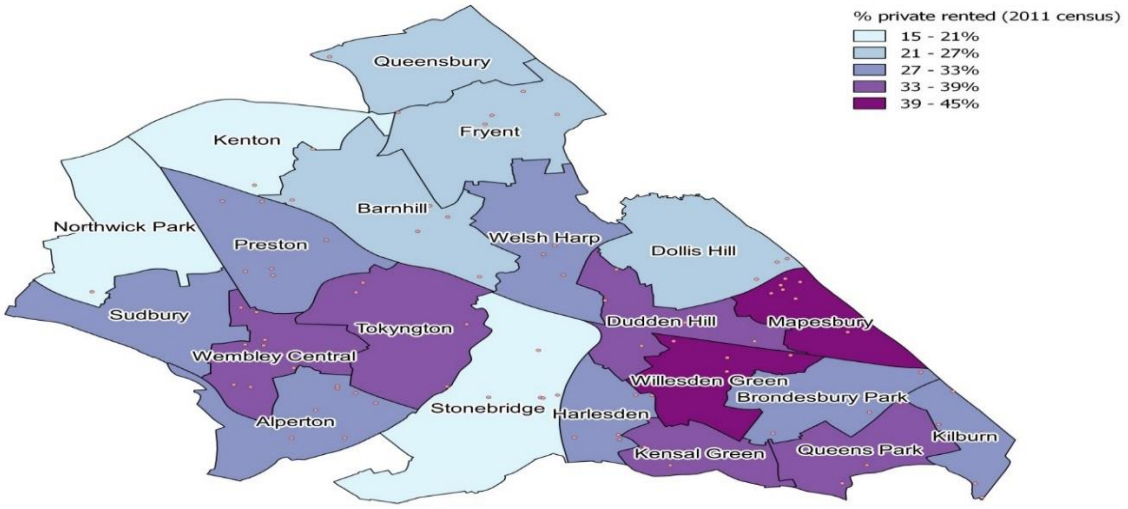


Figure App 1:4 – Illegally Dumped Rubbish (IRD) by Tenure

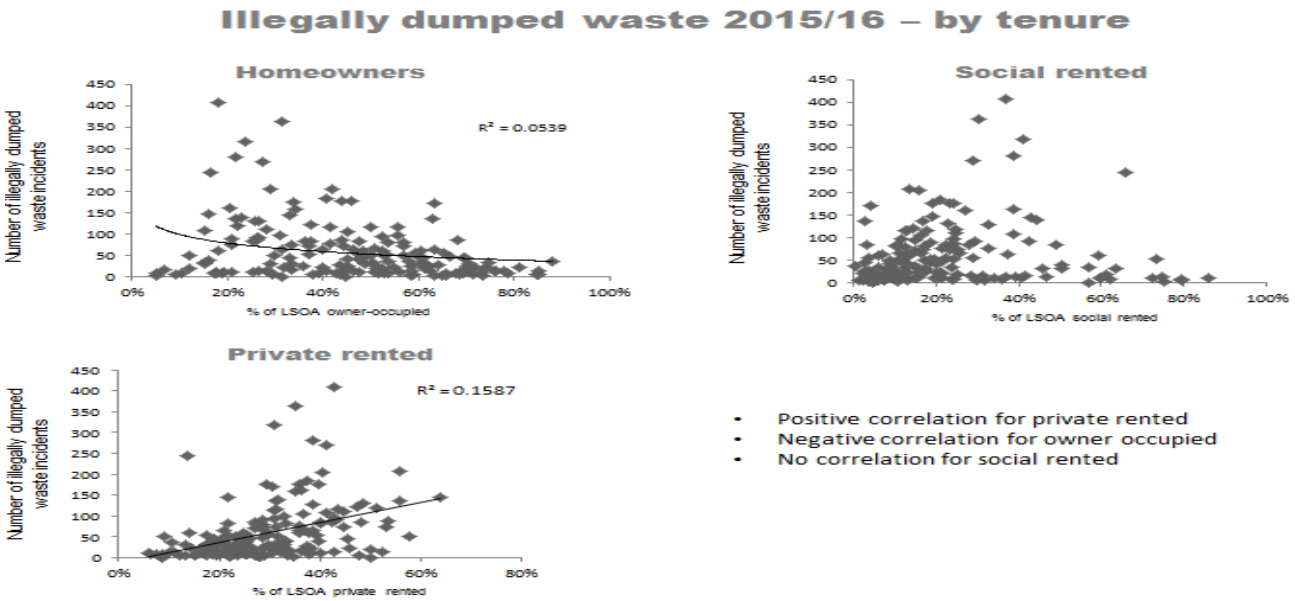


Figure App 1:5 - Noise complaints by tenure

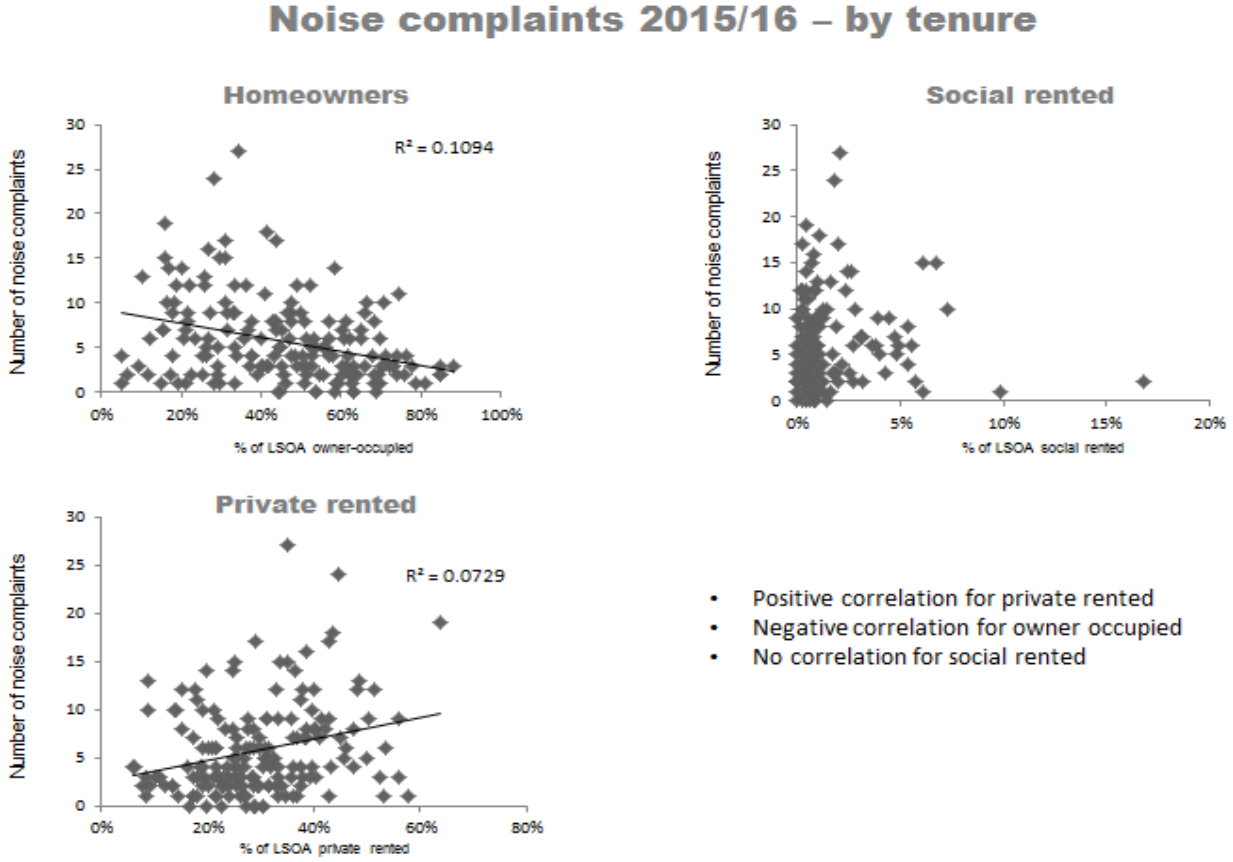
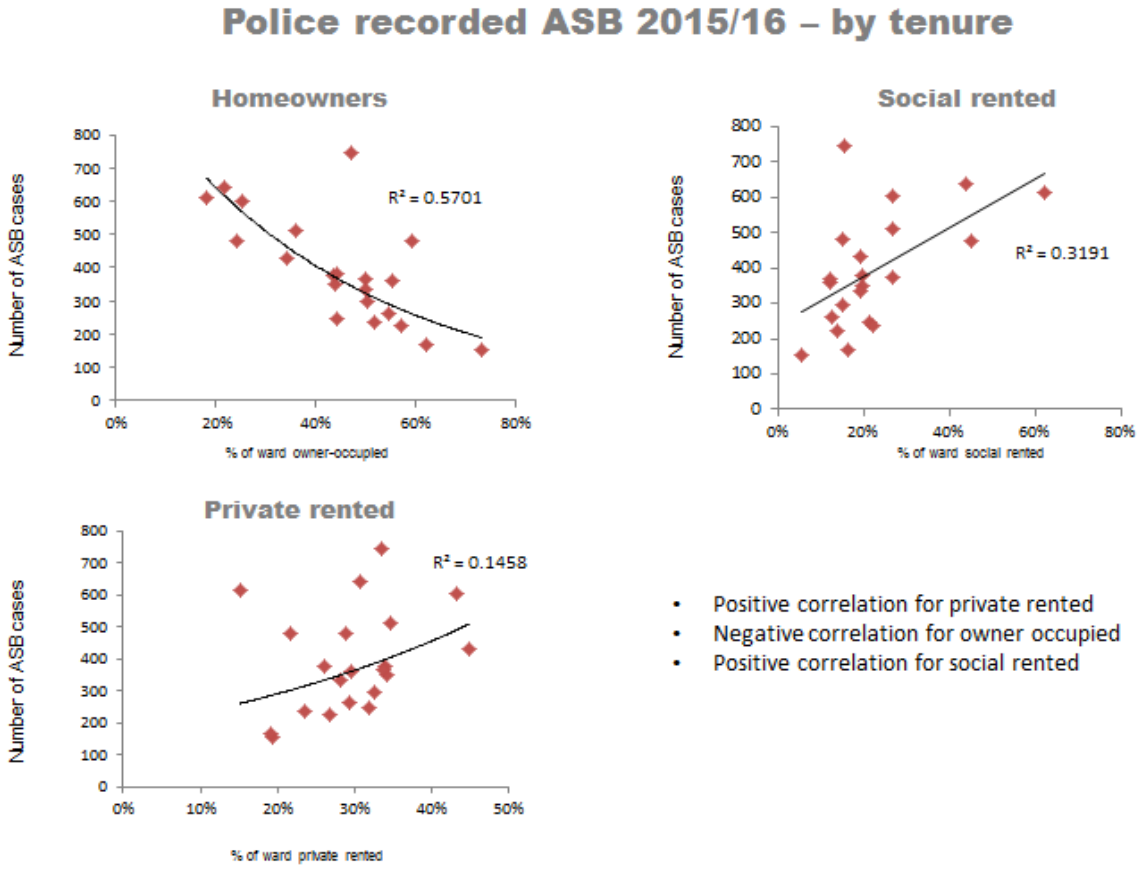


Figure App 1:6 - Police recorded ASB by Tenure



Cabinet Report October 2019
Private Housing Licensing in Brent

Appendices 4A-D:

Title: Designation Areas for Selective Licensing

Selective Licensing 2019. No 1

Selective Licensing 2019. No 2

Selective Licensing 2019. No 3

Selective Licensing 2019. No 4

Designation of an area for Selective Licensing

The London Borough of Brent Council Designation of Areas for Selective Licensing 2019, No 1

The London Borough of Brent in exercise of their powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Brent Council Designation for Areas for Selective Licensing 2019, No 1

2. This designation is made on 14th October 2019 and requires confirmation by the Secretary of State for the Department of Communities and Local Government ("DCLG").

3. This designation shall come into force on the 1st April 2020 or on such a date specified for this purpose by the Secretary of State for DCLG and shall cease to have effect five years after such date or earlier if the Council revokes the scheme under section 84(4) of the Act.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of the London Borough of Brent shown as the areas shaded in yellow, on the map at Annex A

APPLICATION OF THE DESIGNATION

5. This designation applies to any house[1] which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –

   (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act[2];
   (b) the tenancy or licence of the house has been granted by a registered social landlord[3];
   (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
   (d) the house is subject to a temporary exemption under section 86 of the Act; or
   (e) the house is occupied under a tenancy or licence which is exempt under the Act[4] or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.[5]

7. The London Borough of Brent Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.[6]

EXECUTED as a Deed by affixing)
The Common Seal of **THE LONDON**)
BOROUGH OF BRENT in the)
presence of:

_____

Authorised Signatory

Name of Authorised Signatory

_____

Date:

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[1] For the definition of "house" see sections 79 and 99 of the Act

[2] Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

[3] Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

[4] Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

[5] Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102

[6] Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

The Secretary of State for Department of Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

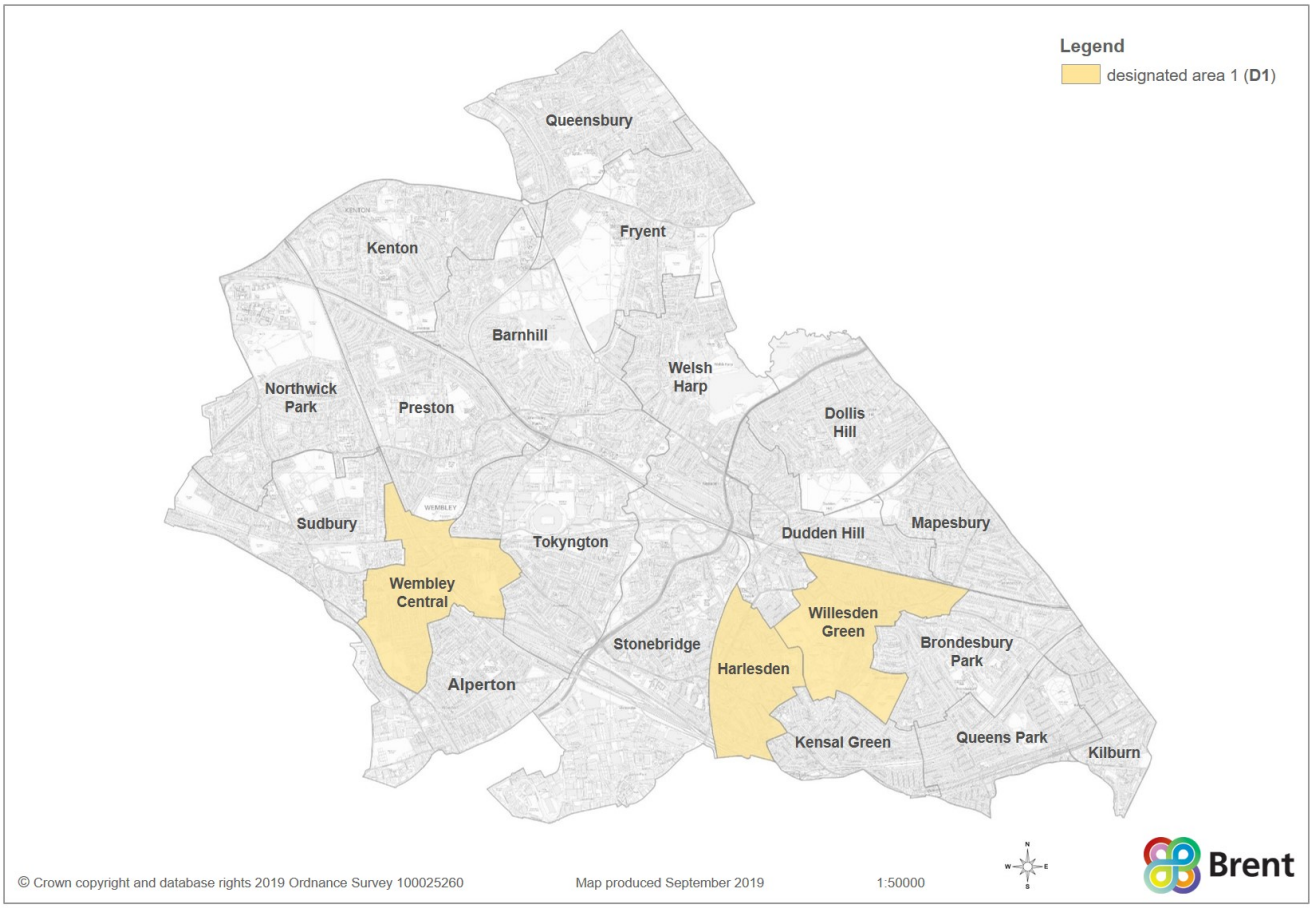
Signed

An officer authorised by the Secretary of State

Date:

Annex A – Paragraph 4: Map of Designated Area No 1 Shaded Area (Yellow) – Selective Licensing, Designation D1

Map of London Borough of Brent Council with the electoral the wards of Harlesden, Wembley Central and Willesden Green shaded yellow comprising designation area number 1.



Annex B – Paragraph 5(d): Exempted Tenancies or licences[7]

Prohibition of occupation by law

1. A tenancy or licence of a house[8] or a dwelling[9] within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:

   (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;

   (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises[10];

   (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house[11];

   (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding[12].

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled[13] by:

   (a) a local housing authority;

---

7 See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370
8 Sections 79 (2) and 99 of the Act
9 For the definition of a dwelling – see section 99 of the Act
10 See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003
11 For the meaning of "agricultural land" section 26 (3) (a) of the General Rate Act 1967
12 See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995
13 For the definition of "person managing" and "person having control" see section 263 of the Act

(b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;

(c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

(d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:

(a) sections 87 to 87D of the Children Act 1989;

(b) section 43 (4) of the Prison Act 1952;

(c) section 34 of the Nationality, Immigration and Asylum Act 2002; (d) The Secure Training Centre Rules 1998[14];

(e) The Prison Rules 1999[15];

(f) The Young Offender Institution Rules 2000[16];

(g) The Detention Centre Rules 2001[17];

(h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001[18];

(i) The Care Homes Regulations 2001[19];

(j) The Children's Homes (England) Regulations 2015[20];

(k) The Residential Family Centres Regulations 2002[21].

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14 SI 1998/472 as amended
15 SI 1999/728 as amended
16 SI 2000/3371 as amended
17 SI 2001/238. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999
18 SI 2001/850
19 SI 2001/3965 as amended
20 SI 2015/541
21 SI 2002/3213 as amended

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –

   (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

   (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment[22] and

   (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act[23]

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –

   (i) the full term of the tenancy is for more than 21 years and

   (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and

   (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –

   (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and

   (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and

   (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

---

[22] See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

[23] The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

10. In this Annex B -

(a) a "person" includes" persons", where the context is appropriate;

(b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;

(c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";

(d) a person is a member of the family of another person if –

(i) he lives with that person as a couple;

(ii) one of them is the relative of the other; or

(iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple

and

(iv) For the purpose of this paragraph –

(1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;

(2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(3) a relationship of the half-blood is to be treated as a relationship of the whole blood and

(4) a stepchild of a person is to be treated as his child

Designation of an area for Selective Licensing

The London Borough of Brent Council Designation of Areas for Selective Licensing 2019, No 2

The London Borough of Brent in exercise of their powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Brent Council Designation for Areas for Selective Licensing 2019, No 2

2. This designation is made on 14th October 2019 and requires confirmation by the Secretary of State for the Department of Communities and Local Government ("DCLG").

3. This designation shall come into force on the 1st April 2020 or on such a date specified for this purpose by the Secretary of State for DCLG and shall cease to have effect five years after such date or earlier if the Council revokes the scheme under section 84(4) of the Act.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of the London Borough of Brent shown as the areas shaded in pink, on the map at Annex A

APPLICATION OF THE DESIGNATION

5. This designation applies to any house[1] which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –

   (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act[2];
   (b) the tenancy or licence of the house has been granted by a registered social landlord[3];
   (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;

(d) the house is subject to a temporary exemption under section 86 of the Act; or

(e) the house is occupied under a tenancy or licence which is exempt under the Act[4] or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.[5]

7. The London Borough of Brent Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.[6]

EXECUTED as a Deed by affixing)
The Common Seal of **THE LONDON**)
BOROUGH OF BRENT in the)
presence of:

_____

Authorised Signatory

Name of Authorised Signatory

_____

Date:

---

[1] For the definition of "house" see sections 79 and 99 of the Act

[2] Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

[3] Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

[4] Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

[5] Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102

[6] Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

The Secretary of State for Department of Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

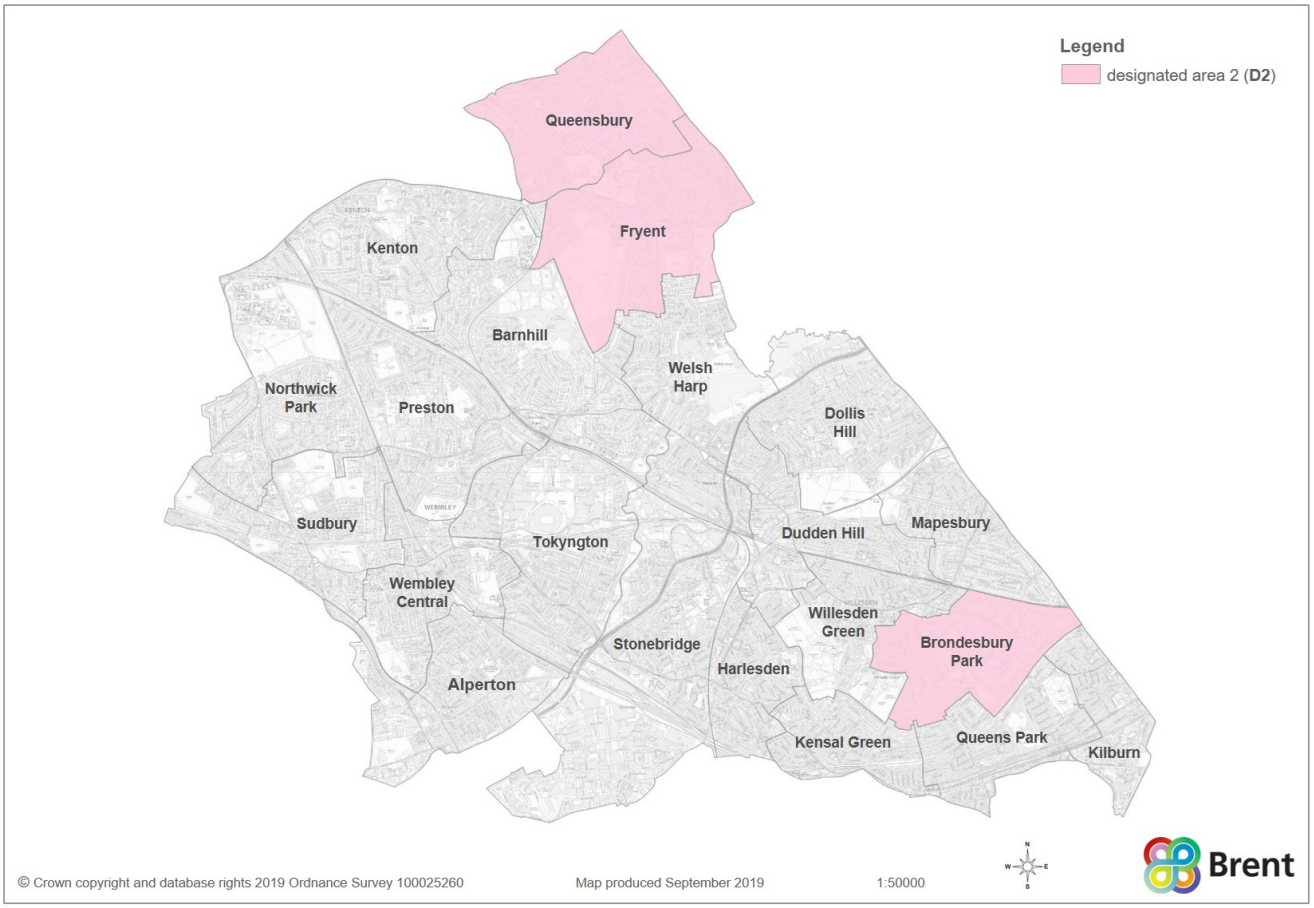
Signed

An officer authorised by the Secretary of State

Date:

Annex A – Paragraph 4: Map of Designated Area No 2

Map of London Borough of Brent Council with the electoral the wards of Brondesbury Park, Fryent and Queensbury shaded pink comprising designation area number 2.



Annex B – Paragraph 5(d): Exempted Tenancies or licences[7]

Prohibition of occupation by law

1. A tenancy or licence of a house[8] or a dwelling[9] within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:

   (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;

   (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises[10];

   (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house[11];

   (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding[12].

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled[13] by:

   (a) a local housing authority;

---

7 See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370
8 Sections 79 (2) and 99 of the Act
9 For the definition of a dwelling – see section 99 of the Act
10 See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003
11 For the meaning of "agricultural land" section 26 (3) (a) of the General Rate Act 1967
12 See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995
13 For the definition of "person managing" and "person having control" see section 263 of the Act

(b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;

(c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

(d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:

(a) sections 87 to 87D of the Children Act 1989;

(b) section 43 (4) of the Prison Act 1952;

(c) section 34 of the Nationality, Immigration and Asylum Act 2002; (d) The Secure Training Centre Rules 1998[14];

(e) The Prison Rules 1999[15];

(f) The Young Offender Institution Rules 2000[16];

(g) The Detention Centre Rules 2001[17];

(h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001[18];

(i) The Care Homes Regulations 2001[19];

(j) The Children's Homes (England) Regulations 2015[20];

(k) The Residential Family Centres Regulations 2002[21].

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17 SI 2001/238. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999
18 SI 2001/850
19 SI 2001/3965 as amended
20 SI 2015/541
21 SI 2002/3213 as amended

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –

   (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

   (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment[22] and

   (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act[23]

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –

   (i) the full term of the tenancy is for more than 21 years and

   (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and

   (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –

   (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and

   (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and

   (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

---

[22] See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

[23] The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

10. In this Annex B -

(a) a "person" includes" persons", where the context is appropriate;

(b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;

(c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";

(d) a person is a member of the family of another person if –

(i) he lives with that person as a couple;

(ii) one of them is the relative of the other; or

(iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple

and

(iv) For the purpose of this paragraph –

(1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;

(2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(3) a relationship of the half-blood is to be treated as a relationship of the whole blood and

(4) a stepchild of a person is to be treated as his child

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Designation of an area for Selective Licensing

The London Borough of Brent Council Designation of Areas for Selective Licensing 2019, No 3

The London Borough of Brent in exercise of their powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Brent Council Designation for Areas for Selective Licensing 2019, No 3

2. This designation is made on 14th October 2019 and requires confirmation by the Secretary of State for the Department of Communities and Local Government ("DCLG").

3. This designation shall come into force on the 1st April 2020 or on such a date specified for this purpose by the Secretary of State for DCLG and shall cease to have effect five years after such date or earlier if the Council revokes the scheme under section 84(4) of the Act.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of the London Borough of Brent shown as the areas shaded in lavender, on the map at Annex A

APPLICATION OF THE DESIGNATION

5. This designation applies to any house[1] which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –

   (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act[2];
   (b) the tenancy or licence of the house has been granted by a registered social landlord[3];
   (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
   (d) the house is subject to a temporary exemption under section 86 of the

Act; or

(e) the house is occupied under a tenancy or licence which is exempt under the Act[4] or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.[5]

7. The London Borough of Brent Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.[6]

EXECUTED as a Deed by affixing)
The Common Seal of **THE LONDON**)
BOROUGH OF BRENT in the)
presence of:

_____

Authorised Signatory

Name of Authorised Signatory

_____

Date:

---

[1] For the definition of "house" see sections 79 and 99 of the Act

[2] Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

[3] Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

[4] Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

[5] Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102

[6] Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

The Secretary of State for Department of Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

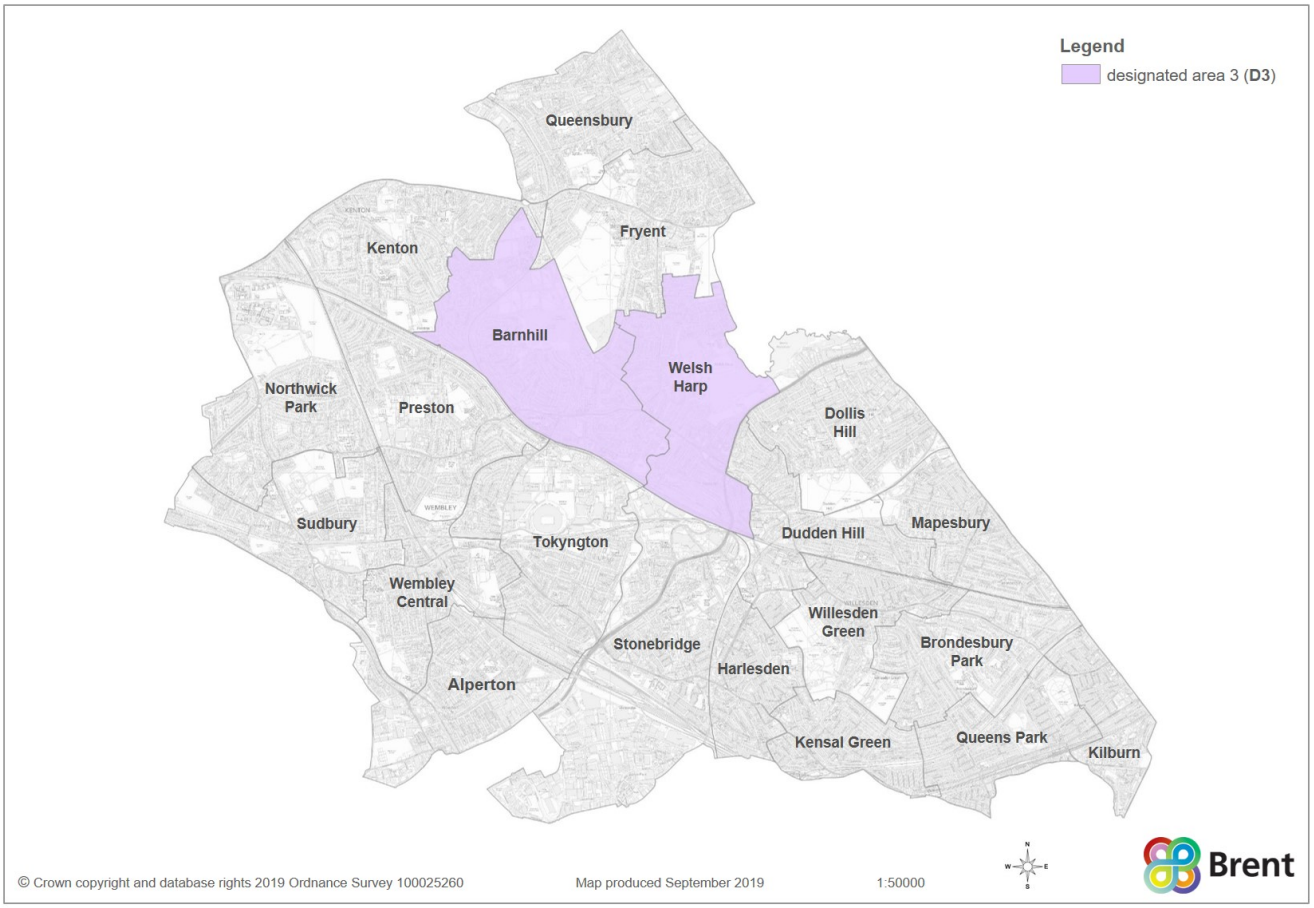
Signed

An officer authorised by the Secretary of State

Date:

Annex A – Paragraph 4: Map of Designated Area No 3

Map of London Borough of Brent Council with the electoral the wards of Barnhill and Welsh Harp comprising designation area number 3.



Annex B – Paragraph 5(d): Exempted Tenancies or licences[7]

Prohibition of occupation by law

1. A tenancy or licence of a house[8] or a dwelling[9] within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:

   (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;

   (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises[10];

   (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house[11];

   (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding[12].

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled[13] by:

   (a) a local housing authority;

---

7 See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370
8 Sections 79 (2) and 99 of the Act
9 For the definition of a dwelling – see section 99 of the Act
10 See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003
11 For the meaning of "agricultural land" section 26 (3) (a) of the General Rate Act 1967
12 See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995
13 For the definition of "person managing" and "person having control" see section 263 of the Act

(b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;

(c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

(d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:

(a) sections 87 to 87D of the Children Act 1989;

(b) section 43 (4) of the Prison Act 1952;

(c) section 34 of the Nationality, Immigration and Asylum Act 2002; (d) The Secure Training Centre Rules 1998[14];

(e) The Prison Rules 1999[15];

(f) The Young Offender Institution Rules 2000[16];

(g) The Detention Centre Rules 2001[17];

(h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001[18];

(i) The Care Homes Regulations 2001[19];

(j) The Children's Homes (England) Regulations 2015[20];

(k) The Residential Family Centres Regulations 2002[21].

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14 SI 1998/472 as amended
15 SI 1999/728 as amended
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Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –

   (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

   (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment[22] and

   (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act[23]

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –

   (i) the full term of the tenancy is for more than 21 years and

   (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and

   (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –

   (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and

   (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and

   (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

---

[22] See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

[23] The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

10. In this Annex B -

(a) a "person" includes" persons", where the context is appropriate;

(b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;

(c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";

(d) a person is a member of the family of another person if –

(i) he lives with that person as a couple;

(ii) one of them is the relative of the other; or

(iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple

and

(iv) For the purpose of this paragraph –

(1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;

(2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(3) a relationship of the half-blood is to be treated as a relationship of the whole blood and

(4) a stepchild of a person is to be treated as his child

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Designation of an area for Selective Licensing

The London Borough of Brent Council Designation of Areas for Selective Licensing 2019, No 4

The London Borough of Brent in exercise of their powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Brent Council Designation for Areas for Selective Licensing 2019, No 4

2. This designation is made on 14th October 2019 and requires confirmation by the Secretary of State for the Department of Communities and Local Government ("DCLG").

3. This designation shall come into force on the 1st April 2020 or on such a date specified for this purpose by the Secretary of State for DCLG and shall cease to have effect five years after such date or earlier if the Council revokes the scheme under section 84(4) of the Act.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of the London Borough of Brent shown as the areas shaded in blue, on the First Map at Annex A

APPLICATION OF THE DESIGNATION

5. This designation applies to any house[1] which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –

   (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act[2];
   (b) the tenancy or licence of the house has been granted by a registered social landlord[3];
   (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
   (d) the house is subject to a temporary exemption under section 86 of the

Act; or

(e) the house is occupied under a tenancy or licence which is exempt under the Act[4] or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.[5]

7. The London Borough of Brent Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.[6]

EXECUTED as a Deed by affixing)
The Common Seal of **THE LONDON**)
BOROUGH OF BRENT in the)
presence of:

_____

Authorised Signatory

Name of Authorised Signatory

_____

Date:

---

[1] For the definition of "house" see sections 79 and 99 of the Act

[2] Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

[3] Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

[4] Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

[5] Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102

[6] Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

The Secretary of State for Department of Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

Signed

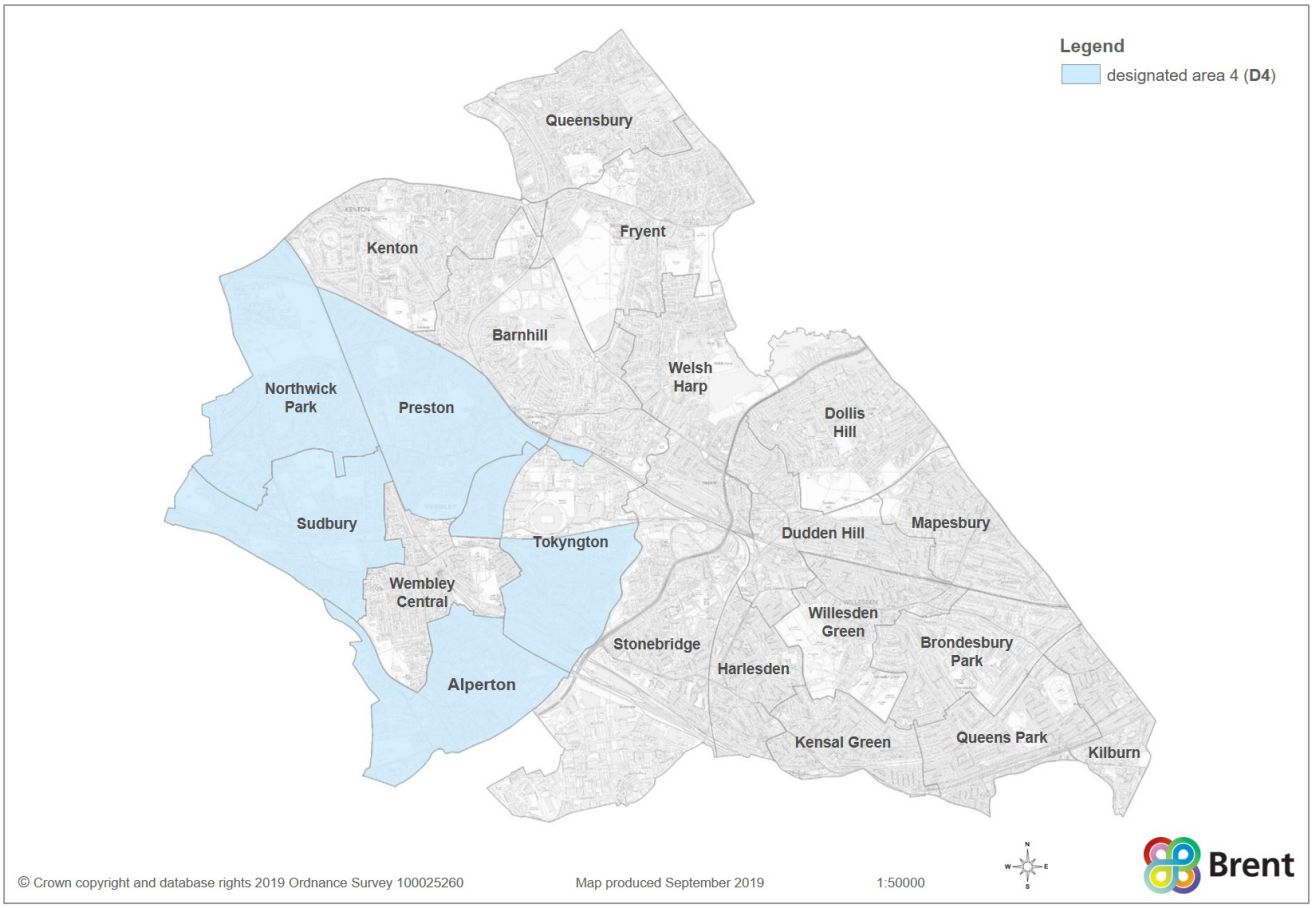
An officer authorised by the Secretary of State

Date:

Annex A – Paragraph 4: Map of Designated Area No 4

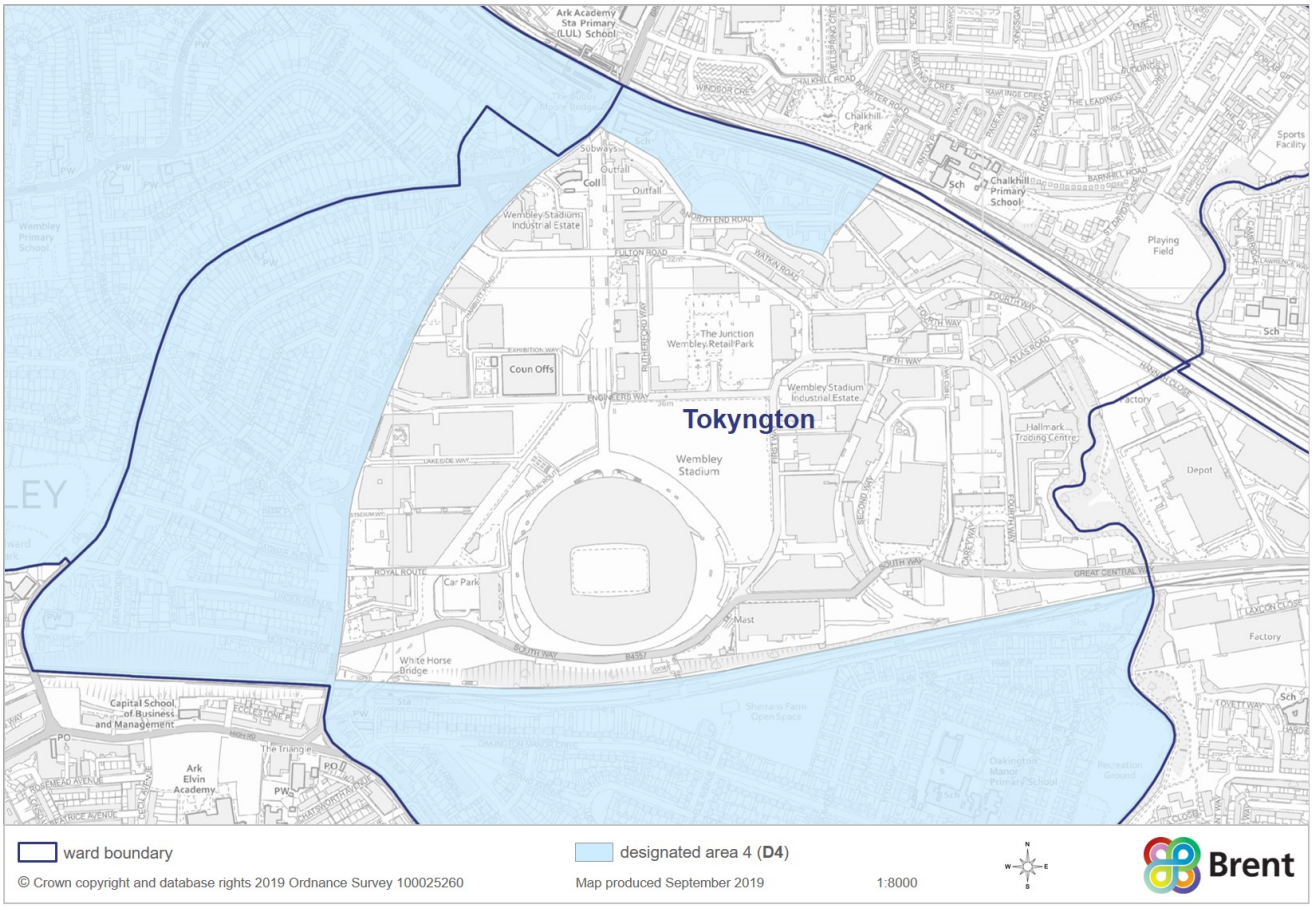
First Map

Map of London Borough of Brent Council with the electoral the wards of Alperton, Northwick Park, Preston, Sudbury and part of the ward area of Tokyngton shaded in blue comprising designation area number 4.



Second Map

Map of the Wembley Park area of the ward of Tokyngton and the area shaded in blue comprises part of designation area number 4 and the area which is not shaded does not comprise part of designated area 4.



Annex B – Paragraph 5(d): Exempted Tenancies or licences[7]

Prohibition of occupation by law

1. A tenancy or licence of a house[8] or a dwelling[9] within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:

   (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;

   (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises[10];

   (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house[11];

   (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding[12].

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled[13] by:

   (a) a local housing authority;

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7 See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370
8 Sections 79 (2) and 99 of the Act
9 For the definition of a dwelling – see section 99 of the Act
10 See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003
11 For the meaning of “agricultural land” section 26 (3) (a) of the General Rate Act 1967
12 See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995
13 For the definition of “person managing” and “person having control” see section 263 of the Act

(b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;

(c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

(d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:

(a) sections 87 to 87D of the Children Act 1989;

(b) section 43 (4) of the Prison Act 1952;

(c) section 34 of the Nationality, Immigration and Asylum Act 2002; (d) The Secure Training Centre Rules 1998[14];

(e) The Prison Rules 1999[15];

(f) The Young Offender Institution Rules 2000[16];

(g) The Detention Centre Rules 2001[17];

(h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001[18];

(i) The Care Homes Regulations 2001[19];

(j) The Children's Homes (England) Regulations 2015[20];

(k) The Residential Family Centres Regulations 2002[21].

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14 SI 1998/472 as amended
15 SI 1999/728 as amended
16 SI 2000/3371 as amended
17 SI 2001/238. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999
18 SI 2001/850
19 SI 2001/3965 as amended
20 SI 2015/541
21 SI 2002/3213 as amended

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –

   (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

   (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment[22] and

   (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act[23]

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –

   (i) the full term of the tenancy is for more than 21 years and

   (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and

   (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –

   (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and

   (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and

   (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

---

[22] See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

[23] The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

10. In this Annex B -

(a) a "person" includes" persons", where the context is appropriate;

(b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;

(c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";

(d) a person is a member of the family of another person if –

(i) he lives with that person as a couple;

(ii) one of them is the relative of the other; or

(iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple

and

(iv) For the purpose of this paragraph –

(1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;

(2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(3) a relationship of the half-blood is to be treated as a relationship of the whole blood and

(4) a stepchild of a person is to be treated as his child

Cabinet Report October 2019
Private Housing Licensing in Brent

Appendix 5:

Title: Designation Area for Additional Licensing

Designation of an area for Additional Licensing

The London Borough of Brent Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2019, No 1.

The London Borough of Brent Council in exercise of their powers under section 56 of the Housing Act 2004 ("the Act") hereby designates for additional licensing of Houses in Multiple Occupation ("HMOs") the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Brent Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2019, No 1.

2. This designation is made on 14th October 2019 and shall come into force on 1st February 2020.

3. This designation shall cease to have effect on 31st January 2025 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the area of the district of the London Borough of Brent as delineated and edged red on the map at Annex A.

APPLICATION OF THE DESIGNATION

5. This designation applies to all Houses in Multiple Occupation described in Annex B and within the area described in paragraph 4 unless –
(a) the building is of a description specified in Annex C (Buildings that are not HMOs for the purpose of the Act - other than Part 1);
(b) the HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
(c) the HMO is subject to a temporary exemption under section 62 of the Act; or
(d) the HMO is required to be licensed under section 55 (2) (a) of the Act (mandatory licensing).[1]

[1] For the application of mandatory licensing see SI 371/2006 – The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (d), every HMO of the description specified in Annex B and in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act.[2]

7. The London Borough of Brent Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.[3]

This designation is given general approval by the Cabinet of the London Borough of Brent Council

This designation falls within a description of designations in relation to which the Secretary of State has given a general approval under section 58 of the Act, namely The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010 which came into force on the 30 March 2010.

EXECUTED as a Deed by affixing)
the Common Seal of **THE LONDON**)
LONDON BOROUGH OF BRENT)
in the presence of:)

Signature

……..

Authorised Signatory

Name of Authorised Signatory (Print Name):

_____

Date:

[2] Section 62 of the Act provides for certain temporary exemption. As to suitability see section 64. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order - see section 10

[3] Section 232 of the Act and paragraph 11 of SI 373/2006

ANNEX A – Paragraph 4: Map of Designated Area for Additional HMO Licensing



ANNEX B – Paragraph 5: HMOs subject to the designation;

(1) For the purposes of the designation a building or a part of a building is a “house in multiple occupation” if—
(a) it meets the conditions in subsection (2) (“the standard test”);
(b) it meets the conditions in subsection (3) (“the self-contained flat test”);
(c) it meets the conditions in subsection (4) (“the converted building test”);
(d) an HMO declaration is in force in respect of it under section 255 of the Act; or
(e) it is a converted block of flats to which section 257 of the Act applies.
(2) A building or a part of a building meets the standard test if—
(a) it consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
(b) the living accommodation is occupied by persons who do not form a single household (see section 258 of the Act);
(c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259 of the Act);
(d) their occupation of the living accommodation constitutes the only use of that accommodation;
(e) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
(f) two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.
(3) A part of a building meets the self-contained flat test if—
(a) it consists of a self-contained flat; and
(b) paragraphs (b) to (f) of subsection (2) apply (reading references to the living accommodation concerned as references to the flat).
(4) A building or a part of a building meets the converted building test if—
(a) it is a converted building;
(b) it contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats);
(c) the living accommodation is occupied by persons who do not form a single household (see section 258 of the Act);
(d) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259 of the Act);
(e) their occupation of the living accommodation constitutes the only use of that accommodation; and
(f) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.
(5) But for any purposes of the designation a building or part of a building within subsection (1) is not a house in multiple occupation if it is listed in Annex C below.

References to an HMO include (where the context permits) any yard, garden, outhouses, outbuildings and appurtenances belonging to, or usually enjoyed with, it (or any part of it).

Interpretation

In Annex B —
• “basic amenities” means—
(a) a toilet,
(b) personal washing facilities, or
(c) cooking facilities;
• “converted building” means a building or part of a building consisting of living accommodation in which one or more units of such accommodation have been created since the building or part was constructed;

• “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30);
• “self-contained flat” means a separate set of premises (whether or not on the same floor)—
(a) which forms part of a building;
(b) either the whole or a material part of which lies above or below some other part of the building; and
(c) in which all three basic amenities are available for the exclusive use of its occupants.

ANNEX C – Paragraph 5(a): Buildings that are not HMOs for the purpose of the Act[4]

Buildings controlled or managed by public bodies etc[5]

1. A building where the person managing or having control of it is[6]:
(a) a local housing authority;
(aa) a not for profit registered provider of social housing;
(b) a body which is which is registered as a social landlord under Part 1 of the Housing Act 1996;
(c) a police and crime commissioner;
(d) the Mayor's Office for Policing and Crime;
(e) a fire and rescue authority, or
(f) a health service body within the meaning of section 9 of the National Health Service Act 2006.

2A. A building—
(a) which is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
(b) where the person managing or having control of it is a profit-making registered provider of social housing.

Buildings controlled or managed by a co-operative society[7]

2B. (1) A building where—
(a) the person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out in sub-paragraph (2) is met, and
(b) no person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.
(2) The conditions are—
(a) that membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society,
(b) that all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend,
(c) that each member has equal voting rights at such a meeting, and
(d) that, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.
(3) For the purposes of sub-paragraph (1) “co-operative society” means a body that—

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[4] Schedule 14 of the Act and SI 373/2006
[5] Paragraph 2 of Schedule 14
[6] For the definition of “person managing” and “person having control” see section 263 of the Act
[7] Paragraph 2B of Schedule 14

(a) is registered as a co-operative society under the 2014 Act or is a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act, and
(b) is neither—
(i) a non-profit registered provider of social housing, nor
(ii) registered as a social landlord under Part 1 of the Housing Act 1996.
(4) In this paragraph—
"the 2014 Act" means the Co-operative and Community Benefit Societies Act 2014;
"assured tenancy" has the same meaning as in Part 1 of the Housing Act 1988;
"protected tenancy" has the same meaning as in the Rent Act 1977;
"secure tenancy" has the same meaning as in Part 4 of the Housing Act 1985.]

Buildings regulated otherwise than under this Act[8]

3. Any building whose occupation is regulated otherwise than by or under this Act and which is of a description specified for the purposes of this paragraph in regulations made by the appropriate national authority, including a tenancy, licence or occupation of a house which is regulated under the following enactments:
(a) sections 87, 87A, 87B, 87C and 87D of the Children Act 1989;
(b) section 43(4) of the Prison Act 1952;
(c) section 34 of the Nationality, Immigration and Asylum Act 2002;
(d) The Secure Training Centre Rules 1998;
(e) The Prison Rules 1999;
(f) The Young Offender Institute Rules 2000;
(g) The Detention Centre Rules 2001;
(h) The Criminal Justice and Court Services Act 2000 (Approved Premises) Regulations 2001;
(i) The Care Homes Regulations 2001;
(j) The Children's Homes (England) Regulations 2015; and
(k) The Residential Family Centres Regulations 2002;

Buildings occupied by students[9]

4. (1) Any building—
(a) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a specified description, and
(b) where the person managing or having control of it is the educational establishment in question or a specified person or a person of a specified description.
(2) In sub-paragraph (1) "specified" means specified for the purposes of this paragraph in regulations made by the appropriate national authority.
(3) Sub-paragraph (4) applies in connection with any decision by the appropriate national authority as to whether to make, or revoke, any regulations specifying—
(a) a particular educational establishment, or
(b) a particular description of educational establishments.
(4) The appropriate national authority may have regard to the extent to which, in its opinion—
(a) the management by or on behalf of the establishment in question of any building or buildings occupied for connected educational purposes is in conformity with any code of practice for the time being approved under section 233 which appears to the authority to be relevant, or

[8] Paragraph 3 of Schedule 14 and schedule 1 of SI 373/2006
[9] Paragraph 4 of schedule 14

(b) the management of such buildings by or on behalf of establishments of the description in question is in general in conformity with any such code of practice,
as the case may be.
(5) In sub-paragraph (4) "occupied for connected educational purposes", in relation to a building managed by or on behalf of an educational establishment, means occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at the establishment.

Buildings occupied by religious communities[10]

5. (1) Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.
(2) This paragraph does not apply in the case of a converted block of flats to which section 257 applies.

Buildings occupied by owners[11]

6. (1) Any building which is occupied only by persons within the following paragraphs—
(a) one or more persons who have, whether in the whole or any part of it, either the freehold estate or a leasehold interest granted for a term of more than 21 years;
(b) any member of the household of such a person or persons;
(c) no more than such number of other persons as is specified for the purposes of this paragraph in regulations made by the appropriate national authority.
(2) This paragraph does not apply in the case of a converted block of flats to which section 257 applies, except for the purpose of determining the status of any flat in the block.

Buildings occupied by two persons[12]

7. Any building which is occupied only by two persons who form two households.

Meaning of "building"

8. In this annex a "building" includes a part of a building.

[10] Paragraph 5 of schedule 14
[11] Paragraph 6 of Schedule 14
[12] Paragraph 7 of schedule 14

Cabinet Report October 2019
Private Housing Licensing in Brent

Appendix 6:

Title: Summary of Objectives for Selective and Additional Licensing Schemes

The proposed objectives were set out in the consultation proposal document Appendix 3.

Objective	Performance indicator	Outcome
Improvement in HMO PRS	• Improve 600 properties annually • Undertake 750 Compliance checks annually	• Achieve 100% licensing • Reduce Cat 1 and Cat high 2 hazards • Increase in % complaint HMO over last year's baseline
Improvement in Single family dwellings	• Improve 1500 properties annually • Undertake compliance inspection in 25% of licences granted	• Achieve 100% licensing • Reduce Cat 1 and high cat 2 hazards • Achieve a general improvement of property conditions in the designated area within the lifetime of the designation.
Reduction in Antisocial behaviour in HMOs and Single family dwellings	• Ward level analysis annually • Complete 10 cases annually police reported ASB • Complete 60 cases per year council reported ASB	• Reduction in ASB incidents • Reduce ASB concerns by residents over 5 years • Reduce ASB in 200 licensed properties annually
Combat problems of Deprivation	• 25 cases per year regarding excess cold and fuel poverty • 100 incidences of tenant homelessness advice	• Combat deprivation in the 10 most deprived areas • Supporting the most vulnerable tenants

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LONDON BOROUGH OF BRENT
Appendix 7 – Brent Licensing Fee Charging Structure

The licensing fees are set to cover the cost of administering the licensing schemes functions (administration and enforcement) under the Housing Act 2004.

Licence Applications Fees

Scheme	Full Fee		Part 1- Fee on Application (non-refundable)	Part 2- Fee on Grant of Licence
Mandatory	£840.00	Application, processing and inspection of up to 5 habitable rooms (lounge, dining room or bedroom)	£540.00	£300.00
	£25.00	For each additional habitable room a charge per room of….		
Additional	£840.00		£540.00	£300.00
Selective	£540.00		£340.00	£200.00

Licence Applications Renewal Fees – *Where an applicant makes a declaration to confirm no changes to circumstances or property since 1st application and the application is made before the expiry of the existing licence*

Scheme	Full fee		Part 1 -Fee on Application (non-refundable)	Part 2 - Fee on Grant of Licence
Mandatory	£740	Application, processing and inspection of up to 5 habitable rooms (lounge, dining room or bedroom)	£440.00	£300.00
	£25	For each additional habitable room an additional charge per room of….		
Additional	£740		£440.00	£300.00
Selective	£500		£300.00	£200.00

Additional charges associated with the application process

Council assistance provided to complete an application.	Fee
For those applicants that are not able to complete an online application form the Council will offer an assisted service. This will enable you to make an application by telephone or by coming into Brent's Civic Centre, by appointment, and we will help you complete the form on line.	£100.00

Other fees and charges

Application type	Fee or charge
Taking a licence back (revocation)	None
Application to licence after one has been taken away	Initial application fee
Applicant withdraws application	Initial application fee with no refund
Mistaken application	Refund
Temporary Exemption Notice (TEN) made by the council	No fee
Application received following the expiry of a Temporary Exemption Notice (TEN) made by the council	Initial application fee
Change of licence type – e.g. if a single dwelling (selective) is re-let as a House in Multiple Occupation or change from an HMO to selective licence	New application fee

Licence variation fees - *For a licence variation where the property is already licensed.*

Proposed variation to the licence	Fee
Change of details of any existing licence holder, manager, owner, mortgagor, freeholder or leaseholder	None
Change of mortgagor, owner, freeholder and leaseholder (unless they are also the licence holder or manager)	None
Reduction in the number of occupiers and/or households for licensing purposes	None
Variation of licence started by the council	None
Change of manager (unless they are also the licence holder)	None
A larger number of occupiers and/or households for licensing purposes through increasing the number or size of rooms, and/or amenity provision (unless there is a change of licence type - from Selective to Additional)	None
Change of the existing licence holder	A new application must be made

Discounts

	Fee Reduction
Landlord Accreditation Scheme Membership off new (First time) applications. The discount is applied to the 2nd payment.	£40

September 2019

Appendix 8

PROPOSED

CONDITIONS FOR THE ADDITIONAL HMO PROPERTY LICENSING SCHEME

London Borough of Brent
Private Housing Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

September 2019

The conditions in this booklet are attached to every Mandatory or Additional Property Licence issued by the London Borough of Brent under Part 2 of the Housing Act 2004.

It is the licence holder's responsibility to ensure that the licensed property complies with all the conditions set out in this booklet. Failure to do so may lead to prosecution for a breach of the licence conditions, a loss of the licence, and an unlimited fine per offence, or the imposition of a civil penalty charge with a maximum of £30,000 per offence.

The licence holder is responsible for ensuring that all licence conditions are complied with at all times whether or not a manager or another person is bound by the conditions.

The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants.

Contents

CONDITIONS OF THE LICENCE 1

Permitted Occupation 1

1. Number of occupiers and households 1

2. Time for compliance with conditions 2

3. Amenity and space (size of rooms) standards 2

Tenancy Management 3

4. Terms of occupation 3

5. Tenant references 3

6. Rent payments 3

7. Deposits 3

8. Complaints 3

9. Anti-social behaviour (ASB) 4

9a. Prevention 4

9b. Action 5

Property Management 5

10. Gas 5

11. Electrical Appliances 6

12. Furniture and Furnishings 6

13. Heating and Insulation 6

14. Security 6

15. Common Parts (shared areas) 7

16. External areas 7
17. Refuse and waste 8
18. Repairs 8
19. Compliance Works 9
20. Pest Control 9
Fire Safety 9
21. Smoke Alarms and Carbon Monoxide Alarms 9
22. Fire precautions 10
23. Servicing and testing of systems and equipment 10
24. Electricity supplies and fire safety 10
25. Doors 10
26. Fire routine 10
27. Fire blankets 10
28. Means of escape 11
29. Compliance with fire safety guidance 11
30. Electrical Installations 11
General 11
31. Consultation of Changes 11
32. Notification of changes of circumstances 11
33. Absence of the Licence Holder 12
34. Compliance inspections 13
35. Training 13
Documents to be displayed 13

36. Within the property 13

37. Licensing and Management Regulations 13

USEFUL INFORMATION 14

CONDITIONS OF THE LICENCE

Permitted Occupation

1. Number of occupiers and households

The licence holder must ensure that the number of persons occupying the property and the maximum number of persons who may occupy each room does not exceed the maximum numbers stated on the licence.

1.1 The Licence Holder must ensure that the following minimum space standards are complied with:

a. the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;

b. the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;

c. the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;

d. any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

1.2 The Licence Holder must ensure that -

a. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;

b. Where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;

c. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

1.3 The licence holder must take the necessary steps to rectify the breach within the specified period, where —

a. any of the Licence conditions imposed above have been breached in relation to the HMO,

b. the licence holder has not knowingly permitted the breach, and

c. the local housing authority have notified the licence holder of the breach,

The specified period means the period, of not more than 18 months beginning with the date of the notification, which is specified in the notification.

In this section above;

a. A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

b. A room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

c. Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this paragraph.

d. This paragraph does not apply to an HMO which is managed by a charity registered under the Charities Act 2011 and which—

(i) is a night shelter, or,

(ii) consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder

2. Time for compliance with conditions

Note: This applies if the first licence, concerning a HMO, is granted on or after 1st October 2018.

If the local housing authority has notified the Licence Holder, at the time the licence is granted, that the licence holder is not complying with one or more of the conditions imposed under 1.1 and 1.2 above, the licence holder is required to comply with the condition or conditions within the period specified. This period specified by the authority must not exceed 18 months from the date of the notification.

3. Amenity and space (size of rooms) standards

The licence holder must ensure that the number of occupiers and households allowed to occupy the property will relate to the amenities that are provided within the property and the size and layout of the rooms available as decided by the Council at the time of licence approval.

[For further information on Brent Councils Amenity and Space Standards see Appendix 1].

Tenancy Management

4. Terms of occupation

The licence holder must supply to the occupiers of the HMO a written statement of the terms on which they occupy the property (this is usually a tenancy or licence agreement).

The licence holder must provide a copy to the Council within 14 days on demand.

5. Tenant references

The licence holder must demand references from persons who wish to occupy the HMO.

No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing consideration must be given to the tenant's history, credit and right to rent checks.

The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

6. Rent payments

The licence holder must protect any deposits taken from the occupiers under an assured short hold tenancy agreement by placing them in a statutory tenancy deposit scheme.

Information about the scheme being used must be given to the occupier at the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

7. Deposits

The licence holder must protect any deposits taken from the occupiers under an assured short hold tenancy agreement by placing them in a statutory tenancy deposit scheme.

Information about the scheme being used must be given to the occupier within 30 days of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

8. Complaints

The Licence Holder must ensure that all tenants are given a suitable written complaints procedure at the start of their tenancy.

The procedure must include how complaints of the property conditions will be handled.

9. Anti-social behaviour (ASB)

The licence holder must take reasonable and practical action to prevent or reduce anti-social behaviour by the occupiers of the property or their visitors.

The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to deal with anti-social behaviour at the start of their tenancy. Please refer to 12a and 12b below.

[For further information on what the Council considers to be anti-social behaviour see useful information below].

9a. Prevention

To help prevent anti-social behaviour occurring the licence holder must:

I. Obtain tenant references prior to granting a tenancy as to their previous conduct, and be satisfied that they are not likely to cause any anti- social behaviour.
II. Ask anyone wishing to occupy the property to disclose unspent criminal convictions. If unspent criminal convictions are disclosed the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti-social behaviour, before granting a tenancy.
III. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.
IV. When giving a reference state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details, to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.
V. Make, a minimum of quarterly inspections of the property to ensure that it is in a decent state of

VI. repair and that the occupiers are not in breach of tenancy terms and conditions.

VII. Ensure that all tenants are aware that if they or their visitors behave in a way that the licence holder, manager or Council considers to be anti- social they may face eviction.

9b. Action

This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency, this process should be made available to tenants at the start of their tenancy agreement.

The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour.

The licence holder should address problems of anti- social behaviour resulting from the occupiers or their visitors by following the procedure set out below:

I. If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.
II. The licence holder shall monitor any allegations of anti-social behaviour for a period of 28 days, from the date the complaint was received.
III. If after 28 days it is found that the anti-social behaviour is still continuing, the licence holder must visit the premises within 7 days and provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.
IV. If after 14 days of giving a warning letter the tenant has not taken steps to address the anti- social behaviour and it is still continuing, the licence holder shall take action which may include legal eviction proceedings.
V. The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years and if requested by the Council, provide this information within 28 days on demand.
VI. Any letters, relating to antisocial behaviour sent or received by the licence holder, must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.
VII. Where the licence holder or his agent has reason to believe that the anti-social behaviour involves criminal activity, the licence holder shall inform the appropriate authorities.

Property Management

10. Gas

If gas is supplied to the HMO, the Licence Holder must produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the HMO within the last 12 months.

If gas is supplied to the property, the licence holder must ensure that the gas installation and appliances are tested annually by an approved Gas Safe engineer. Within 14 days of the licence holder being notified by the Council of any

safety risk, a new Gas Safe certificate must be submitted to the Council.

The licence holder must provide to the Council, a current Gas Safe Certificate within 14 days on demand.

11. Electrical Appliances

The licence holder is responsible for the maintenance and safety of all supplied electrical appliances and must ensure:

a. Electrical appliances are safe and in good working order. A declaration as to their condition must be provided at the point of application.

b. Test reports on the condition of the electrical appliances in the property must be provided to the Council within 14 days on demand.

c. All electrical equipment supplied by the landlord must be safe to use. Portable Appliance Test (PAT) report must be provided to the Council within 14 days on demand.

12. Furniture and Furnishings

The Licence holder must keep furniture made available by him in the HMO in a safe condition and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

The Licence Holder must supply the authority, within 14 days on demand, with a declaration by him as to the safety of such furniture.

13. Heating and Insulation

The Licence Holder must provide an adequate and efficient fixed heating system with adjustable controls, which is capable of maintaining an indoor temperature of at least 21ºC in habitable rooms.

14. Security

The Licence holder is responsible for the security of the property and must ensure:

a. The access to the property such as locks, latches and entry systems are maintained and in good working order at all times.

b. The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five- lever security level.

c. Where window locks are fitted, the keys are provided to the relevant occupants.

d. Where a burglar alarm is fitted to the property, the occupiers are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.

e. Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.

15. Common Parts (shared areas)

The Licence holder must ensure that:

a. The common parts in the premises are kept free from obstruction, in a clean condition and in good order and repair.

b. Common areas, including shared living rooms, kitchens, and hallways are not used for sleeping by tenants or their guests.

c. Smoking is not permitted in any common area and 'no smoking' signs are clearly displayed (Health Act 2006).

For the purposes of this condition "common parts" means—

(i) the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO; and

(ii) all such parts of the HMO as comprise staircases, lifts, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation.

16. External areas

The licence holder must ensure that:

a. The exterior of the property including the roof, walls, drainage, window and door elements are maintained in a reasonable decorative order and state of repair.

b. Gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition.

c. Outbuildings such as garages, sheds are properly maintained and are not used for sleeping purposes

17. Refuse and waste

The Licence Holder must comply with the Councils policy on waste. In addition, the Licence holder must;

a. Ensure that there are adequate arrangements for the storage and disposal of waste.

b. Ensure that the occupiers of the HMO are given the information in writing about waste and recycling within 7 days of the start of their occupation:

c. Ensure that a sufficient number of suitable external rubbish bins for the occupiers to dispose and recycle waste.

d. Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items of bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.

e. Actively respond to complaints of poor waste practices associated with the property. The Licence holder must keep a record of the action taken and provide this to the Council within 14 days on demand.

Information on Recycling and waste can be found at

https://www.brent.gov.uk/services-for-residents/recycling-and-waste/

18. Repairs

The Licence Holder must ensure that: -

a. All occupants of the HMO receive written confirmation detailing arrangements in place to deal with repairs. If requested, this must be provided to the Council within 14 days on demand.

b. Disrepair and/or defects identified to the landlord by the Council are investigated and adequately addressed within the specified timeframes as may be stipulated by the Council.

c. All repairs to the property or any installations, facilities or equipment within it are carried out by competent and reputable persons.

d. They respond positively and within the specified time period given to any mandatory housing related enforcement notices, issued by the Council.

e. Whilst any works are in progress, the work is carried out to ensure the safety of all persons occupying or visiting the premises.

f. On completion of any works, the property is left in a clean and tidy condition.

19. Compliance Works

The Licence holder must ensure that any works found to be necessary by the Council to ensure that the property complies with the Council's standards for HMOs, are carried out within the specified time period given.

20. Pest Control

The Licence holder is responsible for ensuring that the property, including external areas such as gardens, are free from pest infestation e.g. rodents. Any pest infestations must be managed effectively and within a period of 7 days of being reported. Records of treatment and management must be kept and copies of these must be provided to the Council within 14 days on demand.

Fire Safety

21. Smoke Alarms and Carbon Monoxide Alarms

24(1) Smoke alarms

The licence holder must ensure that;

a. A smoke alarm is installed on each storey of the HMO on which there is a room used wholly or partly as living accommodation; and that,

b. Each such alarm is kept in proper working order; and that,

c. On demand, the Authority is supplied with a declaration by him or her as to the condition and positioning of any such alarms.

When considering what smoke alarm installation may be appropriate, hard wired mains operated smoke alarms with battery back-up to BS 5446 should be provided.

For the purpose of condition 24, a bathroom or lavatory is to be treated as a room used as living accommodation.

24(2) Carbon Monoxide Alarms

The Licence Holder must ensure that:

A carbon monoxide alarm is installed in any room in the HMO which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and that,

Any such alarm is kept in proper working order; and that

The Authority is, on demand, supplied with a declaration by him or her as to the condition and positioning of any such alarm or alarms.

For the purpose of Condition 24 (2) “room” includes a hall or landing.

22. Fire precautions

The licence holder must ensure that all fire precautions provided to the property, e.g. fire doors, automatic fire alarm and emergency lighting system(s), etc. are maintained in full working order at all times.

Where the HMO is of a type which falls under the remit of the Fire Safety Order, the licence holder must ensure that a fire risk assessment as required under The Regulatory Reform (Fire Safety) Order 2005 is carried out by a competent person.

23. Servicing and testing of systems and equipment

The licence holder must ensure that all fire detection systems, means of escape and fire- fighting equipment installed in the property must be annually serviced by a registered qualified person and be maintained and tested in accordance with the manufacturer’s instructions. A new test/servicing report must be provided to the Council on demand within 14 days of any identified damage or Disrepair being notified to the landlord by the Council.

24. Electricity supplies and fire safety

The licence holder must ensure that electricity supplies to fire detection and emergency lighting systems are not disconnected, or threatened with disconnection, due to non-payment of monies owed to the relevant provider.

25. Doors

The licence holder must ensure that the main entrance/exit doors and all unit doors leading to common areas are openable from the inside without the use of a key.

26. Fire routine

The licence holder should ensure that all residents are fully aware of the procedures to be followed in the event of a fire.

They should also ensure that the fire routine notice detailing action to be taken in the event of fire, is clearly worded and displayed in a central location e.g. next to the main entrance/exits.

27. Fire blankets

The licence holder must ensure that a fire blanket conforming to current British standards is provided in each kitchen.

28. Means of escape

The licence holder must ensure that all means of escape from fire are free from obstruction and fire precautions are maintained.

29. Compliance with fire safety guidance

The licence holder must ensure that all means of escape from fire are free from obstruction and that adequate fire precautions are maintained.

In determining adequate fire precautions reference should be made to the LACoRS guidance: *HOUSING – FIRE SAFETY, Guidance on fire safety provisions for certain types of existing housing*

NB where the fire safety provisions in place are below the LACORS recommended standard, the Council must be notified of any amendments/alterations.

[For further information on LACORS, see the 'Useful Information' section in this booklet].

30. Electrical Installations

The Licence Holder must supply a current (i.e. within the previous 5 years) Domestic Electrical Installation Periodic Report for the whole of the electrical installations to the Council within 28 days of demand.

All recommendations for urgent attention and improvement (Codes 1 and 2) must be carried out within 28 days of the report.

General

31. Consultation of Changes

The licence holder must consult with the Council before making changes to the layout of the property, amenity provisions (such as adding or removing bathroom or kitchen facilities), fire precautions or occupation of the accommodation.

32. Notification of changes of circumstances

The licence holder must inform the Council of:

a. Details of any unspent convictions not previously disclosed to the Local Authority involving fraud or dishonesty, violence or drugs, any offence listed in Schedule 3 to the Sexual Offences Act 2003 or any other conviction relevant to the licence holder and/or the property managers fit and proper person status.

b. Details of any finding by a court or tribunal against the licence holder

and/or the manager that they have practiced unlawful discrimination on the grounds of sex, colour, race, ethnic or national origin or disability.

c. Details of any civil or criminal proceedings against the licence holder or manager, relating to housing, public health, environmental health or landlord and tenant law, resulting in a judgment or finding being made against them.
d. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been refused a licence by a local housing authority or has had a licence revoked due to the breaching of the licence conditions.

e. Information about any property the licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004.

f. The property becoming empty for more than 3 months.

g. Notification of repossession/foreclosure.

h. Successful claims against the licence holder for default of tenancy deposits.

i. A change in managing agent or the instruction of a managing agent.

j. The undertaking of substantial works to the property, including conversions and modernisation or emergency problems relating to fire, flood or disaster.

33. Absence of the Licence Holder

The licence holder is required to have in place suitable emergency management arrangements in the event of their absence. These details must be given to the occupiers and displayed in a prominent place in a common area, preferably near to the entrance door.

Should the Licence Holder be unable to fulfil the licence conditions he should appoint a person to manage the HMO during the period of the licence, he must:

a. Obtain from the manager a signed declaration identifying the licence conditions by which he agrees to be bound, and that the he manager understands the consequences of failing to comply with the licence conditions;

b. Provide the Council a copy of the signed declaration within 14 days of the said change of circumstance.

34. Compliance inspections

The licence holder must arrange for access to be granted when requested by the Council at any reasonable time.

The Licence Holder must ensure that council officers are not obstructed from carrying out their statutory duties including inspecting and the surveying of the property to ensure compliance with licence conditions and relevant legislation.

35. Training

The licence holder and/or manager may be required by the Council to attend an accredited management training course, in the event of significant and/or continuous deficiencies in the supervision and/or maintenance of a licensed HMO being identified by the Council.

[For contact details on Brent Councils approved course; London Landlord Accreditation Scheme, refer to the useful information section]

Documents to be displayed

36. Within the property

The following documents should be displayed in a prominent position in a common area, preferably near the entrance door:

a. A copy of the licence (incorporating where the licence conditions can be viewed).

b. A Copy of the current Gas Safety Certificate.

c. The name, address and telephone number (including an emergency contact number, if different) of the Licensee and/or Manager of the premises.

d. Energy Performance Certificate/s (EPC) carried out for new tenancies.

37. Licensing and Management Regulations

All licensing conditions shall be read in conjunction with the relevant provisions of the:

a. Management of Houses in Multiple Occupation (England) Regulations 2006

b. Licensing and Management of Houses in Multiple Occupation and other houses (Miscellaneous Provisions) (England) Regulations 2006

c. The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007. **[END OF CONDITIONS]**

USEFUL INFORMATION

1. Definition of terms

a) *"HMO or house"* refers to the building or such part of it as is licensed under Part 2 of the Housing Act 2004;

b) "*Licence Holder*" refers to: (a) the person to whom the Authority has granted this licence; and (b) from the date of his or her consent, any other person who agrees to comply with the licence restrictions and obligations that follow.

c) *"Mandatory Licence Conditions"* refers to conditions that the Authority is obliged to impose under any licence granted under Part 2 or Part 3 Housing Act 2004 by virtue of Schedule 4 of Housing Act 2004.

d) "common parts" means—

(i) the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO; and

(ii) all such parts of the HMO as comprise staircases, lifts, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation.

2. Anti-social behaviour

For the purposes of the Housing Act 2004, antisocial behaviour means conduct on the part of occupiers of, or visitors to, residential premises.

(a) Which or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or

(b) Which involves or is likely to involve the use of such premises for illegal purposes.

Examples of include:

Crime: tenants engaging in vandalism, criminal damage, burglary, robbery/ theft and car crime

Nuisance neighbours: Intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems; vehicle related nuisance. Tenants engaged in begging; antisocial drinking; street prostitution and kerb-crawling; street drugs market within the curtilage of the property.

Enviro-crime: tenants engaged in graffiti and fly-posting; fly-tipping; litter and

waste; drugs paraphernalia; fireworks misuse in and around the curtilage of the property.

London Borough of Brent – Anti-social Behaviour Team. Tel: 020 8937 2000

3.The London Landlord Accreditation Scheme (LLAS) -.

A partnership of landlord organisations, London Councils and university accommodation units who have worked together to set up a development programme which will provide you with the information necessary to improve your business. www.londonlandlords.org.uk/accreditation Tel: 020 7974 1970

4. The Electrical Safety Council –

The Electrical Safety Council is an independent charity committed to reducing deaths and injuries through electrical accidents at home and at work. They are supported by all sectors of the electrical industry as well as local and central government and work to promote safety and good practice.

Web: http://www.esc.org.uk Tel: 0870 040 0561

5. Gas safety – The Health and Safety Executive website (www.hse.gov.uk/gas/landlords/index.htm)provides guidance in relation to gas safety. By law you must repair and maintain gas pipework, flues and appliances in safe condition, ensure an annual gas safety check on each appliance and flue, and keep a record of each safety check.

6. Tenants Deposit Protection

The Tenancy deposit must be placed in a government-backed tenancy deposit scheme (TDP) if you rent on an assured short hold tenancy that started after 6 April 2007. In England and Wales your deposits can be registered with:

- Deposit Protection Service
- MyDeposits, or
- Tenancy Deposit Scheme

https://www.gov.uk/tenancy-deposit-protection

Tel: 020 702 0003

7. MHCLG – The Ministry of Housing, Communities and Local Government. https://www.gov.uk/government/organisations/department
-for-communities-and-local-government

8. LACORS (Local Authorities Coordinators of Regulatory Services) Fire Safety Guidance.
Website: www.lacors.gov.uk

Appendix 1

The Council HMO amenities and space standards are provided as guidance. These standards will be applied in deciding the suitability of the HMO at the time of the licence approval and its compliance.

Advice regarding bedroom sizes

i. Single occupancy; minimum of 6.5m² where provided with separate shared kitchen, minimum of 10.2m² where a room contains kitchen facilities.

ii. Two persons' occupancy; minimum of 10.2m² where provided with separate shared kitchen, minimum of 13.9m² where a room contains kitchen facilities.

iii. The standard is to be applied irrespective of the age of the occupants.

iv. The floor area taken up by a solid chimneybreast should be discounted.

v. All floor space taken up by en-suite bathroom/shower facilities should be discounted.

vi. No account should be taken of entrance lobbies where the room door opens into a lobby/corridor which is less than 1200mm in width.

vii. Single rooms should have a minimum width of 1.8m.

viii. Rooms which are to accommodate two persons should have a minimum width of 2.3m.

ix. Sharing of rooms shall be avoided unless the individuals concerned consent to share the room.

x. No persons of the opposite sex who are aged 12 years or over shall share a room unless they are living together as partners.

xi. Irrespective of the floor area, consideration shall be given to the shape and useable living space within the room to determine whether it is suitable for occupation and to what occupancy level.

xii. All rooms must have a minimum floor to ceiling height of at least 2.14 metres over not less than 75% of the room area.

xiii. Any floor area where the ceiling height is less than 1.53 metres shall be disregarded.

xiv. No staircase or landing nor any room which has been appointed as a

kitchen or bathroom shall be deemed suitable for sleeping accommodation.

Advice regarding kitchen facilities in HMOs

Kitchens for Communal Use

Where the Local Authority is satisfied that the provision of kitchen facilities for exclusive use is not practicable or appropriate, facilities may be provided on a ratio of one set of facilities to every three households or every five persons, normally whichever is the smaller and being irrespective of age.

The kitchen should be not more than one floor distance from any individual letting unless a suitable communal dining area is also provided (adjacent to kitchen).

There shall be no more than two sets of facilities in any one room.

EACH SET of facilities shall meet the following minimum standards:

Cooking Gas or electric cooker with four burners/hobs, oven and grill.

Sink: Stainless steel sink and integral drainer (minimum size 1000mm x 600mm), set on a base unit.

The sink is to be provided with a constant supply of hot and (potable) cold water and properly connected to the drainage system via a suitable trap.

A tiled splash back (minimum 300mm high) shall be provided to the sink and drainer.

[A wash hand basin is not a suitable alternative to a sink.]

Storage Lockable storage cupboards, minimum capacity 0.3m³ e.g. 600mm wide x 720mm high x 600mm deep for each single bedroom and 0.4m³ e.g. 1000mm wide x 720mm high x 600mm deep for a two-person household whose occupants use the kitchen.

[In calculating the required provision of storage cupboards, base unit cupboards below sinks/drainers should be discounted.]

Preparation A suitable worktop or table of smooth and impervious material of minimum size 1000mm x 600mm.

Two double outlet 13-amp electrical power sockets to be situated above the work surface at a convenient height and in a safe position.

These are in addition to any power outlets serving major appliances.

In addition, a refrigerator of minimum capacity 0.15m^3 should be provided within

each occupancy.

Other general requirements for kitchen facilities

All kitchens and kitchen areas are to be provided with an adequate provision for artificial lighting.

All kitchens and kitchen areas are to be provided with adequate ventilation.

This may be obtained by being ventilated directly to the external air by a window with an openable area of at least 1/20th of the floor area. However, where this is not practicable mechanical ventilation providing a minimum of one air change per hour shall be provided.

Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

A kitchen containing one set of facilities should be a minimum floor area of 5.5m² and a kitchen containing two sets of kitchen facilities should be a minimum of 11m².

Where two sets of cooking facilities are provided in a kitchen, the two sets of facilities (i.e. cooker, sink & worktop) shall be reasonably separate from each other to allow their safe and simultaneous use by two or more households.

Cookers should be located remote from doorways, and there should be enough floor space for items to be retrieved from the oven and for the safe circulation of occupants generally.

Sinks, worktops and immediately adjacent walls and floors should be non-porous and reasonably smooth so as to facilitate cleaning.

[Kitchens must NOT be installed in any hallway, corridor or lobby and no bedroom should be accessed via a kitchen unless a suitable alternative means of escape (in case of fire) can be provided from that occupancy.]

Where separate communal living/dining room(s) provided, there should be a minimum floor area of – 11.0m² for 1 to 5 persons - 16.5m² for 6 to 10 persons.

Advice regarding sanitary facilities

One water closet shall be provided and maintained for (a maximum of) every five persons or lesser number irrespective of age.

Each such water closet shall be in a separate room within the building and when shared by two or more households, be entered from a common passageway or hallway and shall not be more than one floor distance from any individual letting.

Each W.C. compartment shall also be provided with a suitable wash hand basin supplied with a constant supply of hot and cold water and a splash back.

Any bathroom, shower room or compartment containing a W.C. should be separated from any space used for the preparation of food.

Although an intervening lobby is not essential, the W.C. compartment should not open directly onto the area of a kitchen immediately adjacent to where food is prepared, especially in the case of shared amenities.

Not less than fifty percent of water closets shall be provided in separate compartments from the bath/shower facilities. These compartments should have minimum dimensions of 1300 mm x 800mm.

All bath/shower rooms are to be provided with an adequate provision for artificial lighting.

All bath/shower rooms are to be provided with adequate ventilation. This may be obtained by being ventilated directly to the external air by a window with an openable area of at least 1/20th of the floor area.

However, where this is not practicable mechanical ventilation providing a minimum of three air change per hour shall be provided. Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

The surfaces any water closet compartment should be reasonably smooth, non-absorbent and capable of being readily cleansed.

The water closet compartment shall be constructed so as to afford privacy to the user

External water closets are not acceptable.

The HMO shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

Personal washing facilities

Each occupancy shall be provided where practicable with a separate bath or shower. Where this is not practicable one bath or shower shall be provided and maintained for (maximum of) every five persons or lesser number irrespective of age.

Each washing facility shall be provided not more than one floor distance from any user.

Each bath shall be of minimum dimensions 1700mm x 700mm and each shower

shall have minimum dimensions of 800mm x 800mm.

Each bath shall be situated in a separate bathroom of adequate size (minimum dimensions 1700mm x 1400mm).

Each shower shall be situated in a suitable shower room (minimum dimensions 1600mm x 900mm).

Each separate bath/shower room shall be provided with a suitable wash hand basin (minimum dimensions 500mm x 400mm), together with constant supplies of hot and cold running water. A tiled splash back (minimum 300mm high) is to be provided to each wash hand basin.

Each bath and shower shall be provided with a constant, freely available supply of hot and cold water. A tiled splash back (minimum 300mm high) shall be provided to all baths.

Any shower cubicles should have fully tiled walls or be complete self- standing cubicles.

Showers shall be provided with a suitable water resistant shower curtain or door to the cubicle.

The hot and cold water supplies to all washing facilities shall be adequate, constant and available.

The bath/shower shall be accessible at all times.

The surfaces of any bathroom or shower room should be reasonably smooth, non-absorbent and capable of being readily cleansed. In addition, flooring should be non-slip.
Shared amenities are to be accessible from a common area.

All bath/shower rooms are to be provided with an adequate provision for artificial lighting.

All bath/shower rooms are to be provided with adequate ventilation. This may be obtained by being ventilated directly to the external air by a window with an openable area of at least 1/20th of the floor area.

However, where this is not practicable mechanical ventilation providing a minimum of three air change per hour shall be provided.

Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

Appendix 9

PROPOSED CONDITIONS FOR THE SELECTIVE PROPERTY LICENSING SCHEME

London Borough of Brent
Private Housing Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

September 2019

The conditions in this booklet are standard conditions attached to every Selective Licence issued by the London Borough of Brent under Part 3 of the Housing Act 2004.

It is the licence holder's responsibility to ensure that the licensed property complies with all the conditions set out in this booklet. Failure to do so may lead to prosecution for a breach of the licence conditions, a loss of the licence, and an unlimited fine per offence, or the imposition of a civil penalty charge with a maximum of £30,000 per offence.

The licence holder is responsible for ensuring that all licence conditions are complied with at all times whether or not a manager or another person is bound by the conditions.

Contents

Tenancy Management 1
1. Terms of occupation 1
2. Tenant references 1
3. Rent payments 1
5. Complaints 2
6. Anti-social behaviour (ASB) 2
6a. Prevention 2
6b. Action 3
Property Management 3
7. Gas 3
8. Electrical Appliances 4
9. Furniture and Furnishings 4
10. Security 4
11. External areas 5
12. Refuse and waste 5
13. Repairs 6
14. Pest Control 6
15. Smoke Alarms and Carbon Monoxide Alarms 6
16. Means of escape 7
General 7
17. Consultation of Changes 7
18. Notification of changes of circumstances 7
19. Absence of the Licence Holder 8
20. Compliance inspections 8
Appendix 1 - USEFUL INFORMATION 9

CONDITIONS OF THE LICENCE

Tenancy Management

1. Terms of occupation

The licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property (this is usually a tenancy or licence agreement).

The licence holder must provide a copy to the Council within 14 days on demand.

2. Tenant references

The licence holder must demand references from persons who wish to occupy the house.

No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing consideration must be given to the tenant's history, credit and right to rent checks.

The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

3. Rent payments

The licence holder must ensure that they there is a record of all rent payments received in respect of the property.

All occupiers should be given a rent book or similar receipt for payments made, such as a rent statement. This should be provided to the occupiers at weekly or monthly intervals as a minimum.

Evidence of rent records must be provided to the Council within 14 days on demand.

4. Deposits

The licence holder must protect any deposits taken from the occupiers under an assured short-hold tenancy agreement, by placing them in a statutory tenancy deposit scheme.

The licence holder must give information about the scheme being used to the occupier within the statutory time limit (currently 30 days) of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

5. Complaints

The Licence Holder must ensure that all tenants are given a suitable written complaints procedure at the start of their tenancy.

The procedure must include how complaints of the property conditions will be dealt with.

6. Anti-social behaviour (ASB)

The licence holder must take reasonable and practical action to prevent or reduce anti-social behaviour by the occupiers of the property or their visitors.

The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to deal with anti-social behaviour at the start of their tenancy. Please refer to 6a and 6b below.

[For further information on what the Council considers to be anti-social behaviour see appendix 1].

6a. Prevention

To help prevent anti-social behaviour occurring the licence holder must:

I. Obtain tenant references prior to granting a tenancy as to their previous conduct, and be satisfied that they are not likely to cause any anti-social behaviour.

II. Ask anyone wishing to occupy the property to disclose unspent criminal convictions. If unspent criminal convictions are disclosed the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti-social behaviour, before granting a tenancy.

III. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.

IV. When giving a reference state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details, to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.

V. Ensure regular inspections of the property are carried out, at least every six (6) months to check on the state of repair of the house and to ensure that the occupiers are not in breach of tenancy terms and conditions.

VI. Ensure that all tenants are aware that if they or their visitors behave in a way that the licence holder, manager or Council considers to be anti-social they may face eviction.

6b. Action

This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency this process should be made available to tenants at the start of their tenancy agreement.

The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour.

The licence holder should address problems of anti-social behaviour resulting from the occupiers or their visitors by following the procedure set out below:

I. If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.

II. The licence holder shall monitor any allegations of anti-social behaviour for a period of 28 days, from the date the complaint was received.

III. If after 28 days, it is found that the anti-social behaviour is still continuing the licence holder must visit the premises within 7 days and provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.

IV. If after 14 days of giving a warning letter the tenant has not taken steps to address the anti-social behaviour and it is still continuing, the licence holder shall take action which may include legal eviction proceedings.

V. The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years, and if requested by the Council, provide this information within 28 days on demand.

VI. Any letters, relating to antisocial behaviour, sent or received by the licence holder must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.

VII. Where the licence holder or his agent has reason to believe that the antisocial behaviour involves criminal activity the licence holder shall inform the appropriate authorities.

Property Management

7. Gas

If gas is supplied to the property, the Licence Holder must produce to the local housing authority, within 14 days if requested, an annual gas safety certificate

obtained in respect of the house within the last 12 months for the authorities inspection

If gas is supplied to the property, the licence holder must ensure that the gas installation and appliances are tested annually by an approved Gas Safe engineer. Within 14 days of the licence holder being notified by the Council of any safety risk, a new Gas Safe certificate must be submitted to the Council.

The licence holder must provide to the Council, a current Gas Safe Certificate within 14 days on demand.

8. Electrical Appliances

The Licence holder must keep electrical appliances made available by him in the house in a safe condition.

The Licence Holder must supply the authority, on demand, with a declaration by him as to the safety of such appliances. Where requested, test reports on the condition of the electrical appliances in the property must be provided to the Council within 14 days on demand.

9. Furniture and Furnishings

The Licence holder must keep furniture made available by him in the house in a safe condition and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

The Licence Holder must supply the authority, within 14 days on demand, with a declaration by him as to the safety of such furniture.

10. Security

The licence holder is responsible for ensuring adequate precautions are provided for the security of the property and must ensure:

a. The access to the property, such as locks, latches and entry systems are maintained and in good working order at all times.

b. The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five-lever security level.

c. Where window locks are fitted, the keys are provided to the relevant occupants.

d. Where a burglar alarm is fitted to the property, the occupiers are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.

e. Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.

11. External areas

The licence holder must ensure that they:

a. carry out regular inspections of the exterior of the property, including the roof, walls, drainage, window and door elements to identify any problems in relating to the maintenance and state of repair.

b. carry out interim inspections to ensure that gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition.

c. carry out interim inspections to identify any maintenance problems associated with outbuildings such as garages, sheds and to ensure that such buildings are not used for sleeping purposes.

d. provide any such inspection report to the Council with 14 days, on demand.

12. Refuse and waste

The Licence Holder must ensure that there are adequate arrangements for the storage and disposal of waste. In particular;

a. ensure that the occupiers of the house are given the information in writing about waste and recycling within 7 days of the start of their occupation:

b. ensure that a sufficient number of suitable external rubbish bins for the occupiers to dispose and recycle waste.

c. ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.

d. actively respond to complaints of poor waste practices associated with the property. The licence holder must keep a record of the action taken and provide this to the Council within 14 days on demand.

e. The Licence Holder must ensure that the statement, in any tenancy or licence granted contains a clause which stipulates that no refuse or rubbish may be kept in the front or rear gardens of the house, or in any yards, forecourts, alleyways or other spaces within the house curtilage, other than in refuse and rubbish storage facilities provided specifically for that purpose.

13. Repairs

The Licence Holder must ensure that all occupants of the property receive written confirmation detailing arrangements in place to deal with repairs. If requested, this must be provided to the Council within 14 days on demand.

14. Pest Control

The licence holder is responsible for ensuring that the property, including external areas such as gardens, are free from pest infestation e.g. rodents. Any pest infestations must be managed effectively and within a period of 7 days of being reported. Records of treatment and management must be kept and copies of these must be provided to the Council within 14 days on demand.

Fire Safety

15. Smoke Alarms and Carbon Monoxide Alarms

15.1 Smoke alarms

The licence holder must ensure that;

a. A smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation; and that,

b. Each such alarm is kept in proper working order; and that,

c. On demand, the Authority is supplied with a declaration by him or her as to the condition and positioning of any such alarms.

d. The installed smoke alarms are appropriate to the house

For the purpose of condition 15, a bathroom or lavatory is to be treated as a room used as living accommodation.

15.2 Carbon Monoxide Alarms

The Licence Holder must ensure that:

a. A carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and that,

b. Any such alarm is kept in proper working order; and that

c. The Authority is, on demand, supplied with a declaration by him or her as to the condition and positioning of any such alarm or alarms.

For the purpose of Condition 15.2 “room” includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.

16. Means of escape

The licence holder must ensure that all means of escape from fire that adequate fire precautions are maintained.

General

17. Consultation of Changes

The licence holder must consult with the Council before making material changes to the layout of the property, amenity provisions (such as adding or removing bathroom or kitchen facilities), fire precautions or occupation of the accommodation which may affect the licence granted.

18. Notification of changes of circumstances

The licence holder must inform the Council of material changes of circumstances regarding:

a. Details of any unspent convictions not previously disclosed to the Local Authority involving fraud or dishonesty, violence or drugs, any offence listed in Schedule 3 to the Sexual Offences Act 2003 or any other conviction relevant to the licence holder and/or the property managers fit and proper person status.

b. Details of any finding by a court or tribunal against the licence holder and/or the manager that they have practiced unlawful discrimination on the grounds of sex, colour, race, ethnic or national origin or disability.

c. Details of any civil or criminal proceedings against the licence holder or manager, relating to housing, public health, environmental health or landlord and tenant law, resulting in a judgment or finding or Civil Penalty (under the Housing and Planning Act 2016), being made against them.

d. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been refused a licence by a local housing authority or has had a licence revoked due to the breaching of the licence conditions.

e. Information about any property the licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004, or of a Banning Order under the Housing and Planning Act 2016.

f. The property becoming empty for more than 3 months.

g. Notification of repossession/foreclosure.

h. Successful claims against the licence holder for default of tenancy deposits.

i. A change in managing agent or the instruction of a managing agent.

j. The undertaking of substantial works to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster.

19. Absence of the Licence Holder

The licence holder is required to have in place suitable emergency management arrangements in the event of their absence.

Should the Licence Holder be unable to fulfil the licence conditions he should appoint a person to manage the house during the period of the licence, he must:

a. Obtain from the manager a signed declaration identifying the licence conditions by which he agrees to be bound, and that the manager understands the consequences of failing to comply with the licence conditions;
b. Provide the Council a copy of the signed declaration within 14 days of the said change of circumstance.

20. Compliance inspections

The licence holder must arrange for access to be granted when requested by the Council at any reasonable time.

The Licence Holder must ensure that council officers are not obstructed from carrying out their statutory duties including inspecting and the surveying of the property to ensure compliance with licence conditions and relevant legislation.

[END OF CONDITIONS]

Appendix 1 - USEFUL INFORMATION

1. Definition of terms

a) *"house"* refers to the building or such part of it as is licensed under Part 3 of the Housing Act 2004;

b) "*Licence Holder*" refers to: (a) the person to whom the Authority has granted this licence; and (b) from the date of his or her consent, any other person who agrees to comply with the licence restrictions and obligations that follow.

c) *"Mandatory Licence Conditions"* refers to conditions that the Authority is obliged to impose under any licence granted under Part 2 or Part 3 Housing Act 2004 by virtue of Schedule 4 of Housing Act 2004.

2. Anti-social behaviour

For the purposes of the Housing Act 2004, antisocial behaviour means conduct on the part of occupiers of, or visitors to, residential premises –

(a) Which or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
(b) Which involves or is likely to involve the use of such premises for illegal purposes.

Examples of ASB include:

Crime: tenants engaging in vandalism, criminal damage, burglary, robbery/ theft and car crime

Nuisance neighbours: Intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems; vehicle related nuisance. Tenants engaged in begging; antisocial drinking; street prostitution and kerb-crawling; street drugs market within the curtilage of the property**.**

Enviro-crime: tenants engaged in graffiti and fly-posting; fly-tipping; litter and waste; drugs paraphernalia; fireworks misuse in and around the curtilage of the property.

London Borough of Brent – Anti-social Behaviour Team. Tel: 020 8937 2000

3. Advisory note on Fire Safety – Condition 15.1

a) The smoke alarms provided should be suitable for the type of property. When considering what smoke alarm installation may be appropriate, mains linked smoke alarms are preferred, but battery operated smoke detectors to BS EN 14604:2005 may be provided to houses and purpose built flats that are not

above commercial premises. For flats within converted buildings, hard wired mains operated smoke alarms with battery back-up to BS 5446 should be provided.

b) In determining adequate fire precautions reference should be made to the LACORS guidance: HOUSING – FIRE SAFETY, Guidance on fire safety provisions for certain types of existing housing.

4. The London Landlord Accreditation Scheme (LLAS) -

A partnership of landlord organisations, London Councils and university accommodation units who have worked together to set up a development programme which will provide you with the information necessary to improve your business. www.londonlandlords.org.uk/accreditation Tel: 020 7974 1970

4. The Electrical Safety Council –

The Electrical Safety Council is an independent charity committed to reducing deaths and injuries through electrical accidents at home and at work. They are supported by all sectors of the electrical industry as well as local and central government and work to promote safety and good practice.

Web: http://www.esc.org.uk Tel: 0870 040 0561

5. Gas safety – The Health and Safety Executive website (www.hse.gov.uk/gas/landlords/index.htm) provides guidance in relation to gas safety. By law you must repair and maintain gas pipework, flues and appliances in safe condition, ensure an annual gas safety check on each appliance and flue, and keep a record of each safety check.

6. Tenants Deposit Protection

The Tenancy deposit must be placed in a government-backed tenancy deposit scheme (TDP) if you rent on an assured short-hold tenancy that started after 6 April 2007. In England and Wales your deposits can be registered with:

- Deposit Protection Service
- MyDeposits or
- Tenancy Deposit Scheme
  https://www.gov.uk/tenancy-deposit-protection Tel: 020 702 0003

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Licensing Cabinet Report 2019
Appendix 10: Equality Analysis for Selective and Additional Licensing

Name of service change or function	Selective and Additional Licensing Scheme 2019
Directorate/Service	Community Well Being: Housing & Culture Private Housing Services - Licensing
EA undertaken by/contact:	Tony Jemmott – PHS Licensing Manager Ext 2377
Version/Date:	V1.TJ – September 2019
Date of next review (if applicable):	14th October 2020

Introduction

The Public Sector Equality Duty (PSED), section149 of the Equality Act 2010 requires the Council to have "due regard" to its equality aims when exercising its public functions. Brent believes that an Equality Analysis (EA) is the best method to demonstrate compliance with the PSED.

Brent is one of the most diverse boroughs in the UK and to work effectively in such a diverse setting, we need to have a good understanding of all our communities and to apply an evidence-based approach to our decision-making processes.

This EA is informed by 2011 Census and other data sources about the demographic, diversity and socio-economic characteristics of the local population across the borough, including: age, sex, disability and long-term health conditions, ethnicity, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity and income status. We have benchmarked census data for Brent against England and Wales, London, Inner London and Outer London and data from other sources against London and Great Britain.

Brent's equality objectives 2015-2019

Under the Equality Act 2010, we have a duty to develop and publish equality objectives and make sure that we can show how we can measure improvement over the next three to five years. We have set five equality and human rights objectives in order to achieve key equalities outcomes for those who live and work in Brent:

1.To know and understand all our communities

2.To involve our communities effectively

3.To demonstrate leadership in equalities and human rights, both within the council and amongst partners, and organisational commitment to excellence

4.To ensure that local public services are responsive to different needs and treat users with dignity and respect

5.To develop and sustain a skilled and committed workforce able to meet the needs of all local people.

More information about our equality objectives and how we implement these are found in our Equality Strategy 2015/19.

This EA is also informed by the Equality Strategy 2015 - 2019, recent Diversity in Brent reports and the Equality profile for Brent (March 2019). We have gathered enviro-crime data from our council's recording databases, police recorded crime for Brent, household and property data from our own records, data from the latest English Housing Condition Survey reports and data from a Brent commissioned Housing Stock Survey undertaken by the Building Research Establishment, who reported in March 2019.

The data in respect to equalities is considered in relation to licensing criteria of levels of anti-social behaviour (ASB), poor property conditions, migration, deprivation and crime. ASB and crime will include *hate crimes*. There may be differences between 2011 Census data and data more recently collected by service areas. Last but not least, the EA has also been informed by the responses of our licensing public consultation carried out from 10th June 2019 to 25th August 2019. The Council engaged the services of independent consultants Opinion Research Services (ORS), who as part of the consultation collated respondents' diversity information to identify the potential/likely impact that our proposal may have on people with protected characteristics, and to inform our action plan. The full ORS report as included as Appendix 1 of the Cabinet report.

Stage 1 Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The Council report is proposing that selective licensing is renewed in Harlesden, Willesden Green and Wembley Central and extended to 13 other wards within Brent. The Report also proposes to renew borough wide additional licensing for HMOs that fall outside the mandatory HMO licensing scheme, typically those with fewer than 5 occupants. The council recognises that much of the private rented sector in Brent offers good accommodation to people who want to live in the borough, but also that parts of the borough are badly managed, in poor condition, and in some cases, unsafe. The proposal to renew selective licensing is intended to improve the conditions in the private rented sector (PRS) and to enhance housing management standards. Extending selective licensing will give the Council additional powers to tackle anti-social behaviour, poor property conditions and high levels of migration, deprivation and crime in Brent. Overall if licensing is extended, it will help the council to work with landlords, tenants and businesses, and with internal and external partners to drive up standards. In summary, we believe that property licensing will:

- Provide an improved strategic approach to managing the sector
- Help to identify all properties that are rented out privately
- Establish a register of landlords operating in Brent and ensure that they are "fit and proper" persons to manage rented properties
- Give us the opportunity to inspect the properties to assess living conditions and to advise landlords, managing agents and tenants about their obligations
- Impose the Housing Act mandatory conditions and a set of local conditions as a minimum letting standard in Brent
- Redefine how the service operates by shifting the emphasis from a customer complaints led, reactive service
- Address housing issues resulting from the movement of new and emerging communities and to preserve or improve the socio-economic conditions of the area
- Ensure that a proper standard of management of privately rented property is maintained and that properties do not become severely overcrowded

- Reduce the levels of anti-social behaviour in the borough and take action against those whose properties or tenants cause persistent ASB
- Reduce enviro-crime locally including improvement in the management of waste
- Address hate crime and homophobic incidents
- Apply enforcement action to tackle those rogue landlords in the sector

If introduced the effect will be that landlords who rent or let any residential accommodation in any area designated for additional or selective licensing in Brent must have a licence. Applications must be made to the Council and shall be accompanied by a licence fee. The mandatory conditions (Housing Act 2004, Schedule 4) below as well as Brent local conditions and schedule of works will be applied to licences and the requirements will be enforced by the council. The licensing condition are provided as Appendices 8 and 9 to the Cabinet Report.

- If gas is supplied to the house, to produce to the LHA annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
- To keep electrical appliances and furniture made available by him in the house in a safe condition; and to supply a declaration as to the safety of such appliances and furniture.
- Ensure that a smoke alarm is installed on each story of the house and to keep them in proper working order;
- Ensure that a carbon monoxide is installed in any room which is used as living accommodation and contains a solid fuel burning combustion appliance
- Supply the occupier with a written statement of the terms of occupation;
- Demand references from persons wishing to occupy the house.
- Conditions in relation to the minimum room floor areas to be used by persons as sleeping accommodation
- Condition regarding the maximum permitted number of persons per room based on age
- Time period for compliance with overcrowding for licences granted on or after 1st October 2018
- Condition relating to the storage and disposal of household waste pending collection.

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

Private sector landlords and their tenants within the wards in scope will be directly affected by the proposals. We anticipate that the majority of residents will be positively affected by the proposal. Council employees will see an increase in their workloads and service growth benefits. The implications for staff will be considered as part of Council's internal policies and processes.

Landlords and Managing agents

In deciding whether or not to grant a licence, the council must consider whether the landlord (or the managing agent) is a 'fit and proper' person. The rules that must be followed in order to determine this are set out in sections 66 and 89 of the Housing Act 2004. The local authority must have regard to any previous convictions relating to violence, sexual offences, drugs or fraud; whether the proposed license holder has contravened any laws relating to housing or landlord and tenant issues; and whether the person has been found guilty of unlawful discrimination practices.

The Council can decide, following the appropriate checks, that the landlord is not 'fit and proper' and may therefore refuse to grant a licence. The local authority can also withdraw a licence after issue if the licensee is no longer considered a 'fit and proper' person. The landlord has the right to appeal against this decision.

The Council must also satisfy itself that the person to whom the licence is granted is the most 'appropriate' person – which could involve taking into account whether they have ownership or management responsibility for the property in question.

The Council must also confirm that there are satisfactory management arrangements in place regarding the property; in doing so, it must have regard to a range of factors including: the

competence of the manager; management structures; and soundness of the financial arrangements.

Licences are issued for a period of 5 years, although local authorities may issue licences for shorter periods where certain requirements have not been met. Landlords will be required to pay a licence fee.

Landlords operating a property in the designated area without a licence, or those landlords who fail to comply with any licence condition can be prosecuted and face unlimited fines, or issued with Civil Penalties of up to £30,000.00.

Tenants and residents

On the whole, tenants will benefit from an improvement in their property conditions and better standards of managing. Built into the licensing system is a rationale for elimination discriminatory practices by landlords.

We recognise, however, that some landlords will seek to pass on licensing costs they incur to tenants and that this action which may result in some tenant displacement and landlords' claims for possession, through both legal and illegal means. Tenants might also potentially be affected due to enforcement actions against landlords of overcrowded properties. Every effort will be made to ensure that affected tenants are supported and signposted to relevant agencies.

Council employees

The local authority is also obliged to take reasonable steps to ensure that licence applications are made and dealt with without undue delay. Staff will also be required to carry to compliance and enforcement work. This will have staffing and financial resources implications.

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

All groups who own, manage or live in privately rented accommodation are likely to be affected. People of ethnic minority origin, single parents and young children and certain vulnerable people e.g. those with mental health, drug or alcohol addiction, low income or on state benefits, are key tenant groups and are therefore likely to be affected as they are over-represented in private rented sector, and notably in properties which are in poorer condition.

3.2 Could the proposal have a disproportionate impact on some equality groups? If you answered 'Yes' please indicate which equality characteristic(s) are impacted

Given the population demographics in Brent the proposal will have an impact on some equality groups such as age, gender, race and disability. Nationally over 20% of renters are families with children. Further detail is available below in the second part of the EA.

3.3 Would the proposal change or remove services used by vulnerable groups of people?

No, we do not think so, but vulnerable people will need access to further housing needs advice and referral agencies

3.4 Does the proposal relate to an area with known inequalities?

Yes – There are known health and socio-economic inequalities in the UK private rented sector with further evidence of highest rents and poorest housing in the PRS. Nationally, tenants are more likely to be on low incomes, and earnings are typically more than 40% of the tenant's gross income, (English Housing Survey). More than 30% of homes are in poor condition (classified as non-decent) which is higher than in the owner-occupied or social rented sector. There is a strong correlation between poor quality housing and fuel poverty. A high % of the PRS would fail the HHSRS "excess cold" hazard. (Note the headline result from the BRE 2019 report)

According to the Equality Profile for Brent 2019, around one in seven Brent residents have a long-term health problem or disability that limits their day-to-day-activities in some way. The prevalence of disability rises sharply with age: more than half of all residents aged 65 and over had a long-term health problem or disability.

BRE data clearly shows that concentrations of low income households are found towards a central strip of Brent running from parts of Welsh Harp ward towards the north to Harlesden in the south. The highest levels overall are found in Harlesden, Stonebridge and Kensal Green. In Harlesden most of the ward has high levels of low income; in Stonebridge ward the highest levels are to the north west and east; and in Kensal Green ward the highest levels are to the west. There are other areas which also have high concentrations of low income households; for example, to the south and west of Dudden Hill ward and in parts of Willesden Green.

The BRE study contain maps that provide an additional layer of information, with the data for low income households being combined with HHSRS excess cold data. This provides a vital picture of where vulnerable people are likely to be living in poor housing. The map indicates that there are pockets of both low income and excess cold towards the north of Stonebridge, south and west of Welsh Harp and northern parts of Dudden Hill.

In terms of deprivation, 36 Lower Super Output Areas (LSOAs) in Brent fall into the 20% most deprived areas in England, including all of the LSOAs in Stonebridge and the majority in Harlesden.

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

Yes - Many tenants are reluctant to ask for repairs or complain for fear of eviction. Built into the licensing system is a rationale for elimination discriminatory practices by landlords.

3.6 Does the proposal relate to one of Brent's equality objectives?

Yes, it relates to all 5 of Brent's Equality objectives. These objectives are already listed in introduction above.

Recommend this EA for Full Analysis?

No – A full EA was undertaken in 2017, this is still very much valid and as such an update of the population statistics, and of the action plan is felt to be adequate.

4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.

Stage 2: Analysis

5. What effects could your policy have on different equality groups and on cohesion and good relations?

5.1 Age *(select all that apply)*

- [x] Positive
- [ ] Neutral
- [x] Negative

Figure 1: Brent Tenure by Age
Population profile by age and gender, Brent and UK, 2017

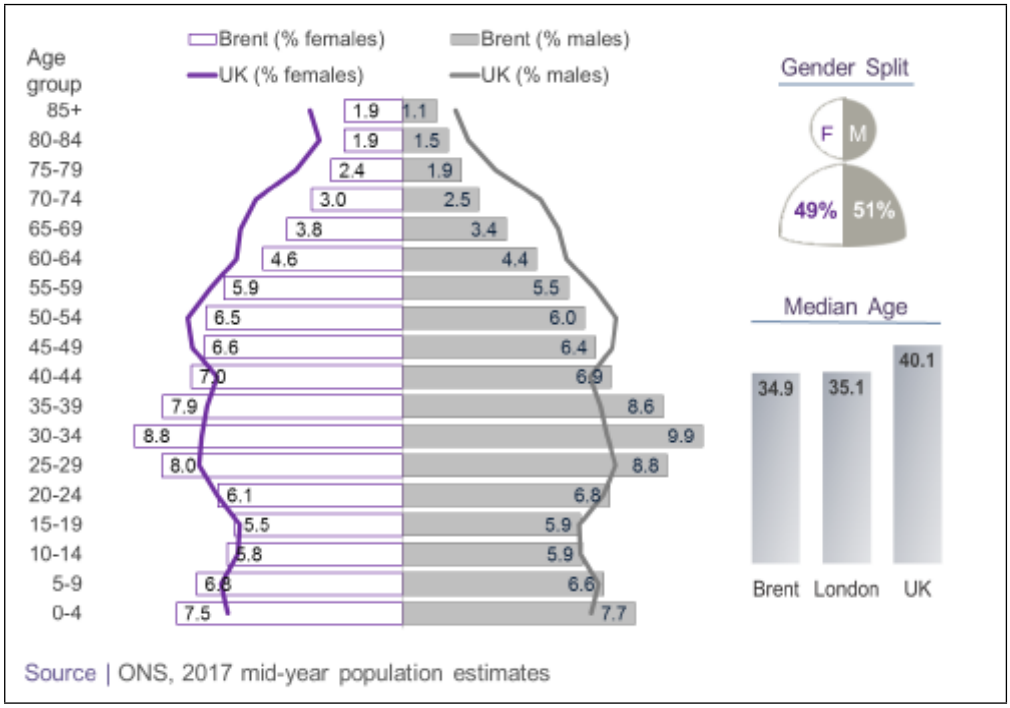


Figure 2: Population Count by Age, Brent, 2019

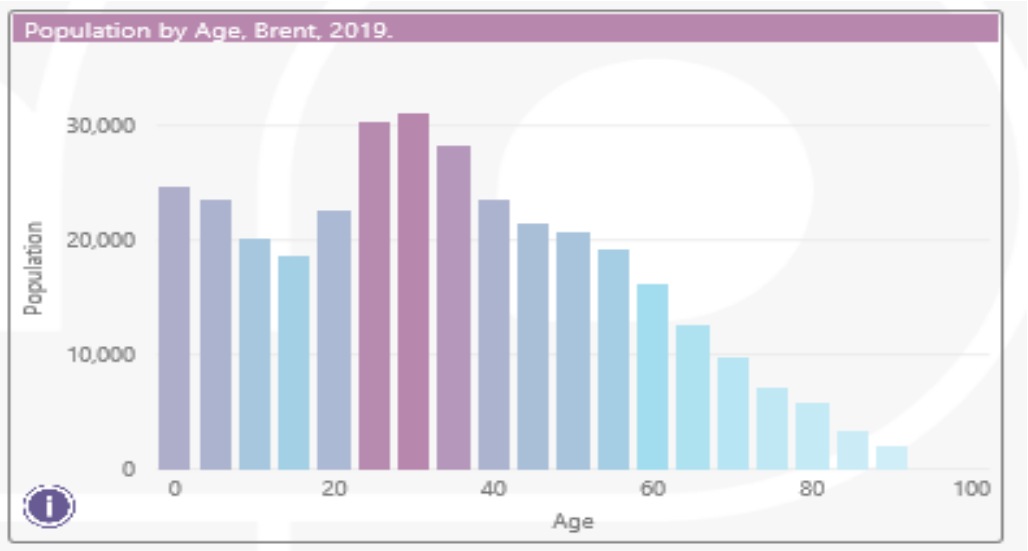
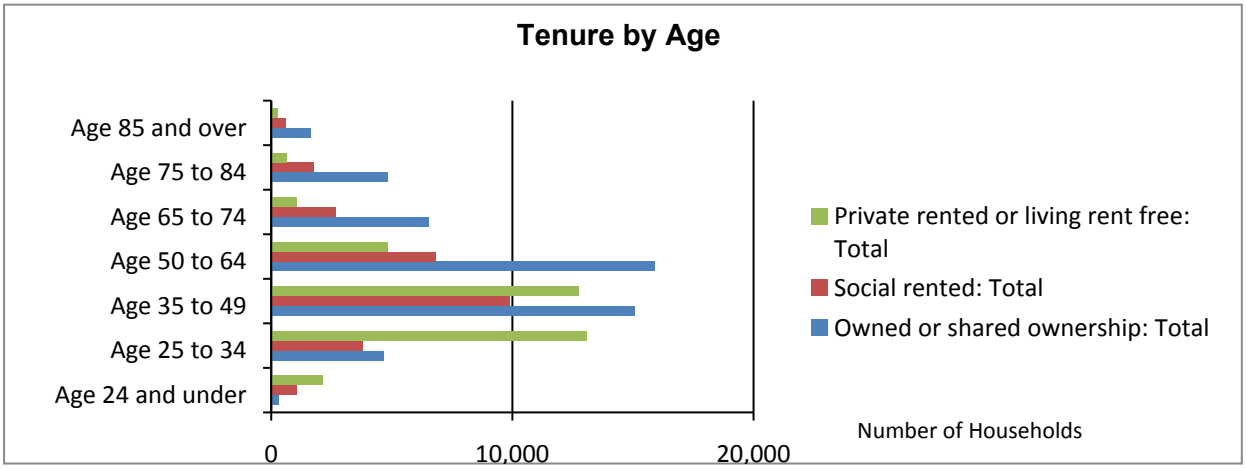


Figure 3: Tenure by Age



Source: ONS Crown Copyright Reserved [from Nomis on 16 July 2013]

The population has been growing strongly in recent years and this is expected to continue. In the next twenty years, the Brent population is expected to grow from 334,700 in 2018 up to 395,800 in 2038 – a rise of 18% and an additional 61,100 residents. Population growth is expected to be heavily concentrated in the areas where housing development is planned to take place. The two wards likely to see the fastest growth are Tokyngton (+161% rise in population) and Alperton (+103%) – the population in both these wards is expected to more than double. Considered together, these two wards are projected to accommodate an additional 46,400 residents by 2038.

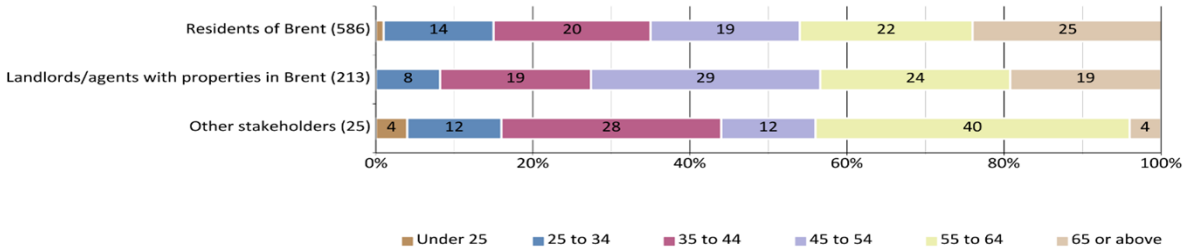
In common with other London Boroughs, Brent has a relatively young population. In 2017, the median age of the population was 35 in Brent, the same as in London, but five years lower than the national average (40 years, UK).

Compared with the UK, Brent has proportionately fewer over 50s and proportionately more adults aged 25-49. In Brent, 28% of the population is aged over 50 compared with 37% across the UK. Conversely, 39% of the borough's population is aged 25-49 compared with 33% in the UK. Brent also has a higher proportion of children aged under five compared with the UK (8% vs. 6%).

The proposal to renew and extend discretionary licensing is intended to enhance housing management standards in the private sector, in compliance with the Housing health and safety rating system (HHSRS) standards, which will have a positive impact on all age groups. Vulnerable age groups will particularly benefit from health intervention e.g. damp and moulds, infections,

reduction of trip hazards and falls as well as the requirements around excess cold which can cause or exacerbate poor health.

Table 1: Questionnaire: Age Group What was your age on your last birthday?



Brent Licensing Consultation 10 Jun -25 Aug 2019

16% (same as in the 2017 EA study) of residents under 34 years old responded to the survey which is significantly below the borough average of 51%. Other age groups were well represented in the survey.

Table 1.1: Age Group - Residents Face-to face Interview survey (ORS July 2019)

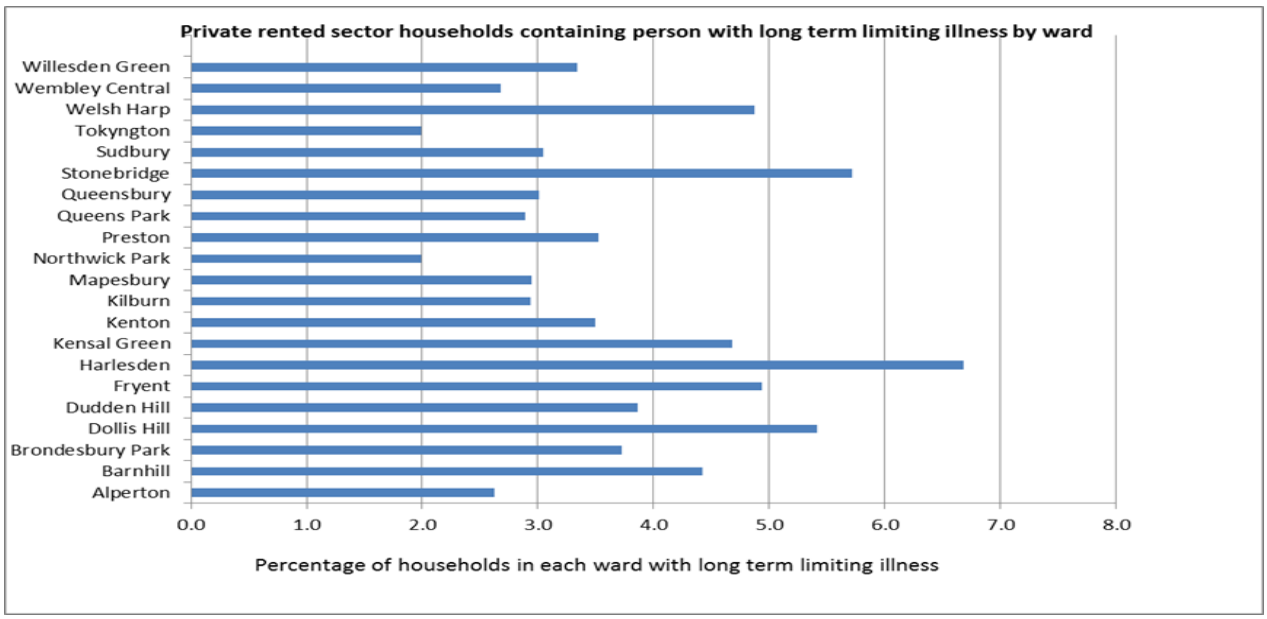
Characteristic	Unweighted Count	Unweighted Valid %	Weighted Valid %	Resident Population %
BY AGE				
16 to 24	107	18	14	14
25 to 34	151	25	23	23
35 to 44	114	19	20	19
45 to 54	84	14	16	16
55 to 64	67	11	11	13
65 to 74	51	8	9	8
75 or over	31	5	6	7
Total valid responses	**605**	**100**	**100**	**100**

Figure 1.1 shows how the F2F quota sampling met the target met the number of interviews required by age.

5.2 Disability *(select all that apply)*

- [x] Positive
- [ ] Neutral
- [ ] Negative

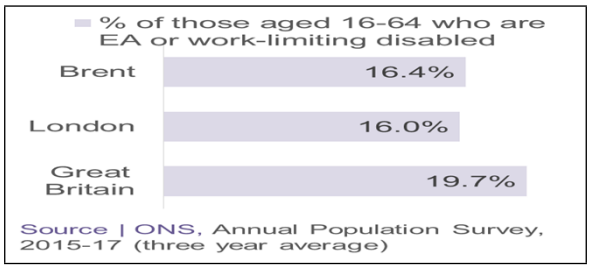
Please give details: Figure 4: Disability



The above chart in Figure 4 details the disability profile in the PRS by ward, showing that there are higher proportions of PRS households comprising disabled tenants in Harlesden, Stonebridge and Dollis Hill wards. The 2011 Census found that around one in seven Brent residents (14%) had a long-term health problem or disability that limited their day-to-day-activities in some way: 7% said their activities were limited a lot, and 7% said their activities were limited a little. This compares with a rate of 14.2% for London and 3.4% lower than the national figure.

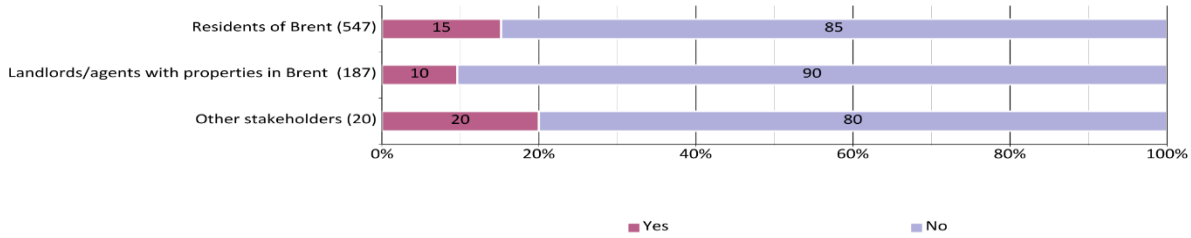
More recent survey data (ONS 2015-17), which focuses on the working age population, indicates that around 16% of Brent residents aged 16-64 are disabled according to the Equality Act 2010 and/or Work-limiting definition. The Equality Act 2010 definition aims to capture those who have a physical or mental impairment that has a substantial, and long-term, negative effect on their ability to do normal daily activities. The work-limiting definition relates to those whose disability which affects the kind or amount of work they might do. The prevalence of disability in Brent is similar to the London average (16%), but lower than the national average (Great Britain, 20%), reflecting that the Brent and London populations have a younger age profile compared with Great Britain.

Figure 5: Percentage of working age residents who are disabled, Brent, 2015-2017



One of the potential outcomes of licensing is that landlords will be more aware of their duties under the Equality Act 2010 and of the support that is available to disabled people including information on the availability of Disabled Facilities Grant. Disabled people will also benefit from the need for PRS homes to comply with the Housing Health and Safety Rating System in terms of reasonable adaptations, reducing trip hazards and falls as well as the requirements around excess cold which can cause or exacerbate poor health.

Table 2: Disability - Do you have any long-standing illness or disability?



(Brent Licensing Consultation 10 Jun -25 Aug 2019)

Table 2 shows that the disability profile of residents is broadly reflective of the borough disability profile of 14.5%. The residents figure for the 2017 EA was 13%.

5.3 Sex/Gender *(select all that apply)*

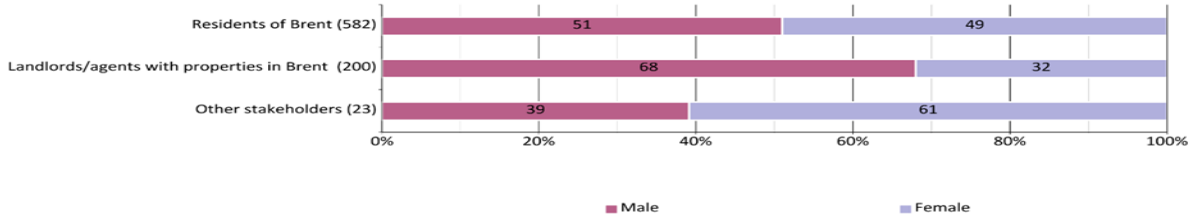
- [x] Positive
- [ ] Neutral
- [ ] Negative

The gender split in the population is 51% male and 49% female. Brent has a slightly higher proportion of males compared with London or the UK (50% and 49%). The proportion of men is highest in the 20-39 age group where they comprise 53%-54% of the population. In contrast, women make up a higher proportion of the Borough's elderly population: 62% of those aged 85 and over are female. (Source Equality Profile of Brent 2019)

Breakdown of Consultation Participants by Gender

Out of all the residents who responded to the consultation 47% were male and 42% were female. From all the landlords who took part in the consultation 57% were Male and 29% were female. There is no information relating to the gender profile of landlords. Although half as many women responded. There was active female presence in the Brent Landlord forum on 25th June 2019 where the licensing proposals were consulted upon.

Table 3: Gender



(Brent Licensing Consultation 10 Jun -25 Aug 2019)

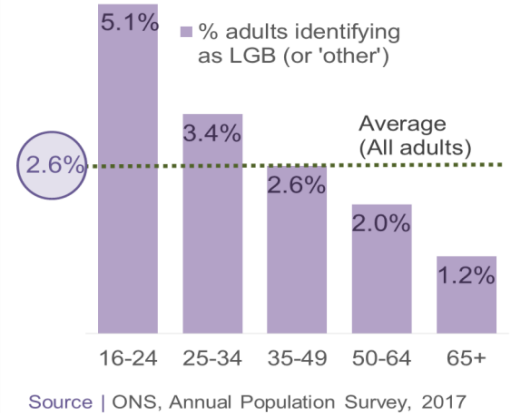
Literature was sent to all households. Table 3 shows that female respondents match the Borough profile where women represent 49% of the population. There is no data on the gender breakdown of those living in the PRS in Brent.

There is insufficient data available to measure accurately the potential impact of the proposal on gender. However, one of the aims of discretionary licensing is to tackle antisocial behaviour which is likely to have a positive impact on both genders, particularly for women and girls. Both sexes are likely to benefit from improvement in the PRS. There were no comments made during the consultation with particular reference to gender.

5.4 Sexual orientation and gender identity (*select all that apply*)

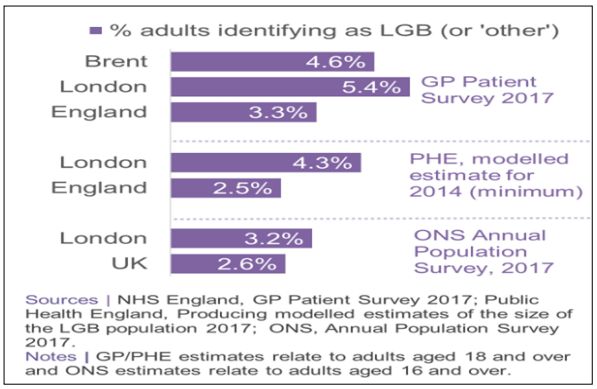
- [x] Positive
- [ ] Neutral
- [ ] Negative

Figure 6: Sexual Orientation by Age, 2017, UK



The 2017 GP Patient Survey found that 4.6% of Brent adults surveyed identified as Lesbian, Gay, Bisexual (or 'Other'). The percentage in Brent was below the London average (5.4%) but well above the England estimate (3.3%). The GP Survey is one of the few sources that provides Borough level data and tends to provide slightly higher estimates compared with other sources.

Figure 7: LGB estimates compared



A recent study by Public Health England (PHE) provided modelled estimates of the size of the LGB population based on data from 15 different studies. It concluded that the percentage of LGB adults was at least 2.5% across England and 4.3% in London – these figures were considered a 'minimum'.

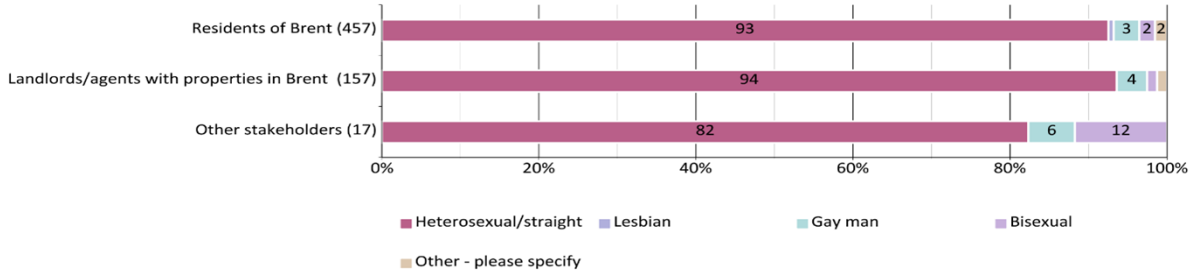
The 2017 Annual Population Survey found that 2.6% of UK adults, and 3.2% of Londoners identified as LGB (or 'other'). The survey also found that young adults were more than four times as likely to identify as LGB than those aged 65+ (5.1% vs. 1.2%).

Stonewall research has found that many LGBT people of all ages experience homophobic harassment and violence in their neighbourhood. Someone may know or suspect their sexuality. Harassment can include name-calling, graffiti, and criminal damage and over time even seemingly

small incidents can cause extreme distress and fear, with people often too frightened to leave their own home.

Results of the consultation relating to Sexual Orientation and Gender Identity

Table 5: What is your sexual orientation?

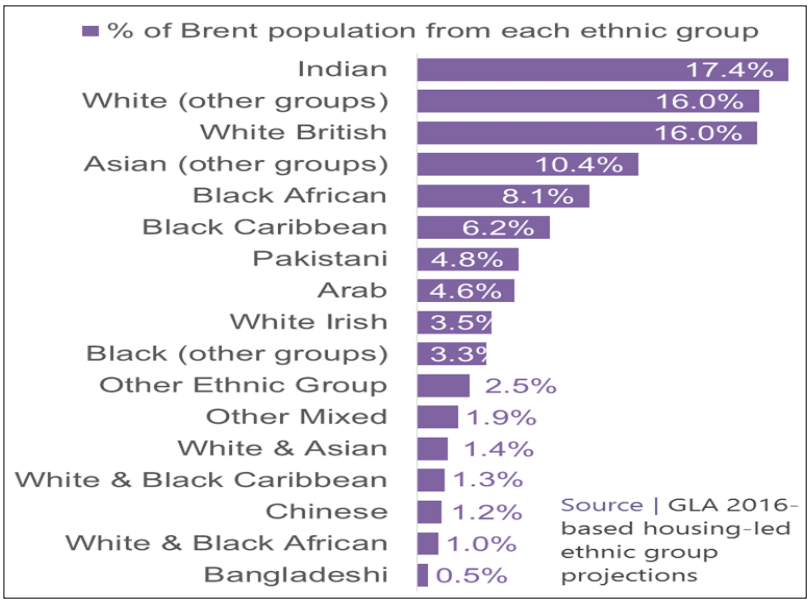


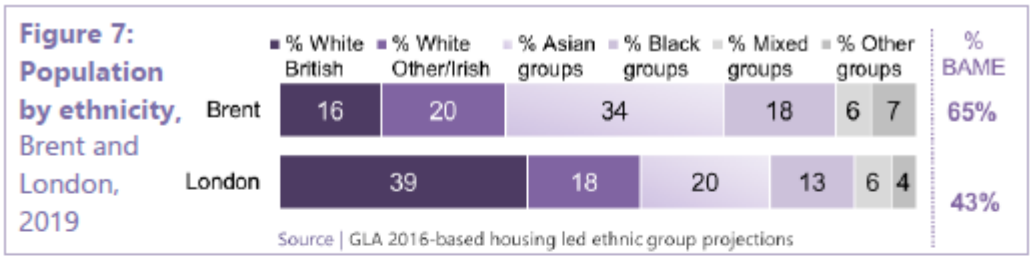
(Brent Licensing Consultation 10 Jun -25 Aug 2019)

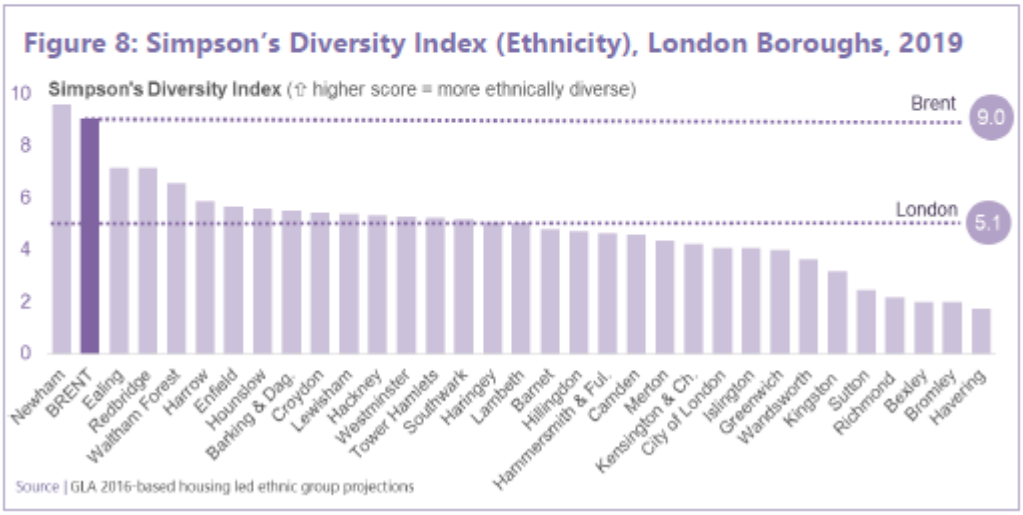
5.5 Ethnic Origin

Brent is home to many communities and is one of the most diverse boroughs in London: almost two thirds of the population are from BAME groups, the third highest in London, after Newham and Redbridge. Brent has a large Asian population: one third of residents are from Asian groups compared with 20% across London. One in six residents have Indian ethnicity – more than double the London average (17% vs. 7%) – and the fourth highest in London. Other groups particularly well represented in Brent (compared with other areas in London) include the White Irish, Arab and Other Asian groups. In contrast, just 16% of residents are White British, the second lowest in London, after Newham (13%).

Figure 8: Population by ethnicity, Brent, 2019





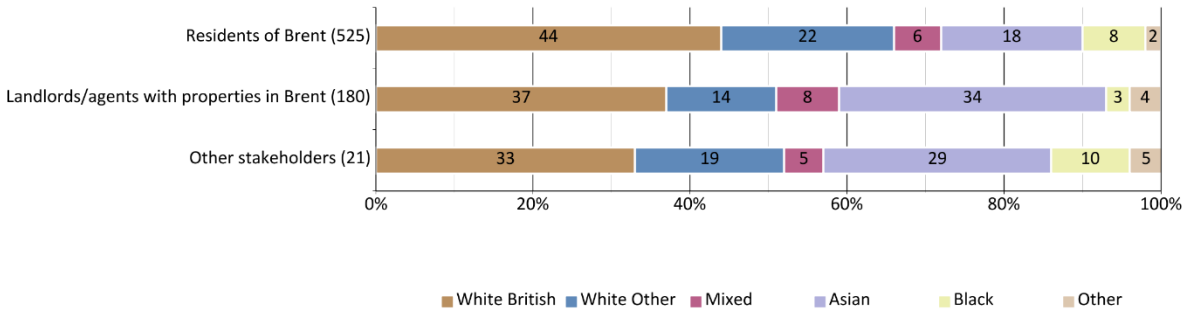


Ethnicity by age

According to the Simpson's Diversity Index1, which takes account of the mix and size of 17 different ethnic groups in the population, Brent is the second most diverse borough in London, after Newham (Figure 8). There are considerable differences in the age profile of the borough's different ethnic groups. Those from mixed ethnic groups are typically younger: almost half are children aged under 18. Other groups with younger age profiles include the Black African, Arab and Other Black groups: in all these groups more than one third of the population are children. The White Irish and Black Caribbean populations have older age profiles: over one third of Irish residents, and around one fifth of Black Caribbean residents are aged 65 and over. The White Other and Chinese groups have the largest working age populations – in both groups – three quarters are aged 18-64.

Table 6: Results of the consultation relating to ethnic origin

How would you describe your ethnic origin? (Grouped Responses)



(Brent Licensing Consultation 10 Jun - 25 Aug 2019)

5.6 Religion or belief (select all that apply)

- [x] Positive
- [ ] Neutral
- [ ] Negative

Please give details:

The borough's three largest religious groups are Christian (41%), Muslim (19%) and Hindu (18%). Other smaller, but significant, groups represented in the borough included: Jewish and Buddhist residents (both 1.4%) and Sikh residents (0.5%).

Compared with other areas, Brent residents are more likely to have a religion: in Brent, 82% had a religion compared with 71% across London and 68% nationally – the fourth highest rate in England and Wales. Just 11% had no religion. The remaining 7% chose not to state their religion on the Census form.

The borough has the second largest Hindu population in England and Wales, after Harrow and the 10th largest Muslim population nationally (as a percentage of the population).
While a relatively small proportion of residents are Buddhists – just 1.4% - this is the 6th highest percentage nationally.

More people in Brent had a religion than London and nationally: 1 in 10 Brent residents stated they had no religion, compared to 1 in 5 people in London and 1 in 4 people in England and Wales. The largest religious groups in Brent were: Christian (41% compared to 48.4% in London); Muslim (18.6% compared to 12.4% in London); Hindu (17.8% compared to 5.5% in London).

The biggest changes to religious groups in Brent were: 79% increase to the proportion of Muslim people, 72% increase to the proportion of Buddhist people, 32% decrease to the proportion of Jewish people. 2,462 people stated that they were Jain and 1,709 people stated that they were Sikh.

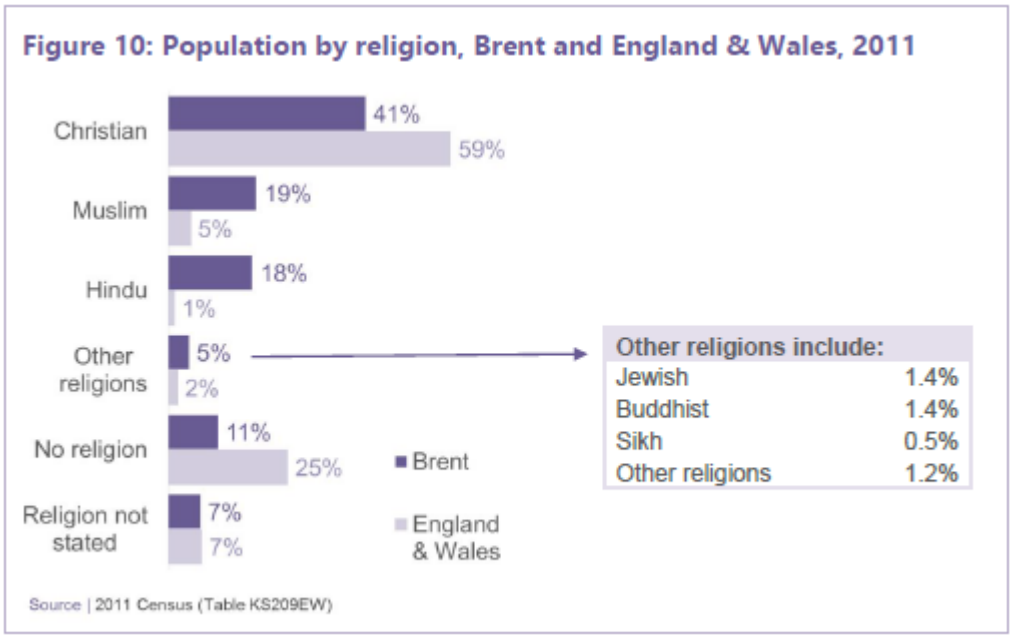
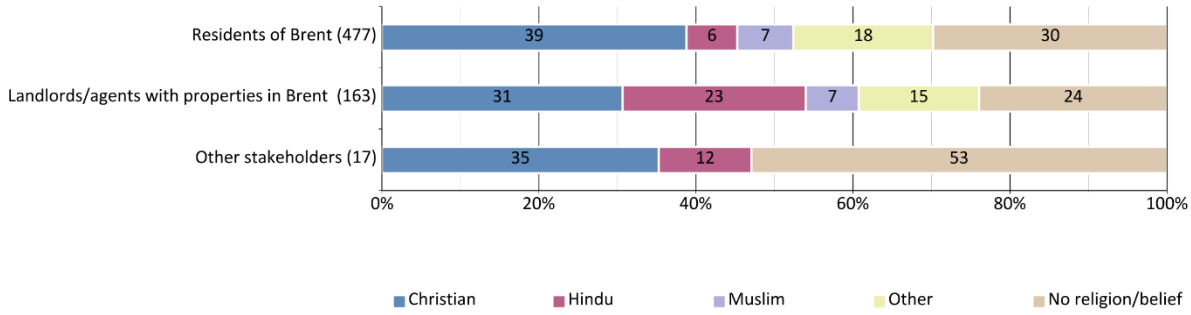


Figure 10: What is your religion or belief? (Grouped Responses)



(Brent Licensing Consultation 10 Jun -25 Aug 2019)

From Figure 10, Christian, Hindu and Muslim residents seem to be well represented in the survey compared to the Borough profile. Christian and Muslim landlords also seem to be under-represented, while Hindu landlords appear to be marginally overrepresented in the consultation. It should be noted, however, that the percentages of those who preferred not to disclose their religious beliefs are very high.

There is insufficient data available to measure accurately the potential impact of the proposal on religion or belief. However, one of the aims of selective licensing is to tackle antisocial behaviour, including hate crime and incidents and this is likely to have a positive impact on this characteristic. There were no direct comments made in relation to religion or belief.

5.7 Other (please specify)

5.7.1 Socio-economic disadvantage

- [x] Positive
- [ ] Neutral
- [x] Negative

Please give details:

Socio-economic status of the local area

In 2015 Brent ranked 39th in England among local authorities according to the index of multiple deprivation (IMD). Brent has 173 lowest super output areas (LSOA) indicating that deprivation exists in concentrated pockets throughout the borough. The wards of Stonebridge and Harlesden rank in the top 25 most deprived wards of London boroughs.

Figures for average income across London boroughs were gained from the Median household income (CACI 2014) and the latest Diversity in Brent reports.

- In 2014, the median income in Brent is £31,601. Within London, Brent ranks as the 6th lowest borough in terms of median household income.
- Income varies widely from ward to ward. Stonebridge has the lowest median household income (£22,188) and Queen's Park has the highest (£41,423).
- Over one third of Brent's working age population are paid less than the London Living Wage, with Black African, Pakistani and Bangladeshi residents being much more likely to be paid less than the London Living Wage.

5.7.2 Marriage and Civil Partnership

Marital status of Brent adults as at 2011. At this time, 43% were married and 0.3% were in a civil partnership (648 residents). The remaining were either single (42%) or separated, divorced or widowed (14%). The proportion who were in a civil partnership in Brent was marginally lower than the London average (0.4%) and marginally higher than the England average (0.2%).

Figure 11: Marital status of adults aged 16 and over, 2011

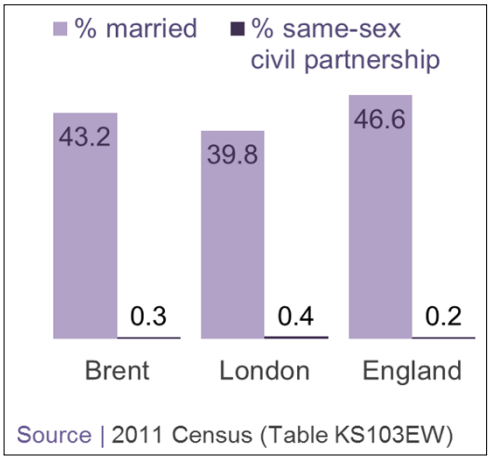
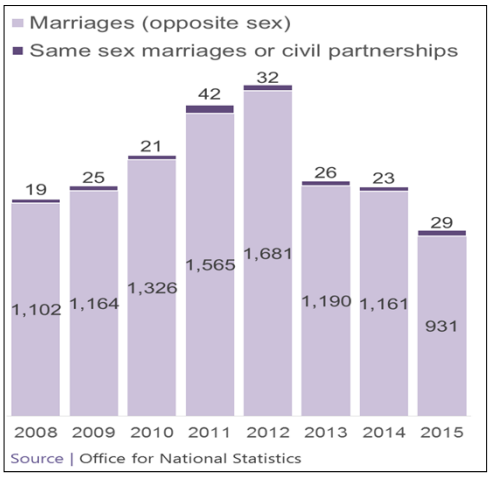


Figure 12: Number of Marriage and Civil Partnerships formed in Brent, 2008-15



5.8 Gender reassignment and gender identity

Statistics around transition and gender identity are extremely limited. Estimates from the Gender Identity Research and Education Society (GIRES) suggest that around 0.02% of UK adults may have undergone transition, or are receiving treatment (0.03%), and that 0.2% may seek treatment in the future. Currently, there are no local authority level statistics on GRCs or the transgender population. However, there are plans to include a new question on the 2021 Census about gender identity, which will provide local data about this important topic for the first time.

5.9 Homelessness

Although Brent has continued to increase its dwelling stock over the last 10 years (period 2006 - 2016) by 10.5%, its current housing stock does not meet demand. Brent Council's own housing stock consists of 11,378 homes as of February 2018, comprised of 7,878 rented and

3,500 leasehold properties. According to the Social Housing Regulator, in 2018, there were 55 RPs operating in Brent, managing 20,221 affordable homes for rent. As of 1st April 2018, 3,632 households are in Bands A-C on the Housing Register (those considered to be in housing need). Brent has had one of the largest temporary accommodation portfolios in the country for many years. As of 31st December 2018, Brent Council reports to have 2,348 households in Temporary Accommodation, a total reduction of around 44% since 2004. In 2016/17, 294 individuals were recorded rough sleeping in Brent, a 39% increase on figures from 2015/16. Brent is taking a range of actions to address demand arising from homelessness and reduce reliance on temporary accommodation.

The number of housing benefit claimants in Brent reached its peak in 2012-13 at 38,099, as of March 2019 this number is 32,644, a reduction of 1,924 since November 2018, when Universal Credit (UC) went live in Brent. Brent has the highest number of housing benefit claimants in all of the outer London Boroughs, and has the 2nd highest number of housing benefit claimants in social rented accommodation.

As of Q3 2017, Brent had the 12th highest median private rent levels in London, and the highest median private rent levels in outer London.

The private sector therefore plays an important role being a key source of temporary and permanent accommodation to meet it. Licensing can play a significant role in ensuring that the sector is well managed and provides settled and decent accommodation for Brent residents. It is also recognised though a Brent commissioned study report by Future of London 2017, that licensing enforcement action could lead to homelessness and the council acts to secure the rights of tenants and provide advice and assistance as required. There has been no evidence of any significant level of homelessness applications directly arising from licensing activity.

It is also recognised that enforcement action in relation to licensing could lead to homelessness, although there is no evidence to suggest a disproportionate increase in homelessness applications directly arising from our current licensing activity. The council acts to secure the rights of tenants and provide advice and assistance as required.

HMO licensing will apply a condition in relation to the maximum permitted number of persons that are allowed to occupy the dwelling for sleeping purposes. Wherever possible the Council will work with landlords to make properties fit for the number of number of tenants.

When required, overcrowding is assessed under the housing, health and safety rating system (HHSRS). Where category 1 hazards are found, action will be taken under Part 1 of the Housing Act.

<u>Findings from the Brent Consultation June – August 2019 in respect of homelessness</u>

Several submissions and groups raised concern about the impact of licensing on homelessness, on one hand that homelessness might increase, especially among people with protected characteristics, but as a counter-position, that the schemes will provide better protection for tenants.

There were calls for the Council to indicate how tenants and landlords will be supported, and to provide reports on the achievements of the scheme against set targets.

The Government is proposing a consultation on the abolition of Section 21, so called ‘no fault’, repossessions in the private rented sector in favour of improving the court system to ensure landlords can more speedily repossess properties through them in legitimate cases. Landlord and tenant organisations have voiced their views on the impact of the particular sectors. Landlords

warning of “serious dangers” to the supply of rental housing for vulnerable tenants on the one hand and others feeling that the reforms will give better protection for tenants against eviction.

Our consultation provided many comments regarding the potential impact licensing on homelessness, and also sought that s21 was properly considered by the Council. (See Appendix 2 to the Cabinet report)

6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.

- (•) Yes
- ( ) No

7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.

1. The 2011 Census provides valuable information regarding Brent’s population

2. Housing Stock Survey (Building Research Establishment 2019)

3. A Licensing consultation was undertaken with resident, tenants and businesses, landlords and managing agents, and other stakeholders including with neighbouring boroughs for between 10 June 2019 and 25August 2019. The ‘Draft proposals” to designate a discretionary scheme’ outlined the reasons and was made available on the Council website. During the consultation period, there were on-line survey questionnaires available to all target groups. Forums and face-to-face interviews and meetings were held with resident community and landlord groups and landlord and tenant representatives. The consultation was promoted through a variety of channels and was undertaken in line with the relevant Government guidance and informed by the equalities analysis screening.

4. Brent Council Open data store and Equalities profile 2015-19

5. Business intelligence research was undertaken with respect to levels of migration and levels of deprivation in Brent.

What did you find out from consultation or data analysis?

See above. The relevant findings from the research, consultation and data analysis have been presented in the individual sections for each protected characteristic, including socio-economic status.

Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?

Yes. The resident’s forums and face-to-face interviews facilitated by consultants Opinion Research Services (ORS), were diverse by area, tenure, age, class and ethnicity – and so the meetings (taken together) were broadly representative of Brent residents

How did your findings and the wider evidence base inform the proposal?

The findings we used to determine the extent and scope of the designations, the type of properties to be included in the scheme, the fee and licence conditions set and the scheme objectives.

Conclusion

This analysis has concluded that, overall, it is anticipated that the extending and renewing of Selective and Additional Licensing is likely to bring about positive benefits to groups with protected characteristics, particularly those who are disadvantaged and who have little or no choice but having to rent in the private sector.

A key purpose of the scheme is to reduce antisocial behaviour, improve property conditions and reduce the level of deprivation, which will benefit residents across all protected characteristics and particularly more vulnerable groups. Vulnerable groups will also benefit from overall improvements in management standards due to the ability of the Council to better identify those properties that are being rented privately and the improved ability to enforce standards to the whole of the sector.

In particular, BAME groups, new migrants, families with young children, disabled residents and vulnerable adults will benefit from better enforcement of licence conditions and of the Housing Health and Safety Rating System standards. All groups will benefit from improvements in engagement, communication and signposting information between the council, landlords and tenants and other service providers. Information would relate to such matters as changes in the law affecting the PRS, energy efficiency measures and grants availability, information on local organisations and agencies which may be able to provide support.

The Equality Analysis has identified some potential for adverse impacts, particularly for lower income groups, if landlords decide to increase rents, young people, migrants, single parent tenants may be particularly affected by this. However, based on our experience of licensing over the past 5 years and that of other Councils who have introduced licensing, we believe this unintended outcome is very unlikely to materialise.

There is an increased threat of homelessness for some residents should landlords decide to withdraw from the private renting sector altogether. To mitigate this, the proposal tries to minimise the cost of licences, including offering a discount for certain accredited landlords and minimise bureaucracy.

It is proposed that a major publicity campaign is launched when Licensing is introduced to make tenants and landlords aware of their rights and obligations and what tenants can do if they are threatened with eviction. Specific actions are set out in more detail in the action plan below.

If Selective and Additional Licensing is renewed and extended, it is intended to enforce the scheme robustly; to closely monitor the situation on an on-going basis and carry out a major review after the scheme has been in place for a year. Overall, it is felt that the benefits to groups with protected characteristics of this initiative will outweigh any potential negative impacts and that there are robust measures put in place to mitigate against negative consequences.

Outcome of Analysis

The Equalities Analysis provides a good review of the analysis undertaken in 2017. It justifies the outcomes of the research then and allows an update, based on fresh consultation and updated Brent profiles. However, we think that there is no real

Make adjustments to remove barriers identified by the assessment and better advance equality – please refer to the action plan outlined below.

STAGE 3: ACTION PLANNING

This section details the responses and concerns raised as part of the consultation that relate to specific protected characteristics. It also outlines the proposed actions and initiatives that will be put forward to address these.

Equality Characteristic: Age
How Age was considered as part of the consultation process We know that people in the 24-34 and 35-44 age groups are over-represented in the PRS in Brent. Older people, typically over 65s will be less able to use online technology. To ensure maximum engagement leaflets were sent to all households. All licensed landlords were contacted via mail outs. All email and social media channels were used to target all groups; this method would especially reach younger people who are very familiar with social media. The general marketing campaign across the borough provided information on how people of all ages could take part in the consultation process. Reference was made to the responses outcomes from the selective licensing 2016 survey and from that survey's evaluation report. A resident's survey was undertaken to achieve a broadly representative sample of face-to-face (F2F) interviews of residents of Brent, aged 16 and over. ***Breakdown of Consultation Participants by Age*** ***a) Residents – Face-to-face interviews*** • Figure 1.1 shows how the F2F quota sampling met the target met the number of interviews required by age. ***b) Questionnaire Survey*** Table 1 compares the respondents' age groups with their respective borough averages. Overall the consultation was successful in reaching the tenant age group, landlords and older residents these being people most impacted by selective licensing. • The figures for residents who are between 18-24 (14%) are perhaps not surprising as landlords are likely to be older and people of this age group are less likely to be householders and so will have less interest in licensing. • The borough average of residents who are between 25-34 is 23 %. This age group is the second most likely to be renting in the private sector according to the 2011 census figures. • The borough average of residents who are between 35-44 is 19%. From all the residents who took part in the consultation 20% were in this age group. From all the landlords who took part in the consultation 19% were in this age group. This age group is the most likely to be renting in the private sector. • The borough average of residents who are between 45-54 is 16%. From all the residents who took part in the consultation 19% were in this age group. From all the landlords who took part in the consultation 29% were in this age group. The consultation exercise received a higher than average response from residents in this age range and a significantly higher response rate from landlords from this age group. • The borough average of residents who are between 55-64 is 13%. From all the residents who took part in the consultation 2% were in this age group. From all the landlords who took part in the consultation, 24% were in this age group. • The borough average of residents aged over 65+ is 15%. From all the residents who took part in the consultation 25% were in this age group. From all the landlords who took part in the consultation, 19% were in this age group.

What is the proposal's impact on the equalities aims? The proposal will potentially benefit all age groups. Figures 1-3 and Table 1 show the private rented sector age by household member and responses age profile respectively. We expect the 25 – 44 age groups to directly benefit from better housing management standards. All properties that are granted a licence are expected to comply with the Housing Health and Safety Rating System standards (HHSRS) and the licensing conditions. This system includes reducing trips, slips and fall hazards which will be particularly relevant for older people who are more likely to suffer a serious injury from a fall. The HHSRS "most vulnerable group" considers the age demographic. According to Figure 3 high percentages of people living within the PRS are between 25 and 49 years of age making the PRS an important market for younger and more mobile people.'	**What actions can be taken to remove or reduce the potential negative impacts that have been identified?** If Licensing is renewed extended Brent Council will: • Set up a residents focus groups • Licence fee will be set at a reasonable level to minimise the likelihood that the charges be passed onto tenants through increased rent • Continue training sessions for landlords on tenancy issues **What actions can be taken to enhance the potential positive impacts that have been identified?** • PHS will develop a PRS tenant's newsletter on our website • Promote the presence of the PHS webpage for landlords and tenants of private rented properties with information and updates • Promote our quarterly electronic landlord's newsletter to all landlords • Develop a tenant's charter which will include information on both rights and responsibilities for tenants • Signpost and give advice to landlords and tenants on the Well Being and other services which are available in the borough for vulnerable residents. **Explanation how any remaining negative impacts can be justified?** N/A
Comments received from consultation relating to Age 'Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area". (Free text comment from questionnaire) ---------- --------- "There are rogue landlords who will rent their property to 18-20 people and make a lot of money and they may be contacted by the council every 6 years, but the fine is nothing compared to the money they've made. This scheme will not catch rogue landlords". *Brent Civic Centre focus group* Exemptions from licensing for student properties that are accredited and inspected under the approved Unipol National Codes (e.g. like in Bristol)	***Council's response*** The council provides many projects for young people. The council will consider how best to publicise any available or newly created projects and initiatives to ensure that they are accessible to all. ---------- We recognise that some young people prefer to rent. However, a proportion of migrant other professionals and students live away from home are more likely to be occupying shared houses rather than single family households. Properties with less than 3 tenants will come under the scheme if licensing is introduced. Proportionate enforcement will be used to tackle overcrowded and sub-let properties. Certain student accommodation is already excluded from licensing, but HMO premises which are not run or managed by educational establishments will be inspected.

Characteristic: Disability

How Disability was considered as part of the consultation process

The proportion of Brent residents who felt that they had good health increased from 70.2% in 2001 to 82.9% in 2011. Also from the Census 2011, 1 in 7 (14.5%) Brent residents considered that their health had a limiting impact on their day to day activities. This is comparable to the rate for London (14.2%) and 3.4% lower than the rate for England and Wales. In February 2014, 0.8% (1,650 people) Brent residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was only slightly lower than the rate for London, 0.9%. It is recognised and acknowledged that some perpetrators of anti-social behaviour have mental health problems. There is a link between mental health problems and drug/alcohol misuse for both perpetrators and complainants. Community safety departments in London boroughs are reporting that a significant proportion of ASB cases they are dealing with will have a mental health dimension. That is to say that either or both the complainant and alleged perpetrator have mental health support needs. (London Council's ASB and Mental Health Needs Jan 2014)

Breakdown of Consultation Participants by Disability

Table 2 is an analysis of the open questionnaire consultation results and indicates that 85% of Brent's residents and 90% of landlords did not have a long standing illness or disability. As a further comparison, the disability profile of consultation respondents (15%) is broadly reflective of the Borough average (14.5%). A below average response was received from all landlords who took part in the consultation, with 10% disclosing they had a disability or a long-term health condition. There is no disability borough average for landlords but it is noted that 19% of the landlords who took part in the consultation are in the 65+ age group.
Direct publicity methods were used in addition to the online questionnaire and web based consultation to ensure disabled housebound residents and landlords can have their say. The Brent Connect communications were for all wards and would reach residents in the Harlesden, Stonebridge, Dollis Hill, Welsh Harp, Fryent, Kensal Green, Barnhill etc.; wards which we know have the highest percentages of PRS households with disabilities or long-term health conditions.

What is the proposal's impact on the equalities aims?	**What actions can be taken to remove or reduce the potential negative impacts that have been identified?**
Sources indicate that people suffering from a disability or mental health are more likely to be perpetrators or victims of ASB and live in poor housing conditions. People with disabilities may feel vulnerable to retaliatory practices which will mean that they may be less likely to complain to the Council. Figure 2 shows the wards where a long term health problem or disability is highest. Table 2 in the disability section shows from all the residents who took part in the consultation 15% of residents and 10% of landlords had a long term health problem or disability. The Council will be able to more accurately identify properties where	If Licensing is extended Brent Council will: • Assist tenants with legal advice and signpost them to relevant support services available to them • Provide information and advice on adaptations and grants available to fund these • Provide communication with and support provided to tenants with Learning Disabilities, Mental Health needs, BSL users? • Analyse the disability response by tenant age **What actions can be taken to enhance the potential positive impacts that have been identified?**

landlords would qualify for grants to benefit older residents with disabilities. As part of the licensing proposal it is intended to promote energy efficiency, for example, by requiring up to date EPCs and raising awareness of energy efficiency and how to reduce fuel poverty. We expect our older residents to benefit from this since national statistics show they are more likely to suffer from fuel poverty.	If Licensing is extended Brent Council will: • Give advice to landlords and tenants on the services that are available across the borough for vulnerable residents. This will particularly benefit people with learning disabilities or dealing with substance/alcohol misuse or needing physical adaptations **Explanation how any remaining negative impacts can be justified?** *N/A*
Comments from consultation relating to disability "A joined-up approach is required but there is little information on how, for example, services like adult social care will be impacted (given that many tenants will have issues with addiction or mental health), nor does the proposal consider possible link with homelessness". "The council needs a strategy to deal with tenants who are persistent offenders, especially where the problems arise from complex needs (e.g. drug and alcohol addiction) that landlords are not qualified to address". (NLA written submission)	***Council's response*** • The licensing conditions proposal sets out some actions which landlords must take to address ASB. We accept that where tenants have mental health issues that we must take this into consideration and additional support may be needed. • If Licensing is introduced, the scheme and this EA will be reviewed at least annually • We will continue to promote our information to landlords and tenants about disabled adaptations These support mechanisms will need to be funded by other means and we will be looking at our relationship with internal teams e.g. Housing Needs, Adult Social Care and with our Legal Partners as well as voluntary agencies such as Brent CAB and Shelter UK

Characteristic: Race
How was race considered as part of the consultation process Brent was the first local authority in the UK to have a majority black, Asian and minority ethnic (BAME) population. In the 2011 Census, 63.7% of the population were BAME. By contrast, 14% of people in England and Wales and 40% of people in London were BAME. The largest ethnic groups in Brent were Asian: Indian or British Indian people (18.6% of Brent's population compared to 8.8% of the Outer London population) and White: English/ Welsh/ Scottish/ Northern Irish/ British people (18.0%). Brent had a higher proportion of the following ethnic groups than London and nationally: Black African people (7.8%), Black Caribbean people (7.6%), White Irish people (4%), Arab people (3.7%), White Polish people (2.9%) and White: Other Eastern European people (2.1%). 0.1% of Brent's population were White: Gypsy or Irish Traveller which was on par with London and national figures. A more recent look at the 2019 profiles is shown in Table 8 above – Population by ethnicity. Brent has a large Asian population: one third (35%) of residents are from Asian groups compared with 20% across London. One in six residents have Indian ethnicity – more than double the London average (17% vs. 7%) – and the fourth highest in London, and 18% are black. Other groups particularly well represented in Brent (compared with other areas in London) include the White Irish, Arab and Other Asian groups. In contrast, 38% are white, and just 16% of residents are White British. Under **Age profile by ethnicity, Brent and London 2019;**

- 41% of people under 18 are black
- 46% of people are of mixed ethnic groups

Figure 3 shows how ethnicity groups are represented in the private rented sector in Brent. The multi-channelled communications strategy was designed to reach all groups, including ethnic minority groups and residents with English as a second language.

Results of the consultation relating to race

Table 6 shows the results of the consultation and compares the results with the borough averages for the race characteristic. The table shows that Asian residents (18%), Black residents (8%) and Black landlords (3%) responded to the consultation at a level that was well below the borough average for residents of 35% and 16% respectively. 66% of residents responding and 55% of landlords responding.

What is the proposal's impact on the equalities aims?

Licensing has the potential to drive up standards which will benefit new / emerging communities and minority ethnic groups as they are over-presented in the PRS, and notably young people under 18s, large families and families with children under 5s. These groups are also likely to be vulnerable, on low income and may be attracted to properties which are in a poorer condition.

According to the 2016 Country of Birth profiles, Brent has, 44% born in the UK, 18% Europe, 23% Asia, 10% Africa and 4% in North/South & Central America.

Brent has a growing EU population comprising; Old EU 7.2% Accession Countries 5.9% Bulgaria and Romania 3.1% Other Europe 2.1%. "White other" Residents from EU accession countries are the most likely group to rent privately and so will benefit from improvements in this sector**.**

149 languages are spoken in Brent. In 1 in 5 households nobody speaks English as their main language. Licensing will help landlords in understanding their responsibilities and assist tenants in understanding their rights.

Considering the link between low pay and ethnicity in London, BAME groups, notably Black Africans (41%) and Black Pakistani or Bangladeshi (43%) are paid less than the Living Wage within ethnic groups. (Brent 2106 diversity profiles). The consultation responses suggest that landlords may seek to pass on the costs of licensing to their tenants in the form of rent increases. Where this occurs it may present an economic burden to ethnic tenants who are more likely to be on low pay.

What actions can be taken to remove or reduce the potential negative impacts that have been identified?

- The Landlord Focus Group to look at issues and support for vulnerable and other tenants. Particular efforts will be made to include BAME landlords.
- Review the enforcement policy to ensure that licensing enforcement is fair and proportionate.
- We will review and improve our landlord training provision
- Develop strategies to tackle Modern Day Slavery
- Analyse the impact of enforcement on landlords

What actions can be taken to enhance the potential positive impacts that have been identified?

Undertake compliance checks within the licence period. This would be helpful for people where English is not their main language to ensure that their tenancy management is adequate.

Please explain how any remaining negative impacts can be justified?

Licensing is likely to see an increase in enforcement action against BAME landlords. Landlord training and accreditation will continue to be made available to landlords. Enforcement will be in line with our private housing enforcement policy, where possible using civil penalties as an alternative prosecution.

Comments from consultation relating to race	*Council's response*
There were no specific comments made in relation to race or ethnicity. "Anecdotally, there are concerns that HMO rules are being circumvented because the occupants claim to be all be members of one household when they are clearly not"	Our experience is that this situation arises when inspecting or dealing with licence applications in relation to ethnic tenants/landlords. Officers take particular case in establishing the relationship before deciding on action. Ultimately it may be for either party to prove their submission.

Characteristic: Socio-economic status

How was Socio-economic status considered as part of the consultation process (Source: Brent Responsible Growth Strategy (RGS): Economy (2018-2038)

Brent is one of the most diverse local authorities in the UK, with 329,000 people living in the borough. 45% of Brent residents were born outside of the UK and over 149 languages are spoken. Around 65% of residents are from Black, Asian and Minority Ethnic (BAME) backgrounds and Brent is home to 55,000 EU citizens. Brent has a lower level of economic activity and higher share of unemployment compared to the rest of London. These factors are especially prevalent among women, who are much more likely than men to drop out of the labour market, and instead stay at home to take care of the house and family.

In 2016,

- Approximately 222,000 people were aged between 16 and 64 years old, and 37,800 residents were over 65 years old; comparing these indicators for both the working age and elder population, Brent had the 9th largest such population amongst the London boroughs.
- Brent has the second largest working age non-UK population in London at 148,000 people, and the third largest EU working age population in London at 44,000.
- Approximately 74.3% of Brent's working age population were economically active, a lower percentage than Outer London, London and the UK.
- Unemployment rates among youth population in Brent were below London and Outer London averages, as was the proportion of 16-18-year-olds currently not in education, employment, or training (NEET).

In 2017,

- Approximately 92% of the working age population held some form of qualification, however, a lower proportion of Brent's population (33.8%) held a degree or a higher qualification than the proportion across London
- Elementary occupations are overrepresented in Brent accounting for over 14% of the working population, compared with only 10.5% of the UK working population and just under 9% of the London working population
- Median gross weekly earnings for full-time employees in Brent was £564, up 3.6% from 2016. This is still well below the average for Outer London (£631) and London (£654).

The consultation was designed to reach the widest target groups and to enable people on low incomes and those socially marginalised to be able to take part in the consultation. The consultation targeted businesses and business groups. The Brent 2016 survey asked question in relation to the socio-economic status. The response there were felt to be valid for 2019. Data from income, employment, education, health, crime, barriers to housing and living environment are all used to measure levels of deprivation.

Results of the 2016 consultation relating to Socio-economic status

The consultation asked certain questions relating to the Socio-economic status of the local area. The responses drawn were:

71.9% of residents and tenants tend to agree or strongly agree that licensing the PRS will help to preserve and improve the social and economic status of the local area
59.39% of landlords and managing agents responding to the consultation agree that tenants building up high levels of rent arrears is a problem
58.54% of landlords and managing agents responding to the consultation agree that the number of tenants claiming benefits is a problem

What is the proposal's impact on the equalities aims?	**What actions can be taken to remove or reduce the potential negative impacts that have been identified?**
The setting of fees, licensing conditions and enforcement will have an economic impact on landlords In addition to having to pay for their property licences, landlords my need to carry out repairs to their rented properties as well as to take steps to improve their management skills. Tenants on low incomes and socio-economic status will especially benefit from improved property conditions thus affording a similar good standard of renting as people of better socio-economic status. Selective licensing should bring about more stable tenancies by being able to support tenants and landlords experiencing rent and debt problems and to reduce claims for possession, homelessness and mental distress.	The licence fee structure to be set to reduce the need for costs to be passed on to tenants Provide information within the PHS landlords newsletter on dealing with tenant rent arrears Signpost affected tenants to local organisations that can support them **What actions can be taken to enhance the potential positive impacts that have been identified?** Set up links with tenants and landlord advice representatives to identify and address their needs, particularly in relation to debt, rent arrears and homelessness **Please explain how any remaining negative impacts can be justified?** N/A
Comments from consultation relating to Socio-economic status	***Council's response***
• Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements. Proposals affect profitability for landlords i.e. not making enough money/won't make it worthwhile/forcing landlords to sell etc., • Proposals will affect people on lower income i.e. increase people on benefits/increase homelessness • Proposed licensing fee is too high/should be lower/should be free • Some felt deprivation was a consequence of cuts to council services in recent years and therefore unlikely to be impacted by licensing • High levels of renting and people moving into area (e.g. Wembley) were said to have caused infrastructure issues that the Council would need to address	We note the comments about the impact of the fees and expenses on the landlords and the "knock on" effect on tenants especially those on low income or who are otherwise vulnerable. Judging from our experience with the existing licensing schemes in Brent and in other boroughs we believe it is very unlikely that licensing costs will be passed on the tenants. The licensing fee will be set at a level designed to cover the functions related to licensing in order to minimise the burden on landlords. Though some lenders may be reluctant to lend in licensable areas, there are several products available on the market for investor landlords. The Council will respond positively to mortgage lenders to support landlords

• There are wider issues of a local 'mafia' in Brent who use property developments to launder money • There needs to be adequate support for the homeless, victims of domestic violence and those who suffer poor mental health • Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area • Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already • Lenders see licensing as a risk to their investment because of the ASB stigma attached to licensed areas and this is seen as a risk to the property value and leads to mortgages being rejected • The scheme will lead to further displacement of problem tenants in Brent/London • The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving rehousing, tenants with mental health issues and social exclusion • If the scheme works well it means that there will be better managed property which would be a benefit for the community but only if the money that is generated from this scheme actually goes towards the enforcement activity. If the money goes to other council expenses, then it won't be useful.	If licensing is extended in Brent the council will be committed to reviewing the licensing scheme and fees at least once annually. The reviews will consider the equalities impact. The consultation exercise included 100 face-to-face interviews of resident who live in the 7 boroughs surrounding Brent. There were no concerns of displacement raised. The Council will encourage longer term tenancies We will respond to tenant complaints and signpost tenants for financial advice Our Landlord forum will include topics aimed to address the socio-economy e.g. taxation, fair renting, dealing with vulnerable tenants

EA Sign off

Role/Position	Name/signature	Date
EA author – PHS Licensing Manager	Tony Jemmott	September 2019
Head of Private Housing Service	Spencer Randolph	
Strategic Director of Community and Wellbeing	Phil Porter	

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Brent	**Cabinet** 14 October 2019
	Report from Strategic Director, Community Well Being

Continued Use of Retained Right to Buy Receipts

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	John Magness, Head of Housing Supply and Partnerships 020 8937 1774 John.Magness@brent.gov.uk Paul Schafer, Commercial Manager 020 8937 3553 Paul.Schafer@brent.gov.uk Emily-Rae Maxwell, External Partnerships Manager 020 8937 1131 Emily-Rae.Maxwell@brent.gov.uk

1.0 Purpose of the Report

1.1 The council has an ambitious strategic housing target to deliver 1,000 new affordable homes every year, over the next five years. This target was set to meet growing demand in the borough for affordable housing. Alongside growing demand, the number of council homes has reduced through tenants evoking the Right to Buy (RTB). The council is then required to use receipts from the sale of council homes under the RTB to provide replacement affordable home.

1.2 To ensure current and future housing demand is met, the council has committed to utilising all potential delivery routes including building 1,000 new council homes for Brent residents.

1.3 In 2015, Cabinet decided how RTB receipts were to be distributed in order to deliver affordable housing for Brent residents. This report recommends the Council continues to retain RTB receipts in line with the Brent Retention Agreement (2012) with the Secretary of State and the following strategy;

- To award local authority grant to external providers to provide new affordable housing, leveraging significant investment;

- To invest RTB receipts in the direct delivery of council-owned to provide new affordable housing, reducing overall council borrowing

- To continue the existing acquisition programme to provide new affordable housing, integrated with the Councils wider market acquisitions programme;

- To support investments in the Housing Zones to acquire development in order to facilitate and accelerate development and the provision of affordable housing; with a view to align use of retained RTB receipts with the council strategic housing target to deliver.

1.4 To date, this strategy has been successful in enabling the council to secure 173 additional affordable homes within the borough and 10 schemes for the new accommodation for independent living programme. To continue the success of utilising retained RTB receipts, this report seeks to update the delegated authorities permitted under this strategy.

2.0 Recommendations

2.1 That Cabinet agree the following recommendations;

2.1.1 The continuing retention of Right to Buy receipts (subject to government legislation), as part of the Brent Retention Agreement (2012) with the Secretary of State for Ministry of Housing Communities and Local Government until 31 March 2024.

2.1.2 To continue to acquire existing properties until 31 March 2024 subject to financial viability including the flexibility to part-fund the cost of advance purchases within the South Kilburn regeneration area through retained Right to Buy receipts.

2.1.3 To continue to grant retained Right to Buy receipts to external partners for the provision of affordable homes for rent in line with the agreed procedure and delegate authority to the Strategic Director for Community Wellbeing in consultation with the Director of Finance and Operational Director for Housing to approve the criteria for grant funding, to approve criteria for evaluation of bids and to approve the allocation of such grants on acceptable terms.

2.1.4 To continue to contribute retained RTB receipts to support residential development of council-owned sites and for a commensurate proportion of the

homes to be provided as affordable rented accommodation, subject to financial viability and to delegate authority to the Strategic Director for Community Wellbeing in consultation with the Director of Legal, HR, Audit and Investigations, the Director of Finance and the Operational Director, Housing to approve the contribution of such receipts.

3.0 Background

3.1 Overview of Right to Buy

3.1.1 The RTB scheme was introduced in 1980 giving tenants living in social housing the opportunity to buy their rented home at a discount. In 2011, Central Government announced a significant drop in the number of RTB applications received as a result of the 1998 and 2003 Discount Orders which reduced the discount caps. Currently the maximum RTB discount is £108,000 in London and £80,900 outside of London.

3.1.2 The 2011 'Laying the Foundations: A Housing strategy for England' included a commitment to reinvigorating RTB through a proposal to increase the discount caps and invest RTB receipts into replacing homes sold with a new home for Affordable Rent. The method for replacing these new homes was for Local Authorities to retain receipts to spend in their local area.

3.1.3 This initiative required councils to enter into an agreement with the Ministry for Housing Communities and Local Government (MHCLG) under powers provided by section 11(6) of the Local Government Act 2003 (as inserted by section 174 of the Localism Act 2011).

3.1.4 Brent Council sought approval from Cabinet in July 2012 to enter into an agreement with the Secretary of State. This agreement required the Secretary of State to;

- Allow the Council to retain additional RTB receipts to fund the provision of replacement homes and

- Allow the Council three years (from commencement of the agreement) to invest receipts before unspent receipts are required to be returned

3.1.5 In return, the Council agreed;

- That RTB receipts would not exceed more than 30% of the total costs for any replacement homes built

- To return any unspent receipts to the Secretary of State together with interest of 4% above base rate

3.2 Delivering the councils strategy

3.2.1 Under the established strategy, the council has successfully secured 173 affordable homes and 10 schemes for the new accommodation for independent

living programme. Of these new homes, 43 were acquisitions from the open market, 66 were a result of grant funding a Registered Provider and the remainder form part of the new council homes programme.

3.2.2 As of March 2019, the cumulative spend on RTB expenditure was £65.5 million.

4.0 Using retained Right to Buy receipts

4.1 Alongside the Homes for Londoners Programme, the Mayor of London introduced an offer for London Councils to freeze retained receipts, removing the risk of having to return them back to Central Government if unspent within the three-year deadline. The Council opted into the RTB ring-fence offer in January 2019. The receipts are frozen until such time as the Council has an opportunity to spend them. A condition of opting into the scheme is that the Council must provide a programme of how it intends to spend the receipts.

4.2 Although there is now an agreement with GLA to ring-fence RTB receipts, the target spend for receipts retained prior to the GLA agreement still remains and will need to be met through a combination of new build, acquisitions and grant funding RP's. The spend target by the end of Dec 2021 is £51.2m (Gross expenditure).

4.3 Table 4.3: The annual targets are detailed below with the options to either invest in additional properties or grant fund RP's:

Options	2019/20 £m	2020/21 £m	2021/22 (Q3) £m	Total £m
1. RTB Target Gross Spend	20,877,007	26,049,712	4,265,756	51,192,475
2. Available Grant (30% of Gross Spend)	6,263,102	7,814,914	1,279,727	15,357,742

4.4 The Council, has already committed to an ambitious programme to deliver 1,000 new Council homes. This programme includes grant funding from the Greater London Authority. It is worth noting that both GLA grant and RTB receipts cannot be applied to fund the same property. Therefore, the RTB receipts will be used as a parallel funding stream developing housing in addition to that receiving grant from the GLA.

4.5 There is an existing strategy in place to develop a framework for granting receipts to external partners, with the aim to maximise the number of affordable homes being built. The Council commissioned Trowers and Hamlins to undertake the development of this framework. This included a procedure for external partners to apply for retained RTB receipts and evaluation criteria.

4.6 Using this criteria, the council will assess the eligibility of any Provider and the proposed scheme to ensure any new affordable homes are reflective of known

housing demand. Finance, will assess the value for money and financial viability outlined in the application. Additionally, each Provider is required to set out how they will meet all health and safety requirements, building applications and ensure a successfully obtain planning permission in order to access agreed receipts. Providers are also required to ensure wider council commitments are met including implementation of London Living Wage for all employees directly linked to the scheme.

4.7 All Registered Providers (RP's) were consulted in the development of this criteria to ensure it created an accessible opportunity for both large and small providers.

4.8 Since being implemented, a number of RPs have responded positively and their proposals support the Council's programme to increase the supply of new affordable homes in the borough.

4.9 The renewal of the delegated authorities, as set out in section 2 above, will enable the Council to make the necessary award as a RTB receipt grant.

5.0 Financial Implications

5.1 Under the previous RTB scheme, stringent conditions meant that there was an added pressure to spend retained RTB receipts within 3 years on a one for one replacement or to pay over the receipts with interest over to MHCLG if targets are not met. This target was not achievable in the long term due to borrowing restrictions in the HRA which has recently been abolished.

5.2 Brent has RTB spend targets totalling £51.2m by end of December 2021 as outlined in table 4.3 above. RTB spend targets remain due to retaining RTB receipts prior to the GLA RTB ring-fence offer was introduced.

5.3 Risk of not achieving spend targets means repaying the retained receipts with compounded interest at 4% above base rate starting from the time the receipt was received. The potential penalty could be significant. For example, if £6.64m of RTB receipts received in 2016-17 was not to be used in 2019-20 to increase housing supply, the interest charge would be £0.85m.

5.3 The GLA introduced the RTB ring-fence offer in January 2019 which Brent has opted into. It will allow RTB receipts received starting from Q4 of 2018-19 to be transferred over to GLA to hold in perpetuity and drawn down when required by Brent for affordable housing schemes while also accumulating interest on the balance, therefore the risk of not spending within a three-year target set by MHCLG and incurring interest charges as a penalty will be mitigated for future RTB receipts.

6.0 Legal Implications

6.1 Section 17 of the Housing Act 1985 allows councils to acquire land for housing purposes and to dispose of land used for housing purposes to a person or

organisation which intends to provide housing accommodation on the land or provide facilities which serve a beneficial purpose in connection with the requirements of persons for whom housing accommodation is provided. The general power of competence under section 1 of the Localism Act 2011 gives local authorities a broad range of powers "to do anything that individuals generally may do" subject to limits within other legislation and there are no adverse limits on the proposed scheme under the current legislation.

6.2 The council has powers under section 24(1) of the Local Government Act 1988 to provide any person with financial assistance for the purposes of, or in connection with, the acquisition, construction, conversion, rehabilitation, improvement, maintenance or management (whether by that person or by another) of any property which is or is intended to be privately let as housing accommodation. Although this power is subject to consent from the Secretary of State for the purposes of section 25 of the Local Government Act 1988, in 2010 the Secretary issued a general consent under section 25 and that general consent allows, amongst other things, a local authority to provide any person with any financial assistance (other than the disposal of an interest in land or property) for the purposes of or in connection with the matters mentioned in section 24(1) of the 1988 Act.

6.3 RTB receipts must be applied in accordance with relevant legislation and guidance and particularly the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) and the terms of any agreement reached under section 11(6) of the Local Government Act 2003 modifying the applicability of the regulations. As part of the retention agreement, the GLA has agreed to:

(i) allow the local authority to retain additional net RTB receipts to fund the provision of replacement stock, limited to 30% of the cost of replacement homes.
(ii) allow the local authority three years (from the commencement of the agreement) to invest those receipts before asking for the money to be returned. In return, the council has agreed with the GLA:
(iii) that RTB receipts will not make up more than 30% of total spend on replacement stock, and
(iv) to return any used receipts to the Secretary of State with interest.

6.4 The retention agreement with the GLA does not require a local authority to complete the building of any home within three years. All that is required is that the local authority should have incurred expenditure sufficient that RTB receipts form no more than 30% of it.

6.5 *Award of Local Authority Grant to External Housing Providers*

6.5.1 The general power of competence in Section 1 of the Localism Act 2011 may be utilised to give grants to external housing providers, provided there is a good reason to do so. DCLG guidance specifically comments on the option to grant fund housing providers.

6.5.2 The council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is a capital programme which proposes to make use of the council resources in order to fund external housing providers in the delivery of affordable homes rather than be required to pay interest to the government on unspent receipts. It places the responsibility for 70% of the costs of building replacement one for one homes on external housing providers, thereby protecting the borrowing margin of the council and making possible the delivery of larger programmes.

6.5.3 The council is obligated under the Treaty For the Functioning Of The European Union to deal with all bidders for funding in a fair open and transparent way. Therefore, the council must allow fair access to the funding by all potential recipients. This means that the council should advertise the availability of the funds and assess bidders and their bids on predetermined and pre-advertised criteria applicable to all in the same way.

6.5.4 It is intended for the Council to enter into a grant agreement with each successful external housing provider. This grant agreement will include provision for delivery of the project in line with the application and approval, including time scales having regard to the implications of failure to comply as set by central government. Robust monitoring requirements need to be in place, and contingency plans developed. Provision will be included for clawback of grant if the project is not delivered in accordance with the application and approval.

6.5.5 In order to ensure that the grant does not qualify as procurement activity the council must ensure that the grant does not constitute a public works contract. For a public works contract to exist, the council needs to exercise a decisive influence over the design, for there to be enforceable obligations to carry out the work and for some form of economic benefit. With regard to the design, it is the grant recipient that is generating the specification for the proposed arrangement rather than the council. If there is a failure to deliver the project, then the only consequence is that the grant recipient has to return funding to the council. Also, there is no economic benefit taken in the grant by the external housing provider beyond the general receipt of the funds, as the council is agreeing to cover only actual cost rather than to fund any profit element.

6.5.6 It is clear that each external housing provider who receives a grant may gain an advantage in the market place generally for example, in respect of bidding for funding and work opportunities that could subsequently arise and this raises state aid issues. However, in the circumstances detailed in the body of the report it is not considered such a grant would constitute unlawful state aid.

6.5.7 It is clear that the funds are available in order to create affordable housing in Brent and the proposed grant documentation refers to definitions of affordable (and social) housing as set out in Sections 68 – 71 of the Housing and Regeneration Act 2008. Affordable housing is regarded as one of the Services

of General Economic Interest which is one of the State Aid exemptions. In the circumstances, it is not considered that the proposed arrangements breach State Aid laws.

7.0 Equality Implications

N/A

8.0 Consultation with Ward Members and Stakeholders

8.1 All Registered Providers have been consulted on the development of the grant funding procedure for RTB receipts.

Related Documents

Cabinet report – Affordable Housing Supply Programme – Right to Buy 2015 – 2019

Cabinet report – Housing Right to Buy Receipts Programme – Phase 1 update and Phase 2 Procurement

Report sign off:
Phil Porter
Strategic Director for Community Wellbeing

Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director of Customer and Digital Services

Digital Strategy and Business Case 2019-23

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Appendix 1 and 2 to the Outline Business Case are exempt from publication as they contain the following category of information exempt under Part 1, Schedule 12A of the 1972 Local Government Act: paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).
No. of Appendices:	Four Appendices: Appendix 1 Draft Digital Strategy 2019-23 Appendix 2 Draft Outline Business Case (OBC): Appendix 1 & 2 exempt from publication) Appendix 3 Draft Cyber Security Strategy 2019-23 Appendix 4 Digital Strategy Equality Assessment
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Sadie East Head of Transformation 0208 937 1507 Sadie.East@brent.gov.uk

1.0 Purpose of the Report

1.1 The purpose of this report is to present Cabinet with the draft Digital Strategy and draft Cyber Security Strategy 2019-23 for agreement. The draft strategy builds on the 2017-20 strategy which was agreed in June 2017 and is aligned to the 2019-23 Borough Plan. The report also presents an Outline Business Case (OBC) for capital investment to deliver the strategy for Cabinet agreement. In addition, the report seeks Cabinet approval to procure a digital development partner.

2.0 Recommendation(s)

2.1 Cabinet agrees the Digital Strategy 2019-23 as set out in Schedule 1.

2.2 Cabinet agrees the Outline Business Case as set out in Schedule 2 with the funding identified to deliver the programme.

2.3 Cabinet agrees the Cyber Security Strategy 2019-23 as set out in Schedule 3.

2.4 Cabinet approves the procurement a contract for a digital development partner to be based on pretender considerations and evaluation criteria presented to Cabinet.

2.5 Cabinet delegates to the Strategic Director of Customer and Digital Services, in consultation with the Deputy Leader, authority to award a contract for a digital development partner.

3.0 Detail

Background

3.1 In June 2017, Cabinet agreed an investment of £5.6m for a programme of work to deliver Brent's Digital Strategy 2017-20. Since then, the programme has worked to ensure local residents, partners and businesses are able to thrive in the digital future, and play active roles in shaping Brent into a digital borough where technology is used to improve the lives and life chances of everyone.

3.2 The original business case for the 2017-20 programme forecast cumulative saving of £3.7m net of costs after year 5 (2021/22) with payback within three years and an estimated recurring saving of £2.6m after 21/22 (based on both new and enabling savings). The current cumulative savings forecast for the 2017-20 programme is £4m (net of costs) is with an annual recurring saving of £3.2m.

3.3 Key benefits of the programme to date include:

- Implementation of improved digital systems for Brent Customer Services has supported delivery of £1m savings.
- Implementation of Dynamics case management system has supported Housing Management Transformation and delivery of £1m savings.
- Robotic Process Automation (RPA) pilot in Brent Customer Services demonstrated a £32,800 annual saving in overtime costs for implementing housing benefit rent changes. Five other housing benefit processes have also now been successfully automated and analysis shows significant potential savings through further automation of processes.
- Website improvements have resulted in increased session duration, decreased bounce rate and a 95% reduction in broken links.
- Over 30 Brent residents have been newly recruited to support Hyperoptic's fibre broadband roll out.
- The digital skills programme has provided improved digital skills for over 300 residents and 450 Brent young people have benefited from TechMix pilot which increased their digital skills, confidence and employability.
- Full fibre to the premises broadband coverage is now nearly 20% from a June 17 baseline of 3.7% (based on OFCOM data).
- Over 3,500 homes and a number of community spaces now have access to a gigabit capable broadband connection.

- £12K in income has been generated by use of Brent drone through aerial photography, weddings etc.
- A successful prototype has provided professionals with access to data held in different places to give them a more holistic view of the lives of vulnerable young people and work is underway to implement a permanent dashboard. This has potential to reduce costs through earlier intervention.
- Development and launch of the Brent for Business portal has received positive feedback from businesses and is freeing up staff time previously spent dealing with simple queries.
- New platforms have been developed for key corporate initiatives including Borough of Culture, i4B and the Syrian refugee programme. Separate development of these bespoke systems would have resulted in increased cost to the council.
- A successful and effective digital transformation team has been established and work is underway to build an in-house centre of excellence in technologies such as Dynamics, RPA and Artificial Intelligence (AI). This has included the recruitment of three digital apprentices, with more posts planned, training for in house support teams and secondment opportunities enabling staff to gain new skills. In addition, there are income generation possibilities from providing these skills to other councils.

The draft Digital Strategy 2019-23 and Outline Business Case

3.4 During the past three years, the pace of technological change has continued to accelerate, presenting countless more challenges and opportunities. In response to this, the digital strategy has been refreshed and extended to cover the period 2019-23, to align with the Borough Plan. The draft Digital Strategy 2019-23 is included at Schedule 1.

3.5 The draft strategy sets out how digital transformation can support the delivery of the five borough plan themes: every opportunity to succeed; a future fit for everyone, an economy fit for all; a cleaner, more considerate Brent; a borough where we can all feel safe, secure, happy and healthy; and strong foundations. In particular, the strategy sets out how new technology can contribute to delivering outcomes of enabling residents to get online; making every pound count and meeting local needs, which are key elements of the strong foundations theme.

3.6 Delivery of this strategy requires ongoing investment in new technology and the capacity and capability to implement and support it, building on and leveraging the benefits from the strong foundations put in place by the 2017-20 digital programme to harness the opportunities provided by technology to deliver the vision set out in the 2019-23 Borough Plan. The OBC, attached at Schedule 2, sets out the potential costs and savings for the proposed programme alongside priority projects and technology investments.

3.7 Key benefits which will be delivered by the proposed programme include:

3.8 Benefits for residents:

- **Improved customer experience** in engaging with Council services, for example:

    - Residents will be able to access more services online, transactions will be easier and residents will be able to access services via smart phones and tablets
    - Residents will be able to pay for more services online
    - Residents will be able to track the progress of their cases and transactions
    - A more secure, single portal will enable residents to effectively transact with a wider range of council services in one place

- **Access to faster, more robust connectivity** with greater capacity to meet future demand, for example:
    - Full fibre roll outs will create fibre spines enabling residents to access faster, more robust and futureproof broadband
    - Roll out of 5G connectivity will enable wider use of Smart Home technology and provide a platform for innovation

- Technology will enable **an improved quality of life** for some residents, including:
    - Internet of Things devices will allow residents to live more independently for longer
    - Implementation of Smart city devices will enable better management of challenges including air quality and traffic congestion across the borough
    - Roll out of full fibre network will support the CCTV network in Park Royal and will address community safety concerns

- Access to support for improved **digital skills** enhancing employment and growth in the borough:
    - More children and young people will be able to access coding clubs through libraries
    - Over 1,700 places will be available for residents on Brent Start digital skills courses in the borough.

3.8 Benefits for the Council:

- **More efficient ways of working**, enabled by digital developments, including:
    - RPA will automate mundane processes, reduce rekeying and manual interventions
    - Investment in Electronic Document Management (EDM) and Dynamics Customer Relationship Management systems will reduce processing times (e.g. through enabling a single view of the customer)
    - Pilots such as AI machine learning and Power Apps will facilitate service redesign and enable more efficiency
    - New systems such as HR Talent will make it easier for managers and staff to self-serve underpinning improved performance management and recruitment processes

- Using information more effectively to benefit residents, **making every pound count**:

    - Improvement of performance information and data analysis (e.g. through Dynamics and Power Apps) to enable deeper understanding and support planning and service improvements
    - Data Lake implementation will support predictive analytics supporting early intervention reducing demand on frontline practitioners. Data can also facilitate quicker and better decision making based on live analytical information
    - Increased ability to analyse communication with customers through chatbots improving understanding of issues and challenges impacting on residents

- Generation of **financial benefits** for the Council through:
    - Income generation through commercial developments (e.g. sale of expertise and digital developments to other Councils, use of assets for 5G infrastructure)
    - Savings through rationalisation of systems, reducing licensing and support costs
    - Improving online payment functionality will improve income collection and reduce debt
    - Potential for financial savings to be realised as a result of efficiencies in processing and ways of working
    - New technology will enable delivery of key initiatives and related savings including the new Customer Access model; Family Hubs; increased use of Adult Social Care assistive technology and the alignment of contracts for environmental services in 2023.

3.9 Costs and savings set out in the OBC have been derived from internal consultation with service areas, external technology cost information from third parties and drawing on benchmarks and indicators of costs and savings from other London boroughs undertaking similar programmes.

3.10 Work on the programme to date has demonstrated that the appetite for digital transformation in the council is high. The programme has a pipeline of potential projects across a wide range of departments and service areas which have been built into the OBC. The OBC also recognises and reflects the need for capacity needed to drive and support this level of change.

3.11 The Digital Strategy and OBC are aligned with core strategic priorities including:
    - The implementation of the new Customer Access Model
    - The implementation and embedding of locality working, including increased partnership working
    - The roll out of Community and Family Hubs
    - Developing a single view of the child to support decision making in CYP
    - The requirement to provide more effective back office systems to drive more effective workforce management and development
    - The alignment of environmental contracts in 2023
    - The need to identify further savings for 2021-22 and 2022-23.

3.12 Implementation of the previous strategy focused on testing, piloting and putting in place the building blocks for a solid foundation to enable future

digital transformation. The programme of activities, outlined as part of the updated Digital Strategy, is focused on realising and building on this initial investment. The overall investment required is estimated at £12.5m over the programme period (assuming a programme that runs from April 2020 through to September 2023). Some investment may be drawn on in the latter part of 2019-20 to ensure momentum is maintained on current work. Based on work carried out on the OBC to date, total cumulative savings are forecast at £16.6m, after Year 5 with payback within 4 years and an estimated recurring annual saving of £4.1m after year 4 (based upon new, enabling and efficiency savings).

Programme delivery

3.13 The OBC sets out a proposed programme of work to implement the digital strategy and the investment required in order to deliver this. The programme is organised into a number of themes:

Building Blocks
Working collaboratively to create the best possible solutions and continue to grow our in-house capacity and capability to develop and deliver these solutions. Ensuring that we have an efficient and secure technical architecture to support our digital ambitions.

Access
Giving residents quick and easy access to the information they need by continuing to transform the way services can be accessed. Using innovative technology to support customers as they interact with us and providing assistance for residents with more complex needs.

Skills
Working to ensure the right information, services and conditions are in place for all stakeholders to confidently interact with the digital council and thrive in the digital place.

Digital Place
Improving the borough's digital infrastructure so it is a destination for investment and is well placed to meet the challenges of the emerging digital economy.

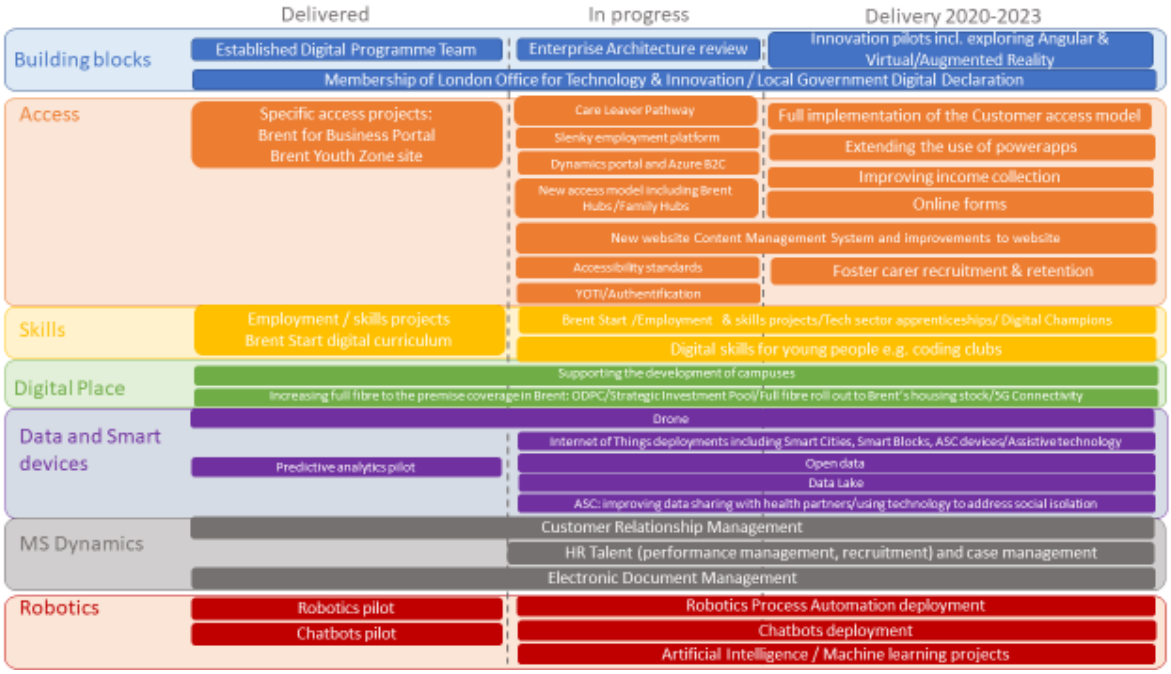
Data and Smart devices
Extending our data capture and analytics capability to create richer data, a single view of the customer and services and the ability to drive decision-making. Enabling early service intervention to reduce demand and long terms costs on the council and partners.

MS Dynamics
This theme includes bringing further services on to our MS Dynamics Customer Relationship Management System (CRM) and extending the use of our Electronic Document Management solution (EDM). Channels, applications and workflows will be integrated to enable seamless end-to-end transactions and maximise first touch capability. This means that we are able put the citizen at the centre of service delivery giving staff a single view of the customer, allowing them to access the information needed to resolve issues far more quickly. Crucially, we are using this technology to widen and improve our self-service offer. This will allow customers to interact with us at how and when it suits them

and to easily track progress. This also allows us to rationalise the number of individual applications the council has in place which will drive savings in licensing and support costs.

Robotics
Using robotics to increase staff capacity, enabling them to deal with meaningful and complex interactions making better use of the talent and skills within our workforce. This includes Robotic Process Automation to carry out routine tasks quickly and accurately so they are completed on time, eliminating risk of errors, improving quality resulting in increased customer satisfaction. Using chatbots to assist customers to not only provide a speedy response, but to allow customers to interact with the Council across a range of platforms, including social media. It also means understanding how Artificial Intelligence (AI) can be used get customers faster and more consistent decisions, allowing them to carry out complete transactions where and when they choose.

3.14 The table below sets out the work which the programme has delivered to date, work which is in progress during the final year of the current programme and planned work to be delivered with additional investment.



Governance

3.15 Delivery of the programme will be undertaken by the Customer and Digital Board which is chaired by the Strategic Director of Customer and Digital Services and made up of senior representatives from all council departments. The Board will report regularly to the Council Management Team and on to the Policy Coordination Group. In addition, the programme budget and financial benefits will be monitored by the Corporate Landlord Board which reports to the Capital Programme Board.

Appraisal

3.16 An assessment of costs and savings has been undertaken for this outline business case based upon the following:

- Cost of the programme and the proposed digital services resources – the programme is assumed to be temporary to end September 2023. Costs for programme support and technical resource to implement the programme are included in the OBC with a focus on building in house capability to support and further drive the digital agenda. The change resources have been kept to a minimum within the OBC with this support continuing to be provided by the Transformation Team in Customer and Digital Services. The transfer of the Web team and Business Intelligence teams to this service area will also strengthen resource for delivery.
- Cost of technology enablement such as licence and support, integration, technology implementation support and data analytics/data security tools.
- Savings and income – based upon the assumptions for headcount, third party savings, new revenue streams and cost avoidance/demand management.

3.17 Projects included in the programme fall into two categories:

- Projects that enable and contribute towards existing savings targets for 2019-21, and therefore help give greater confidence in securing savings by having a clearly defined and supported project
- Projects that potentially deliver new savings over the forecast period

3.18 The table below summarises the cost benefit analysis across the above areas over the programme period.

Digital programme cost benefit analysis						
Investment	**20/21**	**21/22**	**22/23**	**23/24**	**24/25**	**Total**
Access	£ 0.3	£ 0.2	£ 0.1	£ -	£ -	**£ 0.6**
Digital skills and place	£ 0.1	£ -	£ -	£ -	£ -	**£ 0.1**
Data and smart devices	£ 1.0	£ 0.8	£ 0.5	£ 0.1	£ -	**£ 2.4**
Dynamics	£ 1.1	£ 1.0	£ 1.0	£ 0.3	£ -	**£ 3.4**
Robotics	£ 0.6	£ 0.6	£ 0.1	£ 0.1	£ -	**£ 1.4**
Building blocks	£ 0.7	£ 0.7	£ 0.6	£ 0.2	£ -	**£ 2.2**
Licensing	£ 0.7	£ 0.7	£ 0.7	£ 0.3	£ -	**£ 2.4**
TOTAL COSTS	**£ 4.5**	**£ 4.0**	**£ 3.0**	**£ 1.0**	**£ -**	**£ 12.5**
Savings/Income	**20/21**	**21/22**	**22/23**	**23/24**	**24/25**	**Total**
Savings (Enabling) Implementation of Customer Access Model	£ 0.4	£ 0.4	£ 0.4	£ 0.4	£ 0.4	**£ 2.1**
Savings (New) Licensing, etc	£ 0.4	£ 0.6	£ 0.8	£ 0.8	£ 0.8	**£ 3.4**
Savings (New) CDS	£ -	£ 0.4	£ 0.9	£ 0.9	£ 0.9	**£ 3.1**
Savings (New) ACE	£ -	£ 0.1	£ 0.3	£ 0.3	£ 0.3	**£ 1.0**
Savings (New) Online forms	£ 0.3	£ 0.3	£ 0.3	£ 0.3	£ 0.3	**£ 1.5**
Savings (New) Robotics Process Automation	£ 0.1	£ 0.3	£ 0.4	£ 0.7	£ 0.7	**£ 2.2**
Savings (New) Income via increased debt recovery through RPA	£ 0.4	£ 0.4	£ 0.4	£ 0.4	£ 0.4	**£ 2.0**
Income (New) via commercial opportunities	£ 0.1	£ 0.3	£ 0.3	£ 0.3	£ 0.3	**£ 1.3**
TOTAL CUMULATIVE SAVINGS/INCOME	**£ 1.7**	**£ 2.8**	**£ 3.8**	**£ 4.1**	**£ 4.1**	**£ 16.6**
Annual Profile	**£ (2.7)**	**£ (1.2)**	**£ 0.8**	**£ 3.1**	**£ 4.1**	**£ 4.2**

3.19 In addition to the savings identified, a number of projects which are still in the pilot or development stage, or which will be piloted as part of the new programme, have the potential to deliver financial benefits. These include improved income collection, ASC assistive technology and use of data analytics to support management of demand.

3.20 Work with services will continue to be undertaken to identify how the programme can support the delivery of new savings targets. New projects will be added to the programme as they are defined with new savings feeding into the medium term financial planning process.

3.21 The OBC was considered by the Capital Investment Panel on 29 August 2019. Comments from the Panel have been incorporated into the OBC.

Cyber security strategy 2019-23

3.22 The world is seeing continued threats to cyber security by means of phishing, malware, ransomware and other devious malpractice. To support our digital transformation and ensure while providing digital services to businesses and the public they are as safe, secure and reliable as possible, we have developed a Cyber Security Strategy 2019-23. Cyber security is the practice of ensuring the confidentiality, integrity and availability (CIA) of information and the draft strategy, attached at Schedule 4, sets out the council's plans to implement the Information and Cyber Security Standard to protect the information held by Brent Council on behalf of the people it represents and in the national interest.

Procurement of technology partner

3.21 At the start of the 2017-20 programme, Infosys was successful in winning a tender to provide development support for the implementation of Microsoft Dynamics 365 CRM, a core building block of the programme. This contract was extended to include additional support as development extended to other technologies.

3.22 At this stage of the programme, it has been identified that it would be more cost effective and beneficial to delivery to procure a development partner to support the programme as it evolves.

3.23 It is therefore proposed that a single contract for a development partner will be competitively tendered through an established national framework. This contract will have the flexibility to be able to deliver any or all of the technology implementation that supports the programme, whilst allowing the Council the option to use other procurement routes and suppliers when appropriate, in order to deliver the best value for money.

4.0 Financial Implications

4.1 In February 2019, the Council agreed its budget for 2019-20 and 2020-21. This budget included agreed savings of £9.5m in 2019/20 with further savings identified in 2020/21. In addition, a budget gap is expected in the subsequent two financial years and therefore further savings will need to be identified in order the balance the Council's budget. This OBC includes a programme of activities that will enable these savings based on the use of new technology to drive more efficient and effective working., In particular this work is required to deliver savings agreed for Brent Customer Services of £0.4m annually.

4.2 Investment in this digital programme also provides the tools and support for other departments to make similar savings in 2021-22 and 2022-23, and work will take place with departments in the current year to identify further savings. These new savings include the following recurring savings:

- Licensing – savings from rationalising systems and replacing with Dynamics and EDM to reduce licensing costs (3.4m)
- Delivery of savings in Customer and Digital Services and the Assistant Chief Executive's departments by using technology to support realignment of services (£3.1m and £1m)
- Efficiencies through improving online forms and integrating into back office systems, removing unnecessary data entry and contact demand (£1.5m)
- Efficiencies generated from implementation of Robotic Process Automation (RPA) to replace manual processing (£2.2m)
  - Increase in debt recovery via RPA, based on pilot findings (£2m)
  - Income generation through selling support and development expertise (£1.3m)

4.3 The overall investment required is estimated at £12.5m over the programme period and will be funded from the capital programme. Based on work carried out on the OBC to date, cumulative savings of £16.6m are forecast, which are a combination of new savings and enabling existing savings. This is set out further in section 3.18.

5.0 Legal Implications

5.1 A range of contracts for systems and support will be required to deliver the Digital Strategy and Business Case. Where such contracts have an estimated value over the term of the contract in excess of £2M, Cabinet approval to tender and award will be required.

5.2 Officers are proposing to procure a contract for a development partner. The estimated value of the proposed call off Contract for the development partner is higher than the EU threshold for Services and the award of the contract is therefore governed by the Public Procurement Regulations 2015 (the "Procurement Regulations"). The procurement is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.

5.3 The intention is to use an appropriate framework to procure the contract for a development partner. The Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process. Call offs under the framework need to be carried out in accordance

with the framework rules, to include using evaluation criteria specified in the framework and utilising the terms and conditions set out in the framework.

5.4 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Chief Legal Officer has advised that participation in the framework is legally permissible. The Chief Legal Officer will therefore need to review any proposed framework and confirm that participation is the Framework is legally permissible.

6.0 Equality Implications

6.1 An Equality Impact Assessment has been carried out for the draft Digital Strategy 2019-23 and is included at Schedule 7.

7.0 Consultation with Ward Members and Stakeholders

7.1 The Lead Member has been consulted throughout the development of the draft strategy and OBC.

7.2 A range of customer feedback has been fed into the development of the strategy including the findings of the Resident Attitude Survey (2018); feedback from workshops with residents carried out as part of the Customer Access Review (2019); stakeholder research including Crisis: 'Brent Council's Online Systems – A Crisis Peer Research Project' (2019).

8.0 Human Resources/Property Implications (if appropriate)

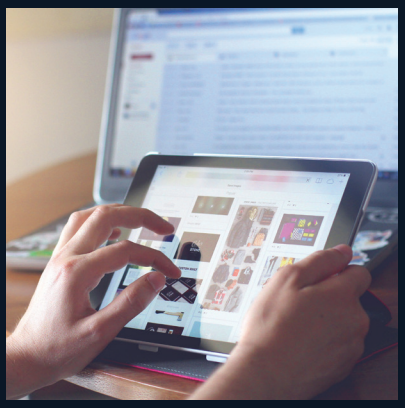
8.1 Implementation of the Digital Strategy will require ongoing cultural change within the council which is included in the resources identified to deliver the programme.

Report sign off:

PETER GADSDON
Strategic Director of Customer and Digital Services

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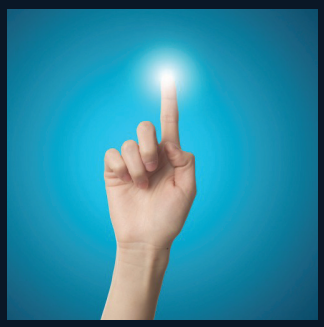
DIGITAL STRATEGY











Brent

2019-2023





FOREWORD



Brent is at the forefront of a digital revolution which is transforming how people interact and their expectations for accessing information and services. We launched our first Digital Strategy in 2017. The Strategy set out an ambitious vision for using technology as a catalyst for delivering local priorities and how we, as a council will work with and support local residents, partners and businesses on our journey to becoming a digital borough. The publication of Brent's Digital Strategy was a defining moment. Brent's leadership committed to being a borough that embraces the opportunities presented by digital innovation to improve lives and deliver local priorities more efficiently.

Much progress has been made since; new systems are allowing us to better support residents and are transforming the experience of our tenants and leaseholders; we are developing technical solutions to engage and support some of Brent's most vulnerable residents, young and old, moving forward with Smart City pilots having successfully deployed 21,000 Light Emitting Diode (LED) street lights controlled by a new Central Management System (CMS). These are reducing carbon emissions from street lighting by over 60% and improving the borough's digital infrastructure.

Now we are going to build on the strong foundations that we have put in place. We've updated our Digital Strategy as we enter the next phase in our exciting journey to becoming a truly Digital Council and making Brent a truly Digital Place. This is where the real impact of the transformation we've begun will be felt. As we align how services are accessed to the needs of citizens there will be significant change in the what the organisation looks like and how it delivers services. The end result will be an improved experience when you contact us and better services for residents and businesses in Brent.

Over the next four years, we will also continue to adapt our workforce and other assets to work in an agile way to successfully deliver our priorities. We will build resilient communities through the Brent Hubs model - a prime example of how we want to address the needs of our residents earlier. We will do this, in a joined-up way, grounded in the neighbourhoods where people live.

We have already started to use data more effectively to redesign service models around what users need and allow us to better prevent and respond in ways that were not previously possible. Data will continue to grow in importance. We will work in ways that ensure data is kept safe and citizen's information is protected. We've developed a Data Security Strategy in parallel with the new Digital Strategy to help us do this.

This updated Digital Strategy sets out how, in this ever-developing landscape of technology and innovation, we will embrace these exciting changes and make the most of our new digital infrastructure to ensure that Brent Council is an ambitious leader now and in the future; working smarter and delivering better services for all.

Cllr Margaret McLennan

Deputy Leader, London Borough of Brent

INTRODUCTION

The digital revolution has touched the lives of people worldwide and has forever transformed the way we live, work and do business. Technology has helped connect people and bring them closer together, improved access to information and services, and created vast opportunity for innovation and businesses growth. But the speed of change has left some of the most vulnerable members of society digitally isolated and has seen many traditional businesses and skill-sets become obsolete.

This pace of change will continue to accelerate, presenting countless more challenges and opportunities. Since the launch of our first Digital Strategy in 2017, Brent has been working to ensure local residents, partners and businesses are able to thrive in the digital future, and play active roles in shaping Brent into a digital borough where technology is used to improve the lives and life chances of everyone.

Brent's ambitions in transforming into a digital borough will be realised through achieving the dual and interdependent aims of becoming a digital place and a digital council:

As a DIGITAL PLACE we are building a borough-wide digital infrastructure providing instantaneous connectivity. We are developing a training and education framework that nurtures digital skills and expertise, with clear pathways into high-value contemporary employment. We will have an environment that emboldens a culture of digital entrepreneurship and innovation, attracts new businesses and supports the evolution of existing ones. Crucially it will be a place shaped by the strengths of Brent's local neighbourhoods and destinations, harnessing digital to amplify and promote their unique qualities. Our locality based approach extends to our Digital Programme. This aims to address complex issues that exist at a local level through tailoring approaches to meet local needs and working with communities to make them more engaged, connected and resilient.

As a DIGITAL COUNCIL we are enhancing our digital offer in line with modern expectations. Our services and information are becoming more accessible and personalised, helping residents to make better informed choices. We will provide more efficient and value for money services, with leadership that empowers our workforce to use technology to work smarter across traditional structures and in new and existing partnerships. We are helping to connect people with each other and their communities and enabling more residents to have their voices heard in influencing decision making. And with our partners, we are redesigning how we deliver services to allow us to provide resources and support to ensure all residents are digitally included.





BOROUGH PLAN 2019-2023 BUILDING A BETTER BRENT

Our vision for 2023 is to make Brent a borough of culture, empathy, and shared prosperity. A borough where people from different backgrounds feel at ease with one another, share in cultural opportunities and activities, and value the principles of fairness, equality, good citizenship and respect for people and place. People will feel that they and their children are safe, cared for and able to achieve, and that they receive excellent services when they need them. Brent will be a great place to live and work, where business and enterprise prosper and local people have opportunities to change their lives for the better.

The Borough Plan sets out a transformational approach to community-led services, designed and delivered on a localities basis. This is being put into effect in a number of ways, including Outcome Based Review (OBR) initiatives; the development and expansion of Brent hubs; our stronger communities strategy and community engagement. The council sees an enhanced role for all partners who are able to provide Best Value services; this includes the voluntary and community sector.

The Borough Plan focuses on five themes: Strong foundations; every opportunity to succeed; a future fit for everyone, an economy fit for all; a cleaner, more considerate Brent and a borough where we can all feel safe, secure, happy and healthy. We will harness the opportunities presented by technology to help to deliver this vision and build a better Brent.





BRENT DIGITAL FACTS

DIGITAL PLACE

Brent has 335,000 residents today, projected to increase to almost 350,000 by 2023, and over 375,000 by 2030



The number of residents aged 65 and over will increase by 15% over the lifetime of this digital strategy, and by 41% by 2030



89% of Brent residents said they use the internet, but that means that 1 in 10 residents do NOT



85% of Brent residents use a Smart phone to get online



DIGITAL COUNCIL

There are 77,469 active 'My Account' users



The Brent website gets an average of 368,000 visits each month



There are around 2,500 Brent staff using IT to do their jobs. Brent also provides IT support to another 450 staff working for the Local Government Association.



Brent is part of a Shared ICT Service with Southwark and Lewisham which altogether supports around 10,000 staff



DIGITAL PLACE

Nationally, councils have lost 63% of their funding from the government since 2010, and in Brent we have had to save £164 million. The council expects to have to save around £40m over the life of this digital strategy.



8% of residents reported feeling socially isolated. A further 15% said they don't have enough social contact



Brent's 21,000 Light Emitting Diode (LED) street lights controlled by a new Central Management System (CMS) are reducing carbon emissions from street lighting by over 60%



DIGITAL COUNCIL

Brent currently uses over 100 different IT applications



45% of residents tell us it was easy to carry out council transactions online. 21% said it wasn't easy.



A new customer portal will allow residents to request a housing repair in 37 seconds!

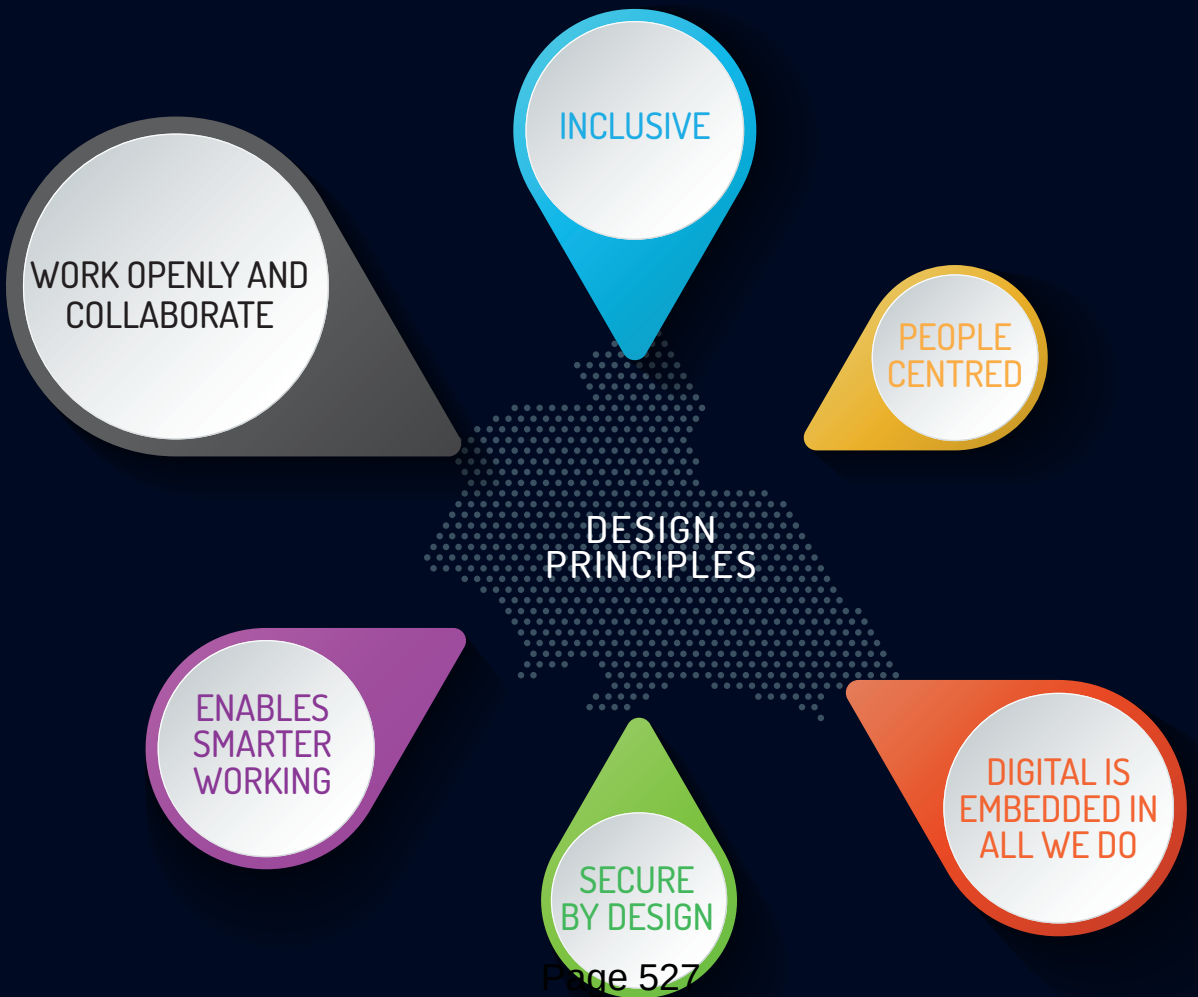


BRENT'S DIGITAL JOURNEY

Residents and businesses are already benefitting from work to implement Brent's Digital Strategy. Our journey to becoming a Digital Council has seen us implement a new Customer Relationship Management (CRM) system enabling us to improve the service we provide. We have created better ways of providing the information people need, when they need it. From finding out what's going on for young people in the borough using Brent Youth Zone, to understanding what's available to support businesses or being able to check your child's position on a school's waiting list, residents are able to do more online than ever before. The use of robotics has been successfully piloted, performing tasks quickly and accurately, reducing errors and saving staff time.

Our journey to becoming a Digital Place has already brought about improvements in the Borough's digital infrastructure with a greater number of residents having access to full fibre broadband. Residents are getting support to improve their digital skills and get online and we are working with the tech sector to make new employment opportunities available to Brent residents. Our move to place-based working involves a shift in the role of the local authority from service delivery to local leadership, with a focus on coordination, navigation and facilitation. To support this, we will work with the Community and Voluntary Sector to improve their digital infrastructure and skills.

Our Digital Programme is driven by six key design principles



46% of residents think that the council is easy to contact and almost the same percentage think that we're helpful when contacted. Similar percentages of residents find completing transactions and making payments online easy. When it comes to looking for information about services, 41% of residents find it easy. Following a review of our website we've got a good understanding of the type of information people most regularly look for and what makes it easy, or difficult, for them to find it. Providing residents with a quick, easy and consistent experience however they contact us is central to Brent's Digital Strategy.

We will continue to transform the way residents are able to access services, making it quicker and easier. With a more user friendly website customers will be able to quickly and easily find out about and book and pay for services. The new website will be easier to use on Smart phones, so customers can interact with the council whenever and wherever works best for them.

Integrated into the website will be a single customer portal. It will feature an increasing number of services and allow citizens to be registered and authenticated once without needing to re-enter their details. Better integration with back office systems will mean transactions will be quicker and require less staff time whilst giving us a better view of what residents need. We will use Artificial Intelligence (AI) including robotics, to get things done faster and help us make decisions in a consistent and fair way. Residents will be able to seamlessly do everything they need to, in one place in an easy and consistent way.

With more transactions taking place online, Brent is investing in chatbots and other ways of supporting those accessing services this way. Digital assistants will be available for those needing a little bit more help and Brent Hubs able to assist some of our residents who need additional support close to home.

As Brent's online offer grows, customers will be better able to track progress themselves rather than needing to make a phone call. As we get better at making use of our data we will explore opportunities to proactively provide citizens with information tailored to their requirements, for example inviting them to renew services such as green waste collection before their subscription runs out. Machine learning will help us better understand how people interact with us and enable us to continually improve the way we deliver services, meeting the public's expectations and freeing up resources to help those with complex needs.

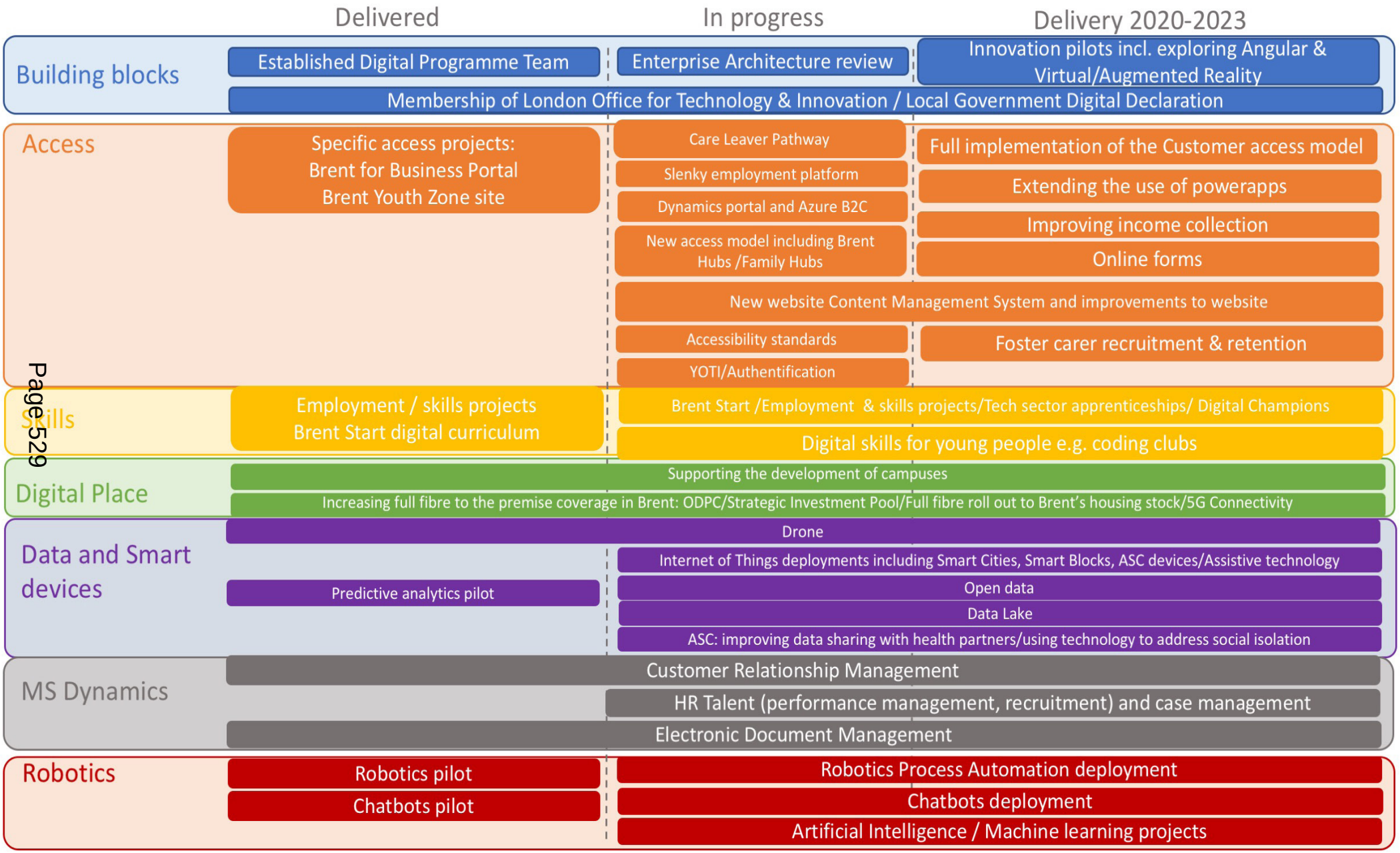








Below is a summary of the key digital initiatives that have already been delivered and others that we are working on, or will deliver as part of Brent's Digital Strategy.



HEADLINE TARGETS

Access	Brent's new customer access model will deliver £425k savings from 2020/21 By 2022/23 there will be a 25% increase in resident satisfaction (since the 2018 Residents Survey) Customers will be able to book, pay and request services seamlessly online by 2022/23 (all payment forms will be developed on MS Dynamics and there will be an integrated booking system) By 2022/23 telephone demand will have decreased by 25% linked to greater availability of digital access By 2022/23 85% of customers will be satisfied with the digital assistance offered 3,900 residents will be accessing Brent Hubs on an annual basis 75% of enquiries made at Brent Hubs resolved at the point of contact Satisfaction with the website will be improved by end of 2020/21: • More than 80% of website users can find what they are looking for online as measured by site survey • Average bounce rate from visitors below 33% • 33% of all site traffic generated from repeat visitors By the end of 2020/21 the website will conform to Web Content Accessibility Guidance (WCAG) standards and will comply with the Web Accessibility Directive
Skills	75% of Brent Hub customers will be more confident in using online services Number of people accessing Brent Start digital curriculum will be: • 20/21-524 • 21/22-576 • 22/23-634
Connectivity	The will be a year on year increase in FTTP coverage of at least 8%
Data	From 2020/21 there will be a reduction in infrastructure and operational costs from the consolidation of data and analytics tools for services that are added to the Data Lake From 2020/21 the time taken to produce data products will be reduced by 90% for services added to the Data Lake From 2020/21 there will be a 40% improvement in data related productivity due to automation for services added to the Data Lake
Dynamics	20% reduction of re-keying from use of web forms which will start to be moved to Dynamics in 2020/21 The number of IT applications will be rationalised by at least 10% by 2022/23 Services added to the Dynamics platform will see a decrease in complaints
Robotics	At least £450k savings pa from 2022/23 will be generated from automation of processes

STRONG FOUNDATIONS

To achieve our goal of improving the satisfaction of residents with the way the council does things, we must continue to utilise new technology, reduce avoidable contact and put residents more in control of services, redefining the "front door" through which residents contact the council. We will take advantage of the increasing pace of change and continue our journey to become a Digital council, but as we do so, we will always ensure those residents who need additional support to access services get it.

Like other local authorities, Brent is facing greater demand for services while receiving significantly less funding from central government. We need to use technology to improve the way we and our partners work and become even more efficient, making every pound count.

Brent residents have already demonstrated an appetite for accessing council services via digital channels including MyAccount, the Cleaner Brent app and an increasing range of services that are requested online. This channel shift has helped to manage demand and deliver considerable savings; we're also improving the online user experience and minimising back-office interventions in the transaction process. People will only transact online if they feel that their personal information will be kept safe. A new Cyber Security Strategy is being developed in parallel with the Digital Strategy to ensure security considerations are integral to all we do.

Example: Housing Management

Brent is using the opportunity created by implementing a Customer Relationship Management system to redesign business processes, create a customer comes first culture and provide a compelling digital self-service customer offer supported by a digitised back office.

Housing management was one of the first services to benefit. Previously, 18 different systems were in use. This fragmented architecture gave rise to a fragmented customer experience, with no single views of either residents or properties. Accessing data was time consuming for staff, which in turn meant that it sometimes took us too long to resolve issues for residents and it was difficult to keep them informed of progress.

The CRM has been deployed to support a range of housing management functions and continues to be rolled out. Examples of improvements so far include integrating email in to CRM which allows emails to be tracked to ensure they are dealt with and to allow progress to be easily checked. It also means that we have data on issues raised so can understand what is driving demand. Estate inspection teams now have the information they need via their smart phones out on site. This allows them to respond more quickly and effectively and has eliminated double keying. Using CRM for income collection provides officers with real time information on all arrears for the first time.

As more functions move on to the CRM our data grows richer and staff are able to access a single view of customers, properties, blocks and estates. We aim to completely transform our customers' experience and deliver faster, better more reliable services, and provide the convenience of a comprehensive and compelling customer portal.

OUR JOURNEY SO FAR

As a Digital Council, we're making it easier for citizens to interact with us; continually improving our online provision including the personalisation of services through online accounts, supporting people with webchats and chatbots, using better online forms to collect information in a simple way and avoid residents from having to provide it more than once. As our customer access model evolves it is being aligned with new approaches including localities working and the Brent Hubs and family hub models. It will be enabled by the development and implementation of new digital systems, including an improved website and online portal, more integrated back office systems and an enhanced ability to use customer data to drive improvements to services.

As Brent's customer access model develops, seamless support will be provided across all access channels, ensuring everyone can access services. This will include digital assistance (helping residents to use a computer or using it on their behalf if they are unable to do so), and advocacy and support for people with complex needs. We will differentiate the level of support provided, depending on customer need.

The Brent Hubs model is already helping ensure all residents have access to the resources and support they need to confidently access information and services. Brent Hubs provide new ways for residents to connect with local organisations to access information, advice and support. The Hubs provide a space and digital infrastructure that enables Brent and partner organisations to jointly respond to the needs of residents who have complex needs.

Brent Hubs users are also supported in accessing online services and developing their digital skills, helping to build resilience and reduce long term dependency on Brent services. Eight new Family Hubs, providing an enhanced service offer for families with children of all ages, will align with this approach.

The Dynamics CRM system has been developed to facilitate end-to-end management of customer visits. Technology is enabling the council to work within our communities and work more effectively with organisations in the community and voluntary sector. This supports the Borough Plan's goal of moving towards working around localities with an approach which is 'increasingly centred on building the capacity and resilience of communities and helping them play an integral part in service delivery'.

Business processes have been redesigned to be fit for purpose and fit for the future, creating a customer comes first culture. We have laid the foundations for a compelling digital self-service customer offer supported by a digitised back office delivered by building a Microsoft Dynamics platform. This is playing an essential role in raising the quality of our digital offer in line with modern expectations and eliminating unnecessary officer case handling and re-keying. By investing in Dynamics and working alongside developers to facilitate skills transfer to Brent officers, Brent now has the capacity to design and build online services that better meet the needs of our residents.

This is allowing us to:

- Bring together information from multiple systems and spreadsheets into 'single views' of our citizens and our properties, available at the point of service
- Tackle the high dependency on manual processing
- Reduce case handling time and respond to residents more quickly
- Help staff with systems and tools that enable them to become more agile and productive and
- Improve the overall user interface and customer experience through better designed and executed customer journeys.

The MS Dynamics platform is simple to use for both residents (via self-service) and staff, with all the necessary information presented in an intuitive and user friendly way. This is already delivering a step change in customer service delivery, and cost savings through increased productivity, proactive failure demand management (avoidable contact) and channel shift.

Improvements are also underway to a number of key finance systems which will deliver efficiencies. These improvements include the introduction of a new income management system. Effective income management forms a critical part of financial management in Brent as well as forming the foundation of strong income and debt collection. It underpins the council's ability to develop payment strategies that support the Digital Strategy (in particular the ability to offer digital pay it/ book it facilities) and to minimise the need for human intervention when processing and allocating payments.

Technology is also being used to increase participation in civic life. This involves creating modern pathways and more effective methods for residents and other stakeholders to engage with the council, have their voices heard and influence policy and decision making. It includes harnessing social media and emerging digital technologies to reach all of Brent's diverse communities, understanding key issues and providing the skills and forums to jointly develop solutions. To make it easy for residents to have their say on our proposals and plans and help us to decide policies for Brent we've introduced a new online consultation portal. The platform is also more efficient for Brent staff who can now manage all their consultation and engagement activity in one place.

Alongside creating systems to support new ways of working, we have begun to rationalise systems and applications. Reviewing our enterprise architecture is already allowing us to make savings by reducing support and licensing costs. The process is giving us a better understanding of our technology estate which is allowing better use to be made of existing functionality. It is also identifying a pipeline of services to move to the MS Dynamics platform.

We've developed a solution to improve how Brent stores and uses information electronically. Using SharePoint Online as the Electronic Document Management (EDM) solution for Brent has allowed us to further rationalise systems and integrate with our MS Dynamics Platform. This means staff have more information at their fingertips and are better able to help customers.

As we grow increasingly dependent on technology in all aspects of our lives, we need to ensure that digital services are safe, secure and reliable. Brent's Cyber Security Strategy sets out our approach to ensuring the confidentiality, integrity and availability of information. This ranges from making sure new applications are secure by design and compliant with the highest cyber security standards, through to having robust plans for dealing with a cyber attack. Brent is moving to the UK Government's Cyber Essential Plus standard which will mean having systems independently tested. We have thoroughly reviewed processes for GDPR compliance and training on other aspects of information governance is mandatory for all of Brent's staff.

How we work within the council continues to evolve, for example the new Innovation Igloo will be a digital innovation space within the Civic Centre. It will be a space which teams can use to develop ideas for digital innovation and where new and emerging technologies can be demonstrated. The space will provide an environment to engage employees in the opportunities provided by new technologies and to ensure they can keep up to date with our work to become a Digital Council. It also has the potential to be used for engaging external stakeholders, for example through hackathon or user testing activities, and could be used to generate income by offering it to other organisations to book.

The recent roll out of new IT equipment allows staff to work remotely whilst maintaining secure access to Brent's network. This means staff are able to work from anywhere, including in the community. This allows the best use of space with the Civic Centre and enables income to be generated from renting out our office space to other organisations.

Brent strives to be at the forefront of digital innovation within local government. We are a signatory to the Local Digital Declaration which affirms the collective ambition of local authorities for local public services in the internet age, and our commitments to realising it. It commits us working on a new scale to:

- Design services that best meet the needs of citizens
- Challenge the technology market to offer the flexible tools and services we need
- Protect citizens' privacy and security
- Deliver better value for money.

We continue to work with other local authorities and a wide range of other partners to share good practice and lessons learnt and make the best use of resources. In recognition of the pivotal role it plays, we will develop a long term, sustainable partnership between the council and voluntary and community sector. We will also support the development of its infrastructure and skills base that will be needed to support a Cooperative Council model.

Brent is also a core member of the London Office for Technology and Innovation (LOTI). LOTI is a new city-wide 'institution for the digital age' which will build common capability and opportunity to collaborate and scale digital and smart technology across London's public services.

THE NEXT STEPS ON THE JOURNEY TO A DIGITAL BOROUGH

1. Technology will continue to support the development of Brent's new model for customer services, and be used to ensure alignment with new approaches including localities working and the Brent Hubs and family hub models. As localities working is extended, some funding, such as the Community Infrastructure Levy (CIL), may be determined locally. CIL funding is used to support some digital initiatives, such as coding clubs for children. We will also use technology to continue to enable closer working with the Community and Voluntary Sector in keeping with the ethos of the Cooperative Council model.

2. We understand that people will only want to interact with us on line if they feel that their data is secure. We will develop a citizen authentication process that allows people to simply and securely prove their identity, keeping personal data secure. We will also set out clear standards around security that all of Brent's systems and applications will comply with. Easier access to better data underpins many aspects of the Digital Strategy. We will continue to improve the quality of the data we use, developing a new Data Quality Strategy, taking advantage of moving to new systems to cleanse and improve data.

3. Putting citizens more in control of the relationship they have with the council by giving them quick and easy access to the information they need is key to Brent's digital approach. To support this, we will develop and launch a new web platform that will:

    - Enable users to self-serve more efficiently, directing them to core services that they can transact with online.
    - Provide a communications channel that informs, educates and inspires residents about the work and impact of the council.
    - Deliver a flexible, open source content management system (CMS) through which council staff can create, maintain and manage the structure and content published across the website.

4. The new website will act as a gateway into the customer portal. Greater access to information and online services will realise organisational efficiency improvements and better outcomes for the service user. With a greater number of customers using the website as their first line of support and more users doing things online, this helps us to realise channel shift benefits in customer services. The implementation of a new CMS will also reduce back-office workload for staff across the organisation.

5. Planners have begun to use fully interactive, 3D models to help understand the implications of planning decisions. We will continue to develop this approach, along with the opportunities presented by Virtual and Augmented Reality, to support the council's work and as a means of engaging the community in making decisions.

6. Further services will be brought onto the MS Dynamics platform and the EDM. We will continue to integrate channels, applications and workflows to enable seamless end-to-end transactions across a wider range of services and maximise the first touch capability of council officers. More effective data sharing and verification methods, both internally and with partners, will improve the customer experience by minimising evidence requirements.

7. Improvements will be made to core council systems. A new HR case management system and Talent module, providing all of the main HR functions, will be developed on the Dynamics platform. As well as improving functionality, this will allow us to further streamline the number of applications maintained.

8. Artificial Intelligence (AI) will be used to support faster, more consistent assessments and decisions. This will reduce failure demand and enable more customers to independently complete full transactions and do business with the council at times of their choosing, it might for example assist in determining planning applications for which there are straight forward criteria, or eligibility for council services.

9. Robotic Process Automation (RPA) is the use of software (robots) to automate rules based, mundane, repetitive computer based tasks. The software accesses business systems through the human interface and mimics how a human would process the work, automating processes where possible and removes the need for manual human intervention. We will implement RPA to increase staff capacity, enabling them to deal with meaningful and complex interactions with residents making better use of the talent and skills within our workforce. Automated transactions will be completed on time, eliminating risk of errors, improving quality resulting in increased customer satisfaction.

10. A chatbot is an artificial intelligence (AI) software that can mimic a conversation (or a chat) with a user in natural language through messaging applications, websites, mobile apps or through the telephone. People are now spending more time on messaging apps and social media. These are the platforms of the future, and Chatbots will be how their users access all sorts of services reducing the need for human intervention. We will use chatbots where they provide a way of giving customers the information they need quickly.

11. Through Brent's Commissioning and Procurement Board, we will make provision in contracts, or when commissioning services, to ensure those delivering services on the council's behalf work with us to deploy technology where it will deliver benefits for residents. We will work with the Community and Voluntary sector to strengthen its position to deliver services.

12. Reducing budgets and uncertain new models of funding mean local authorities need to be intelligent in using their limited income raising powers to help subsidise core services. Digital provides many exciting

opportunities for developing new revenue streams, maximising existing ones and enabling cashable savings. The Digital Strategy will help make every pound count by:

- Monetising our infrastructure through a range of digital commercial opportunities.
- Pursuing and implementing new service provision partnerships. This includes shared new shared service arrangements where digital will enable traditional services to be joined up or delivered remotely, and capitalising where private sector businesses and other organisations will pay for Brent expertise. For example, we will create our own Centre of Excellence with in-house developers working on CRM, Chatbots, and Robotic Process Automation which will reduce costs and increase the potential to generate income.
- Will we continue to sell services. For example, we will use our drone to generate income and investigate the potential for trading assistive devices for people who self-fund their social care.
- Continuing to rationalise the Brent application estate and progress further rationalisation opportunities. Significant efficiency and cashable savings will be made through reducing support and licencing costs by consolidating and streamlining applications both internally and in partnerships.
- A 'Book it / Pay it' strategy will be developed to encourage more payments through seamless transactions via a secure residents' portal. Using a Data Lake we will have more accurate information on debt and be better placed to recover debt.
- Building on our strong position to access innovation funding. This includes horizon scanning across areas including entrepreneurships, digital infrastructure, investment start-ups, digital enablement, data protection and smart cities/communities, and understanding how the various streams could be implemented and joined-up for highest impact within our digital vision.

EVERY OPPORTUNITY TO SUCCEED

From digitally excluded and vulnerable residents to computing graduates and tech entrepreneurs; we've been working to ensure the right information, services and conditions are in place for all stakeholders to confidently interact with the digital council and thrive in the digital place.

We want all of Brent's residents and businesses to be well placed to take advantage of the opportunities offered by new technology. For some that might mean being able to log on to their resident account to check progress with a housing repair they've requested at a time that suits them, for others it might mean landing a dream job in the tech sector. We recognise that people's needs vary. As we get better at gathering and making use of data we will tailor services, and how people access them according to their needs and preferences.

Example: Improving digital skills

The digital revolution has long since displaced many mid-skill level jobs that were characterised by routine, repetitive tasks. Basic IT skills are now a requirement for most employment opportunities and, as digital technologies advance and become further imbedded across all industries, computerisation is forecast to replace nearly half of today's jobs over the next two decades.

In terms of digital inclusion, Brent residents compare well with the majority of other London Boroughs but there remain pockets of exclusion in some of our most deprived areas. Brent also has a significantly higher proportion of workers in the least skilled jobs bracket - 24% compared to 14% in London as a whole – making it more vulnerable to the next wave of digital displacement.

To address these concerns we are working in partnership with local organisations, businesses and all levels of education, to develop a collaborative system that creates the right skills, opportunities and pathways to support local people in accessing contemporary employment in the rapidly changing landscape.

OUR JOURNEY SO FAR

Ensuring full digital literacy across the borough is essential to providing everyone with the opportunity to achieve. We also need to ensure low skilled workers whose jobs are at greater risk of being displaced by new technology are able to develop their digital skills to enable them to take advantage of new employment opportunities.

Brent Start launched a new digital skills programme in September 2018, and so far has supported 300 residents in courses including digital literacy and use of email and the internet, critical skills for job searching, applying for benefits and using accessing services online, and more broadly in day to day life. This includes the use of virtual reality, augmented reality and a 'Wonder Wall' to create an immersive learning environment that can provide different experiences for learners, including placing them in real life situations such as shopping, at work, or to experience other destinations around the world.

In recognition of these achievements, Brent Start has been shortlisted for a Connected Britain award for innovation in digital skills.

We want to help create an agile, highly skilled and digitally included future workforce. As well as enabling residents to secure employment, this will make Brent a great place for tech companies to locate. We're making sure Brent has a future proof digital infrastructure that will support existing businesses to grow and attract new enterprises, and jobs, to the borough.

We've built new partnerships, working with broadband providers to create training and employment opportunities for Brent residents. So far, over 30 Brent residents have been newly recruited to support Hyperoptic's fibre broadband roll out.

Brent now has a Hub page on Slenky, a Brent based small business, run by a residents of Brent. The Slenky platform is used to help communicate employment, skills and training opportunities to young people. Forming a network of Hub pages, opportunities from a range of partners are pooled on one website that is accessible for young people.

Lots of young people use technology instinctively and it has an important role in helping us give all of Brent's young people the opportunity to succeed. We're working with tech companies to deliver Tech Camps aimed at providing a pathway into work for young people. Over 450 have attended so far. The Hackathons they've been involved in as part of the Camps have produced really interesting ideas to address some of Brent's challenges.

Young people in Brent are helping to co-design and test solutions that work for them. The Brent Youth Zone is a tailored online solution aimed at connecting young people with advice, support, activities and opportunities in the local area; delivering improved outcomes through early help. We're also working with young people who are, or have been, looked after by Brent to design and develop new ways of supporting them as they move to independence. Replacing paper based forms and using technology to help engage young people in making plans for their own futures.

Just as crucially, we have been developing the capacity and capabilities within Brent to deliver a challenging and innovative digital programme. We work with staff to design new systems and provide the training they need to use them effectively. Brent's also the first local authority to employ a Drone Apprentice; she'll become a fully trained drone pilot!

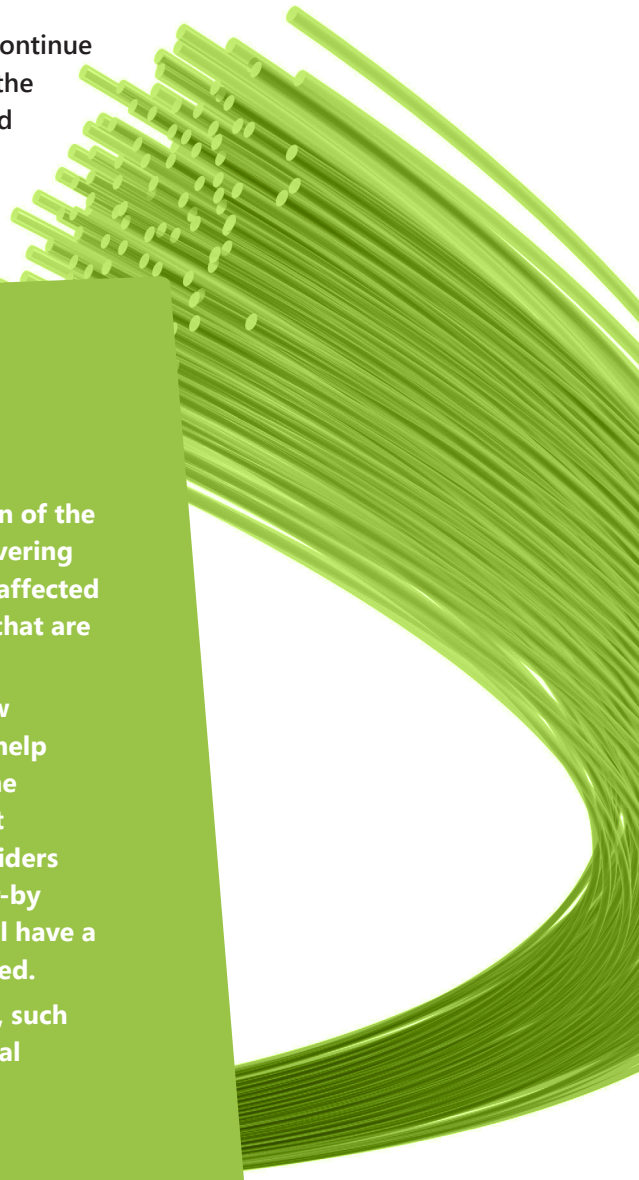
THE NEXT STEPS ON THE JOURNEY TO A DIGITAL BOROUGH

1. Brent Start will continue to deliver and develop its innovative digital skills curriculum.
2. In 2020, Brent will be the London Borough of Culture so we will explore further Tech Camps around the creative and tech industries.
3. As we're rolling out fibre connectivity to Brent's housing stock we will work with providers to offer residents the opportunity to develop their digital skills through training. We will continue to work with providers to create more employment and apprenticeship opportunities for Brent residents and seek partnerships with other companies in the tech sector to widen the range of apprenticeships available.
4. We will connect community spaces to create more places across the borough with high speed connections which are accessible to residents. We will expand the Brent Hubs model and develop a network of eight new Family Hubs. As well as providing an alternative way of accessing services in the community, the Hubs will provide a new way for residents to get support in gaining digital skills.
5. As we move to becoming a Cooperative Council and implement of our approach to locality-based working, we will work with the Community and Voluntary Sector to strengthen its infrastructure and build digital skills.
6. The University of Football Business continues to grow and is planning to develop new state of the art facilities in Wembley Park near to the national stadium. The College of North West London is also seeking to create a new campus. Brent is a key partner in the One Public Estate project around Northwick Park Hospital, which also includes the University of Westminster. We will support and encourage the development of campus' in the Borough.
7. We will continue to work with Looked After young people and use technology to improve the support and guidance we and others provide as they move to independence.
8. As we deploy better systems to support our work within the council, we will create opportunities for Brent's staff to develop their digital skills. We will continue to offer apprenticeships and we will also develop in house skills to become a Centre of Excellence in the deployment of Robotic Process Automation and Chatbots. We will also increase in house capabilities around MS Dynamics development.

A FUTURE FIT FOR EVERYONE, AN ECONOMY FIT FOR ALL

Regenerating the borough, with thousands of new homes, hundreds of new jobs, and much-needed growth in our tax base, not to mention hundreds of millions of pounds spent in the local and regional economy feature strongly in the Borough Plan. We will improve Brent's digital infrastructure to enable our local neighbourhoods to grow as dynamic and attractive destinations in which to live, work and do business. This will mean improving broadband speeds across the borough so that they are fit for purpose, now and in the future, and working with the market to ensure Brent benefits from the roll out of new 5G networks.

To make sure Brent's a great place to do good work, we will continue to develop an offer that helps existing businesses prosper in the digital place and makes Brent a desirable location for new and established businesses from across the digital spectrum, growing our business rates base and providing new employment opportunities.



Example: The West London Digital Investment Programme

The West London Digital Programme proposes an extension of the high-speed fibre network to large areas of west London covering seven local authorities, including Brent. It will target areas affected by persistently slow internet speeds – so called 'not spots' that are also located in growth and regeneration areas.

A number of public buildings in Brent will benefit from new gigabit capable broadband connections. This will not only help improve the services delivered from those buildings, but the new high-speed fibre "spine" and the associated new street cabinets installed as a result will enable private sector providers to, for the first time, viably and competitively connect near-by business and residential properties to the network. This will have a transformative effect on internet speeds in the areas affected.

The programme will also support lower-cost, interventions, such as street works, that result in otherwise unviable commercial investments by fibre providers becoming viable.

OUR JOURNEY SO FAR

By 2039 Brent's population is forecast to increase by 20% and exceed 400,000 people. With more people using more complex online devices for watching High Definition TV, gaming, making video calls, doing business and to access educational opportunities, we are going to need faster and more robust broadband connections.

The good news is that Brent's digital infrastructure is already improving; when the first Digital Strategy was launched, less than 4% of Brent had access to Full Fibre To The Premise (FTTP) broadband. This type of broadband provides far faster connection speeds and much greater capacity than traditional broadband services. This means that internet speeds won't slow down, or buffer, during peak times. It's also much faster to upload material, which businesses have told us is particularly important to them. We've reduced the barriers to providers wanting to invest in Brent's digital infrastructure. Now nearly 20% of premises in Brent have access to FTTP broadband. It's good progress, but we will continue to secure great connectivity for the whole of the Borough.

We've been working with providers and developing plans to invest in infrastructure that will ensure more residents and businesses get access to fast, stable broadband more quickly. We've already started to roll out fibre broadband to Brent's housing stock so residents have access to full fibre broadband at affordable prices. We've also been successful in securing funding to connect some community buildings to ensure everyone can benefit and help to improve the public services delivered from those buildings. All of this will make it more viable for providers to invest in building new networks across the borough, allowing more residents and businesses to do more online, faster.

Good connectivity is an important factor in attracting new businesses to invest in the borough and in helping existing businesses to grow. To further support businesses, a new website for businesses was launched in 2018 to bring together information for businesses such as on workspace, workforce skills and recruitment, business support, and council services, all in one location.

THE NEXT STEPS ON THE JOURNEY TO A DIGITAL BOROUGH

1. To futureproof Brent's digital infrastructure, we will:

    - Continue to work with providers to support them in investing in Brent's digital infrastructure and increase the number of properties able to access Full Fibre To The Premise Broadband services at an affordable cost.
    - Secure Gigabit capable connections for key community buildings to allow everyone to benefit from access to fast, stable broadband.
    - Work with businesses to demonstrate demand for full fibre broadband and address barriers to business activity, including 'not spots' and slow speeds.

- Work with Mobile Network Operators to ensure Brent benefits from the roll out of 5G networks.
- Embed digital requirements within our planning and regeneration strategies, including in Brent's key planning framework, the Local Plan and the Inclusive Growth Strategy.

2. We will ensure local Small and Medium Enterprises (SMEs) have the support they need to thrive in the digital place. Approximately three quarters of Brent's current businesses are SMEs, with many having no online presence. We will continue to work with these businesses to understand their digital needs and how opportunities in online trading, marketing and digital efficiencies could benefit them. Working with partners in education and the private sector we will develop a support framework to ensure local SMEs can access the suite of digital skills their business needs to compete and succeed in the changing world.

A CLEANER, MORE CONSIDERATE BRENT

The environment is a major factor in the quality of life for our residents, who have identified clean streets, parks and trees, and collection of waste and recycling, as three of the top five priorities that they value the most in Brent. However, in common with much of London, the quality of our air is not as good as it could, or should be. 'Smart' technology has a role to play in making Brent a cleaner place to be.

Example: Smart Cities

Brent is celebrated for its cultural diversity and unique town centres and neighbourhoods. From iconic Wembley, to vibrant Harlesden and trendy Kilburn, no two places are the same and each is characterised by different institutions, businesses, communities and priorities.

Using data sensors on street furniture and new Internet of Things infrastructure we will capture and communicate information in real-time to develop shared insight and faster responses to local priorities such as sports and entertainment events, traffic, parking, footfall, waste management and lighting.

This technology will enable more interaction between people and the places they live and work. We will expand our open data platform to increase their stake in the community through new ways of connecting with, influencing and improving the environment.

OUR JOURNEY SO FAR

Brent aims to become a 'smart borough'. This means using digital devices to coordinate and manage our assets through increased connectivity and sharing of data and information. To achieve this, we have launched an open data platform. We are developing a targeted and joined-up approach to developing a smart grid of connectivity across the borough. This model will enable the council, residents, partners and businesses contribute to, access and use data to develop pro-active solutions to social issues including planning, transport, energy, health and community safety, as well as opening up unlimited new commercial opportunities as a test bed for developers.

We've converted 21,000 street lights to Light Emitting Diode (LED) technology; and have fully implemented a new Central Management System (CMS). The CMS creates the ability to manage the output of individual street lighting lanterns borough-wide - Brent's first Smart Cities application deployed at scale.

The LED and CMS programme is saving the borough £950,000 a year on energy costs, the highest saving achieved from LED street lighting in any of London's 32 boroughs. It also addresses the climate emergency by reducing carbon emissions from street lighting by over 60%. What's more, having a network of street lights connected to the CMS creates an infrastructure for other Smart Cities applications.

We've been identifying some of the environmental challenges 'Smart City' technology could help address. Priorities include: Air quality and traffic congestion; Providing information on parking provision and improving waste management. As a first step, sensors have been incorporated in plans to implement a Low Emissions Zone so we can track air quality and see if the measures taken result in a sustained reduction in air pollutants.

Gaining a better understanding of how people move around busy town centres is also useful in helping to target how the environment could be improved in these areas. We've piloted the use of Mobile Network Data to show us how town centres are used, including how people travel to and from them.

THE NEXT STEPS ON THE JOURNEY TO A DIGITAL BOROUGH

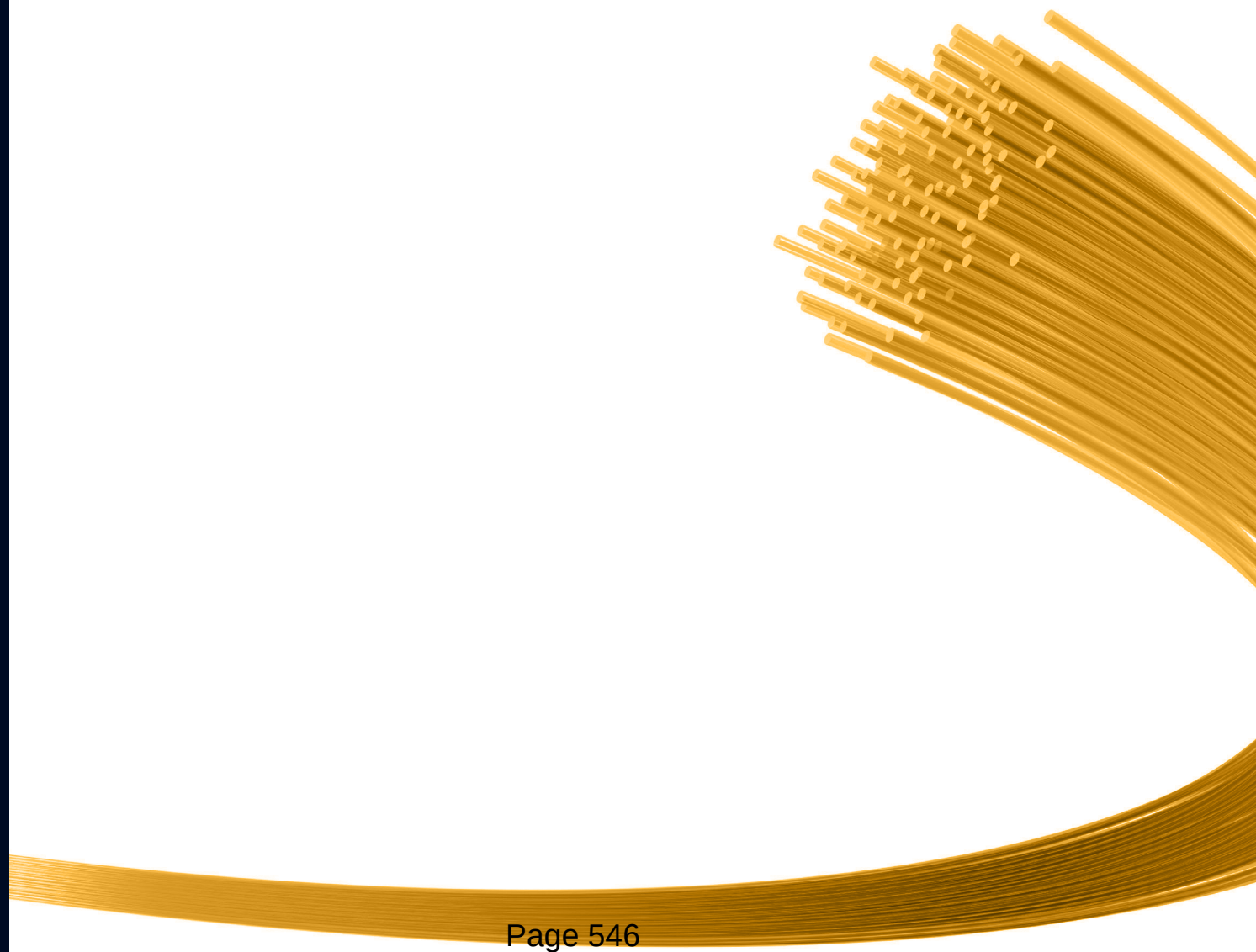
1. Based on the priorities identified for Smart City technology we will work with the market to identify devices to pilot in Brent, focusing particularly on some of our town centres. We will test how well the devices assist in improving air quality, congestion and parking problems and the management of waste.

2. Building on the pilot on use of Mobile Network Data, Brent has partnered with the London Borough of Southwark to develop a proof of concept around making better use of data to understand the impact of road closures and works. The new project will explore what can be achieved by aggregating anonymised population movement data from mobile operators and other data sources into a visual and spatial model. The aim is to learn more about how people move around and how we can better visualise that information so it can be used by range of services and residents.

3. We will design and build a data lake which will pull in data and insights into single platform to better inform decisions, predict trends and help manage demand. This will incorporate a 'workbench'; a rapid development environment for design, simulation, construction and testing of complete Internet of Things solutions.

4. We will develop and expand Brent's open data platform to give the community, academics and businesses access to information, empowering them to shape solutions which will improve the environment in Brent.

5. Using our housing stock's improved internet connections, we will trial Internet of Things devices to see how they can help us take a proactive approach to maintenance and improved energy efficiency.



A BOROUGH WHERE WE CAN ALL FEEL SAFE, SECURE, HAPPY AND HEALTHY

It is vital for the council to support our most vulnerable residents – safeguarding children and young people and helping vulnerable adults to be independent at home. We must also use technology to help residents avoid and tackle health issues and manage health conditions in a safe, more convenient way. Making better use of data and sharing it securely with our partners in the health sector will allow us to better tailor solutions to the needs of residents. It will also help to identify those who might benefit from early interventions to prevent problems becoming more serious over time.

Crime is falling in Brent and technology, such as our new digital CCTV network is helping to prevent crime and anti-social behaviour, as well as reducing the fear of crime.

Example: Adult Social Care

Adult social care is the single largest expenditure for Brent Council. In the context of an aging population continuing to drive demand, an innovative approach is needed to sustain a high quality relational service within projected budgets.

To address this challenge digital will enable earlier intervention through new analytics tools that collate data from across the council and health partners; identifying those at risk and supporting coordinated, targeted assistance before their need becomes severe. Digital solutions and apps will help residents to manage their own conditions and allow them to choose how, when and with whom they share their health history; promoting more personalised and efficient services system-wide. Most importantly, digital will be key in connecting people with friends, family, volunteers and neighbourhood-based support, creating more resilient communities and local networks that reduce dependency on council services and offer a safe alternative to residential care.

OUR JOURNEY SO FAR

Giving staff and partners access to high quality data enables them to make better decisions about the support and services they provide to residents with complex needs. Brent has developed a successful prototype which provided professionals access to data held in different places to give them a more holistic view of the lives of vulnerable young people. This approach supports professionals in identifying who might benefit from early intervention to prevent more serious problems arising in the longer term.

Given the rising cost of adult social care for all local authorities and health services, we are collaborating with our partners to create a better understanding of the key drivers of cost based on linked data. This will help inform strategic commissioning decisions; making sure the right services are available at the right cost. Working with the North West London 'Whole Systems Integrated Care' programme team, an initial version of a whole system dashboard for Brent has been developed to make this essential information more easily available.

Improving systems and data is also helping get patients back home from hospital more quickly. Giving staff access to key performance information helps them tackle issues as they arise which should reduce unnecessary delays in discharging patients.

We are also developing new aligned pathways between GP networks and social isolation support to reduce duplication and improve outcomes for people with social needs, and reduce unnecessary GP attendances. Once implemented, information will be shared between services to reduce duplication and maximise the impact of interventions.

Brent is part of a North West London-wide scheme to make better use of NHSMail to ensure homes have timely and secure access to key information from NHS partners. Work is also in progress with a number of large care providers to align systems. This will support the delivery of a care plan that can be viewed by all the healthcare professional teams involved in the patient's care twenty-four hours a day, seven days a week enabling better care.

Brent's switch to wireless CCTV system allows for a more cost-efficient and flexible CCTV network, and enables the easy relocation of high definition cameras to crime hotspot areas as required, without the need to hard-wire a camera in. The upgrade has been recognised by the Home Office's Surveillance Camera Commissioner with Brent becoming one of only a handful of boroughs in London to be audited and certificated for following the Surveillance Camera Code of Practice.

THE NEXT STEPS ON THE JOURNEY TO A DIGITAL BOROUGH

1. We will continue to design more effective and preventative service models using advanced data analytics and business intelligence. As part of developing a Data Lake for Brent we will develop fully operational data products to help professionals make decisions around early intervention and support for vulnerable residents.

2. We will work with the Old Oak and Park Royal Development Corporation to improve the digital infrastructure on the Park Royal industrial estate. This will be used for improved CCTV and Internet of Things applications. It will also address a significant connectivity 'not spot' in the borough providing fibre connection opportunities for around 1,100 SMEs. This will make it easier for existing businesses to operate and to attract new businesses to the area and help to future proof the industrial estate.

3. Internet of Things technologies will be trialled to see how they can support people to live more independently in their own homes. Smart systems comprise of a number of small wireless battery powered sensors which can be used to monitor movement, temperature, door opening/closing and the use of electric sockets. Sensors can track movement in different rooms, know when a door/window or cupboard has been opened, or even show when an electric kettle has been switched on. By creating a set of rules or typical patterns we can analyse sensor data and recognise if people are deviating away from their normal routine which may indicate they need assistance.

4. Brent's Adult Social Care team will develop an assistive technology strategy, which will include a plan to develop integrated systems for capturing and reporting live information to service leads and family members, and enabling clear access to reports for commissioners.

5. A 'whole system' care home performance dashboard will be developed to track key performance information and inform support and commissioning.

6. The use of technology to speed up assessments for some adult social care will be investigated. As well as giving faster decisions to residents, technology provides the opportunity to ensure more consistent decision-making.

7. Brent has been chosen as the London Borough of Culture for 2020, beating 21 other boroughs with a proposal recognised by the Mayor of London as "visionary", and receiving £1.35 million to stage a year-long programme which will put culture and the arts at the heart of Brent's future. We will use digital to create some truly memorable events.

Governance arrangements

Delivery of this digital strategy is overseen by the Brent Customer and Digital Board and championed by the Deputy Leader of the Council. The Brent Digital Board is chaired by the Strategic Director of Customer and Digital Services – the digital lead for the Council Management Team.
The Board drives and supports the ambitious programme of change and is responsible for:

1. **Identifying, prioritising and coordinating digital work packages;**
2. **Acting as the gateway that formally assesses and approves digital work packages;**
3. **Aligning and deploying resources, skills and expertise for most effective delivery of digital work packages;**
4. **Ensuring membership of the board is representative and has the appropriate skills and authority;**
5. **Supporting the Senior Information Risk Owner (SIRO) in fostering a culture that values, protects and uses information for the benefit of its citizens.**

With so many different elements to the Digital Programme a consistent technical architecture is essential. While it's recognised that different services have different requirements, there does need to be a corporate approach to the systems and applications that support our work. The Technical Design Authority (TDA), chaired by the Operational Director of Safeguarding, Performance and Strategy (CYP), has been established to make decisions regarding technical implementations for projects. The TDA makes decisions and provides guidance and support where projects will impact on more than one project or service, or when a new idea is being tested.





Key principles

We recognise that the scale of transformation outlined in this strategy represents an unprecedented culture shift for the council, residents, partners and businesses. It will change the relationship between the council and stakeholders and have far reaching influence over future service models, the customer experience and the role of the council and its workforce. To support this sustained programme of change, delivery of this digital strategy is underpinned by the following key principles:

1. **We will ensure that our services are accessible to everyone. We will develop guidance on digital inclusion setting out the accessibility standards new technology needs to comply with and to help services plan the provision for residents with complex needs as access arrangements change.**
2. **Services will be people centred. We will work with residents, partners and businesses to co-design and co-deliver transformation, ensuring that Brent's evolution as a digital borough is shaped by the energy, ideas and requirements of local people and key stakeholders.**
3. **We will embed our digital vision within our policies and strategies including HR, Planning, Regeneration, Employment and Skills and ICT. We will also reflect it in our engagement with the community and models of working with the Community and Voluntary Sector.**
4. **We will deliver robust information security measures to protect resident and stakeholder data from misuse and cyber threats, and we will safeguard their privacy though increasingly secure and modern information governance and data sharing arrangements both internally and with partners.**
5. **We will invest in our workforce to ensure they have the resources and agile skills they need to innovate, collaborate and excel in the digital workplace and work smarter. This will include imbedding a culture of change across the organisation, moving away from a traditional 'service and department' approach to working in flexible, multi-disciplinary teams that use methodology aligned with the Local Government Digital Service Standard to iterate continuous service improvements in response to user needs.**
6. **We will work openly and actively collaborate with other organisations, including with the Community and Voluntary Sector, to develop innovative solutions and share learning and good practice.**

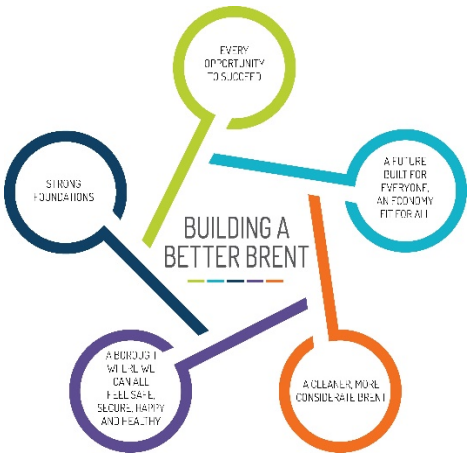






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OUTLINE BUSINESS CASE FOR PROGRAMME TO IMPLEMENT DIGITAL STRATEGY 2019-23



September 2019

Contents

1 Executive summary 3

1. Introduction 6

1.1. Purpose of OBC **6**
1.3. Background **6**
1.8. Building on the 2017-20 strategy and programme **6**
1.13. What we have achieved **9**
2. Strategic case 12

2.1. Building a Better Brent - the borough plan 2019-23 ..... **12**
2.4. The Draft Digital Strategy 2019-23 ..... **12**
2.7. Alignment with other key initiatives **12**
2.10. Delivery **13**
2.12. Benefits **15**
2.14. Benefits for residents: **15**
2.19. Benefits for the Council: **16**
3. Economic case 18

3.1. Background **18**
3.3. Investment required **18**
3.6. Opportunities **18**
3.12. Capacity and skills required **19**
3.16. Critical success factors **19**
4. Financial case 21

4.1. Budget context **21**
4.5. Delivering savings **21**
4.12. Investment model **22**
5. Management case 24

6. Glossary of key terms 25

1 Executive summary

This document provides an outline business case for the implementation of the 2019-23 digital strategy, building on and leveraging the benefits from the strong foundations put in place by the 2017-20 digital programme.

Since the launch of the 2017 digital strategy, the digital revolution has continued at pace, transforming the way we live, work and do business. This has created opportunities: connecting people, improving access to information and services and enabling innovation and business growth.

Brent also has an updated vision for 2023: to make Brent a borough of culture, empathy, and shared prosperity. In response to this evolution, Brent's updated Digital Strategy echoes the themes of the Borough Plan and focuses on two interdependent aims:

A **Digital Place** that enhances the strengths of Brent's local neighbourhoods and destinations, by building a borough-wide digital infrastructure improving access to full fibre broadband, developing a training and education framework that nurtures digital skills and expertise and building an environment that emboldens a culture of digital entrepreneurship and innovation.

A **Digital Council** with a digital offer in line with modern expectations. Our services and information are becoming more accessible and personalised, helping residents to make better informed choices and we are providing more efficient and value for money services, with leadership that empowers our workforce to use technology to work smarter across traditional structures and in new and existing partnerships.

Figure 1 shows the programme broken down into key deliverables including those which have already been delivered, those which are in progress during the final year of the original programme and those for which investment is sought to deliver in 2020-23. The programme is organised into seven groups of projects:

- **Building blocks** – working collaboratively to create the best possible solutions and continue to grow our in-house capacity and capability to develop and deliver these solutions. Ensuring that we have an efficient and secure technical architecture to support our digital ambitions.
- **Access** – giving residents quick and easy access to the information they need by continuing to transform the way services can be accessed. Using innovative technology to support customers as they interact with us and providing assistance for residents with more complex needs.
- **Skills** – working to ensure the right information, services and conditions are in place for all stakeholders to confidently interact with the digital council and thrive in the digital place.
- **Digital Place** - improving the borough's digital infrastructure so it is a destination for investment and is well placed to meet the challenges of the emerging digital economy.
- **Data and Smart devices** - extending our data capture and analytics capability to create richer data, a single view of the customer and the ability to drive decision-making. Enabling early service intervention to reduce demand and long terms costs on the council and partners. Using technology such as Internet of Things devices to create a vibrant digitally enabled borough.

- **MS Dynamics** – This theme includes bringing further services on to our MS Dynamics Customer Relationship Management System (CRM) and extending the use of our Electronic Document Management solution (EDM). Channels, applications and workflows will be integrated to enable seamless end-to-end transactions and maximise first touch capability. This means that we are able put the citizen at the centre of service delivery giving staff a single view of the customer, allowing them to access the information needed to resolve issues far more quickly. Crucially, we are using this technology to widen and improve our self-service offer. This will allow customers to interact with us at how and when it suits them and to easily track progress. This also allows us to rationalise the number of individual applications the council has in place which will drive savings in licensing and support costs.
- **Robotics** – Using robotics to increase staff capacity, enabling them to deal with meaningful and complex interactions making better use of the talent and skills within our workforce. This includes Robotic Process Automation (RPA) to carry out routine tasks quickly and accurately so they are completed on time, eliminating risk of errors, improving quality resulting in increased customer satisfaction. Using chatbots to assist customers to not only provide a speedy response, but to allow customers to interact with the Council across a range of platforms, including social media. It also means understanding how Artificial Intelligence (AI) can be used get customers faster and more consistent decisions, allowing them to carry out complete transactions where and when they choose.

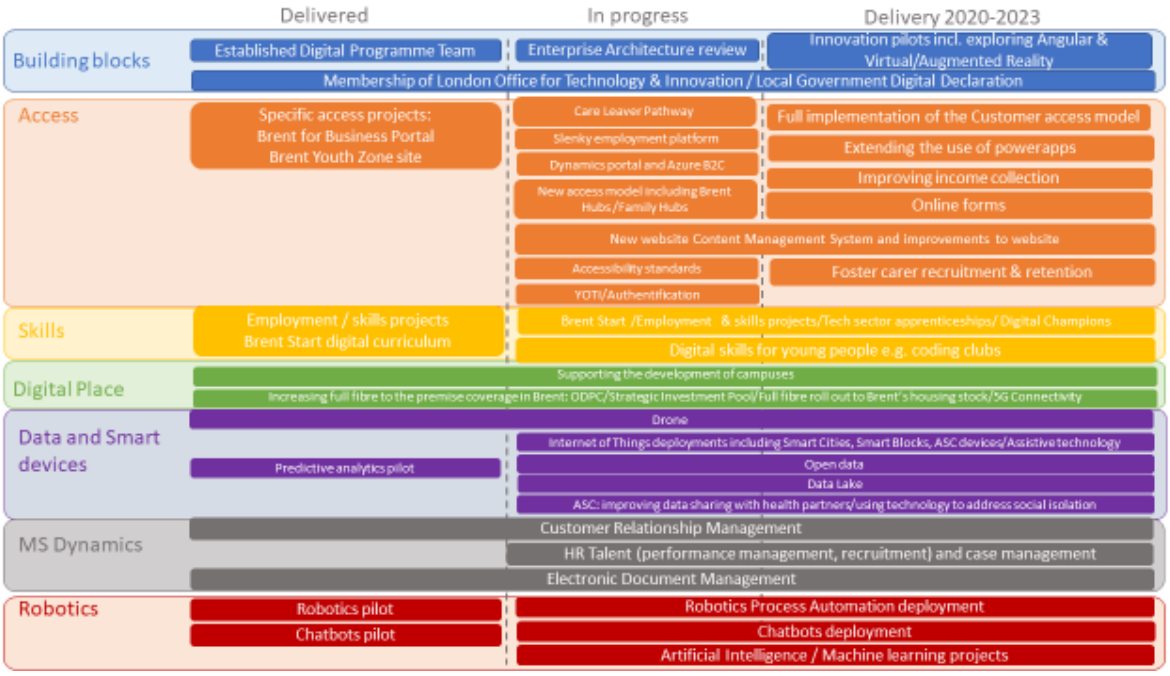


Figure 1

The work undertaken continues to be aligned with other council initiatives, including the development and implementation of a new Customer Access Model and the implementation of our approach to locality-based working.

Digital inclusion is embedded throughout the revised digital strategy, building on the approach undertaken in 2017-20. One of the strategy's key commitments is that, "We will ensure that our services are accessible to everyone. We will develop guidance on digital inclusion setting

out the accessibility standards new technology needs to comply with and to help services plan the provision for residents with complex needs as access arrangements change".

The achievements to date and expected future benefits from the implementation of the Digital Strategy are highlighted in these three examples:

A **Robotics Process Automation** pilot in Brent Customer Services demonstrated a £32,800 annual saving of overtime costs in implementing housing benefit rent changes. Based on detailed scoping of 14 processes, an average saving per process of £11,357 has been identified. This would mean a saving of £2.2m over five years based on automating 60 processes (the maximum covered by current licenses). In addition, pilot of a bot for issuing debt recovery letters has indicated potential additional sundry debt collection of 5%. Total debt in this category is £9.15m so this would equate to £457,500 additional income. Further investment will enable additional processes to be identified and automated, leveraging the potential identified through the pilot and providing additional opportunities for efficiencies.

Development of a **single customer portal** through which residents can track their contact with the council is underpinned by a suite of initiatives including implementation of MS Dynamics case management and Sharepoint EDM in Housing Management and Customer Services. At the same time planned improvements to the council's website will mean residents are better able to access services via smart phones and tablets, online access will be more tailored and more transactional services will be available online in one place – via a more secure platform. This is enhanced by increased digital assistance for those who need it in our community hubs, libraries and customer services centre.

Enablement of **digital infrastructure** across the borough improving connectivity for residents and businesses. Initiatives to date mean that over 3,500 homes and a number of community spaces now have access to a gigabit capable broadband connection. Full fibre roll out will continue and by March 2020 will reach 1,100 more small and medium enterprises (SMEs), supporting economic growth. Future projects that will further increase full fibre coverage include Local Full Fibre Network (ODPC: Park Royal fibre roll out and CCTV), Strategic Invest Pool: Connecting public buildings and full fibre roll out to Brent's housing stock. The roll out of 5G infrastructure supported and enabled by the council, will further augment the borough's digital infrastructure.

Financial cost benefit analysis

The overall investment required to deliver the draft digital strategy is £12.5m over the programme period. Based on work carried out to date total cumulative savings of £16.6m are forecast after Year 5, with payback after 4 years and an estimated recurring annual saving of £4.1m after 4 years, based on new, enabling and efficiency savings.

1. Introduction

1.1. Purpose of OBC

1.2. This document provides an outline business case for continuing a programme of activity to build on the foundations that have been put in place by Brent's digital programme since 2017. It sets out the investment required to deliver a refreshed draft digital strategy which has been revised to align it with priorities set out in the Brent Borough Plan 2019-23. Implementation of the refreshed strategy will enable the Council, and its partners, to fully leverage the benefits of the investment made to date and will secure further benefits as Brent becomes a truly digital borough and digital council; improving services to our customers whilst maximising opportunities for efficiencies.

1.3. Background

1.4. This business case sets out a programme of work designed to deliver the draft digital strategy 2019-23. It sets out the potential costs and projected benefits for the proposed programme, alongside details of the technology investment and outline projects which will be delivered. The majority of benefits are achieved through technology enabling transformation of service delivery across council services. Recognising this, the programme is aligned with the council's committed savings priorities for 2019-20 and 2020-21 as well as longer term financial planning to address the budget gap in the subsequent two years, in order to ensure digital transformation is prioritised to support services in delivering savings.

1.5. Costs and benefits are derived from experience gained from delivery of the programme to implement the 2017-20 strategy, along with internal consultation with service areas, external technology costs from third parties and drawing upon benchmarks and indicators of costs and savings from other London boroughs undertaking similar programmes.

1.6. A financial model provides detail of the costs, including programme and technology enablement, and initial savings from project delivery to show the return on investment. The programme includes a number of key deliverables including an improved website and single customer portal and other improvements to support the implementation of the Customer Access Model; new systems based on Microsoft Dynamics Talent to provide more efficient and effective HR services; the development of a data lake with early use cases for CYP and Housing to support better use of data to drive improvements; the development of systems to support the delivery of community and family hubs; and the build of new back office systems and customer portals to support the alignment of environmental contracts in 2023.

1.7. In addition to this, work with services will continue to be undertaken to determine where the new Microsoft Dynamics Customer Relationship Management (CRM) system, technologies such as Robotics Process Automation (RPA) and Artificial Intelligence (AI) will be rolled out, supported by improved customer interfaces and more effective use of data to drive improved resident experience and better outcomes.

1.8. Building on the 2017-20 strategy and programme

1.9. The digital revolution has touched the lives of people worldwide and has transformed the way we live, work and do business. Technology has connected people and brought them closer together, improved access to information and services, and created opportunities for innovation and business growth. But the speed of change has meant that it has been challenging for everyone to access services in new ways and traditional businesses and skill-sets have become obsolete.

1.10. This pace of change will continue to accelerate, presenting countless more challenges and opportunities. Since the launch of our first Digital Strategy in 2017, Brent has been working to ensure local residents, partners and businesses are able to thrive in the digital future, and play active roles in shaping Brent into a digital borough where technology is used to improve the lives and life chances of everyone.

1.11. Brent's ambitions in transforming into a digital borough are being realised through achieving the dual and interdependent aims of becoming a Digital Place and a Digital Council:

- As a **Digital Place** we are building a borough-wide digital infrastructure providing instantaneous connectivity resulting in a greater number of residents having access to full fibre broadband. We are developing a training and education framework that nurtures digital skills and expertise, with clear pathways into high-value contemporary employment. We are building an environment that emboldens a culture of digital entrepreneurship and innovation, attracts new businesses and supports the evolution of existing ones. Crucially this is being shaped by the strengths of Brent's local neighbourhoods and destinations, harnessing digital to amplify and promote their unique qualities.
- As a **Digital Council** we are enhancing our digital offer in line with modern expectations. Our services and information are becoming more accessible and personalised, helping residents to make better informed choices. We have implemented a new Customer Relationship Management (CRM) system (Microsoft Dynamics 365) enabling us to improve the service we provide. We are providing more efficient and value for money services, with leadership that empowers our workforce to use technology to work smarter across traditional structures and in new and existing partnerships. We have created better ways of providing the information people need, when they need it. From finding out what's going on for young people in the borough using Brent Youth Zone, to understanding what's available to support businesses or being able to check your child's position on a school's waiting list, residents are able to do more online than ever before. The use of RPA has been successfully piloted, performing tasks quickly and accurately, reducing errors and saving staff time. This is helping us to redesign how we deliver services to allow us to provide resources and support to ensure all residents are digitally included.

1.12. Figure 2 shows the programme broken down into key deliverables including those which have already been delivered, those which are in progress during the final year of the original programme and those for which investment is sought to deliver in 2020-23

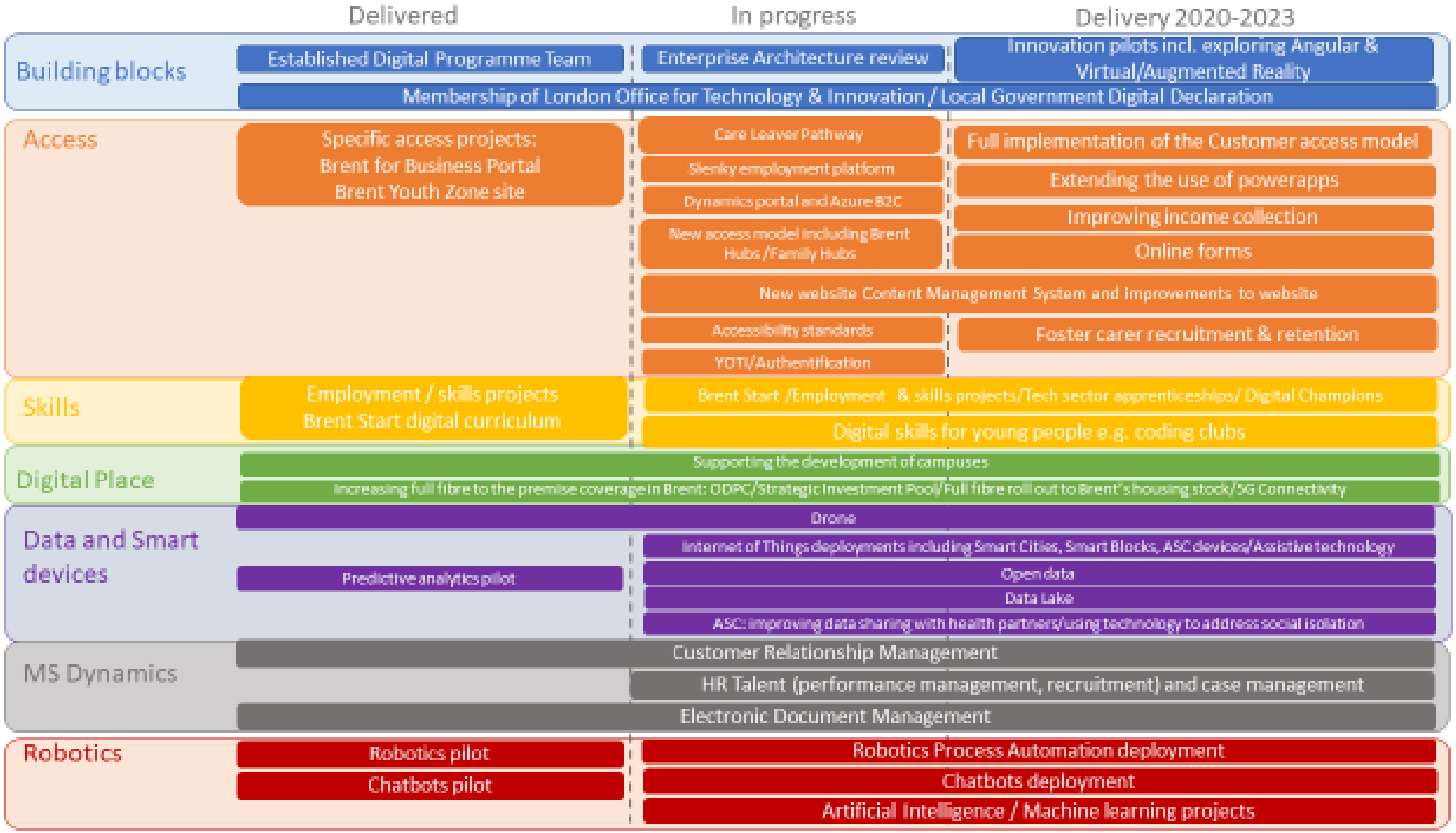

Delivered
In progress
Delivery 2020-2023
Building blocks
Established Digital Programme Team
Enterprise Architecture review
Innovation pilots incl. exploring Angular & Virtual/Augmented Reality
Membership of London Office for Technology & Innovation / Local Government Digital Declaration
Access
Specific access projects:
Brent for Business Portal
Brent Youth Zone site
Care Leaver Pathway
Slenky employment platform
Dynamics portal and Azure B2C
New access model including Brent Hubs /Family Hubs
Full implementation of the Customer access model
Extending the use of powerapps
Improving income collection
Online forms
New website Content Management System and improvements to website
Accessibility standards
YOTI/Authentification
Foster carer recruitment & retention
Skills
Employment / skills projects
Brent Start digital curriculum
Brent Start /Employment & skills projects/Tech sector apprenticeships/ Digital Champions
Digital skills for young people e.g. coding clubs
Digital Place
Supporting the development of campuses
Increasing full fibre to the premise coverage in Brent: ODPC/Strategic Investment Pool/Full fibre roll out to Brent's housing stock/5G Connectivity
Data and Smart devices
Drone
Predictive analytics pilot
Internet of Things deployments including Smart Cities, Smart Blocks, ASC devices/Assistive technology
Open data
Data Lake
ASC: improving data sharing with health partners/using technology to address social isolation
MS Dynamics
Customer Relationship Management
HR Talent (performance management, recruitment) and case management
Electronic Document Management
Robotics
Robotics pilot
Chatbots pilot
Robotics Process Automation deployment
Chatbots deployment
Artificial Intelligence / Machine learning projects

Figure 2

1.13. What we have achieved

1.14. During the first phase of the programme, activity was focussed on the set up of the programme team and on the development of the Microsoft Dynamics CRM system for Housing Management. There were also several small 'proof of concept' projects to assess the benefits of new technology. Through this work, it was identified that a number of building blocks were needed to support effective digital transformation – these ranged from the requirement for a corporate Electronic Document Management (EDM) system to underpin the effective implementation of Dynamics case management, to the need for enhanced systems to ensure data security in a Cloud environment. Investment in these building blocks has underpinned effective delivery of the digital transformation programme as well as strengthening the council's security and data management systems and processes. Since the second half of 2018, implementation has accelerated as the focus of Dynamics development moved to other areas of the council, work to establish the corporate EDM system commenced and full implementation plans for solutions which were tested via pilots, such as RPA and predictive analytics, have been agreed.

1.15. The key focus of work in 2019-20 is on enabling Brent Customer Services (BCS) to deliver planned savings through the introduction of a new Target Operating Model and will drive significant improvements in the experience of customers by providing a single, more accessible and secure portal for accessing a wider range of council systems through which customers will be able to track their issues. This will reduce the volume of avoidable phone calls and visits as well as providing a better service to customers. In addition, initial discovery work is underway to scope the development of an HR case management system as well as to plan for rolling out the Talent modules of Dynamics which will provide improved systems for performance management and recruitment.

1.16. A number of systems will launch in this period, including the new Dynamics case management system for complaints, member enquiries and information requests resulting in additional benefits. In addition, further work to implement machine learning will help us better understand how people interact with us and enable us to continually improve the way we deliver services, meeting public expectations and freeing up resources to help the most vulnerable. Developing a data lake will give staff and partners access to high quality data enabling them to make better decisions about the support and services they provide to some of Brent's most vulnerable residents. The first use case being developed, following a successful pilot, will provide a single view of the child enabling front line social workers to access a wide range of data in one place supporting quicker and more effective assessment of risk. In addition, the full fibre roll out will provide access to high speed internet connections for more Brent businesses, including 1,100 SMEs, facilitating access to faster, more robust and futureproof broadband which supports economic growth.

1.17. The original business case for the 2017-20 programme forecast cumulative saving of £3.7m net of costs after year 5 (2021/22) with payback within three years and an estimated recurring saving of £2.6m after 21/22 (based on both new and enabling savings). The current cumulative savings forecast for the programme is £4m (net of costs) is with an annual recurring saving of £3.2m as set out in Figure 3.

Digital programme 2017-20 cost benefit analysis						
Investment	**17/18**	**18/19**	**19/20**	**20/21**	**21/22**	**Total**
TOTAL COSTS	**£ 0.5**	**£ 2.4**	**£ 2.7**	£ -	£ -	**£ 5.6**
Savings/Income	**17/18**	**18/19**	**19/20**	**20/21**	**21/22**	**Total**
New	£ -	£ -	£ 0.4	£ 0.4	£ 0.4	**£ 1.2**
Enabling	£ -	£ -	£ 2.8	£ 2.8	£ 2.8	**£ 8.4**
TOTAL CUMULATIVE SAVINGS/INCOME	**£ -**	**£ -**	**£ 3.2**	**£ 3.2**	**£ 3.2**	**£ 9.6**
Annual Profile	**£ (0.5)**	**£ (2.4)**	**£ 0.5**	**£ 3.2**	**£ 3.2**	**£ 4.0**

Figure 3

1.18. Other benefits delivered by the 2017-20 programme include:

- Implementation of improved digital systems for Brent Customer Services has supported delivery of £1m savings.
- Implementation of Dynamics case management system has supported Housing Management Transformation and delivery of £1m savings.
- RPA pilot in Brent Customer Services demonstrated a £32,800 annual saving in overtime costs for implementing housing benefit rent changes. Five other housing benefit processes have also now been successfully automated and analysis shows significant potential savings through further automation of processes.
- Website improvements have resulted in increased session duration, decreased bounce rate and a 95% reduction in broken links.
- Over 30 Brent residents have been newly recruited to support Hyperoptic's fibre broadband roll out.
- Over 300 residents have gained improved digital skills and 450 Brent young people have benefited from TechMix pilot which increased their digital skills, confidence and employability.
- Full fibre to the premises broadband coverage is now nearly 20% from a June 17 baseline of 3.7% (based on OFCOM data).
- Over 3,500 homes and a number of community spaces now have access to a gigabit capable broadband connection.
- £12K in income has been generated by use of Brent drone through aerial photography, weddings etc.
- A successful prototype has provided professionals with access to data held in different places to give them a more holistic view of the lives of vulnerable young people. This has potential to reduce costs through earlier intervention.
- Development and launch of the Brent for Business portal has received positive feedback from businesses and is freeing up staff time previously spent dealing with simple queries.
- New platforms have been developed for key corporate initiatives including Borough of Culture, i4B and the Syrian refugee programme. Separate development of these bespoke systems would have resulted in increased cost to the council.

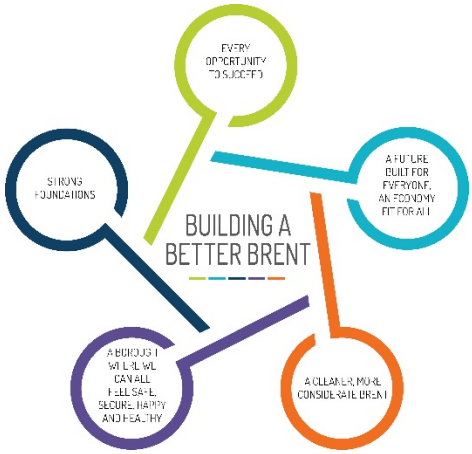
- A successful and effective digital transformation team has been established and work is underway to build an in-house centre of excellence in technologies such as Dynamics, RPA and AI. This has included the recruitment of three digital apprentices with more posts planned, training for permanent applications support teams and secondment opportunities enabling staff to gain new skills. In addition, there are income generation possibilities from providing these skills to other councils.

2. Strategic case

2.1. Building a Better Brent - the borough plan 2019-23

2.2. Our vision for 2023 is to make Brent a borough of culture, empathy, and shared prosperity. A borough where people from different backgrounds feel at ease with one another, share in cultural opportunities and activities, and value the principles of fairness, equality, good citizenship and respect for people and place. People will feel that they and their children are safe, cared for and able to achieve, and that they receive excellent services when they need them. Brent will be a great place to live and work, where business and enterprise prosper and local people have opportunities to change their lives for the better.

2.3. The Borough Plan focuses on five themes: Every opportunity to succeed; a future fit for everyone, an economy fit for all; a cleaner, more considerate Brent; a borough where we can all feel safe, secure, happy and healthy; and strong foundations. We will harness the opportunities presented by technology to help to deliver this vision and build a better Brent.



2.4. The Draft Digital Strategy 2019-23

2.5. The revised Digital Strategy echoes the themes of the Borough Plan. Under each of the Borough Plan themes, the strategy explains out how the digital programme has supported the objectives of the Borough Plan so far, and sets out the next steps on our journey to becoming a digital borough.

2.6. These ambitions will be realised through achieving the dual and interdependent aims of becoming a digital council and a digital place.

2.7. Alignment with other key initiatives

2.8. The work undertaken continues to be aligned with other council initiatives, including the development and implementation of a new Customer Access Model; work to support the Council becoming a Cooperative Council and the implementation of our approach to locality-based working.

2.9. Digital inclusion is embedded throughout the revised Strategy. One of the Strategy's key commitments is that, "We will ensure that our services are accessible to everyone. We will develop guidance on digital inclusion setting out the accessibility standards new technology needs to comply with and to help services plan the provision for vulnerable customers as access arrangements change".

2.10. Delivery

2.11. Figure 4 sets out the key themes set out in the digital strategy and the initiatives which will be delivered to implement these.

Themes	Initiatives
Access Giving residents quick and easy access to the information they need by continuing to transform the way services can be accessed. Using innovative technology to support customers as they interact with us and providing assistance for residents with more complex needs.	• Full implementation of new Customer Access Model • Development of the new online portal to bring more services into one place where residents can access them easily and securely • New website Content Management System resulting in a streamlined site, with additional personalisation and accessible via Smart phones and tablets • Improved online forms which better integrate into back office systems providing a more efficient and effective service • Improving income collection (enabling online payment) • Extending the use of Power Apps to support staff outside the office and provide better access to live data to inform decisions
Skills Working to ensure the right information, services and conditions are in place for all stakeholders to confidently interact with the digital council and thrive in the digital place.	• Brent Start Digital Curriculum • Digital Champions • Tech sector apprenticeships and employment • Digital skills offer for young people e.g. coding clubs delivered through libraries

Digital Place
 	
Improving the borough's digital infrastructure so it is a destination for investment and is well placed to meet the challenges of the emerging digital economy.
	• Supporting the development of campuses e.g.
	  ○ College of NW London plans for campus
	  ○ Northwick Park Campus: One public estate
	
	• Support the roll out of 5G connectivity
	
	• Increasing full fibre to the premise coverage in Brent e.g.
	  ○ Local Full Fibre Network (ODPC: Park Royal fibre roll out and CCTV)

Themes	Initiatives
	○ Strategic Invest Pool: Connecting public buildings ○ Full fibre roll-out to Brent's housing stock
Data and Smart devices Extending our data capture and analytics capability to create richer data, a single view of the customer and services and the ability to drive decision-making. Enabling early service intervention to reduce demand and long terms costs on the council and partners.	• Extending use of Brent drone • Developing our Data Lake • Internet of Things deployments including Smart Cities, Smart Blocks, • Adult Social Care IoT and assistive tech: • Open data
MS Dynamics Bringing further services on to our Customer Relationship Management System (CRM) and extending the use of our Electronic Document Management solution (EDM). Channels, applications and workflows will be integrated to enable seamless end-to-end transactions and maximise first touch capability putting the citizen at the centre of service delivery. This also allows us to rationalise the number of individual applications which will drive savings in licensing and support costs.	• CRM further phases and pilots • HR Talent system for performance management and recruitment • Technical build of systems to support realignment of environment contracts in 2023 • Design and build of systems to support community and family hubs • EDM and pipeline projects
Robotics Using robotics to increase staff capacity, enabling them to deal with meaningful and complex interactions. This includes Robotic Process Automation (RPA) to carry out routine tasks quickly and accurately resulting in increased customer satisfaction. Chatbots to provide a speedy response and allow customers to interact with the council across a range of platforms, including social media. Artificial Intelligence (AI) to give customers faster and more consistent decisions, allowing them	• Robotics Process Automation (including automation of online assessments) • Chatbots deployment • AI /machine learning

Themes	Initiatives
to carry out complete transactions where and when they choose.	
Building Blocks Working collaboratively to create the best possible solutions and continue to grow our capacity and capability to develop and deliver these solutions. Ensuring that we have an efficient and secure technical architecture to support our digital ambitions.	• Developing in-house capacity in Dynamics support and development, RPA, AI, data science • Membership of London Office of Technology and Innovation (LOTI) • Systems and licensing rationalisation

Figure 4

2.12. Benefits

2.13. The projects in the next phase of the digital strategy are expected to generate the following benefits for residents and the Council. These are outlined in more detail in Appendix 1.

2.14. Benefits for residents:

2.15. Improved customer experience in engaging with Council services, for example:

- Residents will be able to access more services online, transactions will be easier and residents will be able to access services via smart phones and tablets
- Residents will be able to pay for more services online
- Residents will be able to track the progress of their cases and transactions
- A more secure, single portal will enable residents to effectively transact with a wider range of council services in one place

2.16. Access to faster, more robust connectivity with greater capacity to meet future demand, for example:

- Full fibre roll outs will create fibre spines enabling residents to access faster, more robust and futureproof broadband
- Roll out of 5G connectivity will enable wider use of Smart Home technology and provide a platform for innovation

2.17. Technology will enable **an improved quality of life** for some residents, including:

- Internet of Things devices will allow residents to live more independently for longer
- Implementation of Smart city devices will enable better management of challenges including air quality and traffic congestion across the borough
- Roll out of full fibre network will support the CCTV network in Park Royal and will address community safety concerns

2.18. Access to support for improved **digital skills** enhancing employment and growth in the borough:

- More children and young people will be able to access coding clubs through libraries, in particular priority groups e.g. young people in care and black Caribbean boys

- Over 1,700 places will be available for residents on Brent Start digital skills courses in the borough.

2.19. Benefits for the Council:

2.20. More efficient ways of working, enabled by digital developments, including:
- RPA will automate mundane processes, reduce rekeying and manual interventions
- Investment in EDM and Dynamics systems will reduce processing times (e.g. through enabling a single view of the customer)
- Pilots such as AI machine learning and Power Apps will facilitate service redesign and enable more efficiency
- New systems such as HR Talent will make it easier for managers and staff to self-serve underpinning improved performance management and recruitment processes

2.21. Using information more effectively to benefit residents, **making every pound count**:
- Improvement of performance information and data analysis (e.g. through Dynamics and Power Apps) to enable deeper understanding and support planning and service improvements
- Data Lake implementation will support predictive analytics supporting early intervention reducing demand on frontline practitioners. Data can also facilitate quicker and better decision making based on live analytical information
- Increased ability to analyse communication with customers through chatbots improving understanding of issues and challenges impacting on residents

2.22. Generation of **financial benefits** for the Council through:
- Income generation through commercial developments (e.g. sale of expertise and digital developments to other Councils, use of assets for 5G infrastructure)
- Savings through rationalisation of systems, reducing licensing and support costs
- Improving online payment functionality will improve income collection and reduce the risk of debts
- Potential for financial savings to be realised as a result of efficiencies in processing and ways of working e.g. through RPA and new online forms
- New technology will be used to enable delivery of key initiatives and related savings including Family Hubs; Adult Social Care assistive technology and the alignment of contracts for environmental services in 2023.

2.23. A clear set of stretching, measurable targets has been developed as part of the 2019-23 strategy against which delivery of the programme will be measured.

3. Economic case

3.1. Background

3.2. In February 2019, the Council agreed its budget for 2019-20 and 2020-21. This budget included agreed savings of £9.5m in 2019/20 with further savings identified in 2020/21. In addition, a budget gap is expected in the subsequent two financial years and therefore further savings will need to be identified in order the balance the Council's budget. This OBC includes enabling savings based on the use of new technology to drive more efficient and effective working, in particular this work is required to deliver savings agreed for Brent Customer Services. Investment in this digital programme also provides the tools and support for other departments to make similar savings and work in the coming year will be able to contribute to the identification of further savings for 2021-22 and 2022-23.

3.3. Investment required

3.4. Implementation of the previous strategy focused on testing, piloting and putting in place the building blocks for a solid foundation to enable future digital transformation. The programme of activities, outlined as part of the updated Digital Strategy, is focused on realising and building on this initial investment. The overall investment required is estimated at £12.5m over the programme period (assuming a programme that runs from April 2020 through to September 2023). Some investment may be drawn on in the latter part of 2019-20 to ensure momentum is maintained on current work. Based on work carried out on the OBC to date, cumulative savings are forecast at £16.6m net of costs, after Year 5 with payback within 4 years and an estimated recurring annual saving of £4.1m after 4 years (based upon new, and enabling savings).

3.5. Investment is required to:

- **Support and develop the programme** – with sufficient programme governance and coordination so that it can work with services to define, resource and deliver key change projects and follow through efficiency and benefits realisation.
- **Further embed a digital platform** – The Dynamics platform, supported by Sharepoint EDM, will have been rolled out to Housing Management, Brent Customer Services and across core corporate systems such as complaints management by March 2020. The next phase of the programme will build on opportunities through activity analysis and 'bundling' of common processes to drive savings, create a data rich environment and 'single view', reduce the number of business applications and drive greater integration and automation of systems. Details of the pipeline are included in Appendix 1 but will include HR Talent and case management systems for HR; design and build of systems to support work of Hubs and Family Hubs and build of front and back and systems to support the alignment of environment services in 2023.
- **Maximise benefits from initial pilots** – A key element of the programme to date has been to carry out small scale pilots of new technologies such as RPA and AI. These have identified opportunities to generate significant savings through further roll out of these technologies across council services, as well as potential opportunities to generate income by selling expertise to external organisations. This investment will support work to maximize the benefits from initial investment through wider implementation. The programme will also act as a conduit to test new innovations in service delivery, such as IoT.

3.6. Opportunities

3.7. A core element of the current programme has been to work with departments and service areas to identify opportunities for rolling out the new digital platform and technologies.

3.8. Projects identified form the basis of savings forecasts and fall into two categories:

- Projects that enable and contribute towards existing savings targets for 2019-21, and therefore help give greater confidence in securing savings by having a clearly defined and supported project
- Projects that potentially deliver new savings for 2022-23, 2024-25 and beyond

3.9. The projects deliver benefits through savings, new income or through protecting income streams or reducing demand. Savings are based upon headcount or third party savings.

3.10. In addition to the savings identified, a number of projects which are still in the piloting or development stage, or which will be piloted as part of the new programme, have the potential to deliver financial benefits. These include improved income collection and use of data analytics to support management of demand.

3.11. Work with services will continue to be undertaken in 2020/21. New projects will be added to the programme as they are defined with new savings feeding into the medium term financial planning process.

3.12. Capacity and skills required

3.13. Work has been carried out to date to develop and build expertise within the Council in order to carry out and support the digital programme – this was a key element of the 2017-20 business case. This includes training and building expertise to support core systems such as Microsoft Dynamics and EDM as well as the initial development of a centre of excellence in implementing RPA and AI technologies. This has involved up-skilling existing staff in the IT Client and Applications Support service as well as providing opportunities for staff from across the council to learn new skills through secondment opportunities and providing new opportunities through apprenticeships. The level of investment required across the 3.5 years reflects the intention to continue to build the in house team and reduce the requirement for external support over the period.

3.14. As well as core skills such as programme management and business analysis and new specialist skills such as RPA development, an increased investment in data science and engineering expertise is required to support the development and implementation of the Data Lake and predictive analysis approaches.

3.15. In addition to fixed term posts aligned with the programme, experience, skills and capacity of permanent posts in the Transformation, Business Intelligence, Web and ICT Applications Support teams, as well as in service areas, is being utilised resulting in extra capacity and upskilling of a wider group of staff.

3.16. Critical success factors

3.17. Some of the critical success factors in delivering this programme are set out in Figure 5.

Success factor	Description
Customer Experience	Designing and building services around the customer and delivery as digital by design and choice
Innovation	Openness to new ways of working and emerging technology the ability to 'break the rules' and bring new and more radical ways of working and service delivery to the table
Technology Enablement	Integrated technology enabled to manage demand, automate, integrate and rationalise systems and create common platforms for service delivery
Decision-Making	Effectively using data and insight in making key corporate and service decisions

Agile Workforce	Creating an agile, digitally skilled and solution-focused workforce culture

Figure 5

4. Financial case

4.1. Budget context

4.2. The Council faces challenging financial targets in order to maintain a balanced budget.

4.3. Savings have been identified for 2019-20 and 2020-21, a number of which – in particular savings in Customer Services - are predicated on the implementation of the digital programme. In addition, a budget gap is expected in the subsequent two financial years and therefore further savings will need to be identified in order the balance the Council's budget.

4.4. At the same time, demand for services is increasing and residents' expectations of the quality of front-line services continues to rise. Many back office services that support our activities are stretched as a result of savings already made. The extension of the digital programme will build on work to date and continue to assist with addressing the joint challenges of the need to continue to make savings with the increasing expectations of customers for a high quality service.

4.5. Delivering savings

4.6. Typically, digital transformation yields realisable savings in three ways all derived from changing ways of working, enabled by digital technology. These are:

- Reduced headcount. If processes currently completed or supported by people are automated, then fewer people are needed to answer calls or emails and transpose eforms or undertake other processing activities as the process is automated. Where these headcount reductions would occur would depend on where the current effort is expended.
- Reduced Estates holdings. If you employ fewer people and do less business face-to-face then there is a reduced need for physical estates and you can in principle give up premises. In Brent's case this could result in an increase in income from the Civic Centre.
- Reduced levels of waste relating to in-house or bought-in services. Examples could include better visit planning for repairs or inspections and lower failure rates in delivering services such as removing a fly-tip. The savings may fall directly to the council or may be realised through being able to negotiate a lower price for bought-in services.

4.7. However, the scale of the potential savings possible and the level of investment required to yield them will depend on the baseline within a specific service and the wider organisation as well as the ability to drive change to the point where savings can be realised.

4.8. In practice, whether headcount savings are realised depends on whether capacity created is redeployed to other activities. This depends on the context of the relevant service and team skills and capabilities. Regardless of whether benefits are realised as cashable savings or better use of available resources, digital transformation is able to contribute to the council's objective of 'Making every pound count'.

4.9. New income, through commercial opportunities is also a financial benefit arising from the implementation of the digital strategy.

4.10. Discussions are ongoing with a number of boroughs who are interested in utilising Brent's development and support expertise in Dynamics as well as in new technologies such as RPA – a field in which Brent is at the leading edge within local government. Interest in leasing the capacity of Brent's robots has also been expressed by boroughs looking for ways to test and build business cases for using this technology without a large initial investment. Brent's current partnership with Infosys is also driving a number of opportunities for generating income, both from within the UK and internationally.

4.11. Delegated authority to award a contract for technology partnership to deliver the new programme has been sought and it is anticipated that the Council will work with this partner to identify and benefit from opportunities to generate income from the council's development work and skills in this area.

4.12. Investment model

4.13. An assessment of costs and savings has been undertaken for this outline business case based upon the following:

- **Cost of the programme and the proposed digital programme resources** – The programme will be temporary for three and a half year years from to Spring 2020 to Autumn 2023.
- **Cost of technology enablement** such as Dynamics, RPA, EDM licenses and support, integration, technology implementation support and data and security tools.
- **Savings and income –** based upon the assumptions for headcount, 3rd party savings, new revenue streams and cost avoidance/demand management.
- **Savings** defined as **New** (i.e. not in current budget savings or plans), **Enabling** (i.e. supporting delivery of agreed savings targets, these projects give a further level of confidence to delivery), or **Efficiency** (i.e. providing opportunities for departments to increase efficiency which could include cashable savings to support delivery of new savings targets).

4.14. Figure 6 summarises the cost benefit analysis over the programme period.

Digital programme cost benefit analysis						
Investment	**20/21**	**21/22**	**22/23**	**23/24**	**24/25**	**Total**
Access	£ 0.3	£ 0.2	£ 0.1	£ -	£ -	**£ 0.6**
Digital skills and place	£ 0.1	£ -	£ -	£ -	£ -	**£ 0.1**
Data and smart devices	£ 1.0	£ 0.8	£ 0.5	£ 0.1	£ -	**£ 2.4**
Dynamics	£ 1.1	£ 1.0	£ 1.0	£ 0.3	£ -	**£ 3.4**
Robotics	£ 0.6	£ 0.6	£ 0.1	£ 0.1	£ -	**£ 1.4**
Building blocks	£ 0.7	£ 0.7	£ 0.6	£ 0.2	£ -	**£ 2.2**
Licensing	£ 0.7	£ 0.7	£ 0.7	£ 0.3	£ -	**£ 2.4**
TOTAL COSTS	**£ 4.5**	**£ 4.0**	**£ 3.0**	**£ 1.0**	**£ -**	**£ 12.5**
Savings/Income	**20/21**	**21/22**	**22/23**	**23/24**	**24/25**	**Total**
Savings (Enabling) Implementation of Customer Access Model	£ 0.4	£ 0.4	£ 0.4	£ 0.4	£ 0.4	**£ 2.1**
Savings (New) Licensing, etc	£ 0.4	£ 0.6	£ 0.8	£ 0.8	£ 0.8	**£ 3.4**
Savings (New) CDS	£ -	£ 0.4	£ 0.9	£ 0.9	£ 0.9	**£ 3.1**
Savings (New) ACE	£ -	£ 0.1	£ 0.3	£ 0.3	£ 0.3	**£ 1.0**
Savings (New) Online forms	£ 0.3	£ 0.3	£ 0.3	£ 0.3	£ 0.3	**£ 1.5**
Savings (New) Robotics Process Automation	£ 0.1	£ 0.3	£ 0.4	£ 0.7	£ 0.7	**£ 2.2**
Savings (New) Income via increased debt recovery through RPA	£ 0.4	£ 0.4	£ 0.4	£ 0.4	£ 0.4	**£ 2.0**
Income (New) via commercial opportunities	£ 0.1	£ 0.3	£ 0.3	£ 0.3	£ 0.3	**£ 1.3**
TOTAL CUMULATIVE SAVINGS/INCOME	**£ 1.7**	**£ 2.8**	**£ 3.8**	**£ 4.1**	**£ 4.1**	**£ 16.6**
Annual Profile	**£ (2.7)**	**£ (1.2)**	**£ 0.8**	**£ 3.1**	**£ 4.1**	**£ 4.2**

Figure 6

4.15 This table includes enabling savings based on the use of new technology to drive more efficient and effective working, in particular this work is required to deliver savings agreed for Brent Customer Services of £0.4m annually.

4.16 Investment in this digital programme also provides the tools and support for other departments to make similar savings in 2021-22 and 2022-23, and work will take place with departments in the current year to identify further savings. These new savings include the following recurring savings:

- Licensing – savings from rationalising systems and replacing with Dynamics and EDM to reduce licensing costs
- Delivery of savings in Customer and Digital Services and Assistant Chief Executive's departments by using technology to support realignment of services
- Efficiencies through improving online forms and integrating into back office systems, removing unnecessary data entry and contact demand
- Efficiencies generated from implementation of Robotic Process Automation (RPA) to replace manual processing
- Increase in debt recovery via RPA, based on pilot findings
- Income generation through selling support and development expertise

5. Management case

5.1. Digital Programme Development

5.2. Subject to agreement of the business case, the programme will commence from April 2020 but in effect will continue the programme of work already underway in 2019-20.

5.3. The programme, based upon the current tranche of projects, is estimated to be completed by autumn 2023.

5.4. Key programme milestones include:

- Spring 2020 – implementation of customer access model
    - Spring 2020 – launch of HR Talent for performance management
        - Summer 2020 – launch of new customer portal and improved website
    - End 2020 – 20 RPA processes live; two user cases embedded in data lake
    - 2021 – AI tested and piloted on data lake
    - End 2021 – 40 processes live; 3 data lake processes embedded
    - 2023 – development of back end systems to support new contractual arrangements for environmental services

Appendices

- Appendix 1 – Expected Benefits for 2019-23 Programme
- Appendix 2 - Financial benefits for 2019-23 Programme

6. Glossary of key terms

AI - Artificial intelligence (AI) is the simulation of human intelligence processed by machines, especially computer systems.

Assistive Technology - An **Assistive Technology** device is defined as "any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.

Chatbot – A **Chatbot** is a computer program that fundamentally simulates human conversations. It allows a form of interaction between a human and a machine the communication, which happens via messages or voice command.

CRM – Customer relationship management (**CRM**) is a technology for managing all your company's relationships and interactions with customers and potential customers.

Data Lake – A **Data Lake** is a centralized repository that allows you to store all your structured and unstructured data at any scale. You can store your data as-is, without having to first structure the data, and run different types of analytics—from dashboards and visualizations to big data processing, real-time analytics, and machine learning to guide better decisions.

Dynamics – Microsoft Dynamics is a Customer Relationship Management (CRM) is a system for managing a company's interactions with current and future customers. It often involves using technology to organize, automate, and synchronize sales, marketing, customer service, and technical support.

EDM - An **Electronic Document Management** system (EDMS) is a software system for organizing and storing different kinds of documents. This type of system is a more particular kind of document management system, a more general type of storage system that helps users to organize and store paper or digital documents

IoT - The **Internet of Things** is a system of interrelated computing devices, mechanical and digital machines, objects, animals or people that are provided with unique identifiers (UIDs) and the ability to transfer data over a network without requiring human-to-human or human-to-computer interaction.

5G - Fifth-Generation cellular wireless, and the initial standards for it were set at the end of 2017. But a standard doesn't mean that all 5G will work the same—or that we even know what applications 5G will enable. There will be slow but responsive 5G, and fast 5G with limited coverage

Full Fibre - Full-fibre broadband uses fibre-optic cables to connect your home to the street cabinet, replacing the old copper connections. Full-fibre connections provide a better service that can deliver much faster speeds – up to one gigabit per second.

HR Talent – Human Resources Talent management touches on all key HR areas, from hiring to onboarding and from performance management to retention. High-performing employees: The purpose of talent management is to increase performance. Talent management is aimed at motivating, engaging, and retaining employees to make them perform better.

RPA - Robotic Process Automation (RPA) is the use of software with artificial intelligence (AI) and machine learning capabilities to handle high-volume, repeatable tasks that previously required humans to perform.

Smart Cities - A **Smart City** is a designation given to a city that incorporates information and communication technologies (ICT) to enhance the quality and performance of urban services such as energy, transportation and utilities in order to reduce resource consumption, wastage and overall costs.

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of the Local Government Act 1972.

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of the Local Government Act 1972.

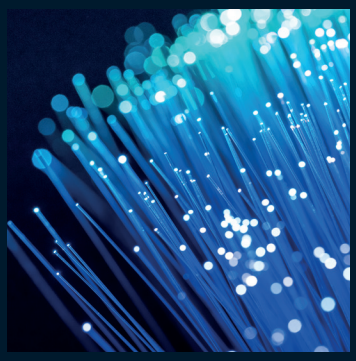
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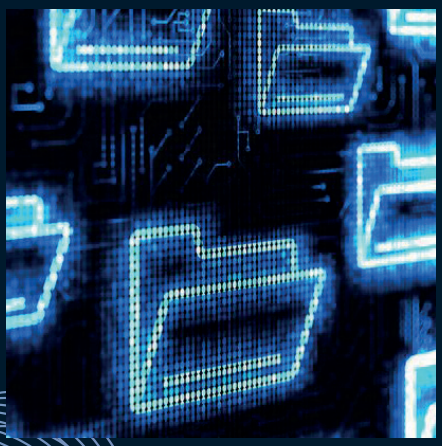
BRENT CYBER SECURITY STRATEGY

2019-2023













CONTENTS

Foreword 3
Introduction 4
Purpose 6
Scope Of The Strategy 6
The Challenge We Face As A Council 6
Threats 6
Vulnerabilities 8
Risks 9
Our Approach, Principles And Priorities 9
Implementation Plan 10
Critical Success Factors 12
Cyber Security Governance / Roles And Responsibilities 13
Appendix 1 Standards 15
Appendix 2 NCSC: 10 Steps To Cyber Security 15
Appendix 3 Brent Cyber Security Work Program 17

FOREWORD



Information and data are vital to every part of Brent Council's business. As we continue with a digital programme that is transforming the way we work and how local people access information and services, we need increasingly robust security measures to protect against cyber threats.

Across the globe, cyber attacks are growing more frequent and sophisticated. When they succeed the damage can be life-altering; with severe personal, economic and social consequences.

This Cyber Security Strategy sets out our approach for protecting our information systems and the data they hold to ensure the services we provide are secure and our residents, businesses and stakeholders can safely transact with us. This includes achieving a balance of embracing digital opportunities, including making information more widely available and accessible, whilst ensuring that right levels of protection are in place.

This strategy demonstrates our commitment and the key actions we will take over the next four years to further establish a trusted digital environment for Brent. We will strengthen and secure Brent from cyber threats by investing in our systems and infrastructure, deterring our adversaries, and developing a wide range of responses; from basic cyber hygiene to the most sophisticated defences.

Cyber-attacks will continue to evolve, which is why we will continue to work at pace to stay ahead of all threats. We will deliver real-world outcomes and ground-breaking innovations to reduce the risks to our services and deter would-be attackers.

This Cyber Security Strategy underpins and enables the Brent Digital Strategy; which continues to ensure we harness the benefits of technology to improve the lives and life chances of all local people. The measures outlined in this strategy will safeguard trust and confidence in the way we operate and deliver our services, supporting Brent to remain at the forefront of the digital revolution.

Cllr Margaret McLennan
Deputy Leader, London Brent Council

INTRODUCTION

This document sets out Brent Council's application of information and cyber security standards to protect our information systems, the data held on them, and the services we provide, from unauthorised access, harm or misuse. It is our cyber security commitment both to the people we represent and the national interest; and emphasises the importance of cyber security in the role of all council staff.

WHAT IS CYBER SECURITY AND WHY IS IT IMPORTANT?

Cyber security is the practice of ensuring the confidentiality, integrity and availability (CIA) of information.

- **Attacks on Confidentiality –** stealing, or rather copying personal information.
- **Attacks on Integrity –** seeks to corrupt, damage or destroy information or systems and the people who rely on them.
- **Attacks on Availability –** denial of services, seen in the form of ransomware.

Cyber security refers to the body of technologies, processes, and practices designed to protect networks, devices, programs, and data from attack, damage, or unauthorized access. Cyber security may also be referred to as information technology security.

Cyber security is important because, in order to effectively deliver services, Brent council collects, processes, and stores large amounts of data on computers and other devices. A significant portion of this data is sensitive information, including financial data, personal information, or other types of data for which unauthorized access or exposure could have negative consequences.

Brent council transmits sensitive data across networks and to other devices in the course of providing services. Cyber security is the discipline dedicated to protecting this information and the systems used to process or store it.

Cyber security is crucial in ensuring our services are kept up and running. It is also vital in ensuring the public trusts the council with their information. A cyber-attack could have very serious consequences, both in terms of disrupting services – many of which serve our most vulnerable residents – and through damage to the council's reputation.

STRATEGIC CONTEXT

The overarching vision in the Brent Borough Plan (2019-2023) is "to make Brent a borough of **culture**, **empathy**, and **shared prosperity**". Achieving this vison will require innovation, continued and deeper partnerships, and careful planning based on sound evidence.

The Brent Digital Strategy (2019-2023) sets out Brent's ongoing digital transformation, including how technology will be used to progress each of the Borough Plan themes: strong foundations; every opportunity to succeed; a borough where we can all feel safe, secure, happy and healthy; a cleaner more considerate Brent; and a future build for everyone, an economy fit for all.

This Cyber Security Strategy supports delivery of the Borough Plan and Digital Strategy by providing a framework for Brent to securely harness the benefits of the digital revolution for the benefit of all stakeholders. It is essential to the efficient running and evolution of the council.

This Cyber Security Strategy sits alongside the Brent ICT Strategy and is supported by a suite of operational policies (Information Security Policy, Information Risk Policy and Access to Information Rule Book).



PURPOSE

The council seeks to deliver its digital strategy through transforming Brent into a digital place and a digital Council. The scale of transformation represents an unprecedented culture shift for the Council, residents, partners and businesses.

The Cyber Security Strategy is a new strategy, introduced in response to a number of successful and high profile cyber-attacks on public and private organisations. The purpose of the strategy is to give assurance to residents and other stakeholders of the council's commitment in delivering robust information security measures to protect resident and stakeholder data from misuse and cyber threats, and to safeguard their privacy through increasingly secure and modern information governance and data sharing arrangements - both internally and with partners.

Through delivery of this strategy we will comply with and embed the principles of 'Cyber Essentials'; a government-backed, industry-supported scheme to help organisations protect themselves against common online threats. We will also follow the "10 Steps to Cyber Security" framework published by the National Cyber Security Centre (included as Appendix 2).

SCOPE OF THE STRATEGY

This strategy is intended to cover all Brent Council information systems, the data held on them, and the services they help provide. It aims to increase cyber security for the benefit of all Brent residents, businesses, partners and stakeholders; helping to protect them from cyber threats and crime.



THE CHALLENGE WE FACE AS A COUNCIL

Brent Council is using an increasing range of technology, from apps and the cloud, to different devices and gadgets. Much of our business is online: corresponding with residents and local businesses, carrying out case work, and reviewing reports and papers for council meetings.

This direction of travel is expected to continue and accelerate; making effective cyber security ever more crucial in protecting against new types of threats, risks and vulnerabilities.

THREATS

A threat if left unchecked, could disrupt the day-to-day operations of the council, the delivery of local public services and ultimately has the potential to compromise national security.

TYPES OF THREATS

CYBERCRIMINALS AND CYBERCRIME

Cybercriminals are generally working for financial gain. Most commonly, for the purposes of fraud: either selling illegally gained information to a third party, or using directly for criminal means.

Key tools and methods used by cybercriminals include:

- **Malware** – malicious software that includes viruses, Trojans, worms or any code or content that could have an adverse impact on organisations or individuals
- **Ransomware** – a kind of malware that locks victims out of their data or systems and only allows access once money is paid
- **Phishing** – emails purporting to come from a public agency to extract sensitive information from members of the public.



HACKTIVISM

Hacktivists will generally take over public websites or social media accounts to raise the profile of a particular cause.

When targeted against local government websites and networks, these attacks can cause reputational damage locally. If online services are regularly disrupted by cyber-attacks this could lead to the erosion of public confidence in using such services.

Hacktivist groups have successfully used distributed denial of service (DDoS – when a system, service or network is burdened to such an extent by an electronic attack that it becomes unavailable) attacks to disrupt the websites of a number of councils already.

INSIDERS

Staff may intentionally or unintentionally release sensitive information or data into the public domain. This may be for the purpose of sabotage or to sell to another party, but more often than not is due to simple human error or a lack of awareness about the particular risks involved.

ZERO DAY THREATS

A zero day exploit is a cyber-attack that occurs on the same day a weakness is discovered in software. At that point, it's exploited before a fix becomes available from its creator. It is an attack that exploits a previously unknown security vulnerability.

This poses a risk to any computer or system that has not had the relevant patch applied, or updated its antivirus software.

OTHER THREATS INCLUDE

PHYSICAL THREATS

The increasing reliance on digital services brings with it an increased vulnerability in the event of a fire, flood, power cut or other disaster natural or otherwise that impact upon council IT systems.

TERRORISTS

Some terrorist groups demonstrate intent to conduct cyber-attacks, but fortunately have limited technical capability. Terrorist groups could obtain improved capability in a number of ways, namely through the sharing of expertise in online forums providing a significant opportunity for terrorists to escalate their capability.

ESPIONAGE

Several of the most sophisticated and hostile foreign intelligence agencies target UK government and public sector networks to steal sensitive information. This could ultimately disadvantage the UK in diplomatic or trade negotiations, or militarily.

VULNERABILITIES

Vulnerabilities are weaknesses or other conditions in an organisation that a threat actor; such as a hacker, nation-state, disgruntled employee, or other attacker, can exploit to adversely affect data security.

Cyber vulnerabilities typically include a subset of those weaknesses and focus on issues in the IT software, hardware, and systems an organisation uses.

- **System Maintenance –** IT systems should be updated and checked regularly and effectively. It is essential that the systems are fully updated and appropriate fixes are applied. Poor setup, mismanagement, or other issues in the way an organisation installs and maintains its IT hardware and software components is a threat.
- **Legacy Software –** To ensure that legacy systems have sufficient user and system authentication, data authenticity verification, or data integrity checking features that prevent uncontrolled access to systems.
- **Training and Skills –** It is fundamental that all employees have a fundamental awareness of cyber security and to support this.

RISKS

Cyber Risk Management is a fundamental part of the broader risk management to ensure cyber security challenges are fully identified across the council and appropriate action is carried out to mitigate the risk.

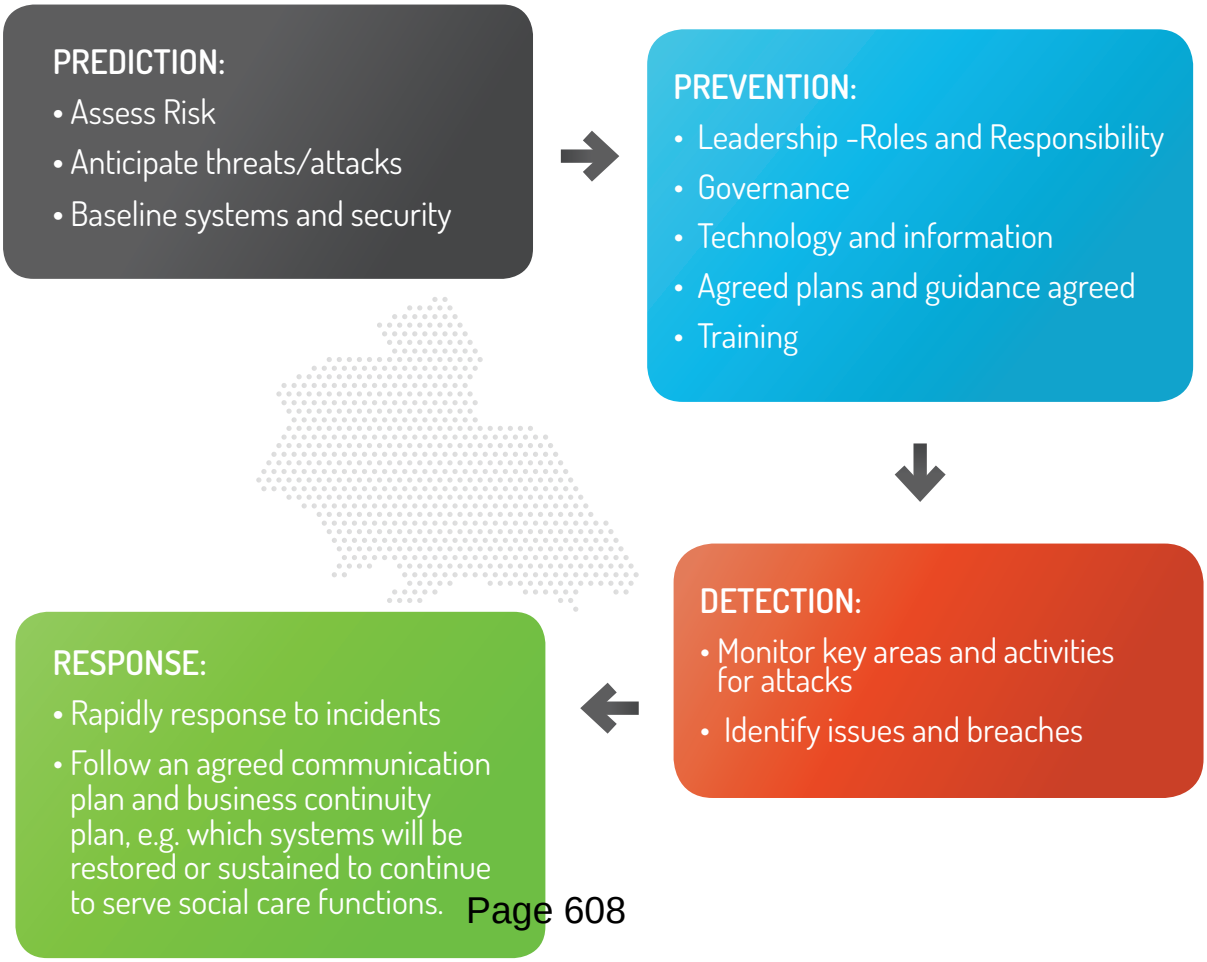


OUR APPROACH, PRINCIPLES AND PRIORITIES

To mitigate the multiple threats we face and safeguard our interests in cyberspace, we need a strategic approach that underpins our collective and individual actions in the digital domain over the next four years. This will include:

- **A council wide risk management framework to help build a risk aware culture within the council, ensuring staff understand how to identify and manage risks.**
- **Cyber Awareness training to help mitigate insider threats, understand supply chain risks and ensure all staff understand the issues and their responsibilities.**
- **Applying the Cyber Essentials scheme controls and complying with frameworks including ISO 27001 and CESG Information Assurance Standard 1 & 2 to ensure that the council will be able to identify, mitigate and protect against information security risks in a prioritised and resourceful fashion.**

The diagram below shows the key steps for protecting the council and its contractors for cyber attacks:



IMPLEMENTATION PLAN

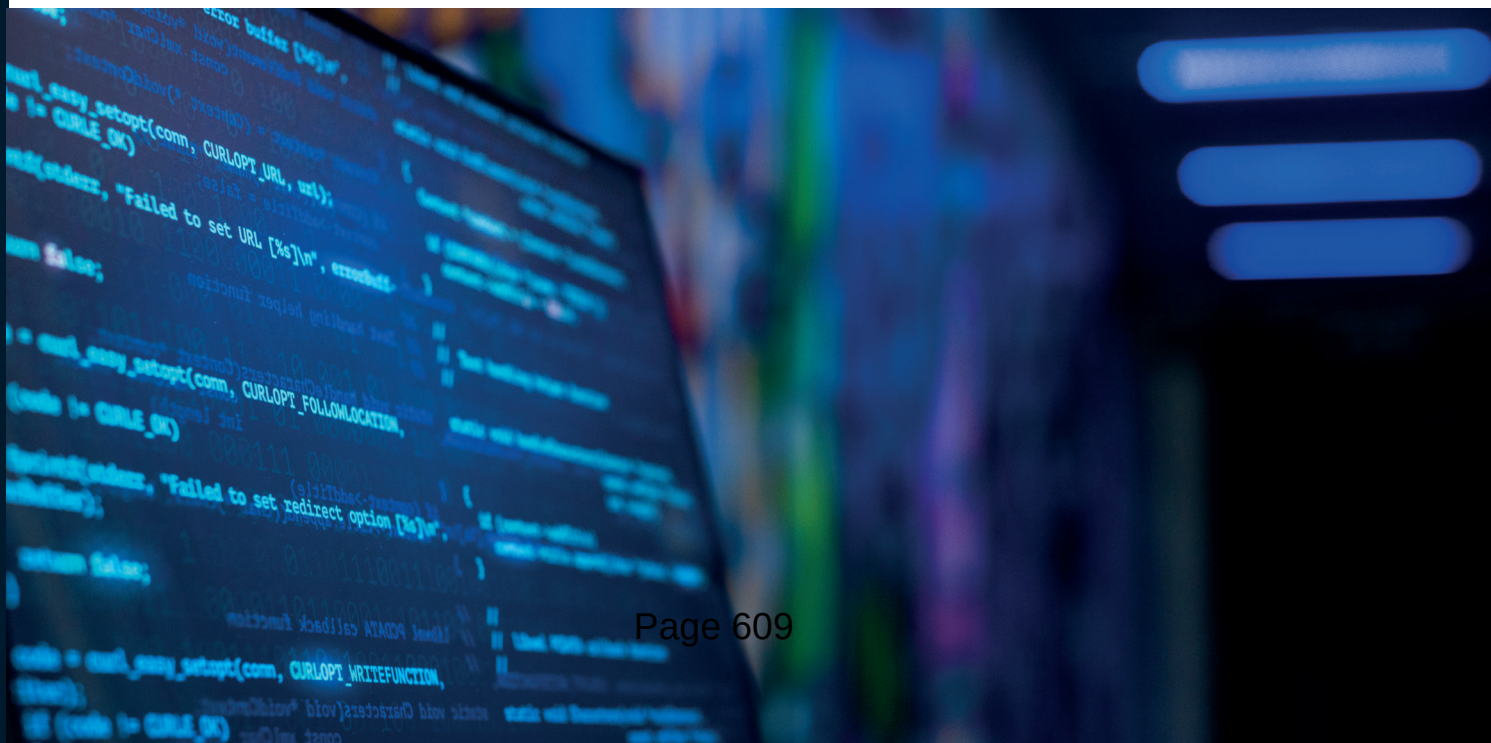
To adapt to the changing landscape and achieve our vision we will align with the National Cyber Security Strategy's approach to defend Brent council and our residents' cyberspace, to deter our adversaries and to develop our capabilities.

DEFEND

The council will have the means to defend against evolving cyber threats, to respond effectively to incidents, and to ensure networks, data and systems are protected and resilient. It includes helping our residents, businesses and partners in gaining the knowledge and ability to defend themselves.

Actions:

- Implementing firewalls and scanning services
- Carrying out health checks, penetration test and cyber resilience exercises to test their systems and processes, e.g. Web Check – a website configuration and vulnerability scanning service, developed with a number of public sector organisations including councils. This is free to use and available to all public sector organisations
- Meeting compliance regimes, Code of Connection (CoCo) which require good cyber hygiene, to connect to government private networks, e.g. Public Sector Network (PSN) and the Health and Social Care Network
- Working with partners across the public sector through participation in Cyber Security Information Sharing Partnership (CiSP), Warning, Advice and Reporting



DETER

The council will be a hard target for all forms of aggression in cyberspace. This will involve detecting, understanding, investigating and disrupting hostile action against us.

Actions:

- **Governance**
  - Applying government's cyber security guidance, e.g. 10 Steps to Cyber Security or Cyber Essentials
- **Technology and information**
  - Network Security

    Users with wide ranging or extensive system privilege shall not use their highly privileged accounts for high-risk functions, in particular reading email and web browsing

    → Multi-factor authentication shall be used where technically possible, such as where administrative consoles provide access to manage cloud based infrastructure, platforms or services. Multi - factor authentication shall be used for access to enterprise level social media accounts

    → Passwords for highly privileged system accounts, social media accounts and infrastructure components shall be changed from default values and shall not be easy to guess. Passwords which would on their own grant extensive system access, should have high complexity
  - Malware prevention
  - Removable media controls
  - Secure configuration
- **Agreed plans and guidance**
- **Training or educating users can help detect, deter and defend against the Cyber threats**



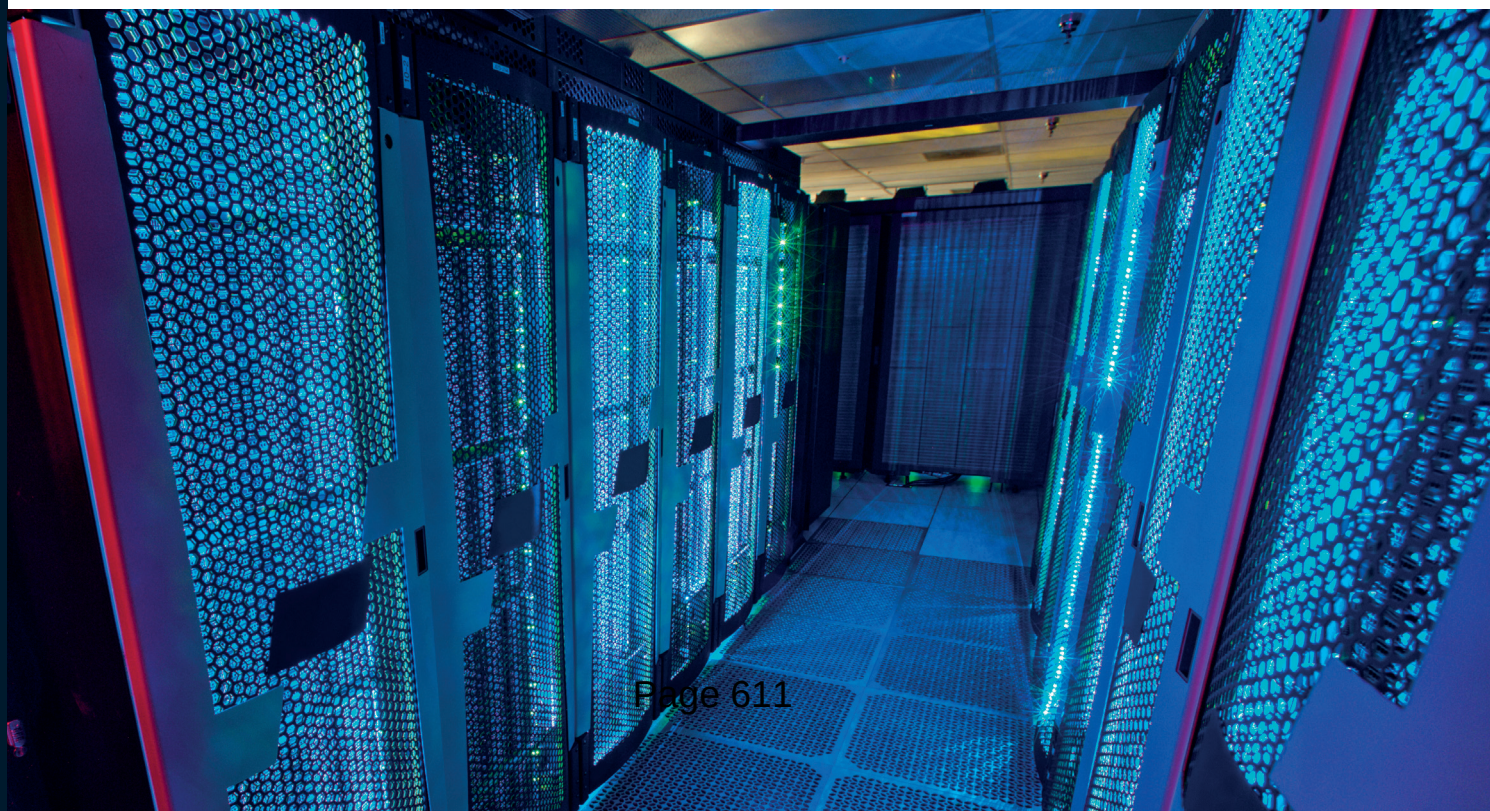
DEVELOP

The council will continually develop our innovative cyber security strategy to address the risks faced by our residents, businesses and community and voluntary sector.

This includes developing a co-ordinated and tailored approach to risks and threats that we may encounter and mitigate potential vulnerabilities.

Actions:

- Develop and maintain risk management framework, internal control and governance for the prevention and detection of irregularities and fraud
- Process, procedures and controls to manage changes in cyber threat level and vulnerabilities
- Managing vulnerabilities that may allow an attacker to gain access to critical systems
- Operation of the council's penetration testing programme; and Cyber-incident response
- Introducing training for staff and elected members
- Develop an incident response and management plan, with clearly defined actions, roles and responsibilities
- Develop a communication plan in the event of an incident which includes notifying (for example) the relevant supervisory body, senior accountable individuals, the Departmental press office, the National Cyber Security Centre (NCSC), Government Security Group (Cabinet Office), the Information Commissioner's Office (ICO) or law enforcement as applicable (not exhaustive)



CRITICAL SUCCESS FACTORS

Throughout this period of challenging transformation, the council has committed to delivering robust information security measures to protect residents and stakeholder data from misuse and cyber threats, and to safeguard their privacy through increasingly secure and modern information governance and data sharing arrangements both internally and with partners.

To continue to provide assurance on the effectiveness and robustness of the council's arrangements for IT security, the council will:

- Develop appropriate cyber security governance processes
- Develop a council wide Cyber Risk Management Framework
- Develop policies/procedures to review access on a regular basis
- Create a cyber-specific Business Continuity Management Plan and/or review Brent's Incident Plan to include emergency planning for cyber attack
- Develop an incident response and management plan, with clearly defined actions, roles and responsibilities. A copy of all incidents shall be recorded regardless of the need to report them
- Set up a Playbook to have test incidents on a regular basis; to ensure reaction to incidents where an incident is triggered
- Create standard test plans with security testing as a standard
- Reconcile current systems in place and last times these were reviewed (build into Enterprise Architecture)
- Review vendor management – process of assessments of third parties
- Explore Active Cyber Defence tools and new technologies to ensure Brent has best solutions to match to threats
- Apply the governments cyber security guidance – 10 Steps to Cyber Security
- Provide relevant cyber security training for staff and elected members
- Apply a regular schedule of cyber exercises, within the wider cycle of multi-agency incident response and recovery exercises
- Comply with the Governments Public Sector Network (PSN) Code of Connection and Payment Card Industry (PCI) standards; a minimum requirement for all systems used, audit trails, deletion of data etc.
- Protect enterprise technology by working with specialist partners to develop model architecture and review audit logs to reduce chances of threats

CYBER SECURITY GOVERNANCE ROLES AND RESPONSIBILITIES

Effective cyber security governance in Brent is delivered through the following roles and functions.

Senior Information Risk Owner (SIRO)

The Council's nominated Senior Information Risk Owner (SIRO), is the Director of Legal, HR, Audit and Investigations. The SIRO is responsible for the governance of cyber security and information risk within the Council. This includes ensuring that information governance risk is managed in accordance with GDPR.

However, whilst the SIRO is the nominated officer, responsibility for safeguarding information and information systems is shared across the organisation with all staff having a role to play.

The Cabinet

The Cabinet is made up of the Leader of the Council and other senior councillors (Cabinet members). Cabinet will agree and receive updates on implementation of the Cyber Security Strategy.

Council Management Team (CMT)

CMT sponsor the Cyber Security Strategy and oversee the strategic framework through which the council governs its information resources.

Information Governance Group (IGG)

The IGG is comprised of senior representatives from each service area. The group are responsible for overseeing the delivery of the Cyber Security Strategy and monitoring its effectiveness.

GDPR officer

The GDPR officer leads on the Readiness Programme. They monitor and report progress to the IGG and to all employees across the council; support services through a network of Information Champions; develop and maintain a corporate inventory of all processing activity across the council; review theses processing activities and seek legal assurance; and review contracts and ensure that GDPR changes are reflected.

Information Governance Team (IGT)

The IGT define the scope of the GDPR readiness strategy. They also design and oversee the work streams and liaise with services and specialist areas to ensure tasks are fully completed on time.

Technical Design Authority (TDA)

The Technical Design Authority (TDA) make decisions regarding technical implementations for projects. This includes ensuring that cyber security implications are properly considered.

Digital Board

The Digital Board oversees implementation of Brent's Digital Strategy. They ensure that risks, issues and dependencies are proactively managed and make decisions in relation to any risks and issues that have been escalated in relation to the digital programme.

Shared ICT Service

Shared ICT Services oversees the delivery of the Shared ICT Service for Brent, Lewisham and Southwark.

Information Asset Owners (IAO)

Information Asset Owners are responsible for all processing of personal data within their business area.

All Brent officers

It is the responsibility of all officers to comply with the standards set out in this Cyber Security Strategy

APPENDIX 1
STANDARDS

Information Security Management within Brent Council will comply with the British Standard: BS ISO/IEC 27001:2013

This standard specifies requirements for establishing, implementing, operating, monitoring, reviewing, maintaining and improving a documented information security management system (ISMS) within the context of the Council's overall business risks. It specifies requirements for the implementation of security controls customised to the needs of the Council.

ISO27032 and The Government's Cyber Essentials provide security standards for the Internet (referred to as "Cyberspace" or "Cyber")

Brent complies with PSN and PCI standards.

APPENDIX 2
NCSC: 10 STEPS TO CYBER SECURITY

Risk Management Regime

Embed an appropriate risk management regime following the ISO27k standards, across the organisation. This should be supported by an empowered governance structure, which is actively supported by the board and senior managers. Clearly communicate your approach to risk management with the development of applicable policies and practices. These should aim to ensure that all employees, contractors and suppliers are aware of the approach, how decisions are made, and any applicable risk boundaries.

Secure configuration

Having an approach to identify baseline technology builds and processes for ensuring configuration management can greatly improve the security of systems. You should develop a strategy to remove or disable unnecessary functionality from systems, and to quickly fix known vulnerabilities, usually via patching. Failure to do so is likely to result in increased risk of compromise of systems and information.

Network security

The connections from your networks to the Internet, and other partner networks, expose your systems and technologies to attack. By creating and implementing some simple policies and appropriate architectural and technical responses, you can reduce the chances of these attacks succeeding (or causing harm to your organisation). Your organisation's networks almost certainly span many sites and the use of mobile or remote working, and cloud services, makes defining a fixed network boundary difficult. Rather than focusing purely on physical connections, think about where your data is stored and processed, and where an attacker would have the opportunity to interfere with it.

Managing user privileges

If users are provided with unnecessary system privileges or data access rights, then the impact of misuse or compromise of that users account will be more severe than it need be. All users should be provided with a reasonable (but minimal) level of system privileges and rights needed for their role. The granting of highly elevated system privileges should be carefully controlled and managed. This principle is sometimes referred to as 'least privilege'.

User education and awareness

Users have a critical role to play in their organisation's security and so it's important that security rules and the technology provided enable users to do their job as well as help keep the organisation secure. This can be supported by a systematic delivery of awareness programmes and training that deliver security expertise as well as helping to establish a security-conscious culture.

Incident management

All organisations will experience security incidents at some point. Investment in establishing effective incident management policies and processes will help to improve resilience, support business continuity, improve customer and stakeholder confidence and potentially reduce any impact. You should identify recognised sources (internal or external) of specialist incident management expertise.

Malware prevention

Malicious software, or malware is an umbrella term to cover any code or content that could have a malicious, undesirable impact on systems. Any exchange of information carries with it a degree of risk that malware might be exchanged, which could seriously impact your systems and services. The risk may be reduced by developing and implementing appropriate anti-malware policies as part of an overall 'defence in depth' approach.

Monitoring

System monitoring provides a capability that aims to detect actual or attempted attacks on systems and business services. Good monitoring is essential in order to effectively respond to attacks. In addition, monitoring allows you to ensure that systems are being used appropriately in accordance with organisational policies. Monitoring is often a key capability needed to comply with legal or regulatory requirements.

Removable media controls

Removable media provide a common route for the introduction of malware and the accidental or deliberate export of sensitive data. You should be clear about the business need to use removable media and apply appropriate security controls to its use.

Home and mobile working

Mobile working and remote system access offers great benefits, but exposes new risks that need to be managed. You should establish risk based policies and procedures that support mobile working or remote access to systems that are applicable to users, as well as service providers. Train users on the secure use of their mobile devices in the environments they are likely to be working in.

Brent

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Digital Strategy 2019 – 2023
DEPARTMENT:	Customer and Digital Services
TEAM:	Transformation Team
LEAD OFFICER:	Charlotte Moore
DATE:	23/08/19

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

SECTION A – INITIAL SCREENING

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

The 2019-2023 digital strategy echoes the themes of the Borough Plan 2019-23 and focuses on two interdependent aims:

1. A **digital place** that enhances the strengths of Brent's local neighbourhoods and destinations, by building a borough-wide digital infrastructure improving access to full fibre broadband, developing a training and education framework that nurtures digital skills and expertise and building an environment that emboldens a culture of digital entrepreneurship and innovation.

2. A **digital council** with a digital offer in line with modern expectations. Our services and information are becoming more accessible and personalised, helping residents to make better informed choices and we are providing more efficient and value for money services, with leadership that empowers our workforce to use technology to work smarter across traditional structures and in new and existing partnerships.

The digital programme is driven by six key design principles, these are:

1. Work openly and collaborate
2. Inclusive
3. People Centred
4. Digital is embedded in all we do
5. Secure by design
6. Enables smarter working

There are 7 groups of projects underlying the programme of work:

- **Access** – giving residents quick and easy access to the information they need by continuing to transform the way services can be accessed. Using innovative technology to support customers as they interact with us and providing assistance for residents with more complex needs.

- **Skills** – working to ensure the right information, services and conditions are in place for all stakeholders to confidently interact with the digital council and thrive in the digital place.

- **Digital Place** - improving the borough's digital infrastructure so it is a destination for investment and is well placed to meet the challenges of the emerging digital economy. Using technology such as Internet of Things devices and supporting digital enterprise to create a vibrant digitally enabled borough.

- **Data and Smart devices** - extending our data capture and analytics capability to create richer data, a single view of the customer and services and the ability to drive decision-making. Enabling early service intervention to reduce demand and long terms costs on the council and partners.

- **MS Dynamics** – bringing further services onto Brent's MS Dynamics platform. Channels, applications and workflows will be integrated to enable seamless end-to-end transactions and maximise first touch capability.

- **Robotics** – using robotics to increase staff capacity, enabling them to deal with meaningful and complex interactions making better use of the talent and skills within our workforce. Automating transactions so they are completed on time, eliminating risk of errors, improving quality resulting in increased customer satisfaction

- **Building blocks** – working collaboratively to create the best possible solutions and continue to grow our capacity and capability to develop and deliver these solutions. Ensuring that we have an efficient and secure technical architecture to support our digital ambitions.

To support this sustained programme of change, delivery of this digital strategy is underpinned by the following key principles:

1. We will ensure that our services are accessible to everyone. We will develop guidance on digital inclusion setting out the accessibility standards new technology needs to comply with and to help services plan the provision for vulnerable

customers as access arrangements change.

2. Services will be people centred. We will work with residents, partners and businesses to co-design and co-deliver transformation, ensuring that Brent's evolution as a digital borough is shaped by the energy, ideas and requirements of local people and key stakeholders.

3. We will embed our digital vision within our policies and strategies including HR, Planning, Regeneration, Employment and Skills and ICT. We will also reflect it in our engagement with the community and models of working with the Community and Voluntary Sector.

4. We will deliver robust information security measures to protect resident and stakeholder data from misuse and cyber threats, and we will safeguard their privacy though increasingly secure and modern information governance and data sharing arrangements both internally and with partners.

5. We will invest in our workforce to ensure they have the resources and agile skills they need to innovate, collaborate and excel in the digital workplace and work smarter. This will include imbedding a culture of change across the organisation, moving away from a traditional 'service and department' approach to working in flexible, multi-disciplinary teams that use methodology aligned with the Local Government Digital Service Standard to iterate continuous service improvements in response to user needs.

6. We will work openly and actively collaborate with other organisations, including with the Community and Voluntary Sector, to develop innovative solutions and share learning and good practice.

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

The digital strategy will have a positive impact on the majority of Brent residents as the strategy seeks to improve the ease in which residents can access council services and improve the digital skills of Brent residents.

Service users, mostly older people and disabled people may be negatively impacted by this proposal as they are less likely to have access to the internet. This could be due to lack of digital skills; access costs being too high; or, complex needs which makes it difficult for them to access the internet. The Strategy considers mitigating actions to offset negative impacts on Brent residents who may be digitally excluded.

Additionally, black residents and residents in lower social economic groups are less likely to be online.

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

Yes, when developing the digital strategy due regard has been given to minimise the disadvantages connected to particular protected characteristics.

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

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

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

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

SECTION B – IMPACTS ANALYSIS

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

In 2018 the Brent Resident Attitudes Survey (RAS) was undertaken, this comprised face to face interviews with 2,113 residents. The sample was designed to be representative of the borough population and is large enough to provide an analysis of digital use by demographic and socio-economic group.

The survey included serval questions relevant to the topic of digital inclusion, these included:

- Internet access (frequency/mode);
- Current use of online methods to access services and information;
- Views about likely future use (among non-users).

Based on responses, the RAS estimates that around 9 out of 10 Brent residents (89%) use the internet. The majority of Brent residents use it for more than 2 hours a day. A significant minority - just over 1 in 10 of those surveyed – said they did not use the internet (11%).

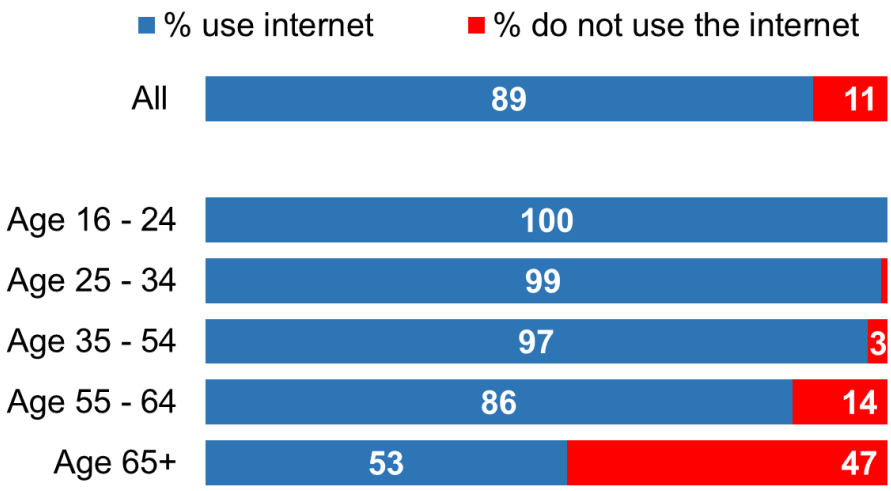
The Brent RAS estimate on internet use is broadly in line with Office for National Statistics (ONS) survey estimates, which indicate that around 90% of Brent adults were internet users (as at 2016). The RAS estimates are likely to be more reliable as they are based on a larger sample for Brent (x3). Also, RAS provides a richer data on demographics.

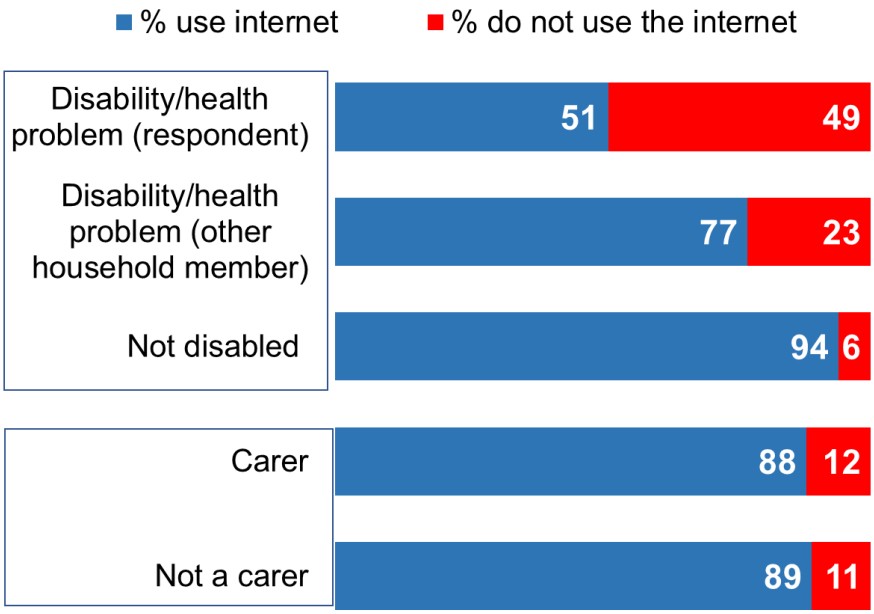
The RAS estimates that the majority of internet users in Brent access it via a smart phone (85% of users).

The Equality Profile of Brent 2019 provides an equality profile of the Brent population according to the nine protected characteristics named in the Equality Act 2019.

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

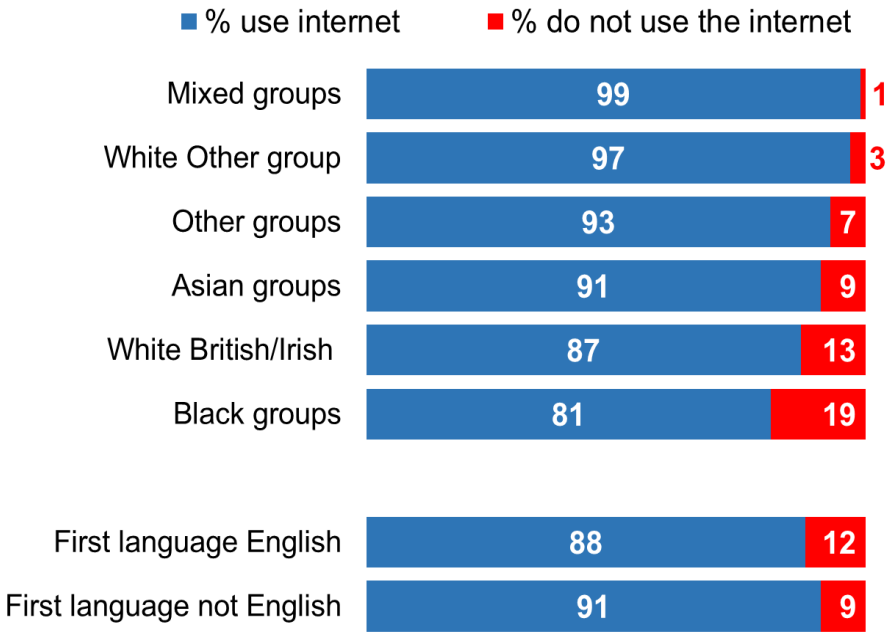
AGE	
Details of impacts identified	In 2017, the median age of Brent population was 35 – five years lower than the national. The population is expected to age in the future: the number of residents aged 65 and over is expected to increase by two thirds (+67%) between 2018 and 2038 – an increase of 26,700 older residents (Equality Profile of Brent 2019) Older people who are unable or unwilling to access and use online services, including those where additional assistance is required, may be negatively impacted by this proposal. ONS – UK internet users, 2017 states that 99% of those aged under 34 access the internet and therefore are “digitally included”, with

	those aged between 55-64 being 90% “digitally included” and those aged 65 to 74 years old being 79% “digitally included”. The Brent RAS estimates that internet use is strongly related to age, which is consistent with national studies: whilst almost all young adults in Brent use the internet, just 53% of the over 65s use the internet.  Source: Brent Council, Resident Attitues Survey 2019 (sample size 2,113) Older people may also be positively impacted by this proposal as some of the technology will enable an improved quality of life for some residents. The Council will develop guidance on digital inclusion setting out the accessibility standards new technology needs to comply with and to help services plan the provision for vulnerable customers as access arrangements change. Further mitigating actions are outlined in section C.
DISABILITY	
Details of impacts identified	Around one in seven Brent residents have a long-term health problem or disability that limits their day-to-day-activities in some way. The prevalence of disability rises sharply with age: more than half of all residents aged 65 and over had a long-term health problem or disability (Equality Profile of Brent 2019). Customers who face access barriers and cannot self-serve due to disabilities or health conditions may be negatively impacted by this proposal. These may include but are not limited to customers with learning disabilities, mental health conditions or severe physical disabilities or health conditions, as well as customers with hearing (incl. BSL users) and/or visual impairments.

	The Brent RAS estimates that internet access is strongly related to disability/poor health (49% of residents with disability/health problem are not accessing the internet). This is likely to be related to the findings on age as prevalence of disability and poor health rises with age. The Brent RAS estimates that carers are as likely as non-carers to use the internet.  Source: Brent Council, Resident Attitudes Survey 2018 (Sample size: 2,113) Notes: Disablility/health question wording: Do you, or does anybody else in your household, have any long-term illness, health problem, or disability, which limits your daily activities or the work you can do? Customers with disabilities or health conditions may also be positively impacted by this proposal as some of the technology will enable an improved quality of life for some residents, which will allow residents to live more independently for longer. The Council will develop guidance on digital inclusion setting out the accessibility standards new technology needs to comply with and to help services plan the provision for vulnerable customers as access arrangements change. Further mitigating actions are outlined in section C.
RACE	
Details of impacts identified	Almost two thirds (65%) of the Brent population are from Black, Asian and minority ethnic groups (Equality Profile of Brent 2019). BAME customers that do not have English as their first language may face access barriers or be unable to self-serve without alternative languages being available for translation. However, the council is able to arrange translation or interpreting services and/or alternative

formats for customers with language and/or disability barriers upon request through its corporate translation and interpretation contract.

The Brent RAS estimates that internet use levels are highest for residents from mixed ethnic groups and lowest for black residents and that first language has little bearing on internet usage.



Source: Brent Council, Resident Attitudes Survey 2018 (Sample size: 2,113)

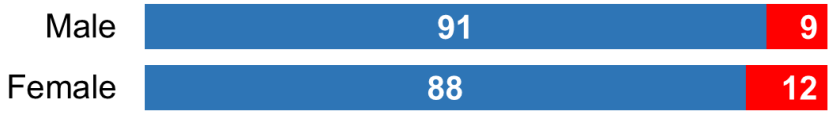
SEX

Details of impacts identified

The gender split in Brent population is 51% male and 49% female (Equality Profile of Brent 2019).

The Digital Strategy aims to provide assistance and support to all client groups, including people of all sexes.

The Brent RAS estimates that internet user rates in Brent are similar for men and women.



Source: Brent Council, Resident Attitudes Survey 2018 (Sample size: 2,113)

SEXUAL ORIENTATION

Details of impacts identified	Approximately 4.6% of Brent residents identify as Lesbian, Gay or Bisexual (Equality Profile of Brent 2019). The Digital Strategy aims to provide assistance and support to all client groups, including people of any sexual orientation.
PREGANCY AND MATERNITY	
Details of impacts identified	Brent has relatively high birth rates. In 2017, there were 5,208 live births in Brent – which equates to 74.5 births per 1,000 women aged 15 to 44 (Equality Profile of Brent 2019). Although services are not specifically aimed at this category, the Digital Strategy would make services more accessible to this client group, by increasing the ease in which Council services can be accessed.
RELIGION OR BELIEF	
Details of impacts identified	82% of Brent residents identify as having a religion or belief (Equality Profile of Brent 2019). The Digital Strategy aims to provide assistance and support to all client groups, including people of all religions or beliefs.
GENDER REASSIGNMENT	
Details of impacts identified	The Government Equalities Office tentatively estimates that around 0.3-0.8% of the UK population are transgender. In Brent this would equate to between 1,000 to 2,500 people (Equality Profile of Brent 2019). The Digital Strategy aims to provide assistance and support to all client groups, including people who have undergone gender reassignment.
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	The 2011 Census found that around 43% of Brent residents were married and 0.3% were in a civil partnership. In 2015, 960 marriages or civil partnerships took place in Brent – of these, 29 (3%) were same sex marriages or civil partnerships (Equality Profile of Brent 2019). The Digital Strategy aims to provide assistance and support to all client groups, including people of all partnership arrangements.

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

No

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

The Brent Resident Attitudes Survey (RAS) sample was designed to be representative of the borough population and is large enough to provide an analysis of digital use by demographic and socio-economic group. The survey compromised of face to face interviews with 2,113 residents.

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

N/A

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

See section C

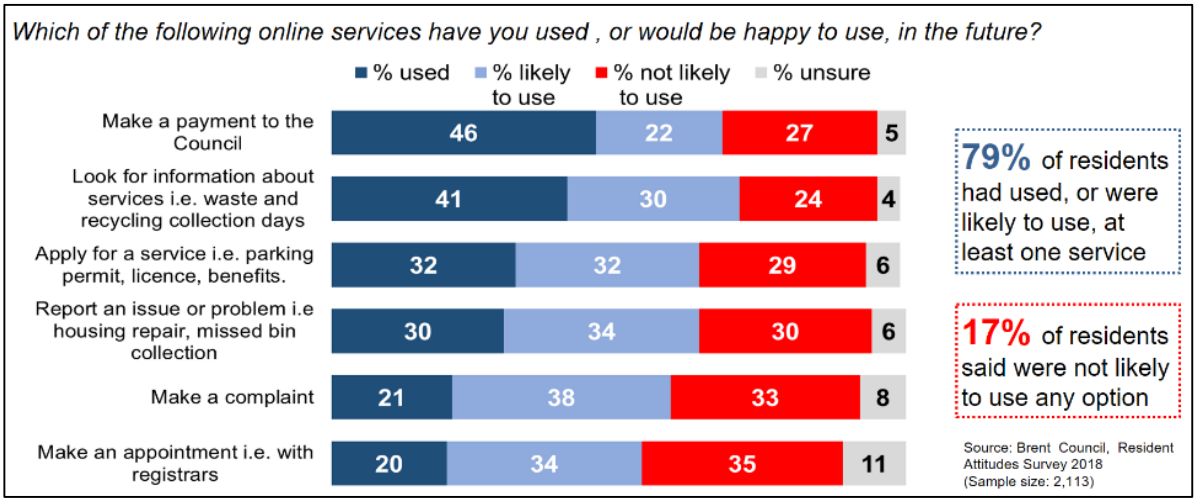
7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Delivery of the Digital Strategy is overseen by the Brent Digital Board which meets monthly.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Our approach for online services and support is shaped by knowledge of those more likely to be digitally isolated, but with equal consideration for evidence showing that a majority of residents have already used Brent's online services, or say they are likely to use them in future (see below chart, Brent RAS). By developing online offers that make the lives of these residents easier - such as enabling them to do things more efficiently or 'on the go'– we are helping to make online residents first choice for interacting with the council, thereby releasing capacity in traditional channels that can be prioritised for vulnerable residents.



The Strategy recognises that a significant minority of Brent residents (1 in 10) are digitally excluded and as such considers the appropriate mitigating actions to offset the potential negative implications to the groups most likely to be impacted by this proposal (older residents and residents with a disability). These mitigating actions include:

1. The Digital Strategy promotes inclusion and provides opportunities for more residents to gain digital skills. Access to support for improved digital skills will be available to Brent residents, this will include:

    - Children and young people will be able to access coding clubs through libraries
    - Over 1700 places will be available for residents on Brent Start digital skills courses in the borough. The target for the number of people accessing the Brent Start curriculum is:

Year	Number of People
2020/21	524
2021/22	576
2022/23	634

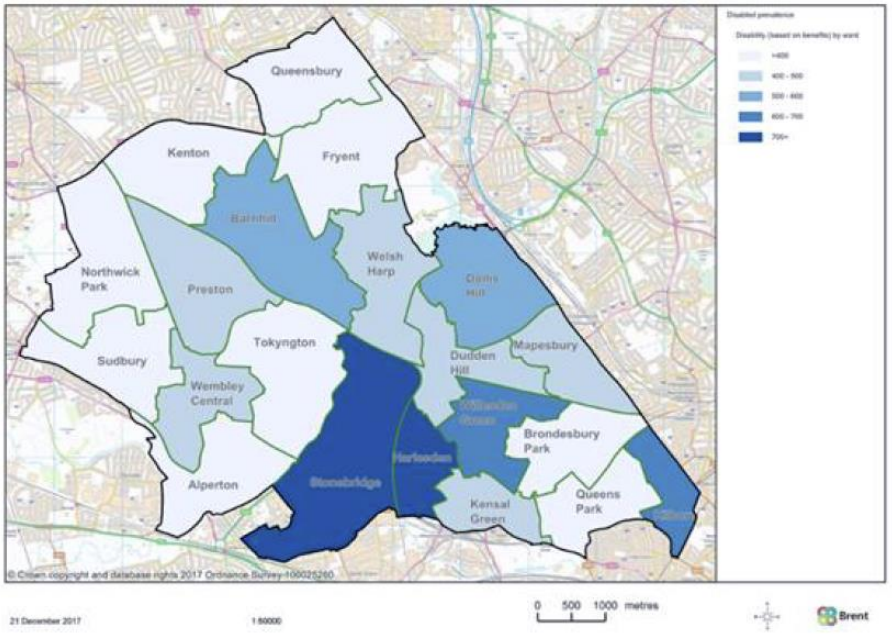
2. The Community Hub Model has been designed to provide support for more vulnerable residents with complex needs who may find it challenging to access mainstream services. The hub approach aims to engage a wide range of residents in an accessible and inclusive environment and provide support to get them online.

   There are currently two community hubs operating in Harlesden and South Kilburn and a further three community hubs will open in Willesden, Wembley and Kingsbury by August 2020.

   Digital support is a key element of the community hub core offer, the hub network aims to ensure positive outcomes for older people and disabled people who may require digital support to participate online.

   Independent research was conducted in March 2018 to explore who was using the Harlesden hubs and how it is helping and benefiting residents. The research was conducted through observations and interviews carried out in the hub over three separate days. Quantative data gathered identified benefits assistance as its most popular core service at the Hub (which was primarily accessed by local people). Qualitative data from the service provider demonstrates positive outcomes for disabled people accessing benefits support within the hub (who may not have been able to access it elsewhere).

   The map below shows disabled people in Brent based on receipt of disability related benefits at a ward level; with two of the Harlesden locality wards (Harlesden and Stonebridge) being home to comparatively more disabled people.



Disabled people in Brent

Based on receipt of disability related benefits

3. The strategy aims to improve the accessibility of the council's website by the end of 2020/21. Any new digital platform designed for Brent will meet Government Digital Services specified Web Content Accessibility guidelines, which includes guidance on how to make digital services, websites and apps accessible to everyone, including users with impairments to their vision, hearing, mobility and thinking and understanding. To meet government accessibility requirements, the Council's digital services will:

    - Meet level AA of the Web Content Accessibility Guidelines (WCAG 2.1) as a minimum
    - Work on the most commonly used assistive technologies – including screen magnifiers, screen readers and speech recognition tools
    - Include people with disabilities in user research
    - Have an accompanying accessibility page that explains how accessible the service is

4. Alongside the Digital Strategy, the Council is undertaking a Customer Access Review which aims to ensure that customers have the access, confidence and skills to engage with the Council digitally. One of the priorities of the review is to ensure services are automated at every opportunity so that resources can be prioritised to support customers that need it the most.

    As part of the review, front line staff in contact centres, the customer service centre, community hubs and libraries will be trained to:

    - Identify characteristics and situations which indicate complex needs with empowerment to provide additional support including delivery of appointment advocacy and hub referral services
    - Ensure that more customers are 'getting online' through 'assisted digital support' available across all access channels. Consistent services will be provided face to face ranging from light touch support/access to equipment to full support provided through side by side assistance

A number of positive impacts from the strategy on Brent residents have been identified, these include:

- Improved quality of life for some residents enabled by new technology
- residents will be able to access more services online
- transactions will be easier
- residents will be able to access services via smart phones and table
- residents will be able to pay for more services online
- residents will be able to track the progress of their cases and transactions

- a more secure single portal will enable residents to effectively transact with a wider range of council services in one place.

A core element of the current digital programme has been to work with departments and service areas to identify opportunities for rolling out new platforms and technologies. Opportunities will be sought where possible to maximise customer access to customer services through digital and technological solutions.

SECTION D – RESULT

Please select one of the following options. Mark with an "X".		
A	**CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED**	**X**
B	**JUSTIFY AND CONTINUE THE POLICY/PROPOSAL**	
C	**CHANGE / ADJUST THE POLICY/PROPOSAL**	
D	**STOP OR ABANDON THE POLICY/PROPOSAL**	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
To develop guidance for service areas on digital inclusion	Services are able to effectively plan the provision for vulnerable customers as access arrangements change across the council	Sadie East Head of Transformation	December 2019
User testing will involve older people and people with a disability who are less likely to be online	Better understand the user requirements specific to these groups	Rehana Ramesh Digital Transformation Lead	Ongoing

The Customer Access Review will consider how to make information more accessible to support elderly and people with a disability	Ensuring information and support is available for those who find it difficult to use online services	Troy Francis Director, Customer Services	March 2020
Ongoing monitoring of equalities through residents accessing Community Hubs and take-up of digital skills training	Continuous monitoring of the equalities implications of the strategy which will inform insights for implementation	Mohammed Jamam Brent Hubs Manager	Ongoing
Changes will be effectively communicated to those who may be negatively impacted by the strategy, including elderly residents and residents with a disability	Residents vulnerable to digital exclusion are made aware of changes which may negatively impact them	Sadie East Head of Transformation	Ongoign

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Charlotte Moore
REVIEWING OFFICER:	Natalie Gordon
HEAD OF SERVICE:	Sadie East, Head of Transformation, 2 September 2019

Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director Regeneration & Environment

South Kilburn Queens Park (SKQP) LLP – Termination and the Option to Acquire Falcon Land

Wards Affected:	Kilburn, Queens Park
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Part Exempt – Appendix 2 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	Two Appendix 1 Ownership and Site areas Appendix 2 Financial Implications (Exempt)
S	None
Contact Officer(s):	Olga Bennet Head of Finance (Commercial and Projects) Email: Olga.Bennet@brent.gov.uk Tel: 0208 937 3337

1.0. Purpose of the Report

1.1. This report provides an update on the South Kilburn Queens Park Limited Liability Partnership (SKQP LLP) and seeks Cabinet's authority to terminate the SKQP LLP Project Agreement and Members Agreement should it not be possible for the parties to resolve matters by 30 October 2019.

1.2. In order to give the Council the greatest flexibility to determine the future of the site, Cabinet's approval is sought to enter into an options agreement to acquire the Falcon Public House. This would give the Council the right (but not the obligation) to acquire the site.

1.3. A further report will be made to Cabinet with recommendations on options for alternative ways to deliver the regeneration of Site 18.

1.4. For reasons of commercial confidentiality, an exempt appendix provides greater detail, including financial implications.

2.0. Recommendation(s)

That Cabinet:

2.1. Note the content of the report and appendices;

2.2. Agree to terminate the SKQP LLP Project Agreement and Members Agreement after 30 October 2019 should it not be possible for the parties to agree a solution with regard to outstanding conditions precedent;

2.3. Subject to termination of the SKQP LLP Project Agreement and Members Agreement pursuant to paragraph 2.2, agree that Brent Council enter into the option agreement to acquire the Falcon Public House site; and

2.4. Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Cabinet Member for Regeneration, Property and Planning, to exercise its option and agree terms for the acquisition of the Falcon Public House site.

3.0. Background

Brent Council is part of a 'conditional' limited liability partnership (LLP) with London & Newcastle Capital Limited ('LN') to bring forward the comprehensive redevelopment of land near Queens Park underground station **("Site 18")** which is within phase 3a/3b of the South Kilburn Regeneration Programme. Cabinet authority for this was provided on 24 April 2017.

3.2 The LLP is 'conditional', meaning that until certain conditions ('conditions precedent') are satisfied, the partners are not fully committed to proceeding with the LLP's development of Site 18. In particular, the land is still owned by the respective partners and not transferred into the limited liability partnership.

The Site

3.3 Site 18 consists of Keniston Press (demolished), Premier House, Cullen House, the Falcon public house and the spur road**.**

3.4 The land in Site 18 is predominantly in the ownership of Brent Council with only the Transport for London Offices (Premier House) and the Falcon public house (owned by LN), that sit outside the Council's ownership.

3.5 Planning permission was granted for Site 18 in June 2012. The redevelopment of Site 18 was planned to provide 137 new homes of which 39 were to be affordable rent for existing secure tenants of South Kilburn, along with new public space, 1,270 sqm of commercial space, 959 sqm of office space and a new signalled junction at Kilburn Lane, as shown edged red on the Plan in Appendix 1.

Establishment of the Limited Liability Partnership

3.6 LN owned the Falcon public house site and was the developer partner for the private homes at Queens Park Place, opposite Site 18.

3.7 In April 2017, Cabinet approved Brent Council entering into a limited liability partnership with LN. The Council wanted to test whether better outcomes could be achieved by directly developing land as part of a limited liability partnership. This is in comparison to the traditional approach where a developer partner would provide a land receipt and enter into a development agreement for the Council.

3.8 The April 2017 Cabinet paper explained the rationale: "should the Council have the desire to take on the risk of acting as a developer and taking a scheme to full build, then working alongside a known and respected private developer would seem a good entry point. Furthermore establishing a partnership through a Joint Venture will have significant advantages to the Council and in particular for South Kilburn and should generate a higher level of financial return which can be reinvested in the wider South Kilburn regeneration programme to achieve the Council's social and economic objectives for the area."

3.9 In March 2018, Brent Council and LN entered into a conditional agreement to bring forward the redevelopment of the whole Site 18 as both parties owned part of the site. Agreement becoming unconditional was subject to satisfying a number of conditions ('conditions precedent').

3.10 On 15th January 2018 Cabinet approved a loan facility of up to £40m (subsequently increased to £50m within the loan framework contained in that paper) to be made available to SKQP LLP for the development of Site 18.

4.0. Satisfying the Conditions Precedent

4.1 Since the establishment of the conditional LLP, all conditions precedent apart from two have been satisfied. The financial viability condition precedent has not been satisfied. The other outstanding condition precedent is in relation to acquiring Transport for London's (TfL) existing freehold site and replacement of TfL's office space within the scheme.

4.2 The agreement with LN specified a date by which all conditions precedent had to be satisfied in order for the partners to become irrevocably committed to the partnership ('longstop date').

4.3 The longstop date was previously extended to the 30 July 2019. This date has now passed. The Council and LN are now in a three-month period which gives the partners a further opportunity for dialogue (as specified in the agreement). Once this has concluded on 30 October 2019, either party can opt to terminate the agreement.

4.4 At that time, Brent Council could then choose to terminate the agreement and exercise its right (included in the Project Agreement) to enter into an option agreement to acquire the Falcon public house site at market value. This would give the Council the right (but not the obligation) to purchase the Falcon public house site within six months.

4.5 Currently the financial viability condition precedent cannot be satisfied with the current scheme constraints. The Council and LN will continue to seek to agree a solution prior to 30 October 2019 but in view of the nature of the condition

precedent, this appears unlikely and it is therefore recommended that the course described in para 4.4 above is followed should a solution not be agreed.

4.6 The Council's South Kilburn Regeneration Team will look at alternative routes for the delivery of site which may be purchasing LN's interest in the Falcon public house and the procurement of a delivery partner to develop the Queens Park/ Cullen House site.

4.7 It is recommended that the Falcon public house site is acquired should it not be possible for Brent Council and LN to agree a solution with regard to outstanding conditions precedent because:

4.7.1 Owning the entire site would enable the Council the deliver the scheme as planning approved; subject to TfL agreeing to the Heads of Terms.

4.7.2 The scheme as currently designed (for which outline planning permission has been received) would not be possible without the Falcon public house site. It is not straight forward to remove the Falcon public house site from the consented scheme. Brent Council has incurred costs in securing planning, site mobilisation, design and technical fees, as well as officer time. Therefore, any material change from the consented scheme would result in sunk costs.

4.7.3 The majority of the affordable housing in the current scheme is also located on the Falcon public house site in order to facilitate early delivery of the homes.

4.7.4 The planned highway improvements would not be possible without the Falcon public house site being part of the wider re-development.

4.7.5 Owning the entire site would give the Council greater flexibility in determining alternative routes for the delivery of the site, since larger sites are less constrained.

5.0. Legal Implications

5.1. The agreement with LN contains clear provision as to steps the parties are contractually able to take should conditions precedent not be met. The 30th July long stop date for the conditions precedent to be met has passed and the parties are in a three-month period required under the agreement to resolve issues. If issues are not resolved by 30th October 2019, either party can opt to terminate the agreement.

5.2. The agreement with LN is categorised as a High Value Contract under the Council's Contract Standing Orders and Financial Regulations. In accordance with the Constitution, Cabinet authority is required for the termination of High Value Contracts.

5.3. Under the terms of an option agreement, an option to purchase the Falcon Public House Site will usually provide the Council with a period within which to exercise the option. Once the agreement has been entered into the decision whether or not to purchase the Falcon Public House Site rests with the Council.

An option notice will need to be served within the option period. The option agreement will lapse if the option notice is not exercised within the agreed time.

6.0 Financial Implications

6.1 Please refer to Appendix 2 of the report.

7.0 Equality Implications

7.1 It is anticipated that the new scheme (whichever way it is delivered) will provide high quality residential and commercial premises which will assist in improving the physical characteristics of the neighbourhood and will also help regenerate the area by attracting new retail business.

7.2 As with all other schemes that are part of the South Kilburn regeneration programme, full consideration must be given to residents and leaseholders with protected characteristics, particularly people with disabilities and / or other types of vulnerabilities due to older age, childcare and/or caring responsibilities, socio-economic status (lone parents and large families). Due to the ethnicity profile of the area, full consideration must also be given to black, Asian and minority ethnic individuals/groups. The Council must also ensure that the options put forward to secure residents and leaseholders, so far as possible, provide reasonable and affordable alternatives that enable them to remain in the area and maintain their family and community ties, as per Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights.

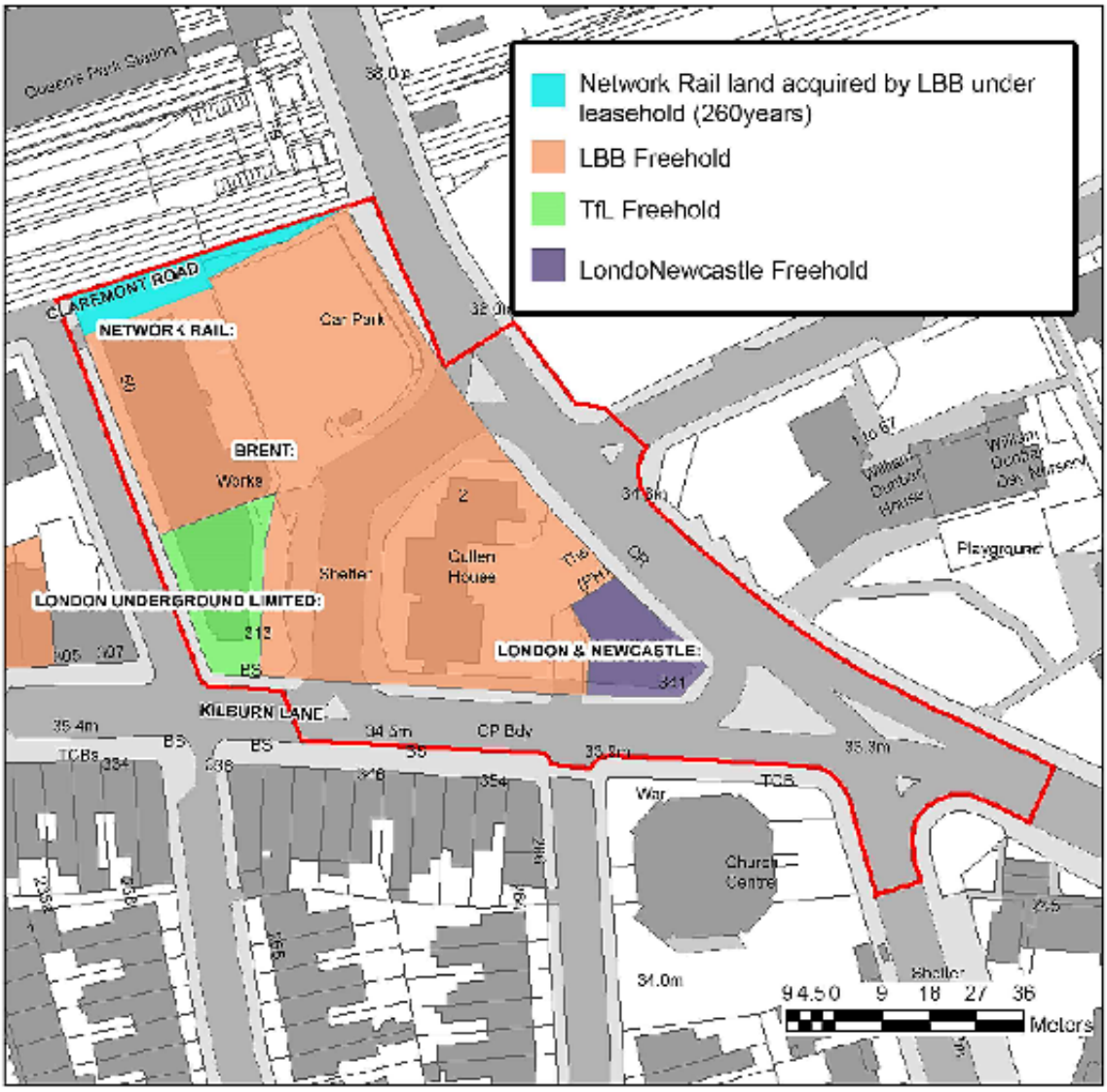
Report sign off:

AMAR DAVE
Strategic Director Regeneration & Environment

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APPENDIX 1

Site 18
Ownerships and Site Areas



Site Boundary shown outlined red, ownerships shown shaded.

1:1,120

Plan to stated scale if printed at A4.

NORTH

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director of Regeneration and Environment

Brent Local Plan Publication and Submission for Examination

Wards Affected:	All, excluding parts of Harlesden, Kensal Green, Stonebridge and Tokyngton where Old Oak and Park Royal Development Corporation is the Local Planning Authority
Key Decision:	Yes
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Two Appendix 1 Draft Local Plan (can be viewed by clicking here) Appendix 2 Local Development Scheme
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Paul Lewin, Team Leader, Planning Policy. 020 8937 6710 paul.lewin@brent.gov.uk

1.0 Purpose of the Report

1.1 This report seeks Cabinet approval for the draft Brent Local Plan to go through the next statutory stages required for its adoption. This includes publishing the Plan for consultation and subsequently after considering the consultation responses recommending to Full Council that the Local Plan is submitted for Examination by a Planning Inspector appointed by the Secretary of State. The report also seeks approval of an updated Local Development Scheme, the document that sets out a work programme for planning related documents for the next 3 years. In both cases it seeks delegation of authority to approve subsequent updates to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning. It also seeks the revocation of the adopted Alperton Masterplan SPD July 2011 which is considered to be out of date.

2.0 Recommendations

2.1 Cabinet agrees that the Brent Local Plan in Appendix 1 is published for consultation.

2.2 Cabinet delegate authority to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to make proposed modifications to the Brent Local Plan prior to submission and if required through the Examination process.

2.3 Cabinet recommends that Full Council approve the submission of the draft Brent Local Plan with any proposed modifications, plus associated documents as set out in regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012), to the Secretary of State for Examination.

2.4 Cabinet approves the Brent Local Development Scheme 2019-22 as set out in Appendix 2.

2.5 Cabinet delegate authority to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to approve future Brent Local Development Schemes.

2.6 Cabinet revokes the Alperton Masterplan Supplementary Planning Document July 2011.

3.0 Detail

3.1 Cabinet considered a paper on the 13th February 2017 'Updating Brent Council's Planning Strategy (The Local Plan) that set out the process of updating the Council's statutory town planning policies. At that meeting Cabinet delegated authority to the Strategic Director Regeneration and Environment in association with the Portfolio Holder Regeneration, Growth, Employment and Skills to approve Development Plan consultation material to be issued pre-Publication (Regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012) stage.

3.2 The draft Local Plan has been through all the necessary stages for which Cabinet delegated authority. In moving forward, the next stage is Regulation 19, or Publication of the Plan; a Cabinet decision.

Draft Brent Local Plan – stages to date

3.3 Since mid-2017 a significant amount of work has gone into shaping the draft Brent Local Plan. There have been three stages of engagement with the public to date:

- Mid-August until the end of 2017: informal focussed workshops with residents and other interested parties across the borough. This sought to set out some of the challenges and opportunities related to planning for accommodating Brent's predicted population growth. It captured what people considered important about their area and where they thought there was potential for development to meet these population needs and improve Brent.

- ‘Issues and Options’ consultation, February-March 2018: the second stage of consultation that occurred for 6 weeks.
- ‘Preferred Options’ consultation, November 2018-January 2019: the third stage of consultation that took place across the borough for 8 weeks. It took into account previous consultation responses. The main issues raised are set out in a consultation summary .In addition, fuller responses to each point raised and how the Plan has been amended if necessary are available to view for those that made representations. These are in the list of background reports to this report.

3.4 Overall, the draft Plan has been well received. The wider community recognises the need to meet the existing needs of the population, particularly the need for additional affordable, family and specialist homes. There are however worries about the predicted growth of the population, and its impacts on infrastructure. Many communities are concerned about existing access to facilities, which are perceived to be inadequate or at full capacity. Whilst most welcome the investment that has come in regenerating Brent, there are also concerns about potential change in character and loss of green space. A Local Plan Members’ Liaison Group consisting of 10 members from across the borough, including the Cabinet Member and Chair of Planning has met regularly throughout the Local Plan drafting process. It has acted as a sounding board/ critical friend related to the communication/ engagement process, contents and form of the draft document throughout its various stages to date.

Brent Local Plan – format and content

3.5 Consistent with national policy, the draft Local Plan has sought to complement higher level policy. This is the National Planning Policy Framework and the emerging draft London Plan. More emphasis has been placed on the emerging London Plan’s policies rather than the existing London Plan. This is because it is likely the new one will be adopted by the time the Brent Local Plan’s examination is concluded. It is a statutory requirement for Brent’s Local Plan to be in general conformity with the adopted London Plan. Consistent with national policy requirements, the Brent Local Plan does not repeat higher level policy, and as such needs to be considered in association with the London Plan in particular. The draft Local Plan provides reference to London Plan policies to make it easier for users to see the relationship. It also takes account of and refers to the Sudbury and Harlesden Neighbourhood Plans which also form part of the development plan at relevant points.

3.6 The Plan has a vision, takes the London Plan’s good growth policies and makes them locally relevant to Brent. It splits the borough up into 7 places, based on a number of factors including town centre catchments. This is to make the Plan more relevant at a local level to communities. For each of these places it outlines the challenges and opportunities, sets out a vision and related policy to deliver the vision. It has policies for specific site developments. It then also has specific theme policies consistent with those of the London Plan. As with the current Brent Local Plan, the major places of change will be Growth Areas. The Plan identifies 3 new Growth Areas at Northwick Park, Staples Corner and Neasden Station. The existing Growth Areas all have additional development opportunities identified and in some cases are extended.

3.7 It addresses the significant challenges that the council faces, in particular around meeting the needs of the predicted growth in the borough’s population.

It seeks to meet the housing needs of Brent and wider London by planning for at least 47,300 additional homes in the period to 2041. This is the amount that can be shown to be deliverable based on known sites and reasonable estimates of 'windfall' sites. It takes account of the recommendations of the Affordable Housing Task Group Report January 2019. In doing so it takes forward the council's strategic target of 50% affordable homes, whilst accepting the Mayor's fast track approach of a lower target in the meantime as a stepping stone to reaching the 50%. The affordable housing tenure split sought is 70% London Affordable Rent (equivalent to new build council) 30% intermediate including shared ownership, discount rent and discount sale. It seeks an affordable housing contribution in lieu of on-site provision for developments of 5-9 dwellings. It seeks to ensure specialist housing and family housing are delivered.

3.8 The Plan seeks to ensure that existing employment areas are protected and jobs increased through intensification of wholly business floorspace, or as part of mixed use developments. Town centres are promoted as the priority location for main town centre uses, whilst flexibility is allowed to ensure that they can change and diversify to meet the challenges caused by changes in shopping habits. As is currently the case policies to limit takeaways, shisha bars, betting shops payday loans and pawn brokers are also included.

3.9 The priority locations for tall buildings are identified, along with indicative heights. Policies protect social infrastructure but also set out when such infrastructure will be required. Policies seek to retain the borough's best historic environments, whilst more detail is set out on addressing the National stadium's future and protecting views of its setting. The boroughs open spaces are protected, along with policies for seeking new spaces in association with development. Policies to address climate change through control of water and the energy requirements of new development and to improve air quality are also included. The Plan complements the council's transport strategy of prioritising more sustainable movement over that of the private vehicle.

Adoption of the Brent Local Plan – Next Stages

3.10 The draft Local Plan has been through all the necessary stages for which Cabinet delegated authority. In moving forward, the Plan will go through the following stages, as outlined below:

3.11 Regulation 19 Stage, or publication of the Plan: this is a Cabinet decision. The publication stage provides a 6-week consultation period in which representations are sought on whether the Plan is 'sound'. The tests of soundness are set out in the National Planning Policy Framework. They are that Plans should be:

a) **Positively prepared**, that is as a minimum meeting all the area's identified needs;
b) **Justified**, being an appropriate strategy taking account of reasonable alternatives, and based on proportionate evidence;
c) **Effective**, being deliverable over the plan period and based on effective joint working; and
d) **Consistent with national policy**, enabling delivery of sustainable development.

3.12 After the publication period the Council will need to consider the representations made. If necessary, to address matters raised, particularly those related to soundness, there could be a need to propose modifications to the Plan. For the sake of efficiency, it is recommended that approval of any proposed modifications is delegated by Cabinet to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning.

3.13 Submission Stage: following publication and our assessment of representations, the Plan will need to be submitted to the Secretary of State for examination. This will subject the Plan to statutory tests related to the processes of its production and also the test of soundness. The process including the documents to be submitted is set out in Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012. As this is the Plan that the Council wishes to adopt, the decision to submit is one that must be taken by Full Council. As such, this report recommends that Cabinet recommends that Full Council approves the submission of the publication plan, plus any modifications.

3.14 Examination Stage: examination of the Plan will be undertaken by an independent planning inspector appointed on the Secretary of State's behalf. Whilst the Council will submit a Plan which it considers is sound, there are likely to be outstanding objections raised in representations. Taking account of these and other issues, the Inspector may consider the Plan not to be sound, but that this could be overcome through an appropriate modification. To ensure the Plan has a greater likelihood of a positive examination, the Council can indicate that it will be willing to accept modifications it might need to propose where these would address issues of 'soundness' as recommended in the Inspector's examination report. As the examination process is relatively short, planning officers using their professional judgement will need to be able to respond at short notice, sometimes in the respective hearings sessions to make proposed modifications. Logistically, it will not be possible to engage with Full Council on each of these modifications at the time they are proposed.

3.15 Post examination consultation Stage: all proposed modifications will be subject to further consultation. Full Council does not meet frequently and would likely require a special meeting to be arranged to consider modifications. As such, to assist with the efficiency of the decision making process and timing of the Examination both Cabinet and Full Council will be recommended that the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning be delegated to approve any such modifications for consultation.

3.16 Inspector's Report and Adoption: on receipt of a positive Inspector's report, the Council will have two choices. It can either adopt the Plan, subject to any proposed modifications if recommended by the Inspector, or alternatively it can choose not to adopt the Plan. As a policy document, its adoption will be a Full Council decision. Again for the sake of efficiency, it is not proposed to bring the Plan back to Cabinet prior to its adoption.

London Plan and conformity

3.17 The draft London Plan contains a number of policies which the Council formally objected to. Along with other members of the West London Alliance it appeared

at a number of the Examination hearings. Significant concerns were raised about Brent's housing target and in particular assumptions for delivery from small sites. The same was true of Brent's status as a provide capacity borough for industrial floorspace and its increased waste target. In relation to these issues, the GLA has not currently proposed alterations to the final version of the draft London Plan (July 2019) it has passed on to the panel of inspectors. The Panel's report is expected September/ October 2019. Subject to the contents of the report, the GLA anticipate the adoption of the London Plan in early 2020 prior to the Mayoral elections. This assumes no substantive subsequent intervention from the Secretary of State.

3.18 The GLA has made representations on the draft Local Plan. The majority of issues raised as concerns with regards to general conformity have been addressed through amendments to the draft Plan, or clarification of the council's approach to a matter with the GLA. The main non-conformity issue is likely to be the draft Plan's housing target to 2028/29. This is about 1,700 below the London Plan's target of 29,150 net additional dwellings. Taking account of the NPPF's minimum 'buffer' for the need to show 5-year availability of housing sites, it is around 2,600 homes below requirements. Whilst representing less than a year's supply, it is nevertheless a substantial sum that needs to be found.

3.19 The Local Plan's figure is based on evidence of the likely availability/delivery of sites. The draft London Plan does not consider the impact of each of their policies in the individual chapters of the London Plan in the round. e.g. the 'provide capacity' status for employment premises was not taken account of in the GLA's Strategic Housing Land Availability Assessment. The Assessment was used to identify potential dwellings capacities on sites in boroughs. The policy effectively will require boroughs to turn off a previous form of housing land supply, e.g. non-designated employment sites such as factories or offices which might have previously been developed for housing (and in Brent has been a significant recent provider of dwellings), as well as requiring re-provision of more employment space in redevelopments of sites which will also reduce the capacity of those sites to provide housing.

3.20 Extensive engagement has occurred for sites to be promoted for housing development through the Local Plan process. All known and potential capacity for sites has been identified. The NPFF has a requirement to evidence past and future housing delivery on an on-going basis against adopted Local Plan targets. Failure results in Local Plan policies being considered out of date. This will lead to the presumption in favour of development, taking account of the policies of the NPPF being given greater weight than those in the Local Plan.

3.21 The council essentially has 3 choices on what it can do. These are:

a) amend the draft Plan housing target to that of the draft London Plan. As all known sites have been identified, this will be by increasing the 'windfall' allowance, moving more towards the GLA's assumptions on small site housing delivery;
b) delay publication and do further work in terms of engagement with site owners and developers on the basis that it might identify some more housing capacity; or
c) progress with publishing the draft Plan as is and subsequently submitting it for examination.

3.22 Option a) is not regarded as appropriate as it is considered that as much small sites capacity as can reasonably be justified is included in the draft Plan already. To set a target consistent with the draft London Plan without reasonable prospect of delivery opens the council up to the risk of failing against the NPPF's delivery tests. Ultimately this will mean that the Local Plan's status is diminished, with the risk that development may occur of a type, or in a place that the council or local communities do not support.

3.23 Option b) is not regarded as appropriate. It is not certain that the extension of time will result in the necessary additional capacity being identified. It will cause further delay to the Plan's adoption. This will have implications for the evidence base to support the Plan, which might become less relevant/ robust. It will also result in the existing Local Plan becoming further out of date, whilst the emerging Plan's status will have very limited weight due to the lack of a Council resolution to submit for examination.

3.24 Option c) is considered to be the most reasonable approach, although it is not without risk. The publication may identify additional acceptable housing sites/ capacity through representations received, although this is thought unlikely. Any new sites these can be incorporated into the Plan through proposed modifications either before submission for examination, or during the examination process. If no additional capacity is identified through publication, the council will have the opportunity to present its evidence to the Inspector. The GLA may formally object to the Plan at the examination. The Inspector may consider the council's position robust and accept the Local Plan's housing target. Alternatively based on the evidence before them, they may suggest the council considers additional sources of capacity that they think it is reasonable to assume can be delivered and that the Plan target is amended. Another alternative is that they require the council to do more work to identify additional capacity from unspecified sources if there are no other reasonable prospects in the evidence before then.

3.25 It is important to recognise that the Inspector is only likely to suggest modifications in their report where the council proposes them or indicates that it is likely to accept them during the examination process. There is a very remote possibility that the inspector will decide none of these routes appropriate and ultimately conclude that the Plan is incapable of being found sound. This is considered to be very unlikely as inspectors are generally pragmatic, ultimately seeking to ensure that wherever possible Plans can progress to adoption.

3.26 On this basis it is recommended that the council progresses with the regulation 19 publication of the Plan and following this, after considering representations received, submission to the Secretary of State for examination.

Brent Local Development Scheme

3.27 The Brent Local Development Scheme sets out the timetable for the production of the Development Plan/ Local Plan and any associated supplementary planning or advice documents produced by the council and Neighbourhood Plans/ Neighbourhood Development Orders by Neighbourhood Forums. It is a requirement of Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) that it is updated on a regular basis. The Brent Local Development Scheme is usually for a 3-year period. The last Local

Development Scheme was approved by Cabinet in February 2017. It is due a refresh and the updated version is included in Appendix 2 of this report. The Inspector who examines the Local Plan is likely to review the Scheme to check that the Plan is consistent with the adoption timetable set out. Appendix 2 and 3 of the Scheme identify the work programme in more detail and the likely timeline of delivery. The majority of resource will go into advancement of the Local Plan, plus some supporting policy guidance to support delivery. Once the Plan is adopted, a review of the Scheme can occur.

3.28 It is recommended that Cabinet approve the Local Development Scheme as set out in Appendix 2 of this report. Currently adoption of the Scheme is a Cabinet decision. This is not considered to be an optimal use of Cabinet time, nor officer time when considering the associated processes required to bring an item to Cabinet for what is essentially a Spatial Planning service delivery project plan. To assist efficiency, it is recommended that Cabinet delegate authority for approval of future Local Development Schemes to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning.

Alperton Masterplan Supplementary Planning Document July 2011

3.29 The Alperton Masterplan Supplementary Planning Document was adopted by the Council in July 2011. The document set out a vision for the redevelopment of Alperton Growth Area as identified in the Brent Core Strategy and the site allocations identified in the Brent Site Specific Allocations 2011. The document was reflective of and consistent of the development activity/ aspirations which were still very subdued following the financial crisis of 2008. It also was guided by London Plan policies which, compared to the current draft London Plan, set what would now be regarded as very modest housing targets for Brent.

3.30 The document has been helpful in terms of setting out a vision, some element of place-making and articulating key connections to and along the canal and through developments. Nevertheless, in terms of built form, the document in particular in terms of scale and density has modest ambitions. In the context of draft London Plan housing targets, current and draft London Plan design policy and planning permissions delivered more recently, it is evident that as a material consideration the guidance is becoming less relevant to current day decision making. In some cases, it has conflicted with schemes recently considered appropriate for grant of planning permission. This brings unnecessary uncertainty to the decision making process which the removal of the Supplementary Planning Document as a material planning consideration would address.

3.31 In moving forward, the draft Local Plan seeks a greater scale of development capacity on sites than has previously been identified. It also identifies more sites capable of redevelopment. The draft Local Plan takes forward the key positive principles of the Supplementary Planning Document in terms of improving the canal corridor, improving connections through the area, providing public open space and ensuring that new developments reduce in scale towards existing residential areas that will remain.

3.32 Given the scale of development set out in the Alperton Masterplan, there will in a number of cases be a clear conflict with the emerging Local Plan. As such, to reduce the potential for confusion of the extent to which the Alperton

Masterplan is a material consideration in the determination planning applications compared to the emerging Local Plan it is recommended that Cabinet formally revokes the Alperton Masterplan as a Supplementary Planning Document.

4.0 Financial Implications

4.1 In moving forward, the most significant expense associated with the adoption of the Plan will be the examination process. A fee will be payable to the Planning Inspectorate, the size of which is dependent on the examination's duration. Some additional work on the evidence base, such as viability testing or a consultant's attendance at the examination may be required. There is a remote possibility of external legal advice from Counsel being required. A small amount of funds will be required for publicity and engagement for publication, examination and adoption.

4.2 The potential costs associated with the next stages of the adoption of the Local Plan are anticipated to be within the existing Local Plan budget provision. The delivery of the projects in the Local Development Scheme is also within existing budgets.

5.0 Legal Implications

5.1 Planning documents (both statutory and non-statutory) have a clearly defined process for their adoption and revocation which will be followed. The Local Plan must be prepared in accordance with the Planning and compulsory purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012.

5.2 Planning and other applications must be determined in accordance with the Development Plan and Listed Building legislation unless significant material considerations indicate otherwise. Policies, guidance and the Local List will hold the most weight where they are up to date and consistent with national and London Plan policy.

5.3 Advice has been received from the legal department on how to best address efficiency of working when considering the provisions of the Council's constitution.

6.0 Equality 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 Full statutory public consultation will be carried out in the process of preparing in undertaking the work as identified in the report. Equalities Impact Assessments will be undertaken in association with each of the work streams in the Local Development Scheme.

6.3 The draft Local Plan has been subject to Equality Impact Assessment, with the input of the Council's equalities officer, along with Health Impact Assessment and Strategic Environmental Assessment. This is set out in the Integrated Impact Assessment. This has informed the policies, including analysis of potential alternatives, to seek to reduce adverse impacts and wherever possible improve the outcomes for those with protected characteristics and the social, economic and environmental outcomes of the Plan.

7.0 Consultation with Ward Members and Stakeholders

7.1 Consultation has been extensive and on-going throughout the stages of adoption. It has included leaflets delivered to every home in the borough. Public workshops in each Brent connects area at issues and options stage. Additional workshops at preferred options stage. Workshops with specific groups, e.g. developers/landowners, housing associations, youth parliament, disability groups, mothers, faith groups, utilities and meetings with adjacent London Boroughs/Old Oak Development Corporation/GLA. Drop in/ information sessions in all local libraries and other locations relevant to local communities, e.g. temples.

7.2 Ward members have been engaged through the Local Plan Members' Liaison Group which has met regularly. All members have been invited to numerous workshops at issues and options stage and preferred options stage. The Resources and Public Realm Scrutiny Committee 15th January 2019 considered the Preferred Options consultation version of the draft Local Plan and the results of consultation. Members have been informed of progress of the Plan and events through the members' bulletin. The Cabinet member has routinely sent e-mails to all members at key stages of the engagement process.

7.3 Any one will be able to respond to consultation on the document for the next stages. Awareness raising will be through press-releases, members' bulletin, an article in the Brent Magazine, announcements on the website, public notices, placing documents in libraries and writing to statutory consultees and people on the council's Local Plan consultation database who might have expressed an interest in being kept informed on the Local Plan. There will be some drop in sessions where officers will be available to can discuss the Plan's contents.

Related Documents

Updating the Council's Planning Strategy (The Local Plan) Brent Cabinet 14th February 2017
Brent Local Plan Issues and Options February 2018
Brent Local Plan Consultation Report November 2018
Brent Local Plan Preferred Options November 2018
Brent Local Plan Preferred Options Consultation Summary October 2019
Brent Local Plan Preferred Options Consultation Responses and Officer Comments October 2019
Brent Local Plan Integrated Impact Assessment October 2019
Draft London Plan July 2019

Report sign off:

Amar Dave
Strategic Director of Regeneration and Environment.

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APPENDIX 2

LOCAL DEVELOPMENT SCHEME

This Local Development Scheme is a public statement of the Council's programme for the production of its Local Plan and associated documents over the next three years. It is to be the first point of reference for local communities and other stakeholders to find out about Brent's Local Plan

OCTOBER 2019

London Borough of Brent Local Development Scheme

Explanatory Note

Under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, Brent Council is required to produce a Local Development Scheme (LDS) that sets out our timetable and programme for the production of planning policy documentation. The Local Development Scheme (LDS) is to be revised at such times as the Local Authority considers appropriate.

The LDS covers the period from 2019 to 2022. Although there is no longer a statutory requirement to include Supplementary Planning Documents (SPDs) in the LDS, these continue to be listed in order to give a full account of Brent's planning policies. A summary of progress on Neighbourhood Plans is also included in the appendix.

This and other Local Plan documents are available online at www.brent.gov.uk/localplan.

Contents page

1. Introduction 4

2. Overview of the Local Plan Process 4

3. Brent's Local Plan 8

4. Explanation of proposed programme for Brent's Local Plan 9

5. Local Plan Structure 9

6. Monitoring and Review 9

Appendix 1 – Brent & Old Oak & Park Royal Development Corporation Areas 11

Appendix 2 - Gantt Chart showing scheduled timetable 15

1.0 INTRODUCTION

1.1 This Local Development Scheme (LDS) is Brent's project plan for the production of the Local Plan for the next three years, and has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. The purpose of the LDS is to explain the current planning policy documents for the borough. It also outlines which local development documents will be included in the Local Plan, and when they are to be produced.

1.2 This scheme does not include planning policies but is to be used to find out which policy documents apply in the borough and their status. If there are any ad-hoc changes to the production of any documents, these will be published online at www.brent.gov.uk/localplan.

2.0 OVERVIEW OF THE LOCAL PLAN PROCESS

2.1 The following are the key aspects of the development plan system as they relate to LB Brent. The statutory development plan for the borough consists of:

(i) London Plan (as amended) 2016;
(ii) Brent Local Plan incorporating the Core Strategy July 2010, the adopted Site Specific Allocation July 2011, Wembley Area Action Plan January 2015; and
(iii) West London Waste Plan July 2015
(iv) Sudbury Neighbourhood Plan September 2015
(v) Harlesden Neighbourhood Plan May 2019

2.2 In addition to this Brent Development Management Policies Plan November 2016 forms part of the development plan for areas of the borough not within the boundary of the Old Oak and Park Royal Development Corporation (OPDC). The OPDC from 1st April 2015 became a Local Planning Authority in its own right and is taking forward its own Local Plan for adoption. Currently all of Brent's development plan adopted prior to 1st April 2015 applies to the OPDC area. The OPDC has produced a draft Local Plan which is at examination stage with an aim to adopt in early 2020. Once adopted, the Brent Local Plan will no longer apply in that area. See appendix 1 for the OPDC area and its coverage in the London Borough of Brent.

Structure

2.3 The terminology around planning can be confusing with different terms used for the same documents used in legislation and guidance. The Development Plan or Local Plan as it is also known is a portfolio of planning documents. Government regulations and guidance set out the process for preparing the documents. The preparation of the Local Plan has for the last decade taken place at different times for different documents that comprise the portfolio. This reflects guidance and national practice associated with the 2004 Planning and Compulsory Purchase Act. It should also be noted that the process for preparing documents has changed with the publication of the National Planning Policy Framework in 2012, Localism Act 2011 and Town and Country Planning (Local Planning) (England) Regulations 2012. Government has moved its preference

away from the portfolio approach with Local Planning Authorities encouraged to decide on the format that suits an individual area, either as a suite or a single document. The following text gives a description of the types of documents in the Local Plan and a short description of each.

Local Development Documents

2.4 The 2004 Act identified two different types of Local Development Documents (LDDs) that can be used by Local Planning Authorities to set out policy and associated guidance that can be used to determine planning applications. These are Development Plan Documents and Supplementary Planning Documents. All local development documents are, where necessary, subject to sustainability appraisal and a strategic environmental assessment:

- **Development Plan Documents (DPD)** – Planning applications must be determined in accordance with the Development Plan, or Local Plan; this is also known as a Development Plan Document. As they form part of the Development Plan these documents have statutory status. They are subject to independent examination before an inspector, who can recommend changes which the Council must accept if they are to adopt the Plan. The key DPD in Brent's Local Plan is the Core Strategy, which sets out an overall vision of how the borough and places within it should develop. Other DPDs can include Area Action Plans, generic Development Management Policies documents, Site Specific Allocations and a Policies Map. DPDs must be in general conformity with the London Plan.

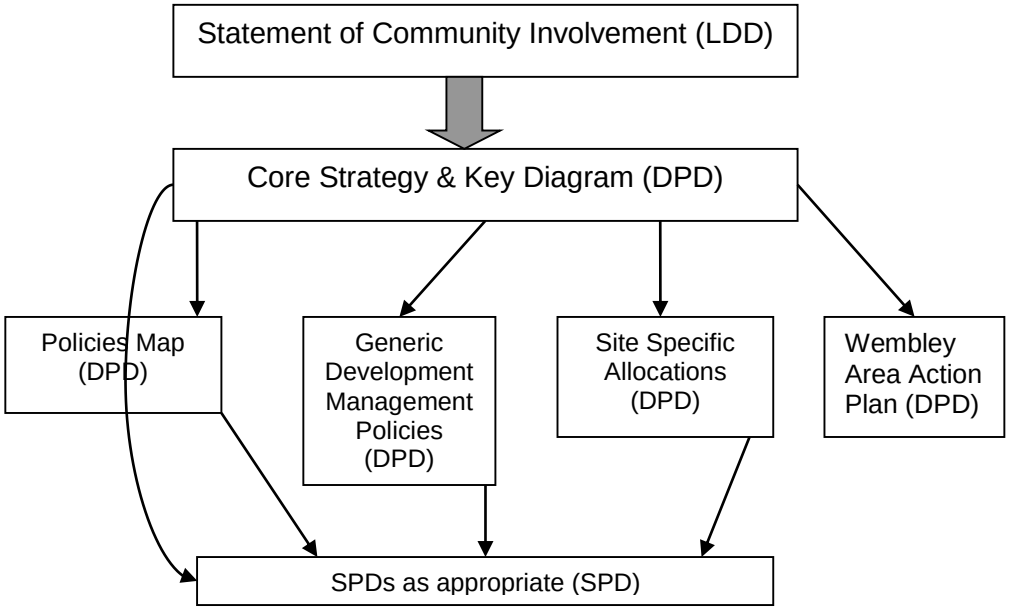
- **Supplementary Planning Documents (SPD)** – these documents do not have development plan status but provide guidance on the application of DPD policies. Whilst there are regulations and guidance about what they can contain and the processes for their adoption they do not form part of the Local Plan and so are non-statutory. Supplementary Planning Documents amplify policies in Local Plans; they cannot create policy and neither can they allocate sites for development.

Other planning documents the Council has to produce

- **Annual Monitoring Report (AMR)** – sets out progress in terms of producing LDDs and in implementing/monitoring the effectiveness of policies.

- **Statement of Community Involvement (SCI)** – sets out how Brent Council intends to involve stakeholders and the community as a whole in the Local Plan process, as well as their involvement with planning applications. The SCI was adopted in July 2017.

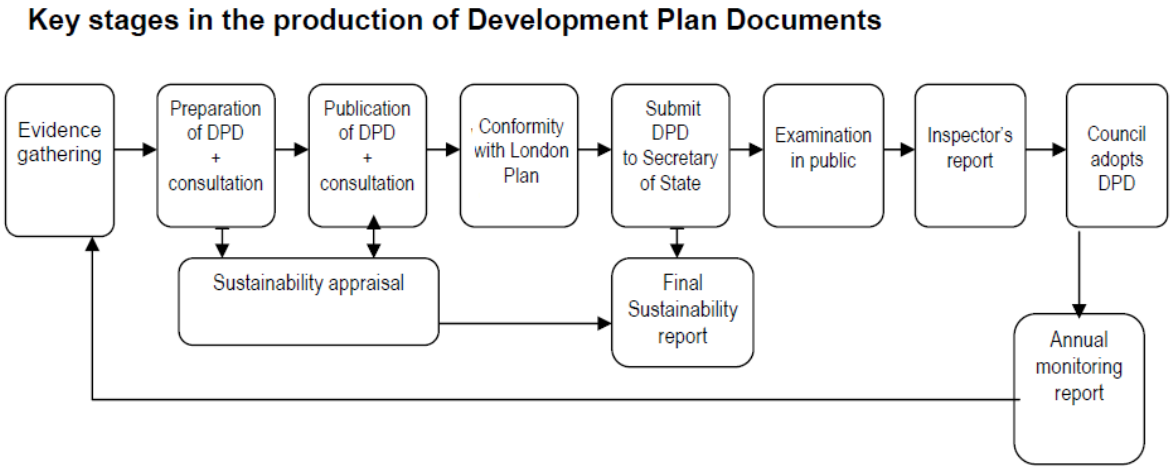
Figure 1 Brent's Local Plan and associated documents.



Process

2.5 The diagram below sets on the key stages in the production of the local Plan/DPDs.

Figure 2 - Key stages in the production of Development Plan Documents

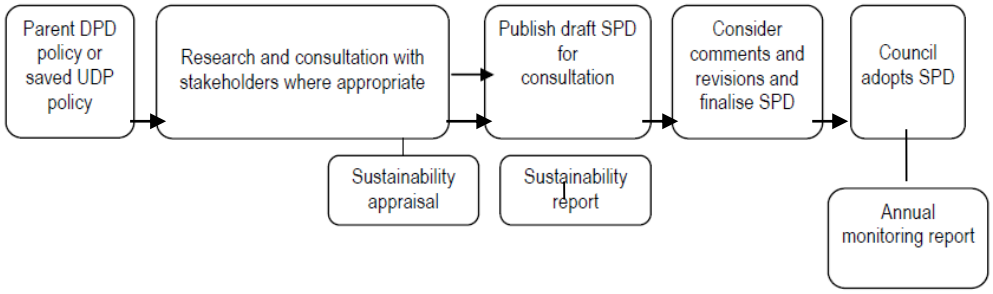


2.6 The key stages of **DPD preparation** are highlighted below, which accord with the Town and Country Planning (Local Planning) (England) Regulations 2012:

- **The research stage** - evidence is gathered to help identify issues that need to be considered to shape the DPD strategy. Brent will need to collect the necessary data to develop a robust evidence base for the plan and provide the baseline for a Sustainability Appraisal (SA) scoping report.

- **Preparation of a local plan (Regulation 18)** - When preparing a DPD, the Council must notify each of the specific bodies as relevant, alongside members of the public, stakeholders and interest groups. At this stage, the possible need to include proposals for particular sites will be considered and an initial sustainability report will also be available.
- **Publication of a local plan (Regulation 19)** - Before the Council submits a DPD to the Secretary of State, it must publish and make available the documents it proposes to submit. At this stage, a minimum of a six week period is allowed for any member of the public, group or stakeholder to make representations on the soundness of the document. The Local Development Document will be backed up by the Sustainability Appraisal.
- **Submission of the documents and information to the Secretary of State (Regulation 22**) – The council will set out the detailed policies and proposals and will submit the DPD to the Secretary of State, together with any representations received in accordance with Regulation 20. The final sustainability appraisal will accompany the DPD.
- **Independent Examination (Regulation 24) –** an examination will take place by an independent Inspector appointed by the Secretary of State. The Inspector must consider whether the document is sound in terms of its content, and whether the correct processes and procedures have been followed taking into account representations received through an Examination in Public. The Inspector will also consider the sustainability appraisal processes in terms of its evidence base underpinning the strategy
- **Inspector's Report and Adoption of local plan (Regulations 25 and 26)** - Following examination, the Inspector will produce a report to identify whether the Plan is sound and can be adopted. If asked by the Council to do so, the Inspector will make recommendations on main modifications necessary to make the DPD sound. If the Council wishes to adopt the final DPD the Inspector's modifications must be incorporated.
- **Annual Monitoring Report (Regulation 34) –** The council must make any up-to-date information, which they have collected for monitoring purposes, available as soon as possible after the information becomes available.

Figure 3 - Key stages in the production of Supplementary Planning Documents



2.7 The preparation of Supplementary Planning Documents is different to that of DPDs. Their preparation is a simpler process than that of DPDs and does not involve an Examination in Public by an Inspector. The Council is responsible for the process throughout, but there is still community involvement.

3. 0 BRENT'S LOCAL PLAN

Introduction to the current situation in Brent

3.1 The Planning and Compulsory Purchase Act requires the Local Development Scheme (LDS) to be revised as such times as the Local Authority considers appropriate. The Council last updated its LDS in January 2017. As it has now moved forward with the review of the plan, which has taken slightly longer than predicted it considers it is appropriate for an update. The key project plan changes and document profiles are highlighted in Appendix 2.

Brent Local Plan – conformity and integration with other plans and strategies

3.2 One of the main changes under the new planning system is a shift in focus from the regulation and control of the use of land to a more spatial approach. This requires a move away from dealing with strictly land use matters, taking account of other strategies and plans for the borough which have an impact upon spatial development. There are a number of strategies, plan and policy guidance that need to be considered and where necessary, integrated into the Local Plan.

National/ Government Planning Policy

3.3 The Government sets out national planning policy in the National Planning Policy Framework (NPPF). There is also associated National Planning Practice Guidance. Both are updated on a regular basis. The Local Plan must be in conformity with the NPPF, taking account of local circumstances.

The London Plan and related guidance and strategies

3.4 The London Plan is the spatial expression of the strategies of the Mayor and the organisations he is responsible for, including Transport for London. It is part of the statutory Development Plan for the borough, and Brent's Local Plan must be in general conformity with it. The London Plan has a number of related strategies and guidance, including Supplementary Planning Guidance on a variety of topics (e.g. affordable housing). A draft new London Plan has been submitted for examination. A panel of independent inspectors will publish their report in September 2019. The plan may then be subject to some further amendments taking account of the inspectors' comments. It is anticipated it will be published (that is adopted) in early 2020. This new London Plan will supersede all existing London Plan policies.

Other local partnerships and strategies

3.5 The Council also has a number of other strategies and plans in the borough which the Local Plan must take account of.

3.6 The Council also has to take account of the outputs of Neighbourhood Planning and reflect these in its Local Plan. Neighbourhood Plans must be in conformity

with Local Plan strategic policies and as they are part of the Development Plan Brent's Local Plan must take account of Neighbourhood Plans.

4.0 EXPLANATION OF PROPOSED PROGRAMME FOR BRENT'S LOCAL PLAN

4.1 Appendix 2 sets out the overall programme of the proposed Local Plan for the London Borough of Brent up to 2022 and a Gantt Chart is also available for viewing at Appendix 3. The programme seeks to tie into the timetable for the new London Plan which Brent's Local Plan will have to be in general conformity with.

4.2 The focus will be on taking forward the replacement of Brent's Local Plan in the parts of the Borough where the OPDC is not the local planning authority. In addition, the Council will prepare new SPDs where it considers it necessary. These together with their timetable are shown in Appendix 2 and 3. Others will be updated as and when resources allow.

5.0 LOCAL PLAN STRUCTURE

5.1 The existing Local Plan structure has been set out above. This will be replaced by a single Local Plan document which incorporates a Vision/Strategic Objectives for the development of Brent, sites allocated to deliver that vision and development management policies to provide a finer grain of detail for the determination of planning applications. See Appendix 2.

6.0 MONITORING AND REVIEW

6.1 This section identifies how monitoring and review is occurring, including the AMR and resultant annual review of the LDS; the resources (in broad terms) to be allocated to producing the Local Plan; arrangements and responsibilities for programme management and a risk assessment including any proposed contingencies.

6.2 Review, monitoring and survey are crucial to the successful delivery of the Local Plan's visions and objectives, and should be undertaken on a continuous proactive basis. By surveying external trends and outcomes, the Council can build strong evidence bases to inform the preparation of LDDs. Effective monitoring is crucial to the development of Local Plans. Its role is already recognised in terms of the 'plan, monitor, and manage' approach:

- **Plan** – making decisions in the Local Plan about the scale, location, and nature of future development;
- **Monitor** – putting in place a system to measure whether actual events are contributing towards the objectives in the Local Plan; and
- **Manage** – adjusting the plan to reflect findings of monitoring.

6.3 The Council are required to review actual LDD progress compared with the targets and milestones in the LDS, and produce an AMR. In addition, we need to monitor Local Plans in terms of:

- Assessing the extent to which external trends and progress with delivery reflects Local Plan policies. This is an important means of assessing the effectiveness of policies to deliver housing. LPAs are required to provide information on dwelling completions;
- Policies, targets and milestones being sufficiently clear and focused so as to be capable of quantitative assessment through indicators;
- Informing development management decision-making. Monitoring has an important role to play in terms of implementing criteria-based policies that are responsive to changing circumstances; and
- Recognising national and regional policy objectives and targets. Local monitoring systems need to be sufficiently comprehensive to respond to wider requirements.

The Annual Monitoring Report (AMR) and implementation of the LDS

6.4 The Council is required to prepare AMRs to assess the implementation of the LDS, and the extent to which policies in LDDs were achieved. In terms of implementation, AMRs review the actual plan progress over the year, compared to the targets and milestones for LDD preparation set out in the LDS. This assesses:

- Whether the Council has met the LDD targets and milestones, is on target to meet them, was falling behind schedule or did not meet them;
- If the Council is falling behind schedule or had failed to meet a target or milestone, the reasons for this; and
- Updates the LDS in light of the above, and the necessary steps and timetable.

Monitoring

6.5 In terms of policy achievement, the Council will need to develop robust monitoring systems to judge the effectiveness of LDDs. For the purposes of the AMR, this will include assessing:

- Whether policies and related targets or milestones in LDDs have been met or progress is being made towards meeting them. Or, where they are not being met or on track to be achieved, the reasons why;
- What impact the policies are having on national, regional and local targets and any other targets identified in the LDDs. These will also have regard to the National Indicators and Brent's key priority indicators;
- Whether the policies in the LDD need adjusting or replacing because they are not working as intended or are not achieving sustainable development objectives; and
- If policies or proposals need changing, suggested actions to achieve this.

Indicators

6.6 Crucial to monitoring is the need to set appropriate indicators to monitor actual progress against targets. In line with regional monitoring, there should be an objectives-led approach to Local Plan monitoring which:

- Ensures clear links from objectives through to policies, implementation programmes and to output targets and related indicators;
- Focuses on key objectives rather than monitoring a wide range of indicators not directly relevant to policy performance;
- Provides sufficient consistency in terms of local authority monitoring approaches as to enable comparisons to be made;
- Allows transparency and accountability in terms of delivery; and
- Facilitates more informed policy and decision-making. These will reflect the national indicators where appropriate.

Risk Assessment

6.7 In preparing the local development scheme, it was found that the main areas of risk relate to:

Other priorities Diversion of staff resources away from the work programme identified. The adoption of the Local Plan is a corporate priority, so this is considered unlikely to have significant potential.

The capacity of the Planning Inspectorate (PINS) and other external agencies to cope with the nation-wide demand. This is outside of the Council's control but currently there are no significant backlogs. The Council will sign a Service Level Agreement with them which ought to ensure timely delivery on both sides.

The "soundness" of DPDs This risk will be minimised by working closely with critical friends and if necessary PINS both at and between all milestone stages and in the run up to submission of DPDs.

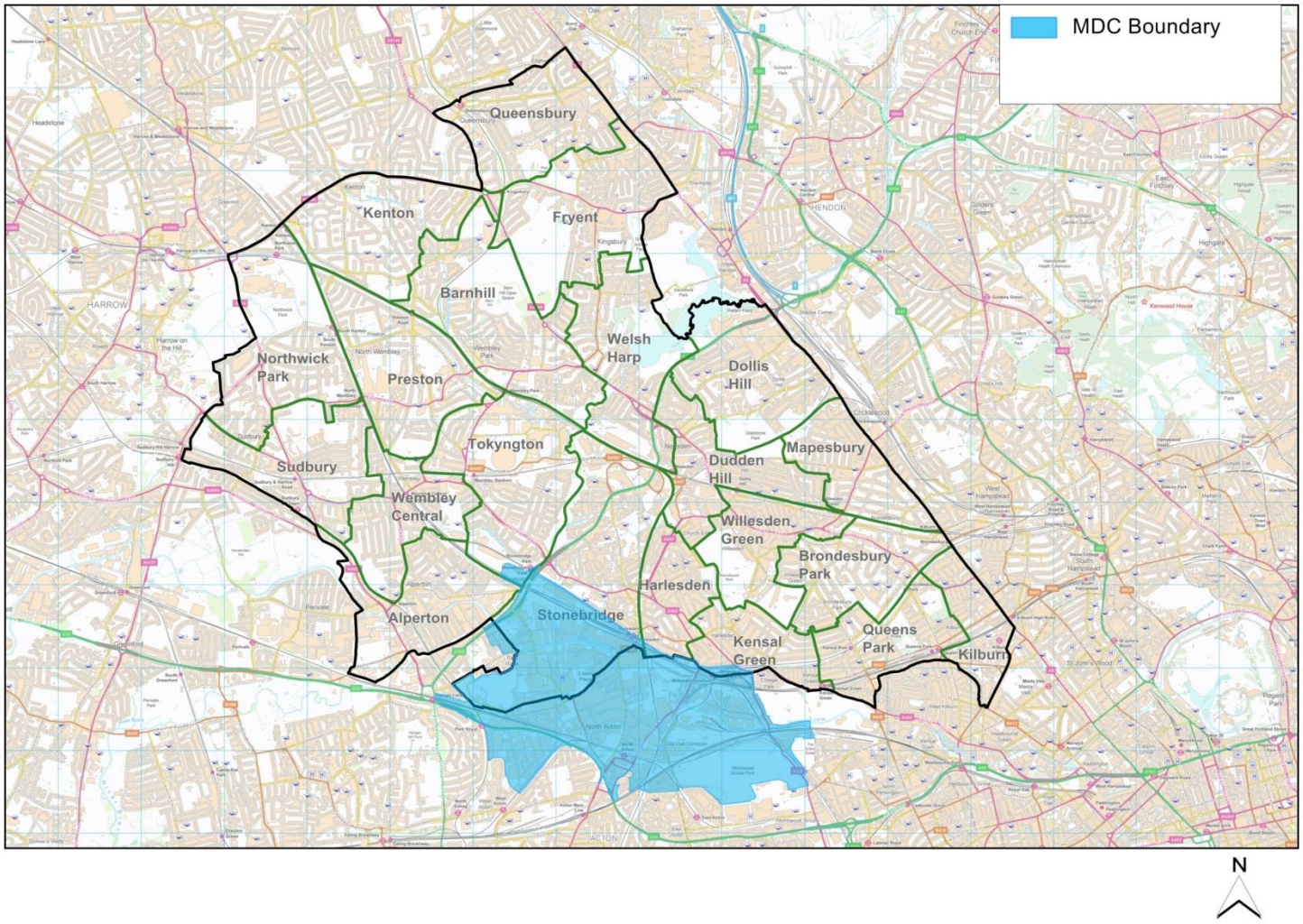
Legal challenge This will be minimised by ensuring that DPDs are "sound" and founded on a robust evidence base and well-audited stakeholder & community engagement systems.

Programme slippage This will be minimised with some contingency time built into the later part of the programme.

Rolling Programme

6.8 Documents will be replaced/ updated as necessary as identified by the AMR or more informal review mechanism if appropriate before that time. Any changes deemed necessary as a result of the AMR, or other assessment, will be reflected in the production and submission of a revised LDS.

Appendix 1 – Mayoral Development Corporation Area of Coverage

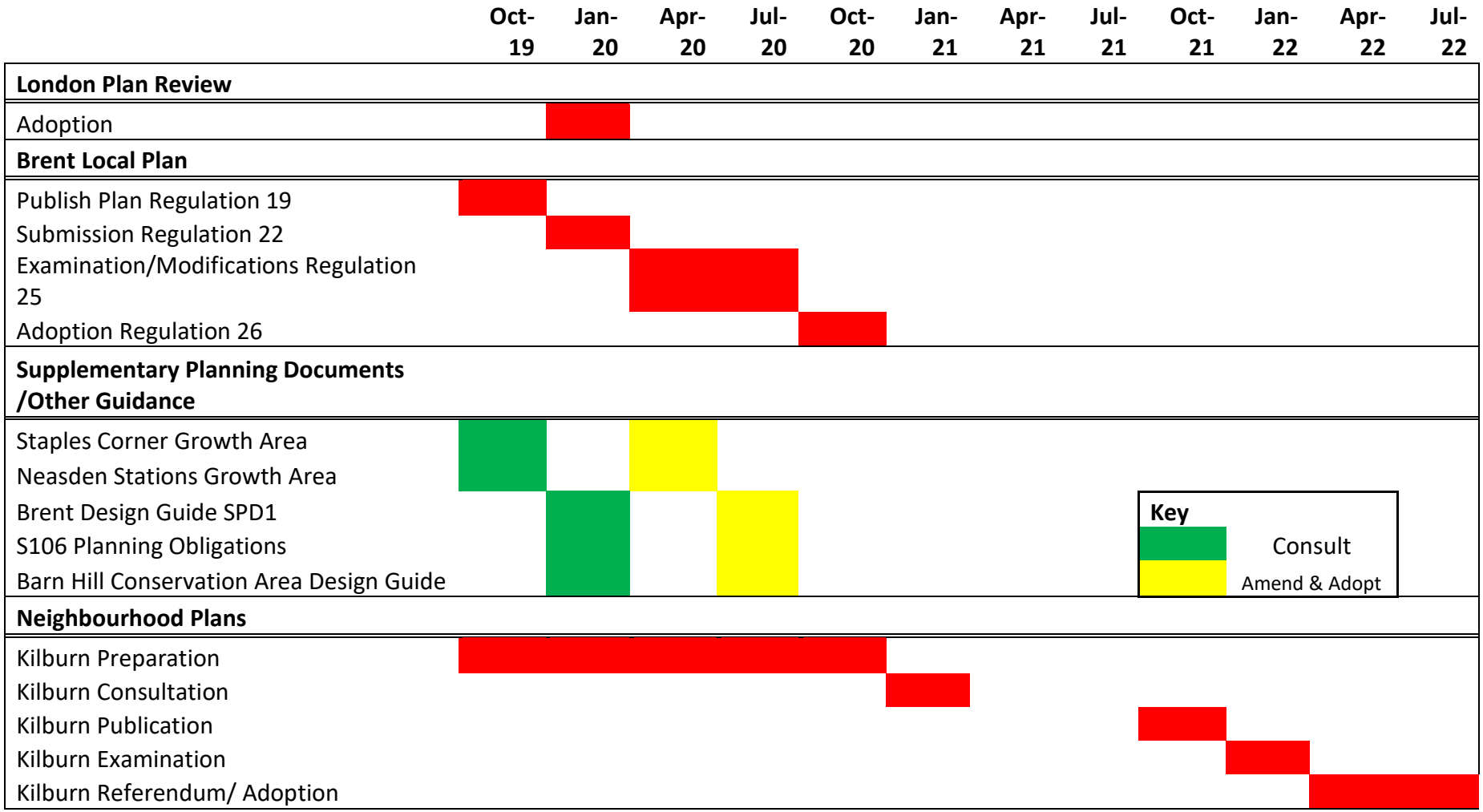


Appendix 2 – Local Development Documents to be prepared							
a) Local Development Plan Documents 2019 - 2022							
DPD Title	*Purpose/ content*	*Authors*	*Conformity*	*Geographical coverage*	*Community/ Stakeholder involvement*	*Review*	*Key Milestones*
Policies Map	An OS based map providing a geographical representation of Core Strategy policies and other DPD policy.	LB Brent	Conformity with all DPDs.	Whole borough, except OPDC area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	Policies in DPDs to be monitored through LB Brent Annual Monitoring Report	Updated with each DPD produced
Brent Local Plan	This DPD will set out a vision and strategic objectives for the development of the borough. It will include site allocations and policies that manage the development of the Borough where planning permission is required.	LB Brent	To conform with the London Plan and national policy.	Whole borough except OPDC area.	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Publication – October 2019 Submission – March 2019 Examination in Public –June – November 2020 Adopted – Dec 2020
b) Supplementary Planning Documents - to 2022							
Staples Corner Growth Area Masterplan	This document deals with the regeneration proposals for Staples Corner Growth Area	LB Brent	Conformity with the London Plan and Brent Local Plan.	Staples Corner Growth Area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation –Spring 2020 Adoption – Autumn 2020
Neasden Stations Growth Area Masterplan	This document deals with the regeneration proposals for Neasden Stations Growth Area	LB Brent	Conformity with the London Plan and Brent Local Plan.	Neasden Stations Growth Area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation –Spring 2020 Adoption – Autumn 2020

Brent Design Guide (SPD1)	This document will act as a design guide for new development. It will be updated to reflect changes required to provide advice on small sites residential development, intensification corridors and town centres.	LB Brent	Conformity with the London Plan and Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation –Summer 2020 Adoption – Winter 2020
S106 planning obligations	This will outline what the borough will expect to be included within S106 obligations.	LB Brent	Conformity with the Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring 2020 Adoption – Autumn 2020
Barn Hill Conservation Area Design Guide	This will be produced in association review the current boundary of the conservation area	LB Brent	Conformity with the Brent Local Plan.	Barnhill and Lawns Court	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2021 Adoption – Winter 2021
c) *Neighbourhood Plans 2019 - 2022* **N.B. As Neighbourhood Plans are led by the community the timescales below are a best estimate, based on the latest information provided by Neighbourhood Forums.**							
Kilburn	This document will guide development within the Neighbourhood Area.	Kilburn Forum	Conformity with NPPF, London Plan and Brent Local Plan.	Kilburn, Brondesbury Park Wards	Consultation must be in line with the Neighbourhood Planning (General) Regulations 2012 Part 5, Regulation 15	-	Designation of forum and area approved – Spring 2016 Consultation Early 2021 Publication Autumn 2021 Examination Early 2022 Adoption Summer 2022

Appendix 3

Local Development Plan Documents Adoption Timescales Milestones October 2019



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Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director of Regeneration and Environment

Article 4 Directions to Remove Permitted Development Rights for Changes of Use from Office and Light Industrial to Residential and also from Residential to Houses in Multiple Occupation

Wards Affected:	All, excluding parts of Harlesden, Kensal Green, Stonebridge and Tokyngton where Old Oak and Park Royal Development Corporation is the Local Planning Authority
Key Decision:	Yes
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Four Appendix 1 Boundaries of Existing Article 4 Directions Appendix 2 Area of LB Brent as Planning Authority Appendix 3 HMOs Locations in Brent Appendix 4 HMOs count in Brent by ward
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Paul Lewin, Team Leader, Planning Policy. 020 8937 6710 paul.lewin@brent.gov.uk

1.0 Purpose of the Report

1.1 The purpose of the report is to seek Cabinet approval to proceed with non-immediate Article 4 Directions. Once set will seek to remove permitted development rights for change of use from offices and light industrial to residential. This will apply to areas not already covered by Article 4s the Council previously introduced, which became effective on 10th August 2018. The other will also seek to remove the permitted development rights between residential dwellings and houses in multiple occupation. This will apply to the whole borough where the Council is local planning authority.

2.0 Recommendations

2.1 Cabinet approves the issuing of a non-immediate Article 4 Direction removing permitted development rights for change of use from Office (B1(a)) and Light Industrial (B1(c)) to residential (C3) for the remainder of the borough not covered by existing Article 4 Directions to remove these permitted development rights.

2.2 Cabinet approves the issuing of a non-immediate Article 4 Direction removing permitted development rights for change of use from Residential (C3) to Houses in Multiple Occupation (C4).

2.3 Cabinet delegate authority to the Strategic Director for Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to consider consultation responses and the decision on whether to confirm the Article 4 Directions.

3.0 Detail

Background

3.1 Not all development needs planning permission. Government more recently has sought to reduce occasions when planning permission is required. Historically this generally had been for changes of use and minor residential development. Different uses are categorised according to the Use Classes Order 1987 (as amended). Since 2010 there has been a more substantial amount of change to permitted development rights. Some potentially very significant developments no longer require planning permission. Government's intention currently appears to be for further changes to widen the scope of permitted development.

3.2 Since 6th April 2010 properties where between three and six people are living together in two or more households sharing basic amenities such as the kitchen and the bathroom have been categorised as use class C4. Since this date a change of use between residential dwelling houses use class C3 (a dwelling occupied by people living together as a single household) and C4 has been permitted development. Vice-versa is also permitted development.

3.3 In 2013 Government started to introduce increased flexibility in relation to changes of use to residential. One of these changes was the introduction of permitted development rights for office (use class B1(a)) as identified in the Use Classes Order 1987 (as amended) to C3. This was initially for a period of 3 years. Through amendments made in 2016 however, this is now permanent.

3.4 In 2016 light industrial (B1(c)) to residential dwelling houses (C3) was introduced to commence from 1st October 2017 also for a temporary period of 3 years. Government has not yet consulted on whether this temporary period will be extended.

3.5 The council as local planning authority does not need to be informed of the change of use between C3 and C4 and vice-versa. A prior approval process is required for office and light industrial to residential and is slightly different for each. For offices, it does not deal with the principle of the development but is

limited to a few technical requirements, which most proposals can meet. This addresses:

a) transport and highways impacts of the development;
b) contamination risks on the site;
c) flooding risks on the site; and
d) the impacts of noise from commercial premises on the intended occupiers of the development.

3.6 For B1(c) the tests do pay greater attention to wider potential economic impacts. In addition to the above, prior approval is required if the change of use is likely to have an adverse impact on the sustainability of a wider employment area/industrial estate. The Council can refuse a prior approval where it considers the change of use would otherwise have an adverse impact on the functioning of wider strategic business locations. For individual properties not in employment/ industrial areas, refusal invariably is not possible in relation to this test.

3.7 More recently the lack of control on the quality of dwellings being created through prior approvals has been subject to extensive lobbying to Government. The former Secretary of State James Brokenshire MP stated his intention to initiate a review of office to residential. This was before a recent legal ruling highlighting a council's inability to refuse a prior approval of light industrial to residential where no windows would be provided for 5 of the new dwellings created. It is not clear if the review will include light industrial to residential and when these findings will be published.

Article 4 Directions

3.8 Local Planning Authorities have the ability through Article 4 (1) of the General Permitted Development Order (GPDO) 2015 to remove permitted development rights. This is where they can justify that their inability to otherwise control development would have a significant impact on amenity, or prejudice their proper planning of an area. As a backstop the Secretary of State, who has to be notified on confirmation of an Article 4 direction, ultimately has the ability to intervene where they see fit. They can amend or remove an Article 4 direction proposed by a Local Planning Authority. Where the Secretary of State has intervened previously it has generally been where a local planning authority was proposing a blanket approach to coverage of their area.

3.9 Section 107 of the Town and Country Planning Act 1990 provides for property owners to claim compensation. This includes in certain circumstances where ordinarily planning permission is not required but then is subsequently refused, or conditions applied by the Local Planning Authority over and above those otherwise required. The compensation payable reflects the difference between development value in both scenarios and also additional costs associated with going through the planning process.

3.10 Regulations set out limitations placed on Local Planning Authorities on changes of use permitted by the GPDO. Compensation is not payable on any subsequent planning application decision after a period of 1 year following initial notification of an intention to adopt an Article 4 direction. This means that in order to avoid claims for compensation the majority of Article 4 directions issued by local planning authorities are non-immediate.

3.11 Regulations set out the extent to which a Local Planning Authority has to consult on an Article 4 Direction. After it decides on its intention to adopt an Article 4 Direction, the Council has to consult for a minimum of 28 days with those likely to be affected and statutory consultees. In relation to the Article 4 directions being considered, public notices and some site notices across the borough, together with letters to those on the Local Plan consultation list will be used. Given the number of properties in the areas, it is not considered proportionate to serve an individual notice on each owner and occupier. Once it has considered the consultation responses the Council has a period of up to 2 years to confirm the Direction after its initial notification of intention to adopt.

3.12 In July 2017 Cabinet approved the implementation of two non-immediate Article 4 directions. These were to remove permitted development rights for office (B1(a)) in the Wembley Growth Area and office (B1(a)), light industrial (B1(c)) and storage and distribution warehousing (B8) in the Alperton Growth Area, and designated Strategic Industrial Locations and Locally Significant Industrial Sites. The boundaries of these Article 4 Directions are shown in Appendix 1. The significant loss of employment floorspace at that time was identified as prejudicing the proper planning of the borough with regards to its economic base. These Article 4 directions were confirmed and became effective from 11th August 2018.

Consideration of an Article 4 for parts of the borough not currently subject to an Article 4 to remove change of use of office (B1(a)) and light industrial (B1(c)) to residential permitted development rights.

3.13 The decision to limit Article 4 directions to the areas previously identified was essentially related to reducing the risk associated with the Secretary of State's potential response of not supporting a blanket borough wide designation. In the blanket scenario Government intervention could have resulted in the Article 4s not progressing in their entirety. Alternatively, they could have been significantly delayed whilst the boundaries were amended and re-consultation plus other processes associated with confirmation that would have otherwise been required.

3.14 As such the areas chosen were those where protection of the employment floorspace was prioritised in planning policy. The incremental incursion of residential development into what are essentially industrial estates was not only leading to loss of floorspace, inconsistent with London Plan and Local Plan policy, but also potentially impacting on the wider future performance of those locations to allow for businesses to meet their operational needs. In the case of Wembley Growth Area office, it was reducing the office stock in town centres, undermining vitality and viability, whilst pushing out existing businesses from premises that in some cases were fully let.

3.15 The essentially unfettered loss of office, light industrial and warehousing outside priority Growth Areas and designated protected industrial areas was undoubtedly impacting upon the economic capacity of the borough and had displaced active businesses, when the previous Article 4s were being considered by Cabinet. Nevertheless, at that time the Brent Local Plan allowed for a loss of non-designated employment land of approximately 11.5 hectares in the period to 2029. In 2017 there was still some capacity left within the 11.5 hectares for additional losses to occur.

3.16 Since the previous Cabinet decision to proceed with the Article 4 Directions for the selected areas there have been two significant changes. The first is that all the available capacity for release of employment land identified in Local Plan policy has now been passed. Any losses are now inconsistent with Local Plan aims to ensure the effective economic performance of the borough in relation to employment land supply. Policy DMP14 requires planning applications for non-employment uses associated on existing non-designated employment premises/ sites to be justified, seeking the maximum replacement employment possible on site including evidence of viability assessment. This requirement is by-passed through permitted development rights.

3.17 The second is that the draft London Plan now identifies Brent as a 'provide capacity' borough. This seeks the provision of a significant amount of additional business floorspace (according to the GLA equivalent to 43 hectares) in the period to 2041. The latest West London Employment Land Study 2019 identifies that in Brent 32% of the borough's business floorspace is in non-designated locations. This is a significant proportion that currently is subject to potential unfettered change of use through permitted development rights.

3.18 Since the introduction of the permitted development rights, for the remainder of the borough not subject to Article 4 Directions, a total of 54,708 sq.m. of business floorspace has had prior approval to turn into residential floorspace. This has increased significantly in the last 3 years, with 45,956 sq.m. still either under construction or extant. The likelihood of achieving an additional 43 hectares as identified by the GLA will be very challenging, particularly if the council can only effect such change in designated employment areas. Any further loss outside designated areas due to permitted development will make the achievement of additional floorspace, or possibly even maintaining current levels across the borough, much more difficult to achieve. As such, there is the reasonable prospect that the existing remaining permitted development rights will prejudice the proper planning of the borough to meet Brent's and London's economic needs.

Conclusion

3.19 It is recommended that Cabinet approve the extension of the Article 4 to remove change of use of office (B1(a)) and light industrial (B1(c)) to residential (C3) permitted development rights for the remainder of the borough where the Council is Local Planning Authority as shown in Appendix 2. This will be through a non-immediate Article 4. This means if confirmed it will come into effect a year after initial making of the order occurs. Whilst the rights for B1(c) are currently temporary until the 30th September 2020, logistically it makes sense for the Council to make the order cover both B1(a) and B1(c) as there will be almost no additional work or cost involved if done simultaneously. The order can be confirmed and if the temporary period for B1(c) is not extended then obviously it will have no impact. This will not impact on the existing Article 4s shown in Appendix 1.

3.20 The alternative is to wait until Government identifies its intentions. If this extends the temporary period, or makes it permanent then at this time an Article 4 could be taken forward. The disadvantage of this approach is that it will require additional resource (staff, printing, transportation and advertising costs) as a separate process will have to be undertaken. It will also mean that there

will be a large delay (almost a year) compared to the B1(a) element in the Article 4 direction coming into effect. This is as, to reduce the risk of compensation payment, it would still be non-immediate.

Consideration of an Article 4 to remove change of use of residential (C3) to houses in multiple occupation permitted development rights across the borough.

3.21 The number of private rented dwellings in the Borough is estimated to be 44,916. Of these Houses in Multiple Occupation (HMOs) comprise approximately 16,984 properties. The remaining 27,932 properties are rented out as dwellings occupied by one household. Both forms of private rented homes are now estimated to account for 37% of the Borough's housing stock. The number of private sector rented dwellings grew by 72% between the censuses. Such rises have essentially been at the expense of owner occupation which is becoming increasingly unaffordable to many.

HMOs serving housing need

3.22 Well maintained and managed HMOs undeniably can provide an important component of meeting housing need. This is predominantly for single people or couples. Indications are that needs for such accommodation will continue to rise, although probably at a much lower rate exhibited between the censuses. A factor that could increase needs is that Brent's younger population profile is impacted upon by housing benefit for under 35s being limited to that of a single room in a rented house. In addition, limitations in benefits for over 35s single person households against continuing increases in rent are likely to mean self-contained dwellings will become more unaffordable for many.

3.23 Against this background, the Homelessness Reduction Act 2017 additionally placed an increased statutory duty on the Council to address the housing needs of residents who are or are likely to have the potential to become homeless. Given their affordability and prevalence, HMOs do and will provide a valuable source of accommodation to allow the Council to meet its existing statutory homelessness duties. Lack of supply will necessitate subsiding tenants for larger properties, or housing them in more temporary accommodation until a satisfactory solution can be found.

HMOs potential adverse impacts

3.24 Notwithstanding their importance in meeting housing needs, poor quality HMOs or an over-concentration of them have caused concern to local residents and Members and can have significant negative impacts. These include: transient populations; anti-social behaviour; noise and nuisance; and unmaintained properties and gardens from poor management leading to unsightly premises. This can impact the lives of their sometimes more vulnerable occupants and their surrounding neighbourhoods. Landlords due to incomes achieved are often better placed to acquire properties in terms of speed of transaction and price paid, thus through displacement undermine the ability of larger family households to meet their needs.

3.25 There are however mechanisms across a range of Council functions, including housing licensing, planning policy, planning enforcement, community safety and environmental health, along with actions of partners such as the police that

allow controls to reduce the prospect of many of these potentially negative aspects.

Housing licensing powers

3.26 Nationally, stronger licensing powers were introduced in 2018. Within the borough HMOs are now required to be licensed. The licence covers a number of matters including: number of occupants related to amenity and space standards, minimum bedroom size standards, terms of residents' occupation, prevention and dealing with resident anti-social behaviour, property maintenance including external appearance/ areas, dealing with waste storage, repairs, pest controls and appropriate compliance with licence requirements. Councils are able to use national minimum standards or apply even tougher requirements to address specific local needs. Not having a licence can run the risk of prosecution with an unlimited fine, with the landlord having to pay tenants up to 12 months' rent. Non-compliance with granted licence conditions can result in a criminal conviction and a possible unlimited fine. The additional licensing scheme currently comes to an end on 31st December 2019. Its recommended renewal is subject to another Cabinet decision on this agenda.

3.27 Take up of additional licensing is however relatively low for a number of reasons. Principally it is likely to be lack of awareness of the need to have a licence both from tenants and landlords. In a minority of cases it is probably likely that landlords although aware of the need for licensing are seeking to evade the process. Across the borough 3241 HMOs are licensed (Jan 19) which is around 20% of the estimated number. This has increased by over 3000 since January 2015. The spatial distribution of individual licensed HMOs can be seen in Appendix 3 and the number in each ward in Appendix 4. In the eight wards where the Council has more recently introduced selective licensing, additional licensing of HMOs has increased. This is as a result of tenants and landlords becoming aware that any private rented property in one of these wards require a selective licence and as a result these properties being identified as HMOs. 1886 or 58% of the licensed HMOs are in the 8 selective licensing wards.

Planning enforcement powers

3.28 A considerable number of planning enforcement complaints, and therefore of the team's workload, relate to HMOs. As planning permission is not required for a small HMO, the team's main focus is whether a change of use has taken place from a dwelling house to a HMO (planning permission not required) or to multiple self-contained flats (planning permission required). The latter are mainly carried out in the landlord's view, under permitted development rights thinking they are HMOs. In reality these function as self-contained dwellings and therefore should have required planning permission and comply with normal planning policies including space standards. An Article 4 Direction which would require planning permission would remove any uncertainty that planning permission is required and ensure that planning space standards are met.

3.29 In relation to a HMO Article 4 Direction there is a risk that one covering a whole borough may be viewed unfavourably by the Secretary of State. Having said this, the risk is probably low as the Secretary of State appears less willing to intervene in relation to HMO Article 4 Directions, than others. Barnet confirmed a borough wide one in 2016, Croydon has made a borough wide one in January

2019. 15 of 33 London Boroughs now have full or partial Article 4 Directions requiring planning permission for HMOs.

3.30 Should the Council seek to adopt an Article 4 Direction, planning applications for the change of use would need to be determined in accordance with planning policy. Taking account of the potential for an Article 4 to come into effect, the current draft Local Plan includes a policy that places a clear empirical measure as to what it regards as over-concentration (greater than 4 out of 11 properties – equivalent to 37%). If it gets through the Examination process and is adopted by the Council, this will provide a strong policy limit to justify refusal should an application breach the limit.

What are the advantages and disadvantages of undertaking the Article 4 Direction for Change of Use from Residential to HMO?

3.31 An Article 4 Direction is just one of many tools at the Council's disposal to address HMO-related issues, in addition to housing licensing, planning enforcement, community safety and environmental health. Addressing the poorer aspects of HMOs requires a joined up approach from a range of services in the Council and potentially also external organisations, such as the police. Article 4 Directions can have a role in supporting improvements for tenants and neighbourhoods, albeit perhaps the controls might be more limited than might be perceived by the general public. Below sets out the pros and cons for taking forward an Article 4 Direction restricting the change of use from dwelling houses to HMOs.

<u>Reasons for making an Article 4 Direction</u>

a) In the absence of an Article 4 Direction, there is no planning control over standards. The quality of some of the conversions, whether lawful or not, is extremely low. Some areas clearly have significant concentrations, or the potential for this to occur against a background of increased demand. Planning applications would allow assessment against relevant National and Local policies addressing issues such as overconcentration, control of parking, provision of sufficient space for waste, etc. Licensing standards do apply, however, regardless of whether planning permission is needed.
b) HMOs reduce the stock of family homes without planning's ability to consider the impact on mixed and balanced communities. Brent's Strategic Housing Market Assessment identifies a significant need for 3 bed or larger properties (65% of new homes needed). New draft London Plan policies seek to preclude the Council from setting a borough minimum family housing (3+ bed) target. Current policy of a 25% requirement ensures that some family homes are built, whilst due to profitability developers in the majority of cases prefer to build nearly all 1 and 2 bedroom properties. With the policy in place, currently only around 24% of new homes are 3+ bed (many homes are delivered on sites of less than 10 dwellings where the policy does not apply) there will be a significant shortfall between supply and needs for Brent residents.
c) The Planning Enforcement Team spends a lot of resources investigating and enforcing against conversions. It is anticipated that an Article 4 Direction would reduce the number of enforcement investigations for flat type HMO conversions.
d) Anecdotal evidence from other London Boroughs with Article 4 Directions is that it has had an impact on reducing the number of conversions (lawful and unauthorised).

e) Communities that benefit from Article 4s are very supportive of their implementation.
f) To date no HMO Article 4 (some up to 9 years old) has been revoked by a local authority that has implemented it.
g) On the basis of evidence of implemented Article 4s the Welsh Assembly decided to require planning permission for all HMO development.
h) Notwithstanding the HMO licensing system, there are still many low quality conversions coming forward.
i) Planning enforcement notices are a significant deterrent to poor landlords, as they are registered on local searches thus potentially affecting landlord's ability to raise finance.
j) The need for planning permission can trigger an alert for HMO licensing.

Reasons for not making an Article 4 Direction:

a) This type of accommodation meets a need in the market for low cost private rented sector housing, additional 'red tape' of requiring planning permission may put off investment in new stock thereby reducing the rate of increase in supply to meet needs.
b) 'False' self-contained HMO conversion of self-contained rooms has mostly ceased – as the rules/regulations around Landlord and Tenant Act and Housing Benefit has meant it is far less attractive to landlords
c) HMO Licensing (needed for more than 3 occupants anywhere in Brent) can consider room sizes and standards and its impacts, reducing rogue landlords likely to pursue poor HMO solutions. Licensing can also address issues such as anti-social behaviour, noise and nuisance, and unmaintained properties and gardens from poor management leading to unsightly premises.
d) It may impact on the Council's ability to house some of the people on the waiting list or those in temporary accommodation, as a significant proportion are placed in these types of properties, potentially increasing costs where the Council has had success in reducing very expensive temporary accommodation budgets.
e) An Article 4 Direction will generate planning applications which will require resources to determine. Many landlords may also seek to clarify that their existing HMO premises which benefitted from permitted development rights are lawful, through a Lawful Development Certificate. Administration of both processes will in most cases cost more than the fee received. It is difficult to give a precise estimate of the number of planning applications, but based on previous trends of estimated additional HMOs operating per year, around 240 per year seems reasonable. There could initially be a significant number of existing licensed HMOs seeking Lawful Development Certificates, as well as on-going ones associated with new HMO license applications.
f) In terms of an assessment of a planning application, until licensed premises are in the majority, it could be hard to identify what is genuinely a HMO in adjacent properties when using a threshold figure set out in the draft Local Plan policy;
g) Article 4 Direction would not apply retrospectively to existing properties which have already converted to a HMO. The size of the private rented sector and in particular the number of HMOs in Brent already will mean that an Article 4 Direction will only have a limited effect. Those already converted will still need significant levels of resources to undertake enforcement by both Housing and Planning (if less than 4 years old and potentially regarded as an unauthorised self-contained dwellings' conversion) on that current stock.
h) Where planning permission would be refused, Planning Inspectors will consider the threshold policy but will also focus on potential harm in comparison to a dwelling occupied by an extended family and as such significant harm of an individual HMO is difficult to quantify/ prove.

i) The majority of HMOs are still unlicensed, despite the threat of substantial penalties for non-compliance, so many unscrupulous landlords may not be more willing to comply with the regulatory requirement to obtain planning permission either, regardless of an Article 4 Direction.
j) An area-specific Article 4 Direction could have the unintended consequence of encouraging HMOs outside of the restricted area, leading to further concentrations more widely across the Borough.
k) A non-immediate Article 4 Direction could have the unintended consequence of encouraging a rush of HMOs in the 1-year grace period before it takes effect.

Conclusion

3.32 On balance it is considered that an Article 4 direction should be pursued. The current lack of control for change of use from residential to HMOs is and will continue to have significant impact on amenity of neighbourhoods and individual neighbouring residents. This is particularly the case where it results in poorer quality accommodation that does not adequately address its occupants' needs or results in an over-concentration of this type of accommodation. It is also likely to prejudice the proper planning of Brent in respect of providing mixed and balanced communities and retaining/ providing sufficient numbers of homes for family needs. The market is not substantively addressing family needs in new developments.

3.33 Clearly HMOs provide for a significant variety of housing needs. As such in moving forward the emerging policy in the Local Plan strikes a balance which still allows for new HMOs, whilst limiting their concentration to just under 40% of any area. This will better protect the amenity of existing neighbourhoods. The draft Brent policy also seeks to ensure that HMOs are guided towards places that have better access to public transport and local facilities, as well as ensuring the standard of accommodation is acceptable with suitable management practices in place.

3.34 The HMO Licensing proposal also on this Cabinet agenda if approved will also apply to the entire borough. HMO powers under the Housing Act are different to those found under the Town and Country Planning Act. For example, licensing powers would not be able to address potential over-concentration of HMOs, whilst planning policy can, and planning would not deal with ensuring the proper management, use and occupation of the house concerned, and its condition and contents, whilst licensing can. The HMO Licensing and HMO Article 4 Direction proposals will assist in a complementary and co-ordinated approach between the Housing and Planning functions in regulating HMOs in the borough, for which clear policies will be developed.

3.35 As such it is recommended that Cabinet approve taking forward a borough wide non-immediate Article 4 direction to remove the permitted development rights of the change of use of residential (C3) to houses in multiple occupation (C4). The area that this will cover is shown in Appendix 2.

Change of Use from HMO (C4) to residential (C3)

3.36 Change of use from HMO (C4) to residential (C3) is also permitted development. Whilst considering the recommendation to take forward an Article 4 for removing C3 to C4 permitted development rights, it is prudent to also review the issue of C4 to C3.

3.37 As identified HMOs meet a housing need. The large scale loss of HMOs has the potential to undermine the ability of housing needs to be met in the borough. The Local Plan has a policy that seeks to protect against the loss of this type of housing where the need exists for the accommodation. In some inner London boroughs the value of family homes (usually for the very wealthy) is at such a premium that it exceeds the values of HMO accommodation and can lead to its displacement. Evidence indicates that this is not the case within Brent and there is no significant threat to C4 accommodation supply from the permitted development right currently. If this changes then the situation can be reviewed. Nevertheless, currently it is considered that there is no justification for removing this permitted development right.

Confirmation of the Article 4 Directions.

3.38 The process of adopting a non-immediate Article 4 Direction is set out in paragraph 3.11. To reduce Cabinet's workload it is proposed that Cabinet delegate consideration of the consultation responses and the decision on whether to confirm the Article 4 directions to the Director of Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning.

4.0 Financial Implications

4.1 The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 from 17th January 2018 allowed for the charging of fees for planning application resulting from permitted development rights being removed through an Article 4 direction. For B1(a) and B1(c) to residential the majority of planning applications will generate fees that cover the cost of their processing. For changes of use of C3 to C4 the fee is currently unlikely to cover the cost of determining the planning application. The impact of this however needs to be weighed up against the cost of planning enforcement investigating complaints raised in relation to changes of use from residential to HMOs. It is considered that the impact on the planning service as a whole could be cost-neutral.

4.2 The cost of the implementation of the Article 4 directions will be met from existing planning budgets. Costs will be relatively low, limited to notices in the local press and production of site notices which will have to be displayed in the area affected, plus some minor printing for consultation materials to be placed in libraries.

5.0 Legal Implications

5.1 The process for Article 4 Directions is set out in Schedule 3 of the General Permitted Development Order 2015. The process for taking forward the Article 4 which will be consistent with the regulations.

6.0 Equality 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 The removal of permitted development rights for B1(a) and B1(c) will allow the Council to properly assess whether any proposed loss of employment space is acceptable. The protection of employment space allows for the potential for local jobs which will assist Brent residents, who have a higher representation from black and minority ethnic groups, in lower paid jobs and are therefore less likely to be able to travel to find work.

6.3 Whilst it might reduce the amount of housing that comes forward from this source, the majority of the housing that is delivered is low cost (albeit much is let to people on benefits). It is occupied disproportionately by the economically disadvantaged including the young and black and minority ethnic groups. These groups are adversely affected due to the dwellings in most cases being of inferior quality through not meeting London Plan space and mobility standards or many other policy requirements associated with residential development (such as limiting single aspect dwellings, enhanced energy performance, minimum amenity space standards, play space standards, provision of recognised affordable housing tenures, etc.).

6.4 For the removal of permitted development rights to C4 HMOs, the results are mixed. Again, due to their lower cost HMOs are more likely to be occupied by the economically disadvantaged which proportionately are more likely to comprise the young and black and minority ethnic groups. As such a reduction in the number of HMOs coming forward might adversely impact on these groups in meeting some of their housing needs. In some cases, this will mean that they remain in temporary accommodation. Realistically however it is considered that supply numbers are unlikely to be significantly adversely affected in the medium term as landlords will seek to provide HMOs in a policy compliant manner in locations which avoid an over-concentration.

6.5 In the longer term supply could be restricted by policy if the 37% threshold is met across the borough. This could adversely affect the protected characteristics identified. On the other hand, the need for planning permission will provide extra scrutiny of HMO accommodation and will raise its quality, which should improve the standard of accommodation provided for the protected characteristics identified.

6.6 The threshold will in time limit the loss of family accommodation. This will be a positive for black and minority ethnic groups in meeting their needs as these groups comprise the majority of Brent households and have larger average household sizes for which larger accommodation is required.

7.0 Consultation with Ward Members and Stakeholders

7.1 There has been a Labour group meeting where the Cabinet member has made members aware of the proposed Article 4 Directions. The consultation will be publicised in the members' bulletin. With regards to the proposal for removal of permitted development rights for residential to houses in multiple occupation, there has been considerable dialogue with council services addressing housing needs, private sector housing and planning enforcement.

7.2 In terms of awareness raising for the consultation a public notice will be placed in the local press. There will also be a press release and awareness raising through the council's website, plus letters sent to statutory consultees and those on the Council's local plan consultation database. Registered private sector residential landlords will also be made aware. The documents will be made available in libraries and on the council's website. There will be some public notices placed across the borough. Members will be made aware through the members' bulletin. The statutory consultation period is a minimum 21 days. If possible it is intended to publicise the consultation at the same time as publication of the Local Plan and as such the consultation period may be 6 weeks to coincide with that of the Local Plan.

Related Documents

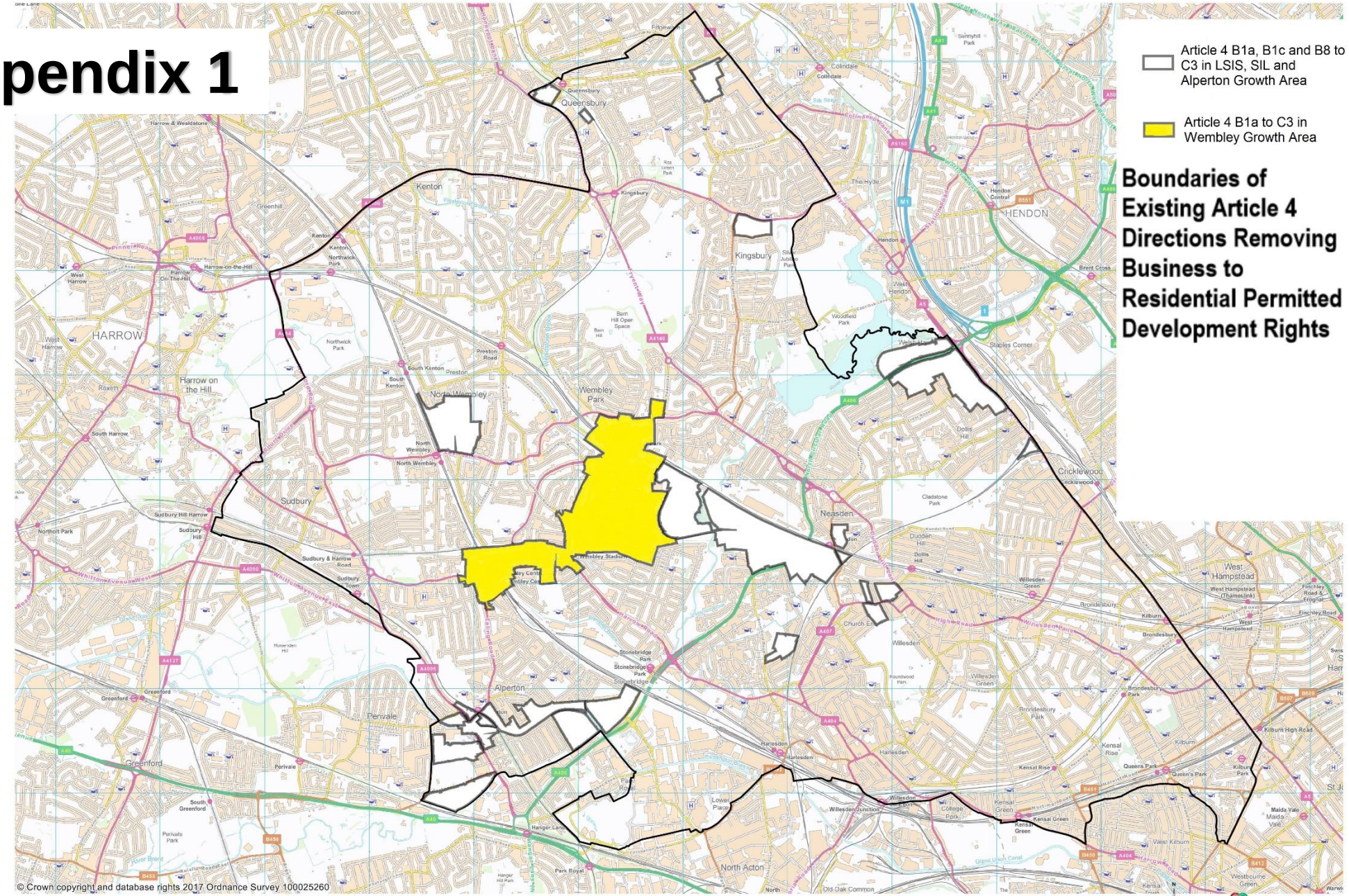
Article 4 Direction: Office, Light Industrial and Storage or Distribution Centre to Residential Cabinet 24th July 2017
Brent Development Management Policies 2016
Draft London Plan July 2019
West London Employment Land Study 2019

Report sign off:

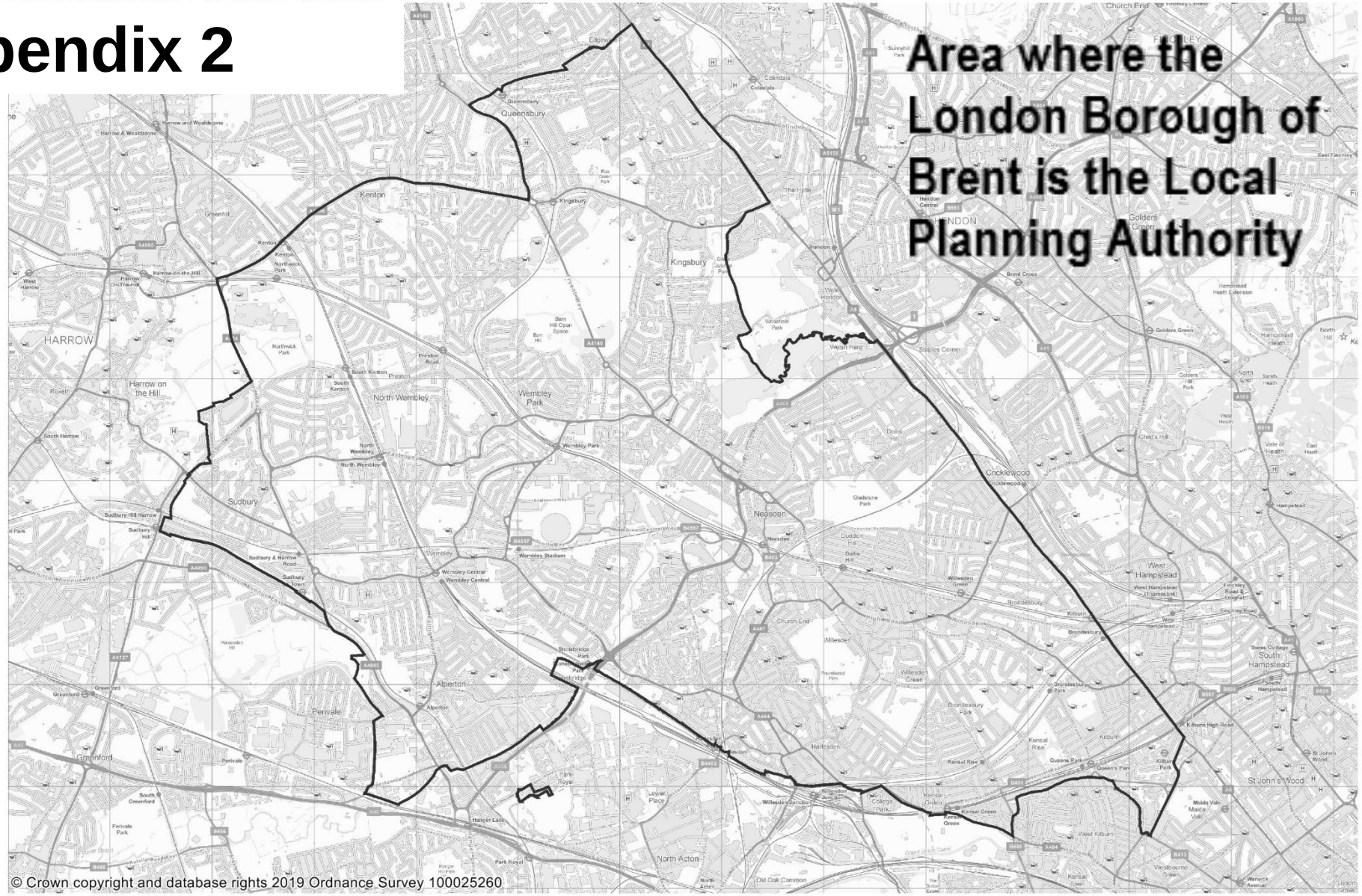
Amar Dave
Strategic Director of Regeneration and Environment.

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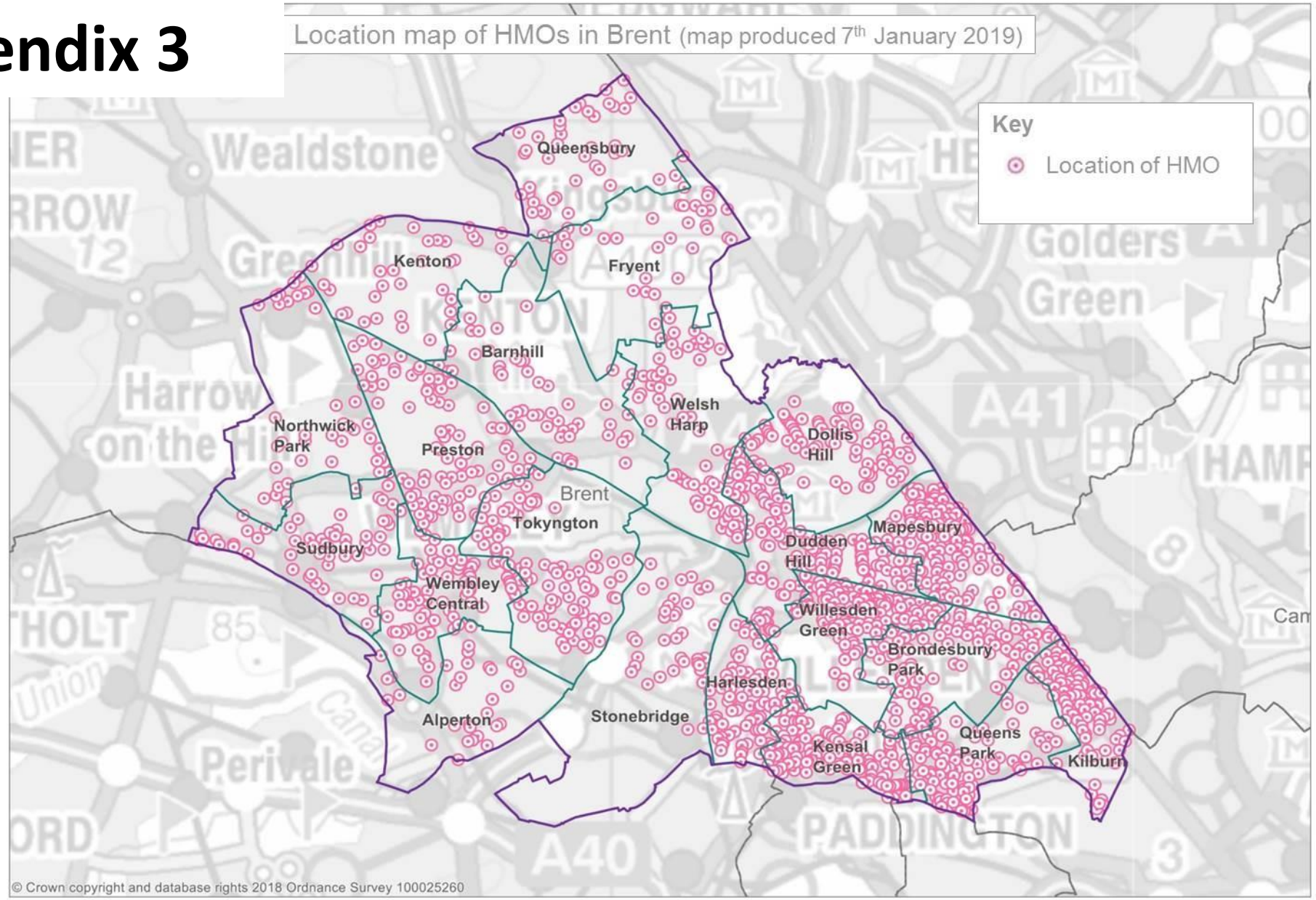
Appendix 1


Article 4 B1a, B1c and B8 to C3 in LSIS, SIL and Alperton Growth Area
Article 4 B1a to C3 in Wembley Growth Area
Boundaries of Existing Article 4 Directions Removing Business to Residential Permitted Development Rights
© Crown copyright and database rights 2017 Ordnance Survey 100025260
1:31000
0 0.5 1 1.5 2 kilometres
Brent

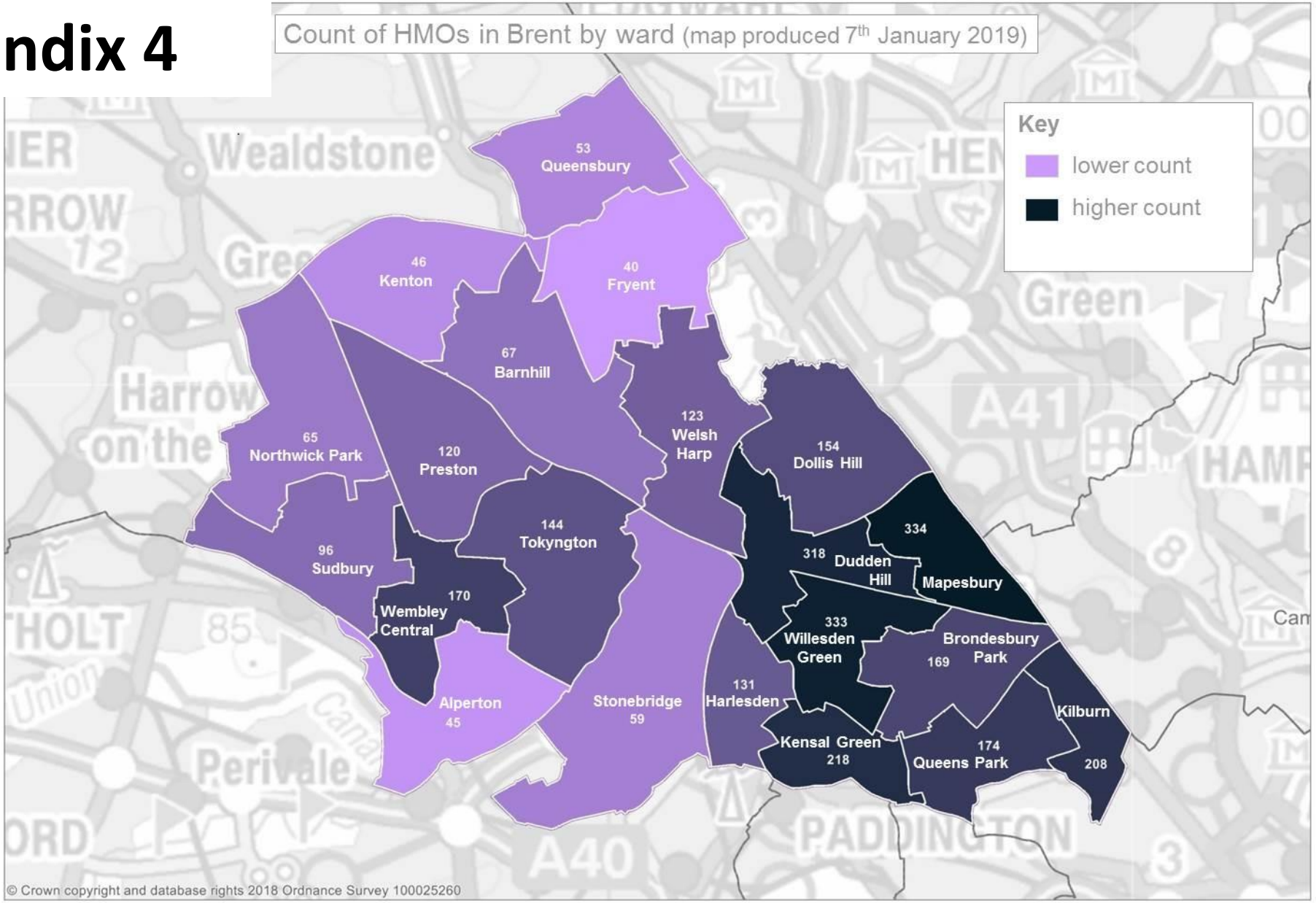
Appendix 2


Area where the London Borough of Brent is the Local Planning Authority
© Crown copyright and database rights 2019 Ordnance Survey 100025260
0 500 1000 metres
08 August 2019
1:50000
Brent

Appendix 3


Location map of HMOs in Brent (map produced 7th January 2019)
Key
Location of HMO
Queensbury
Kenton
Fryent
Barnhill
Welsh Harp
Northwick Park
Preston
Brent
Tokyngton
Dollis Hill
Mapesbury
Dudden Hill
Sudbury
Wembley Central
Willesden Green
Brondesbury Park
Harlesden
Alperton
Stonebridge
Queens Park
Kensal Green
Kilburn
Wealdstone
Golders Green
Harrow on the Hill
Perivale
PADDINGTON
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Appendix 4


Count of HMOs in Brent by ward (map produced 7th January 2019)
Key
lower count
higher count
53
Queensbury
46
Kenton
40
Fryent
67
Barnhill
65
Northwick Park
120
Preston
123
Welsh
Harp
154
Dollis Hill
144
Tokyngton
96
Sudbury
170
Wembley
Central
334
318
Dudden
Hill
Mapesbury
333
Willesden
Green
Brondesbury
Park
169
131
Harlesden
Alperton
45
Stonebridge
59
Kilburn
Kensal Green
218
174
Queens Park
208
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Brent	**Cabinet** 14 October 2019
	Report from the Strategic Directors of Regeneration and Environment and Children and Young People

Secondary School Expansion Programme – Update and Approval of Capital Funding

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	0
Background Papers:	0
Contact Officer(s): (Name, Title, Contact Details)	Cheryl Andani, Capital Programme Manager, Property & Assets, Regeneration & Environment Email: Cheryl.andani@brent.gov.uk Tel: 020 8937 3227 Shirley Parks, Head of Forward Planning, Performance and Partnerships, Children & Young People Email: Shirley.parks@brent.gov.uk Tel: 0208 937 4529

1.0 Purpose of the Report

1.1 This report proposes and seeks approval to move forward with plans to meet the projected demand for secondary school places as set out in the School Place Planning Strategy 2019-2023.

1.2 It provides an analysis of demand based on the latest pupil projections from the Greater London Authority (GLA) (based on the January 2019 school census) and the outcomes of feasibility work undertaken on school expansion proposals. It recommends proposals that would comprise a Secondary Expansion Programme to meet secondary basic need and seeks approval for capital funding to be allocated to deliver that programme.

2.0 Recommendations

That Cabinet:

2.1 Approve the secondary school expansion programme as described in paragraph 3.15.

2.2 Allocate £35.1m of capital funding to deliver a phased secondary school expansion programme.

2.3 Note that further reports will be brought to Cabinet seeking approval of capital allocations to individual projects from the overall programme funding based on detailed project business cases.

2.4 Note that the Strategic Director of Regeneration & Environment will make decision/s to award one or more low/medium value services contracts for the consultant team required to deliver the secondary school expansion programme.

3.0 Detail

Demand for Mainstream Secondary School Places

3.1 In November 2018, Cabinet approved the Brent School Place Planning Strategy 2019-2023 that provided an assessment of school place demand based on the latest pupil projections. The Strategy identifies the need for an additional 13 secondary forms of entry (FE) by 2023/24 to meet forecast demand and provide for a 5% operating margin in Year 7 to ensure that there is sufficient capacity to manage in-year admissions and pupil mobility. This was based on GLA forecasts available at that time.

3.2 The latest GLA forecasts (2019) suggest that Year 7 intakes will be lower than previously forecast, but indicate sustained or increasing demand from 2020 onwards. As the GLA forecasts reflect historical patterns of pupil movement over the past three years, they assume that cross-border movement will follow a similar trajectory in the future. Neighbouring local authorities are also facing an increase in pupil demand, which presents a risk for Brent that fewer families are able to access an out of borough place in future.

3.3 Table 1 shows GLA 2019 forecasts for all year groups. These forecasts show significant in-year growth as cohorts move through the system. These forecasts will be included in an update to the School Place Planning Strategy 2019-23 when presented to Cabinet in the autumn.

Table 1: GLA 2019 Forecasts and Capacity

		Year 7	Year 8	Year 9	Year 10	Year 11
2019/2020	Capacity	3508	3478	3352	3316	3298
	Projections	3326	3227	3208	3189	3123
	surplus/deficit	**182**	**251**	**144**	**127**	**175**
		5%	**7%**	**4%**	**4%**	**5%**

2020/2021	Capacity	3508	3508	3478	3352	3316
	Projections	3387	3367	3277	3256	3239
	surplus/deficit	**121**	**141**	**201**	**96**	**77**
		3%	**4%**	**6%**	**3%**	**2%**
2021/2022	Capacity	3508	3508	3508	3478	3352
	Projections	3484	3454	3443	3349	3330
	surplus/deficit	**24**	**54**	**65**	**129**	**22**
		1%	**2%**	**2%**	**4%**	**1%**
2022/2023	Capacity	3508	3508	3508	3508	3478
	Projections	3556	3552	3527	3518	3423
	surplus/deficit	**-48**	**-44**	**-19**	**-10**	**55**
		-1%	**-1%**	**-1%**	**0%**	**2%**
2023/2024	Capacity	3508	3508	3508	3508	3508
	Projections	3637	3624	3623	3600	3594
	surplus/deficit	**-129**	**-116**	**-115**	**-92**	**-86**
		-4%	**-3%**	**-3%**	**-3%**	**-2%**
2024/2025	Capacity	3508	3508	3508	3508	3508
	Projections	3650	3702	3693	3693	3672
	surplus/deficit	**-142**	**-194**	**-185**	**-185**	**-164**
		-4%	**-6%**	**-5%**	**-5%**	**-5%**
2025/2026	Capacity	3508	3508	3508	3508	3508
	Projections	3646	3699	3756	3751	3755
	surplus/deficit	**-138**	**-191**	**-248**	**-243**	**-247**
		-4%	**-5%**	**-7%**	**-7%**	**-7%**
2026/2027	Capacity	3508	3508	3508	3508	3508
	Projections	3691	3694	3752	3813	3812
	surplus/deficit	**-183**	**-186**	**-244**	**-305**	**-304**
		-5%	**-5%**	**-7%**	**-9%**	**-9%**

3.4 Table 2 below indicates that 12 forms of entry (FE) at Year 7 are required by 2026 to meet forecast pupil demand and provide a 5% operating margin to manage unanticipated demand, including cohort growth as year groups move through the school system. A 5% operating margin is considered good planning by the Department for Education (DfE) and prudent given current uncertainty about the number of pupils who will in future access places out of borough.

3.5 Of the 10FE required by 2023/24, 6FE are expected to be provided by the DfE in the North Brent School.

Table 2: Additional Forms of Entry required to meet demand and provide a 5% operating margin

Year	Year 7 projected intake	Year 7 places available	Surplus/ Deficit of places	Surplus/ deficit %	Total FE required to ensure 5% operating margin
2019/20	3326	3508	182	5%	**0**
2020/21	3387	3508	121	3%	**2**
2021/22	3484	3508	24	1%	**5**
2022/23	3556	3508	-48	-1%	**8**
2023/24	3637	3508	-129	-4%	**10**
2024/25	3650	3508	-142	-4%	**11**
2025/26	3646	3508	-138	-4%	**11**
2026/27	3691	3508	-183	-5%	**12**

SEND demand

3.6 The School Place Planning Strategy 2019-23 identified a need for an additional 24 secondary special school places per year. This could be provided through a new school, satellite provisions run by existing special schools or SEN units/ARPs at mainstream schools. For the purposes of this report, SEND places are only included in considerations where secondary schools have indicated a willingness to establish Additionally Resourced Provision (ARP). As with mainstream places, the forecast demand for SEND places has increased with new information available in 2019.

3.7 Analysis of children of primary age attending special schools indicates that an ARP for up to 49 secondary school places could be required. The intention would be to provide an ARP, as part of the Secondary Expansion Programme, for children with Speech, Language and Communication Needs and Learning Difficulties. The ARP places would fill gradually year on year.

Developing proposals to meet additional demand

3.8 Additional mainstream secondary places can either be met by the provision of new Free Schools, through the permanent expansion of existing schools or through bulge classes. Given the requirement for significant capital investment and in the context of falling primary school place demand, consideration has been given to whether schools should permanently expand or whether planning for potential bulge classes could also be appropriate. This is described further in paragraph 4.2.

3.9 The North Brent School is expected to provide 6 of the 10FE required by 2023/24. The DfE has agreed that the school will open in September 2020, providing 4FE from the current Wembley High Technology College site, before moving to permanent accommodation on the Chancel House site in September 2022. The school plans to increase its intake to 6FE from September 2022. It is anticipated that a high percentage of pupils attending the school will live north of the North Circular. The Wembley Multi-Academy Trust is responsible for

determining the North Brent School's admissions arrangements. In response to community concerns about the impact of the school on other local schools in the Neasden area, an element of the school's admissions policy will be linked to distance from a child's home to Wembley High Technology College.

3.10 The School Place Planning Strategy 2019-2023 sets an expectation that all Brent schools are rated as Good or Outstanding by Ofsted, with an increased proportion of schools rated Outstanding. School expansion proposals are informed by the quality of school provision, with the aim of improving school effectiveness through targeted investment.

3.11 Following an invitation to all secondary schools, 7 schools expressed an interest in expanding mainstream places in May 2018, 5 of which were rated Good and 2 rated as Outstanding by Ofsted. Two schools expressed interest in developing Additionally Resourced Provision.

3.12 To progress assessment of the school proposals, the Council commissioned feasibility studies to obtain comparable data as well as information on the amount of accommodation likely to be needed and the estimated cost of providing it. Schools have been engaged in this feasibility work and have provided their views on the amount and type of accommodation required for expansion.

3.13 As stated in the School Place Planning Strategy 2019-23, the Local Authority will consider expanding faith schools only where there is local Brent demand. While demand for secondary places is forecast to grow, there is no evidence of increased demand for Catholic places. The Diocese and the Catholic schools have demonstrated willingness to expand provision, even if this means that the Catholic schools serve an increasingly non-Catholic population. Officers however are of the view that expansions of non-denominational schools would offer parents greater choice. It is not proposed therefore to take forward expansions of Catholic schools.

3.14 Expressions of interest were received from 4 non-denominational schools. Of these, one has subsequently withdrawn its interest in permanent expansion but has offered to provide temporary bulge classes if required. Feasibility work was not undertaken at this school or the school that already has accommodation that could be used for a proposed one form of entry expansion (permanent or temporary). These options are being reserved in case required to meet unanticipated future or changing need (see paragraph 3.16). Feasibility studies were undertaken for the two remaining schools.

3.15 It is proposed the two non-denominational schools for which feasibility studies were completed are expanded by 2FE each through a phased programme. One of the schools has also confirmed that it would be willing to open an ARP to support increasing demand for SEND places as identified by the local authority. Both schools draw pupils from their local area as well as from further afield. The schools are not named in this report as the Governing Boards of both schools, whilst in agreement to the proposals, did not want this to be made public until there is Cabinet support for the programme and an agreed

communications strategy is in place to support the schools through engagement with the public.

3.16 There is always a degree of uncertainty about long-term forecasts. For example, forecasts are based on historical patterns of growth and migration and do not take account of future factors which may impact on populations, such as the United Kingdom's exiting of the European Union. It is therefore proposed that if further capacity is required beyond 10FE (6FE at North Brent School and 4FE in the proposed expansions), this is provided in one or both of the schools that have indicated that they could provide a bulge class or a 1FE expansion without requiring additional accommodation.

Approach to capital investment

3.17 With regards to capital investment, given the specialist accommodation required, there is little difference in the capital cost of developing temporary accommodation compared to permanent accommodation at secondary schools where places are required over several years.

3.18 In order to develop a detailed project business case, a more detailed analysis of accommodation requirements will be required with each school. This could result in a reduction in the overall amount of accommodation required. Of the two schools proposed for expansion, one had initially advised of lower accommodation requirements than recommended in the BB103 guidance on which feasibility work has been based; the other had indicated the opposite. This suggests that schools are managing their use of accommodation with a flexible approach to all teaching spaces to meet curriculum needs. Officers have assessed areas of risk where it is thought that the feasibility study may not sufficiently address the requirements for each school and have included indicative capital sums for these areas. Further work would be completed with each school before individual project investment decisions are made.

3.19 As a principle, any investment would only be to cover the cost of meeting basic need. The local authority would not propose to address existing building area shortfalls unless doing so were directly to enable expansion, neither would it address condition, suitability or accessibility in the school unless this work was required to deliver the expansion or addressed through expansion works. As all secondary schools in Brent are either voluntary aided schools or academies, the authority does not have responsibility to address existing accommodation deficits or condition issues.

3.20 Neither school proposed for expansion has expressed a desire to deliver the expansion project directly using the council's funding. Historically the council has opposed such arrangements, preferring to manage its own risks and financial liabilities and to have greater control over meeting its statutory duty. There does not appear any reason to deviate from this principle at this stage.

Timescales

3.21 The projects will be phased with the first completed within the 2022/23 academic year. While the forecasts indicate that permanent expansions are required to meet increasing Year 7 demand and forecast cohort growth in the longer term, the expansions could initially provide spare capacity into the system. As spare capacity tends not to be evenly distributed across the school estate, careful consideration would need to be given to the timing of the places being offered, so that the expansions do not cause any instability in the system.

3.22 Table 3 provides an indicative decision making and delivery programme with key decision points shown separately.

Table 3: Indicative Timeline for delivery

Milestone	Start	Finish	Key decision point
Cabinet		14 October 2019	Yes
Procurement of Consultants (award contract if Cabinet approval obtained)	October 2019	November 2019	
RIBA Stage 1	November 2019	March 2020	
Statutory Consultation on expansion (led by Academies)	February 2020	March 2020	
Cabinet Report seeking Project Business Case Approval (for first scheme)		June 2020	Yes
Contractor procurement	June 2020	August 2020	
Academies confirmation of approval to expand received		August 2020	
Award contract		August 2020	Yes
Contractor Design Development (RIBA Stage 2 and Part of 3)	August 2020	September 2020	
Contractor Design Development (RIBA Stage 3) and Preparation of Planning Submission	October 2020	November 2020	
Further Statutory Consultation as required	October 2020	November 2020	
Planning Approval and Contractor Design Development (RIBA Stage 4)	November 2020	March 2021	
Contract close (trigger stage 2 of works contract)	April 2021	April 2021	Yes
Construction works	May 2021	August 2022	

3.23 The indicative programme assumes overlapping processes with risk managed at key decision points. The demand for school places will remain under review during the initiating, start up and delivery stages of the project. A decision to change the project and/or programme to reflect new information received could occur at any point up to a works contract being awarded. There are four natural decision making points within the programme which are shown above. These decision points occur at the end of key stages and/or when new information about the project delivery will become available. Based on this indicative programme, there is just over a year after Cabinet approval of the programme before a final decision to proceed would have to be made. During this period,

the council will be incurring capital costs as professional fees will be incurred between November 2019-June 2020. Should a decision be made to stop the programme these would become abortive costs for which no revenue budget allowance has been made. A report would be brought back to Cabinet with a full assessment of financial and other risk if required.

3.24 The recommended procurement strategy is for a two-stage design and build contract procurement using the DfE Contractor Framework. This draws on past experience from the schools capital portfolio and other capital programmes across the council, as well as reflecting on the cost challenges experienced in the primary school expansion programme. The indicative programme reflects use of this framework.

3.25 Cabinet approval will be sought to agree capital allocations to individual projects and to procure and subsequently to award one or more high value works contracts. It is expected that consultant team appointment/s will also be made from an existing framework. As these appointments are expected to be low/medium value, decisions to procure and award contracts will be made by the Strategic Director of Regeneration & Environment.

4.0 Alternative Options Considered

4.1 An alternative option would be to build a 4FE expansion at one school. This option is not preferred as it would place all risk of delivering the additional school places required on one site, rather than spread the risk across through 2FE expansions at two schools. This option has a similar cost estimate.

4.2 The other alternative is the use of temporary bulge classes rather than permanent expansion. Temporary bulge classes are logistically difficult to achieve in secondary schools where a range of additional accommodation is required to meet curriculum requirements. They can be as expensive to provide as permanent accommodation. Consideration will be given to the use of temporary bulge classes where schools have sufficient accommodation to support this. These are being kept in reserve to help manage the risk of unanticipated demand, caused for example a reduction in cross-border movement.

5.0 Financial Implications

5.1 This report includes provision of additional mainstream and SEND secondary school places and approval to allocate capital funding is sought for both. There are two sources of grant funding available for mainstream and SEND school places.

5.2 The estimated cost of the mainstream school places is £31.3m and the SEND school places is £3.8m, making a combined estimated cost for the Secondary School Expansion Programme of £35.1m.

5.3 Capital investment is sought for the whole secondary school programme at £35.1m, noting that the Director of Finance will approve the allocation of capital from this total to individual projects within the programme on production of

further detailed information. It is anticipated that this is a maximum total forecast cost, which could be reduced as the programme develops.

5.4 There are two sources of grant funding available for mainstream and SEND school places; Basic Need Capital Grant and Special Provision Capital Grant. Both are provided by Central Government for the provision of school places.

5.5 For the period 2011-2020 the Council has been allocated a total of £164.1m Basic Need Capital. After taking account of actual spend to date and current commitments, there is a balance available to allocate of £27.9m.

5.6 The local authority was allocated a total of £2.8m from the Special Provision Capital Grant specifically for the provision of SEND school places. £1.1m of this funding has been spent and/or committed. The remaining £1.7m is available to be allocated to this programme.

5.7 A total of £29.6m of secured capital grant funding is available. Based on the total estimated cost for this programme this leaves a funding gap of £5.5m.

5.8 In addition to work to reduce the estimated cost, officers have looked at potential additional sources of capital funding. In addition to the secured £29.6m, a further £11.8m may become available through other identified sources. These are capital contributions from council development projects where a portion of the capital receipt must be allocated for education purposes; those sums were previously allocated to school projects but have not yet been secured. Also from a commercial settlement on a live school expansion project. The council may also be allocated additional Basic Need capital from 2021 onwards but this is not confirmed. In the event that costs cannot be reduced and/or additional funding secured, the council would need to fund up to £5.5m.

5.9 It is proposed that all remaining unallocated capital grant is used to fund this programme. It is already known that there will be a requirement for further capital expenditure to provide SEND school places as detailed in the School Place Planning Strategy 2019-23 approved in November 2018. A feasibility study is currently underway for an additional SEND project. Proposals will be brought to Cabinet in the new year which will include proposed funding arrangements. Should requirements in the mainstream primary or secondary sectors change and require capital expenditure this would also create a funding pressure.

5.10 The revenue costs associated with the operation and maintenance of the expanded school buildings once completed will be the responsibility of each school, as will the additional staff and running costs. Mainstream schools are funded from the Schools Block of the DSG via the funding formula, which allocates funds on the basis of the prior year's pupil numbers so there is a time lag and the Schools Forum may recommend top slicing the block to allocate more funding to support expanding schools. New in-borough SEND places will be funded from the High Needs Block of the DSG, but at lower cost than the likely alternative independent out of borough provisions.

5.11 One school has indicated that it may wish to contribute up to £0.75m to the capital project in order to deliver some additional post-16 accommodation. This sum has not been included in the estimated programme cost, so the council's capital investment is easily identified and because the detailed work to ascertain the amount of accommodation required has not yet been completed.

6.0 Legal Implications

6.1 The legal implications associated with the council's statutory duty to ensure that there are sufficient school places available to meet the needs of the local population were set out in the School Place Planning Strategy 2019-23.

6.2 The existing secondary schools proposed for expansion are self-governing Academies. The Council would need to enter into agreements with each school in order to obtain a licence to build. This development agreement would also recognise the council's project management role and the school's right to review key stages of the works. It is proposed that the Council also enters into a Memorandum of Understanding to cover the period of collaboration before the construction works begin setting out expectations from both parties in respect of the design and decision making processes.

6.3 Schools will be required to follow statutory processes in order to obtain approval to expand from the Regional Schools Commissioner acting on behalf of the Secretary of State for Education and alter admissions arrangements. The progression of the Council's programme will be dependent on this approval being obtained.

6.4 This programme will require the procurement of low, medium and high services and works contracts. All procurement will be conducted in accordance with Contract Standing Orders. It is described elsewhere in this report that the consultant team procurement will begin in advance of Cabinet approval using delegated powers with an officer decision to award contract/s being made only if Cabinet approves capital funding for this programme. Approval to procure and subsequently award one or more high value works contracts will be sought from Cabinet.

7.0 Equality Implications

7.1 The proposals set out in this report aim to ensure that there are sufficient and suitable school places for all Brent children and that their diverse and special educational needs are met.

7.2 The equality implications associated with the School Place Planning Strategy 2019-23 were set out in the report to Cabinet to approve the same (November 2018). This report considers more specifically the demographics around the demand for secondary school places and the options for meeting that demand.

8.0 Consultation with Ward Members and Stakeholders

8.1 No consultation has taken place to date with Ward Members. It is envisaged that this would happen before proposals for development were made.

8.2 Stakeholders at schools and at the Diocese of Westminster Education Service have been consulted and engaged in this process as outlined above. All schools have been advised that officers propose 2FE expansions of two of the seven schools that expressed interest in expansion.

9.0 Human Resources/Property Implications

8.1 The services in this report are currently provided by external providers and there are no direct impacts on council staff. Schools will need to recruit additional staff in due course as pupil numbers increase.

Report sign off:

Amar Dave
Strategic Director, Regeneration and Environment

Gail Tolley
Strategic Director, Children and Young People

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Brent	**Cabinet** 14 October 2019
	Report from the Strategic Director Children and Young People

Development of Family Hubs

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open	Open
No. of Appendices:	Appendix 1: Overview of Brent Children's Centres Appendix 2: Suggestions of possible Family Hub sites Appendix 3: Profiles of Children's Centres Appendix 4: Family Hub model options Appendix 5: Consultation Report Appendix 6: Updated Equality Analysis
Background Papers:	Budget and Council Tax 2019/20 and 2020/21 - Cabinet Report (11/02/19)
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1.0 Purpose of the Report

1.1 To provide information regarding ongoing work to develop the existing 17 Children's Centres into eight integrated Family Hubs for Brent families with children aged 0-18 years, and to 25 years for those with children with disabilities. The new Family Hubs will build on existing children's centre services and the local authority statutory responsibilities regarding the provision of children's centres. Services for young children and their families will continue to be met.

1.2 This Cabinet paper details the potential delivery opportunities and sets out the recommended option. The report requests authority to tender for specific services and to delegate authority for the Strategic Directors of Children and Young People and of Community Wellbeing to award contracts for services relevant to their directorates in consultation with the Cabinet Members for Children's Safeguarding, Early Help and Social Care and for Public Health, Culture and Leisure.

1.3 The report includes profiles of all current Children's Centres. These profiles inform the selection process below. It also outlines outcomes from the statutory public consultation and feedback from some of the Family Hub engagement activities.

1.4 Table A below provides an overview of key work and estimated dates in the process to develop a new family hub model to be effective from September 2020.

Table A	
Work	**Date**
Cabinet decision	14/10/19
Supplier engagement event	End of Oct 19
Out to tender for specific services	Nov 19 – Feb 20
Tenders evaluated	Feb 20
Award of contract	Mar 20
Implementation	Apr – Sep 20
Family Hubs service goes live	Sep 20

1.5 The strategic oversight of consultation has been provided through the Brent Children's Trust. Various commissioning and management arrangements for the Family Hubs have been explored and discussed at Task and Finish Groups. An options paper has been developed including exploration of Hubs being managed in-house as well as being commissioned. An overview of this can be found in paragraph 6.20 and 6.21 below and in Appendix 4.

2.0 Recommendation(s)

That Cabinet:

2.1 Agree to the development into Family Hubs of those sites listed in Table 1 below for the reasons detailed in this report and particular in paragraph 6.10 below.

Table 1

Current Children's Centre sites proposed to become Family Hubs:

Fawood and Curzon (managed as one Hub)	Preston Park (adjacent to Preston Park primary school)
Alperton (adjacent to Alperton School)	St Raphael's (centrally located on the Stonebridge estate)
Church Lane (adjacent to Fryent Primary school)	Three Trees (adjacent to Queens Park Community school)
Granville Plus (part of the Granville site)	Willow (predominantly as a SEND hub situated adjacent to Chalk Hill Primary school)

2.2 Agree that the sites detailed in Table 2 below will cease Children's Centre provision, and seek alternative usage options for the reasons detailed in this report and in particular in paragraph 6.10 below.

Table 2

Current sites proposed to end existing Children's Centre provision from, seeking alternative usage options:

Mount Stewart (based on Mount Stewart school site, possible future use as a full time school nursery)	Welcome Centre and Barham Park Annex (possible future use for Barham Park site as a community resource by a voluntary sector provider)
Treetops(based in King Edward Park possible future use by the onsite private nursery provider full time)	Wykeham (adjacent to Wykeham primary school, possible future use by the school as 2 year olds' provision or for alternative educational use).
Wembley Primary (Integrated with Wembley primary school, possible future use by the school as additional office and nursery provision)	Harmony (adjacent to Mitchell Brook primary school, possible future use as continuation of school nursery or for alternative educational use).

2.3 Approve an approach to manage Family Hubs as set out in this report and in particular in paragraph 6.21 below, with health services being commissioned and the majority of other services being brought in-house.

2.4 Delegate authority to the Strategic Director, Community Wellbeing in consultation with the Lead Member for Public Health, Culture and Leisure to tender and award a contract(s) to deliver health services from Family Hubs as detailed in appendix 4.

2.5 To approve requests to delegate authority to the Strategic Director, Children and Young People to Tender and Award some specific services to be delivered from Family Hubs as detailed in appendix 4.

3.0 Detail

Background

3.1 The All Party Parliamentary Group on Children's Centres (APPG) led a 2016 inquiry into the future of Children's Centres. The APPG report focused on the role that Children's Centres could play as hubs for local services and wider family support. By building on the existing infrastructure of Children's Centres and extending their offer to include support for parents and all children regardless of age (as well as retaining specific provision for very young children and their (prospective) parents), the APPG concluded that Family Hubs could deliver holistic, early intervention services to families within the wider community. This approach has already been established by many local authorities (e.g. Barnet, Westminster, Bradford, Coventry, Derby, Dudley, Doncaster, Essex, Kirklees, North East Lincolnshire, North Yorkshire, Medway,

Oxfordshire, Portsmouth, Shropshire, Wakefield and Wokingham) and other local authorities have similar models at different stages of development.

3.2 Locally, following a wide range of community research and engagement with local residents and stakeholders throughout 2017-2018, Outcome Based Reviews (OBRs) recommended more hub-based service delivery that enables holistic support in addressing the needs of the whole family.

3.3 These OBR recommendations fed into aligned budget proposals CWB002 (*Recommission public health 0-19 service with children's centres contract to realise efficiencies*) and CYP008 (*Develop family hubs from children's centres*). Following public consultation these proposals were agreed by Full Council in February 2019.

3.4 A Family Hubs task and finish group was established to jointly design a family hub model for Brent to be effective from September 2020, in-line with end dates / extensions for the contracts included in the budget proposals at paragraph 3.3. Membership of the task and finish group included key CYP and CWB officers and senior representatives from Barnardo's, the Fawood Curzon Partnership and Central London Community Healthcare NHS Trust.

4 Design Work

4.1 Key pieces of work completed by the Family Hubs task and finish group include developing and agreeing Design Principles to underpin development of the model, which have been approved by the Working with Families Strategic board, reporting to the Children's Trust, chaired by the Strategic Director, CYP.

Family Hub Design Principles:

- **Accessible and Safe:** An easily accessible service in an inclusive, safe and welcoming environment

- **Integrated:** A professional service that is committed to working as a partnership, with truly integrated pathways

- **Whole Family Approach:** A whole family approach is embedded across the service

- **Universal and Targeted Services:** A service that includes a universal offer and targeted provision for those most in need

- **Community Focused:** A service which is shaped by the community voice and builds on and connects with local community assets (including organisations and groups)

- **Early Intervention:** A flexible and collaborative service which responds early to the needs of Brent families

- **Outcome Focused:** A quality service which achieves improved and measurable outcomes for families

4.2 Engagement of key stakeholders based around these design principles was completed between March and May 2019. This work included:

- Group and one to one discussions with approx. 190 current children's centre users across various sites throughout April and May;

- A workshop, held at the Freeman Family Centre on 2 May, targeted at non-children's centre users / parents who would be able to access support in a family hub model;

- A professionals' workshop, held at the Civic Centre on 24 April, attended by 30 core staff and partners, including representatives from CYP, Public Health, Barnardo's, Fawood and Curzon, NHS including Central London Community Healthcare and CCG and Citizens Advice Brent;

- Sessions and meetings from March to July with representatives of community groups and voluntary sector partners, including Young Brent Foundation and CVS Brent;

- A group session with approx. 50 head teachers at the 8 May termly meeting of head teachers and senior council officers.

4.3 In general, stakeholders responded positively to the opportunities presented by the new model. Cross-cutting themes included support for an enhanced offer of services for families with school-aged children, including services offered outside of school hours (including weekends). Additionally, many stakeholders identified the potential for Family Hubs to support closer working between the Local Authority and partner organisations, enabling clients to connect with a wider range of support, services and activities. Stakeholders also put forward a number of new services and activities that they, their families and / or their clients might access if they were available through the model. A selection of these services is included at 6.5 of this report.

4.4 Many children's centre users expressed concerns about potential loss of services at their local centres and also questioned how the use of the space by different age-ranges in future would be managed. Other challenges to emerge included different perceptions about what services and activities are appropriate for delivery at a Family Hub location (including suggestions for youth centre-type activities) and which could be / are already delivered elsewhere and should be linked to via the hubs.

4.5 As a whole, clarity of offer was identified as a challenge across a number of stakeholder groups. This included the need for clearer distinction between Family Hubs and youth centres, as well as between Family Hubs and the existing Brent Community Hubs model (which has been developed from the Harlesden Community Hub pilot). Renaming Family Hubs as something closer to the established Children's Centre brand (i.e. 'Children and Family Centres' or 'Family Centres') was suggested to mitigate this.

4.6 Insights from professionals who currently deliver services in children's centres focused on how integrated services could work in practice, identifying the following key features for ensuring successful integration: shared vision, skills and values, clear pathways, joint governance and clarity of offer.

4.7 Scrutiny Recommendations:

The design work outlined above, including engagement, responded in part to recommendations from the November 2018 Community and Wellbeing Scrutiny committee (which considered a report providing early indications of what Family Hubs in Brent could include, as well as examples of other models in the UK) and the January 2019 Budget Scrutiny Panel.

Community and Wellbeing Scrutiny committee:

1. Greater consideration be given in relation to the way the integrated workforce would be managed in the future / under the proposed family hub model.

2. Greater consideration be given in relation to how the hub model would function taking into account the buildings available.

3. Front line staff and parents be engaged in the consultation process on the family hub model.

Budget Scrutiny Panel:

1. Hubs should have a strong triage service, so anyone dropping into the centre is quickly assessed.

2. Council should pay close attention to public transport routes and geographical areas when choosing potential sites

5 Prototyping

5.1 The outputs from all engagement activity informed prototyping work in July. This included a storyboarding workshop with professionals to understand the requirements of effective triage in a Family Hub setting and a full 'experience prototype' which ran in Curzon Crescent from 8 – 19 July offering a wider range of services outside of traditional Children's Centre opening times (i.e. from 3:30 – 6:00pm) with sessions targeted at families and children of all ages. The prototype included 11 different service offers over 20 different sessions and included council services, commissioned services and services provided by partner organisations. All sessions were advertised as drop-ins, with no appointments required.

5.2 The prototype tested key elements of the approach including service offer, scheduling, promotion, access arrangements, set-up and use of space, partner briefing and coordination, pathways between services and links with local partners. Evaluation included feedback from over 90 stakeholders, including new service users, service providers and other local people using Curzon Crescent during the prototype.

5.3 Feedback from stakeholders was overwhelmingly positive. Recurring themes from service users included endorsement of the wider range of services and being able to access them locally, increased awareness of what other services were available, and requests to be able to book appointments in advance. Service users were split regarding access times for the enhanced service offer, with equal requests for scheduling during traditional opening hours (i.e. 9:00am – 3:30pm) as well as the twilight sessions offered during the prototype (3:30 – 6:00pm). A small number of service users and local people found it challenging to understand what some of the new services were offering and whether they would benefit from them.

5.4 A key theme across a number of case studies, completed as part of the prototyping, was positive outcomes where service users had been able to access a Family Hub service early in their cycle of need. This included parents receiving information and support from Family Support Workers and School Nurses in relation to their school-age children and leaving the prototype with increased confidence about how to resolve their issues.

5.5 Space and activities were the two main themes to emerge from feedback from young people accessing the prototype. They indicated that they would not be put off using a space originally designed for younger children, but that it should be flexible and able to become more 'formal and sophisticated' for their sessions, including posters and general information targeted at them. Suggestions included exploring arrangements for young people to volunteer through the Duke of Edinburgh scheme to help design and make the space more suitable. In terms of activities, 1-to-1 support services were welcomed but only as part of a wider programme of non-stigmatised services/activities to help ensure that young people were not viewed as only accessing family hubs when they had a personal problem or issue.

5.6 Recurring themes from service providers included positive feedback of the networking opportunities provided by the model, which facilitated increased awareness of other services and opportunities to connect clients with relevant partner services. A number of partners, including VCS organisations, advised that the spaces allocated to them for the prototype were more suitable than their current arrangements and were an incentive for their involvement with the Family Hub model in future. Service design suggestions from partners included introducing digital solutions for: booking and managing appointments, helping to raise awareness of other local groups and organisations, Front of House (FOH) self-service terminals and supporting access to translation services (in addition to via phone).

5.7 Evaluation of all prototyping activity and additional feedback from the Family Hubs task and finish group informed development of the following design recommendations:

- Appointments should be available for Family Hub services in addition to the drop-in offer;
- A digital appointment booking and management system should be available for Family Hub clients and service providers;
- Develop frameworks and tools to support integration of services. This should include:
    - Location-specific induction and information-packs that support a localities approach;

    - Operational governance arrangements that enable front-line collaboration; and
    - Digital solutions that enable early intervention and holistic support across services;
- Develop additional tools and training to support effective triage at front-of-house, including quick access to expert duty officers (e.g. family support workers);
- Continuous engagement of local partners, including VCS organisations, and coordinating, aligning and promoting local services should be a key role of the hubs;
- Clear breaks should be established between use of hubs by different cohorts (e.g. parents of 0-5s and young people), allowing time for reconfiguration of flexible spaces;
- Scheduling of services should be themed to help clients understand and access the services most relevant to them; and
- The service offer at each hub should be publicised through multiple channels well in advance of the new model launching in September 2020. This should include through key local partners and organisations such as schools, GPs and faith groups.

5.8 It is proposed that these recommendations feed into detailed design / service specifications, depending on which delivery model (i.e. single contract, in-house or hybrid) is selected.

6.0 Further considerations

6.1 Brent Children's Trust *Early Help Framework 2018-2020* sets clear objectives to create a substantially greater whole-family approach across services, including Children's Centres. These objectives also form part of commitments made to the Ministry of Housing Communities and Local Government (MHCLG) as part of the Troubled Families (TF) programme.

6.2 The approach being taken is to remodel and re-scope some of the current Children's Centres into eight Family Hubs. Early closure of Hope and Challenge House Children's Centres has already taken place for reasons not connected to this proposal. Appropriate consultation in respect of these 2 Children's Centres has taken place. (Further details at Appendix 1). Consultation in respect of all children's centres took place during July and early August 2019 (Appendix 5).

6.3 The intention is to develop Family Hubs as part of an integrated service with the Public Health 0-19 years' service. The 0-19 service is a universal service with the delivery of the Healthy Child Programme at its heart. Following the transfer of responsibility for commissioning of children's public health services to the local authority under the Health and Social Care Act 2012, the service has been re-designed and re-commissioned. It is currently provided by Central London Community Healthcare NHS Trust in Brent. In addition to the Healthy Child Programme, the service also includes the Maternal Early Childhood Sustained Home visiting (MESCH) model for pregnant women and vulnerable families with children up to the age of 2, breast feeding support, school entry vision and hearing screening, national child measurement programme (NCMP) and weight management services.

6.4 From children's centres, some universal early years services will be maintained with increased targeted provision to the most vulnerable children, young people and families. Brent early intervention services will be reviewed and Family Hubs will become a central focus for some of these services. Family Hubs will provide both universal and targeted provision and will meet the particular needs of Brent's children, young people and families. These include very high levels of childhood obesity and dental decay, low immunisation rates, underachievement of some groups of children and young people (e.g. boys of Black Caribbean heritage) all of which are priority areas for action in Brent contained in the 2019 Borough Plan.

6.5 Designing a Family Hub model for Brent presents many new opportunities. These include identifying families with multiple needs as early as possible, no matter what service they first come into contact with. The aim is to make sure that any contact with a practitioner will lead to the right intervention at the right time, with greater accountability across all agencies for identifying need earlier. This offers the best route to families understanding and making changes that improve their coping skills and life chances. The Family Hub model provides opportunities to bring together or link more closely with services including (but not limited to) those in the following list. Some will be provided by key commissioned partners or by the Council and some will be arranged and coordinated by the commissioned service if this is the model selected.

0-5 years		
Midwifery services Antenatal classes / clinics Postnatal clinics Dads antenatal Bumps and babies Smoking Cessation	**Health visiting services** Well baby weighing clinic Breastfeeding support Development reviews Preparation for birth and parenthood Introducing solids	**Parenting support** Parenting programmes: Triple P, Strengthening Families Strengthening Communities, Solihull approach (using social learning theory)
Family support 1-2-1 Family support Family support drop ins DVIP Support	**Transitions** Primary School application surgery Transition to Primary School	**Family Health** Oral health SALT services Perinatal clinic
Early Education NEG Eligibility surgery CFIS Surgery Target sessions for low attainment groups (Boys of Black Caribbean Heritage)		
5-11 years		
Family Support 1-2-1 Family support	**Transitions**	**Out of school services** Homework club

Family support drop ins DVIP Support	Secondary School applications surgery Transition to Secondary School	Family nights Family cooking Holiday activities Trips
12-18 years		
YOS Services Parenting programmes Youth outreach programme (addressing issues such as gangs, knife crime, county lines) Mentoring programme Holiday programmes	**Family Support** 1-2-1 Family support Family support drop ins DVIP Support	'Catch up' immunisation clinics
SEND		
Family support 1-2-1 Family support SEND Parent support drop in	**Stay & Play** Portage Stay & Play SEN Stay & Play	**Specialist services** BOAT (Brent Outreach Autism Team) BUSS Group (Brent Under Fives Sensory Support)
Parenting Programmes Stepping Stones Cygnet		
General		
Information Advice and Guidance JCP CAB Benefits surgery NEG Eligibility surgery Employment surgery Housing advice Family law clinic Made of Money	**Family and Community learning** Brent Start adult education English conversation ESOL Functional skills Family learning / Home learning	**Parent partnership / Stakeholder engagement** Coffee mornings Volunteer programme / parent champions You say we did sessions
Family Health Healthy living programme / Weight management DOR therapy Mental Health Support Oral health Sexual health	**Dads programme** Dads stay & play Engagement activities Trips	

6.6 In addition, specific activities/sessions can be scheduled at individual Family Hubs depending on local need as suggested as part of OBR engagement. For example, it may be that there is a need for housing appointments to be offered at a Family Hub (sourced from Housing Need). Conversely, a need for supporting parents who find parenting teenage children challenging at a Family Hub may have been identified (and so the Youth Offending Service, for example, may be sourced to deliver the Teen, Strengthening Families Parenting Programme). The final decisions on programming for each Hub will be guided by a local steering group taking into account their knowledge of the local need and priorities.

6.7 This approach has already been successfully tested through the Brent Community Hubs model which, at the Harlesden Community Hub, has been developing and coordinating a range of Brent and partner organisation services to respond to local needs since early 2017. Building on this success new 'Brent Community Hubs' with tailored offers are being rolled out in each of the four remaining localities (Kilburn Hub opened in March 2019 and Willesden, Wembley and Kingsbury will all be operational by Spring 2020). Additionally, in-line with the new Borough Plan, the Brent Community Hubs model will support development of a localities approach, including providing spaces to bring together partners to share ideas, local knowledge and facilitate joint-working.

6.8 Development of the Family Hub model will progress alongside this Brent Community Hubs work and will maintain close links to ensure the two models are closely aligned and any unintended duplication or overlap is addressed. Ongoing partner engagement work to shape the forthcoming Brent Community Hubs in Willesden, Wembley and Kingsbury has included updating partners on the distinct aims of both models, including the different target cohorts, to help identify the most suitable partner services for each model. The views of key stakeholders regarding the naming / branding of the Family Hubs (and potential confusion with Brent Community Hubs) was captured as part of the engagement work led by the Family Hubs task and finish group.

6.9 Children's Centres sites for Family Hubs are best placed for whole-family work as the sites are well known, non-stigmatising, generally of good quality (with work to improve the amenity of Granville Plus taking place as part of another project), already offering a range of services delivered by Brent Council and partners and, uniquely across the Council's estate, are designed to ensure that the youngest children's needs can be met (e.g. bathrooms, window heights, access to outdoor space, security etc.), as well as other key communities of interest such as families with disabilities/additional needs. Some adjustments will be needed to maximise spaces and create, with local young people, spaces suitable for all age groups. Storage will be a priority in order to keep equipment safe when not in use in order to free up space for other activities. Mobile reversible boards could be used to change the focus of the rooms to meet the needs of different age groups as these change over the day as shown on the timetable some dedicated facilities and equipment are desirable for work with adolescents and their families.

6.10 The proposed Family Hub sites have been chosen after taking many issues into account, such as the levels of deprivation, target groups, usage, size of the centres and the geographical location. It is also a legal requirement to ensure Children's Centres remain accessible across the borough.

Fawood and Curzon Crescent

Fawood and Curzon Crescent are within an area with the highest level of deprivation in Brent as well as high levels of health concerns and childhood obesity in the borough. (Appendix 2, Figure 7). These centres are also well utilised and collectively they have one of the highest under 5s population within the current reach areas. (Appendix 1, Figure 2). These sites will be managed by the Fawood and Curzon Crescent Federation as it is now. Buildings are spacious with large training rooms that can be divided to suit the needs of the service and users as well as dedicated clinic rooms.

Granville Plus

Granville Plus is within an area containing high levels of deprivation, health concerns and childhood obesity (Appendix 2, Figure 7). Granville will serve a community with high numbers of target children who are not actively accessing services and has a low take up of the free nursery education entitlements. The site has several different rooms that are well used by a range of partners, allowing for multipurpose use. There are also smaller consultation rooms and clinic rooms all of which are well used.

St Raphael's

St Raphael's is a large site within an area of high deprivation with health concerns and childhood obesity (Appendix 2, Figure 7). It is a space valued by the community that is well utilised. The site borders onto Tokyngton ward that is projected to have the fastest growth in population of 0-19s over the next few years, therefore making it important that Family Hub services are accessible to the surrounding area.

Alperton

Alperton is located in the south west of the borough on the site of Alperton Community School with areas of deprivation. The centre is fully self-contained and separate from the school which makes it suitable for the purposes of a Family Hub. The centre is well utilised with various partners delivering services from the site. The site is within the ward of Alperton which alongside Tokyngton has projected to have high population growth in the coming years, therefore making it important that Family Hub services are accessible to the surrounding area (Appendix 2, Figure 7).

Preston Park

Preston Park is located in the north-west of the borough and will serve an area with pockets of high deprivation. This site has also been selected to ensure a good geographical spread and accessibility for the whole borough. Of the three children's centres currently located in this part of the borough, Preston Park has been proposed as the best choice due to its geographic location and the size and layout of the centre (Appendix 1, Figure 1). The centre is fully self-contained, separate from Preston Park Primary which will be suitable for the purpose of a Family Hub. The centre is well utilised with various partners delivering services from the site. (Appendix 3)

Church Lane

Church Lane is located in the north east of the borough on the site of Fryent Primary School and has a pockets of high deprivation (Appendix 2, Figure 7). This site has also been selected to ensure a good geographical spread and accessibility for the whole borough. The take up of services from children within target groups is low in this area,

particularly around the free nursery education entitlements. The centre is fully self-contained, separate from the school which will be suitable for the purposes of a Family Hub. The centre is well utilised with various partners delivering services from the site (Appendix 3).

Three Trees

Three Trees is located in the south east of the borough next to Queen's Park Community School. It will serve an area with high levels of deprivation, health concerns and childhood obesity. There is also a high number of under 5s in the local area (Appendix 1, Figure 2). The centre is fully self-contained, separate from the school which will be suitable for the purposes of a Family Hub. The centre is well utilised with various partners delivering services from the site. (Appendix 3)

Willow

Willow is located in the centre of the borough, there are high levels of deprivation in some of the areas surrounding the site. The centre is well used by different partners and is set over 2 floors and is fully accessible. The nursery at Willow is also managed directly by Brent Council and is one of the specialist nurseries which strengthens the position that this site could become a Family Hub with a Special Educational Needs and Disability (SEND) focus (Appendix 3).

Centres not proposed for Family Hubs

Harmony

Situated adjacent to Mitchell Brook Primary school in Stonebridge Ward. Although this site is in an area of high deprivation and is a large building, to meet the request of a spread across the borough, it was considered to be too close to St Raphael's and Curzon/Fawood. There is currently a school nursery running from part of the building. Possible future uses for Harmony will be to consider alternative educational use and the continuation or expansion of the existing school nursery.

Wykeham

This site is part of the existing Wykeham school building in the Welsh Harp ward. Space is not large enough for the purposes of a Family Hub. Increased caretaking costs would accrue for weekend and evening activity due to the building being part of the school. Possible future uses will be to consider the school expanding its existing nursery provision, or for alternative educational use.

Wembley Primary

Wembley Primary Children's Centre was built in an integrated way with the primary school, therefore there is no separation of the school and children's centre. It does not have a separate entrance for the centre which creates significant practical barriers. The site would incur additional costs in caretaking for weekend and evening activities. Possible future use will be determined by the school, with the Council seeking a commitment to providing services that support children and young people.

Welcome

Welcome is a centre based within the Wembley Centre for Health and Care building with an annexe within Barham Park. It is a linked site with Barham Park, is not council owned, space is limited and shared therefore this does not meet the requirements needed for Family Hubs. The area at Barham Park is too small and has no IT facilities and is not viable as a Family Hub.

Treetops

This site, based in King Edward's Park, Willesden, is currently tendered out to a private nursery provider, with limited services currently being offered from this site. It is not heavily used by the community. It is anticipated that the current nursery provider will continue to operate and potentially expand their operations.

Mount Stewart

This site is located on the Mount Stewart Infant school site and the existing space and location is not conducive for the purposes of a Family Hub. This is not in an area of high deprivation and usage as a Children's Centre has generally been lower than other centres. Possible future use could be as a full time school nursery as the school already use this space in the morning for nursery provision.

Hope and Challenge House Children's Centres

Both of these centres were closed prior to Family Hub development.

6.11 None of the existing children's centre sites are particularly large. This means that to fit in the wide range of services planned, and identified as needed, outreach facilities will be identified. Current opening times and days of operation will also increase. Home visiting will continue where this best meets families' needs.

6.12 The Draft Digital Strategy (2019 – 2023) and business case, which is also scheduled to be considered by Cabinet (14/10/19), includes developing a digital solution to support Family Hubs in-line with the design work recommendations outlined in this report. The scope of the digital work is dependent on which Family Hubs delivery model is selected and approval of the draft Digital Strategy.

6.13 Lessons learned from discussions with other local authorities that have already developed and implemented a Family Hub model include:

(a) Involving officers / staff and partners as early as possible in the design process is key;
(b) Experienced officers / staff and links to Early Years providers can be lost during the transformation process if focus is shifted too much to 5yrs+;
(c) Developing Family Hubs is an ongoing process - arrangements will continue to evolve after the launch of the service and transition from a Children's Centre to Family Hub;
(d) Offering partners training and space can be a useful incentive to help to bring them on board and become part of the model;
(e) Integrated leadership teams / arrangements, that include representatives from local VCS organisations (and do not replace organisational line management), can help to improve partnership working;

(f) Work to transform traditional Children's Centre buildings into Family Hubs that are attractive environments for 5-18/25 year olds should involve young people to help increase their ownership of the space;
(g) The Family Hub service offer can be flexible and develop in real-time to respond to local needs;
(h) Family Hubs can respond to local needs by supporting local VCS organisations to deliver against Family Hub outcomes;
(i) There are opportunities in a hub and spoke model that promotes and connects to nearby provision as part of a locality approach (e.g. a Family Hub should link closely with existing youth provision in the area);
(j) The focus of the transformation should be on something new starting rather than something ending;
(k) There are opportunities to position Family Hubs as assets that encompass much more than traditional council services

6.14 It will be important to protect some space and services within Family Hubs to meet the needs of very young children (e.g. for ante/post-natal services, child and family health services, early education and child development; parenting support) as well as to avoid any capital clawback which occurs on a reducing scale as a percentage of capital spent on the buildings unless similar services for young children and their families are offered. This universal early years provision enables the identification of emerging difficulties at the earliest stage. Until children start formal schooling there is no other universal early years information base of families with young children which greatly reduces the risk of 'unknown' young children and unidentified safeguarding concerns.

6.15 In designing integrated services for those families and communities most likely to benefit from early help to avoid problem escalation and long-term reliance on high cost public services, key considerations in best practice research (brought together by the Early Intervention Foundation) include:

(a) Clarity of purpose i.e. having a shared vision, culture and values that deliver person/family centred services based on shared outcome frameworks;
(b) Collaborative leadership at all levels, with expert change management skills and the ability to drive cross sectoral working;
(c) A culture of learning and knowledge management, that seeks to support the sharing of best practice, improvement and service development across organisational and sectoral boundaries;
(d) A supportive legislative/policy environment that seeks to create the environment within which integrated services can develop;
(e) Integrated management structures, incorporating the use of joint appointments, with unified leadership and joint governance arrangements and accountability;
(f) Trust based interpersonal and inter-professional multidisciplinary relationships across sectors, building on the strengths and unique contribution of each partner;
(g) Appropriate resource environments and financial models seeking to ensure collaborative financial models, including the need for pooled budgets;
(h) Comparable IT and information sharing systems that facilitate ease of communication;
(i) Unified performance management systems and assessment frameworks; and
(j) Collaborative capabilities and capacities, with all practitioners being skilled in integrated working and management.

6.16 Best practice principles from key partners, e.g. Health 0-19 and early help services within CYP will be embedded. For example, practice framework principles including a Signs of Safety approach and embedding emerging practice regarding contextual safeguarding and trauma informed approaches will be important Children and Young People department principles to embed.

6.17 A key message therefore is to avoid simply co-locating services with their own approaches to systems, processes and procedures in the hope that more informal models of information-sharing and joint work will be sufficient in realising the objectives of the Family Hubs, when they will not be. Rather, best practice points to:

(a) All key partners *jointly* contributing to governance, management and resourcing that supports day to day operations/ service delivery from each hub.

(b) Shared outcomes and a shared operating model across all early help providers, which is underpinned by better data sharing, a single assessment and planning process across all agencies (using the early help assessment) and closer integration between family work and employment support and opportunities.

6.18 Governance arrangements to ensure operational and strategic oversight will be developed when the delivery model is determined but will be ultimately accountable to the Brent Children's Trust. Arrangements will need to promote shared ownership by all key partners and support a significantly more cost effective and sustainable model of resourcing. The latter in some models can come from reorganising existing staff and management resources to work differently. Various governance/management arrangements have been explored and discussed at the Task and Finish Group. The first decision is for the consideration of a commissioned out or an in-house option or a hybrid model with joint arrangements.

6.19 The public health 0-19 service is a clinical service. It is currently provided by Central London Community Healthcare NHS Trust and delivered, in the main, by registered health professionals. TUPE would apply and any organisation taking on the staff would need to provide terms and conditions, including access to pensions, equivalent to the NHS. This need not preclude the Council commissioning a third sector organisation to provide Family Hubs with an integrated 0-19 service. For example, the Council currently commissions WDP to provide substance misuse services with the clinical elements being subcontracted to CNWL by WDP. However, to bring clinical services in house would require the Council to establish, and fund, the requisite clinical "infrastructure": for example, CQC registration; clinical supervision and revalidation of clinical staff; medicines management arrangements in accordance with the human medicines regulations; and infection prevention arrangements. Should Cabinet members wish to explore this further, the arrangements could be scoped in more detail and costed. However, it should be noted that NHS providers would typically bear the costs of these arrangements over a wider range of services than are the case here (for example CLCH provides public health and community health services over 12 boroughs). It is therefore unlikely that bringing public health services in house would deliver the planned savings.

6.20 A detailed options paper to deliver the overall model has been prepared. The attached Family Hub model options (Appendix 4) provides the pros and cons of the respective models. The three outline models being considered are:

a) Commissioning to a lead provider

b) Fully managed in-house service

c) Joint arrangements (hybrid model)

6.21 Following consideration of all 3 models, officers recommend option C – Joint arrangements via a hybrid model. This is recommended based on being cost effective, better able to ensure integration and the council has democratic control of culture, values and is able to be flexible with its resources.

To ensure that the hybrid model is resourced sufficiently to deliver the Family Hubs as designed, some administrative and early years worker roles would need to be contracted to a voluntary sector partner. This will provide voluntary sector representation on the operational board and partners will have access to additional funding sources.

6.22 Profiles of current children's centres have been developed and used to support initial exploration of which centres would be most appropriate for becoming Family Hubs (relevant supporting documentation in appendices 1-3.) Statutory consultation for Children's Centre stakeholders has taken place (overview of outcome of the children's centre consultation report attached as Appendix 5). Overall most stakeholders are positive about the development of Family Hubs but concerned regarding the potential impact of stopping delivery of Children's Centre services from some centres.

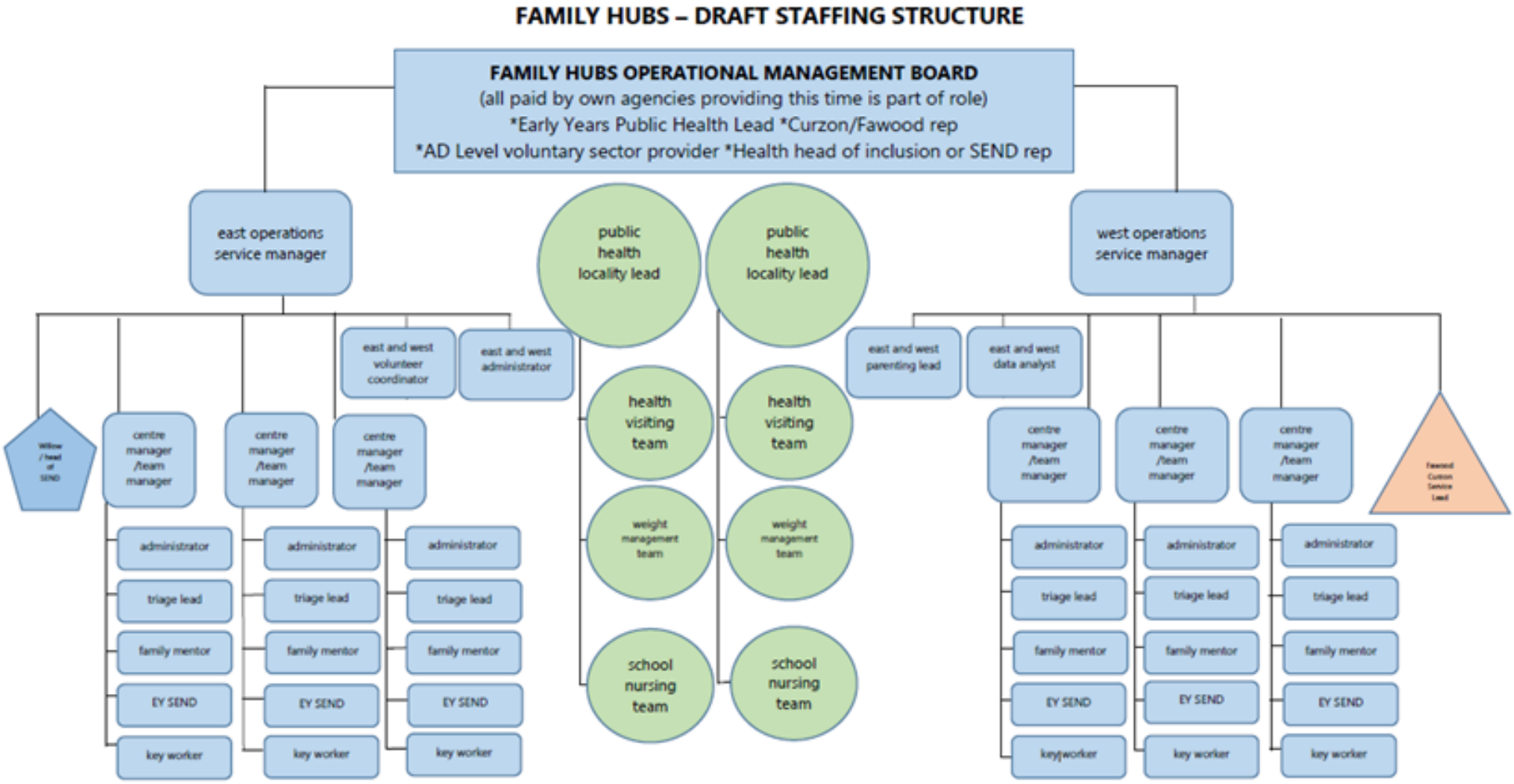
6.23 Hope and Challenge House Centres have already closed for reasons unconnected to Family Hub developments. The sites not selected as Family Hubs will be assessed by the CYP Department regarding their alternative use.

7.0 Management arrangements for Family Hubs

7.1 Managements arrangements have been considered for Family Hubs at Task and Finish group meetings. Whilst there would be differences depending on the model chosen, a basic arrangements plan would need to be similar in order to achieve the desired integration and improved outcomes for vulnerable young people and their families. The following draft structure chart is one that could meet these requirements. It should be noted that some staff will be seconded to the service and matrix managed. Some partners will deliver services co-ordinated but not managed by the Hubs. Over time closer alignment of budgets and funding of joint posts will be further explored. The plan is for Hubs to be open for longer hours and at the weekends. Careful planning of services will be needed to deliver within the reduced budget available. Extended opening hours will be introduced over a period of time as take up of services at these times increases.

7.2 Potential structure chart (shown on next page)

This is a basic chart that would need to be adapted to meet the selected model.



8. Financial Implications

8.1 There are 2 approved savings actions relating to the development of Family Hubs. The existing CYP General Fund expenditure budget for Children's Centres will be reduced from £3M to £1.5M and so sets a savings target of £1.5M. There is also a recommissioning saving of £0.5M of public health grant spending on 0-19 services, which will not be achieved as contracts would need to extended should the decision be made not to externally commission the Family Hub service.

8.2 It should be noted that £0.75M of Public Health grant was committed as part of a previous savings measure and is already applied in the accounts and budgeted for in the CYP general fund. This commitment must remain in place so that the total available budget for Family Hubs and 0-19 Services will be £6. 9M (£1.5M Children Centre budget and £5.4M Public Health). All Public Health funding is subject to grant conditions including reporting and assurance processes. Similarly, any new provision that could potentially be grant funded by taking a public health approach to emerging local need would require such provision to only be for new public health related services.

8.3 The CYP General Fund saving on the Children's Centre budget is reported on the latest savings tracker as having an 'amber' RAG status, which reflects the early stage of development of the Family Hubs. There are risks to achieving this saving, notably rising employee and pension costs for suppliers. There is a risk of some capital clawback relating to any Children Centre developments funded by central government which are then identified for closure and will therefore no longer have early years provision. There is also financial risk arising from the possible staffing implications such as TUPE and redundancy.

8.4 There are likely to be some capital costs as some initial changes to buildings will be required, as will storage and age appropriate equipment. The direct premises running costs included in the appendices show that premises costs make up roughly 10% of Children's Centre's current expenditure, so halving the number of sites operated will not contribute a high proportion of the intended savings. Achieving the full savings will therefore necessarily depend upon significantly reduced staffing costs for the Family Hubs when compared to the previous Children's Centre model.

8.5 Financial scoping indicates that the residual Children's Centre budget of £1.5M, alongside some remodelling of Early Help services would provide the resources for the core staffing establishment required in the hybrid model. The detailed design of the services delivered will need to adjust to fit within the total funding and resource that becomes available. Where the council takes on staff, costings have to include the approximately 40% salary on-costs, which are primarily for pension contributions, but there will also be indirect cost implications in the form of additional management and support costs.

8.6 An in-house service model would create demand for central support functions for which the council would have to identify additional budget and resource.

Estimates for providing the necessary ICT and HR support, plus overheads such as insurance, training and travel costs total £0.2M. This does not include any estimate for financial and legal support as additional demand for these support services is believed to be absorbable.

9.0 Legal Implications

9.1 There is a range of duties relevant to the recommendation, to include those detailed below.

9.2 Section 10 of the Children Act 2004 ("the 2004 Act") imposes an obligation on the council to make arrangements to promote co-operation between the council, its relevant partners, and any other persons or bodies who exercise functions or are engaged in activities relating to children in the local authority's area, as the council considers appropriate. These arrangements are to be made with a view to improving the well-being of children in the local authority's area.

9.3 S.11(2) of the 2004 Act provides that the council must make arrangements with partner agencies for ensuring that their functions are discharged "*having regard to the need to safeguard and protect the welfare of children*". In discharging that duty, they must have regard to any guidance given to them for the purpose by the Secretary of State. The relevant guidance is the "Working Together to Safeguard Children".

9.4 The obligations under the 2004 Act concern children of all ages. The statutory obligations in the Childcare Act 2006 ("the 2006 Act") concern "*young children*", which essentially are those aged between 0-5. Section 1 of the 2006 Act imposes on local authorities a general duty in relation to the well-being of young children to:

(a) improve the well-being of young children in their area, and
(b) reduce inequalities between young children in their area in relation to:

- Physical and mental health and emotional well-being
- Protection from harm and neglect;
- Education, training and recreations;
- The contribution made by them to society; and
- Their social and economic well-being.

9.5 S. 3 of the 2006 Act sets out specific duties the council has in relation to early childhood services which includes early years provision and provides that the council must make arrangements to secure that early childhood services in their area are provided in an integrated manner which is calculated to facilitate access to those services, and maximise the benefit of those services to parents, prospective parents and young children. In discharging its duties, the council must have regard to any guidance given from time to time by the Secretary of State.

9.6 Section 5A of the 2006 Act provides that:

(1) Arrangements made by an English Local Authority under section 3(2) must, so far as is reasonably practicable, include arrangements for sufficient provision of children's centres to meet local need.

(2) "Local need" is the need of parents, prospective parents and young children in the authority's area."

9.7 Given the Recommendations in this report, to include ceasing children centre provision at certain sites, this will require the council to consider and assess three things: the need for children's centres in its area; what provision would be enough to meet that need; and what number of children's centres it would be reasonably practicable for the council to provide, taking into account such matters as affordability, and practical considerations such as the availability of appropriate buildings, geographic location, and accessibility. Provided all three of these matters are taken into account, there is no obligation to consider them in any particular order.

9.8 In April 2013 the Government issued the "Sure Start children's centres statutory guidance" ("the Guidance") to which the Council is obliged to have regard when carrying out its duties relating to children's centres under the 2006 Act. In ensuring there are sufficient children centres, the Guidance details there the various things that a local authority should do. These include:

• ensure that a network of children's centres is accessible to all families with young children in their area;
• ensure that children's centres and their services are within reasonable reach of all families with young children in urban and rural areas, taking into account distance and availability of transport;
• consider how best to ensure that the families who need services can be supported to access them;
• target children's centres services at young children and families in the area who are at risk of poor outcomes through, for example, effective outreach services, based on the analysis of local need;
• not close an existing children's centre site in any reorganisation of provision unless they can demonstrate that, where they decide to close a children's centre site, the outcomes for children, particularly the most disadvantaged, would not be adversely affected and will not compromise the duty to have sufficient children's centres to meet local need. The starting point should therefore be a presumption against the closure of children's centres.
• Take into account the views of local families and communities in deciding what is sufficient children's centre provision.

9.9 Section 5D of the 2006 Act provides that the Council must secure that such consultation as they think appropriate is carried out –

……

(b) before any significant change is made in the services provided through a relevant children's centre;

(c) before anything is done that would result in a relevant children's centre ceasing to be a children's centre…"

9.10 So far as the obligations to consult under s.5D of the 2006 Act are concerned, the Guidance provides that the council must ensure there is consultation before making a significant change to the range and nature of services provided through a children's centre and/or how they are delivered; and the closing a children's centre. In consulting the council should consult everyone who could be affected by the proposed changes, particularly to ensure disadvantaged families and minority groups participate in consultations. The consultation should explain how the council will continue to meet the needs of families with children under 5 as part of any reorganisation of services. It should also be clear how respondents' views can be made known and adequate time should be allowed for those wishing to respond. Decisions following consultation should be announced publicly. This should explain why decisions were taken.

9.11 Case law has also confirmed the following principles with regard to consultation:

- Consultation must be at a time when proposals are still at a formative stage.
- The proposer must give sufficient information for any proposal to permit intelligent consideration and response.
- Consultation must be for a sufficient time to allow respondents to properly respond.
- Consultation results must be taken into account by the final decision-maker.

9.12 The Guidance also makes clear that the council should ensure that children's centres offer differentiated support to young children and their families according to their needs. To help fulfil their duty to reduce inequalities between young children in the area, the council should consider the role that children's centres can play by, for example, providing inclusive universal services which welcome hard to reach families.

9.13 In addition to duties under the 2006 Act, S. 507B of the Education Act 1996 requires that every local authority must, so far as reasonably practicable, secure for qualifying young persons in the authority's area access to sufficient educational and recreational activities (also referred to as positive leisure-time activities) which are for their improvement of their well-being, and sufficient facilities for such activities.

9.14 Under s.2B of the National Health Service Act 2006, the council has a duty to take such steps as it considers appropriate for improving the health of the people in its area. Such steps include provision of services or facilities designed to promote healthy living and provision of information and advice. Having integrated and effective early help services for children and families support both of this overarching public health duty.

9.15 The *2012 Health and Social Care Act* ("the 2012 Act") introduced changes by a series of amendments to the *National Health Service Act 2006*. The 2012 Act gives local authorities a duty to take such steps as it considers appropriate to improve the health of the people in its area. In general terms, the 2012 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.

9.16 The Healthy Child Programme includes some mandated functions where there is a statutory requirement on the local authority to ensure these are provided.

9.17 In addition to its specific duties under the above Acts the Council has a continuing duty under the Equality Act 2010 when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment and victimisation, and other prohibited conduct (b) advance equality of opportunity and (c) foster good relations. Further information concerning this duty is contained in Section 10.

9.18 Plans to make some amendments to the current structure of the Early Help Service, most particularly Brent Family Solutions, will require staff consultation. 14 of 17 Children's centres are outsourced to a voluntary sector provider, Barnardo's and the current contract is due to end in September 2020. The remaining 3 are managed by the Fawood/Curzon Partnership governing board.

9.19 It is possible the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") will apply to staff currently employed in Children's Centres and staff may transfer by way of a business transfer or service provision change. TUPE is fact sensitive and it is difficult to determine at this stage to whom TUPE will applies. In the event TUPE applies, the staff will automatically transfer to the new provider along with certain liabilities. If TUPE does not apply, there is a potential for staff redundancies where the elements of section 139 of the Employment Right Act 1996 are met. For those with the requisite qualifying service (2 years) they will be entitled to a redundancy payment. The employer must ensure it undertakes consultation on the proposal and depending on the number of affected staff, the employer must follow strict statutory time limits.

9.20 It is accepted that roles within this sector are predominantly filled by women. Consideration will need to be given to potential equality issues that may arise. In addition, as women, in general, retain the majority of child care and caring responsibilities within families, mobility clauses may be an issue if the new hubs are located at distance from their current places of work.

9.21 Any procurement of Family Hubs services will involve services falling within Schedule 3 of the Public Contracts Regulations 2015 (PCR 2015). The likely value of such contract(s) over its lifetime is higher than the EU threshold for Schedule 3 services (currently £615,27k) and the procurement of the contract(s) is therefore governed by the PCR 2015. The procurement will also be subject to the Council's own Standing Orders in respect of High Value Contracts and Financial Regulations, requiring Cabinet approval to tender and

award. To avoid the necessity to bring further reports to Cabinet, delegated authority to procure services is sought.

9.22 Any procurement of Family Hubs will also involve the grant of leases and licences to the new contractor of council premises to run concurrently with the contract and to be on terms to be agreed by the Strategic Director of Regeneration and Growth in consultation with the Director of Legal, HR Audit and Investigations. If premises are not in the ownership of the council, it may be necessary for the council to enter into leases for the buildings and then sublease to contractors. Given that premises will be used as Family Hubs, the proposed form of lease/licence will incorporate an obligation that such contractor undertake appropriate checks of persons employed in the exercise of the right granted under the licence or lease including Disclosure and Barring Service checks, and confirmation that the Licensee or Tenant have no criminal convictions or involvement in an offence against vulnerable persons, children, etc.

9.23 The Public Services (Social Value) Act 2012 requires commissioners of public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should consider how 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.

10.0 Equality Implications

10.1 The Council must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment and victimisation;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

pursuant to s149 (1) Equality Act 2010. This is known as the Public Sector Equality Duty.

10.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

10.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Age and pregnancy and maternity are particular relevant to the Recommendations in this report. The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.

10.4 An Equality Analysis (EA) was completed in December 2018 ahead of the Cabinet decision to approve budget proposal CYP008 - *develop family Hubs from children's centres*. The EA was included in the papers published for the 11 February 2019 Cabinet meeting. An updated EA is attached as Appendix 6

10.5 The EA identified that families living in areas where children's centres could close may not be able to access support services as easily, as they would need to travel further. To mitigate this risk, families affected will be informed and engaged at all stages of development, including through the statutory consultation on significant changes to children's centres which is scheduled to be considered by Cabinet in October. Accessibility of the sites was one of the key criteria considered when developing proposals for family hub locations. Details of the public transport routes near to proposed family hub locations are included at Appendix 2 of this report. Outreach work will be a key feature of service delivery.

10.6 The EA also identified a potential risk of reduced early intervention outcomes for children. This risk will be mitigated through broadening the age range of children and families that will be able to access services through the new model, improving the reach of services and supporting a whole family approach.

11.0 Consultation with Ward Members and Stakeholders

11.1 As part of the preparation for Council Budget consultation members were updated regarding Brent's current Children's centre provision and proposals to develop 8 family hubs and close some centres. In February 2019, following the consultation, full council approved proposals CWB002 (re-commission public Health 0 to 19 service with Children's centre contract to realise efficiencies) and CYP008 (Develop Family Hubs from Children's centres.)

11.2 Developing Family Hubs is now included as an agreed key priority in Brent's new Borough Plan (2019-23)

11.3 The Lead Member for Safeguarding, Early Help and Social Care has visited some Children's Centres and approved an individual Cabinet Member Decision paper agreeing consultation regarding proposed changes to Children's Centres

could start on 1st July 2019. It was also agreed that information regarding proposed sites could be shared.

11.4 The Lead Member has also attended some of the focus groups that were part of the statutory consultation.

11.5 A separate Member meeting was held on 19th August 2019 to report on progress and answer any questions. One further public meeting focusing on Family Hubs was also held on 19th September 2019.

12.0 Human Resources/Property Implications (if appropriate)

12.1 Once the staffing implications are clear, appropriate staff consultation will take place in line with the relevant council policies and procedures. Current providers will also need to consult with their staff. All providers are aware of contracts ending and will keep staff informed of any progress.

12.2 Appendix 3 of this report (Profiles of Brent Children's Centres) has been developed with Property input. More detailed work will commence following the Cabinet decision in October.

Report sign off:	***Report sign off:***
Gail Tolley Strategic Director of Children and Young People's Department	***Phil Porter*** Strategic Director of Community Wellbeing

Appendix 1:

Overview of Brent Children's Centres May 2019 (detailed descriptions of individual centres included at Appendix 3).

There were 17 Department for Education (DfE) approved (former Sure Start) Children's Centres in Brent. All are registered in the DfE database. These are included in the map at Figure 1 of this Appendix.

Two centres have closed due to factors not related to the development of family hubs. The first, Hope Children's Centre, closed in 2018, but due to technical difficulties, it is only just being removed from the DfE database. The second, Challenge House, was planned to close at the end of March 2019, but has had an extension until 19th July 2019 when it closed. The required consultation regarding both of these centres took place.

Individual profiles for the remaining 15 children's centres are included in Appendix 3. Two are managed by Fawood / Curzon Federation and the remaining 13 are currently managed by Barnardos. Key performance data for these centres is included in Figures 2 and 3 of this Appendix. For data collection purposes some centres are recorded together.

Figure 4 shows the children's centres catchment areas in relation to the 2015 Index of Multiple Deprivation – the official measure of relative deprivation for small areas in England.

Figure 1: Current children's centre provision

- Please note, Welcome Children's Centre has an annex at Barham Park
- Hope is closed for services and is going through the DfE closure process
- Challenge House is closing July 2019
- The colours indicate the current reach areas for the current children's centre sites

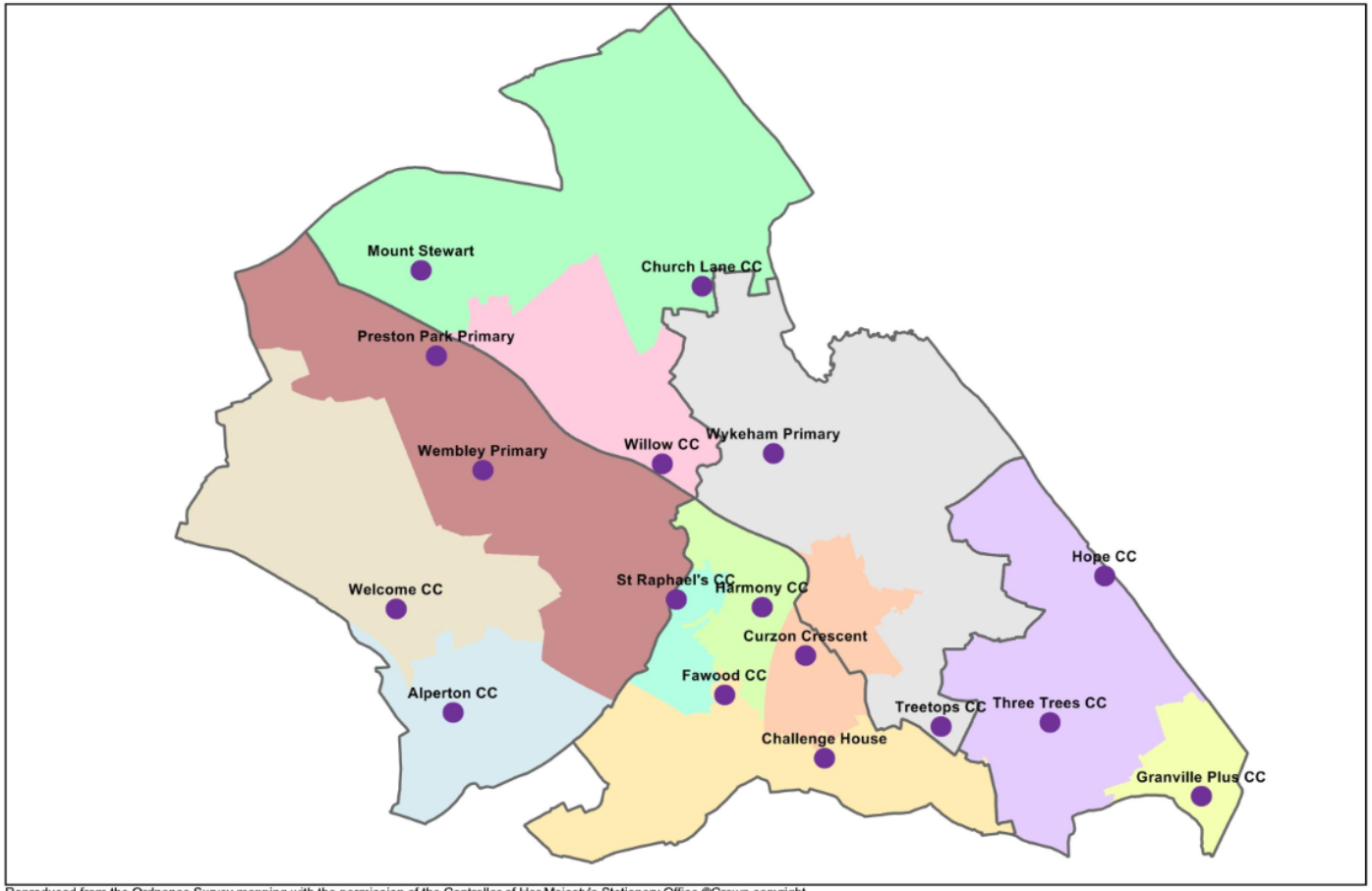


Figure 2: Data showing registration rate of Brent Families

Registration Rate of all Children Under 5 – Target 80%

Between: 01-Apr-2018 and 31-Mar-2019

Children's Centre Setting / Catchment	Children Currently Registered	Under 5 population	Registration Rate
Alperton Children's Centre	1241	1484	84%
Church Lane and Mount Stewart Children's Centres	2867	2934	98%
Curzon Crescent Children's Centre	1286	1529	84%
Fawood and Challenge House Children's Centres	1553	1907	81%
Granville Plus Children's Centre	982	1172	84%
Harmony Children's Centre	422	559	75%
St. Raphael's Children's Centre	357	434	82%
The Willow Children's Centre	719	1083	66%
Three Trees and Hope Children's Centres	2392	2761	87%
Treetops Children's Centre (Wykeham)	3008	3745	80%
Welcome Children's Centre	1964	2931	67%
Wembley and Preston Park Children's Centres	1902	2558	74%
Brent Total	**18693**	**23097**	**81%**

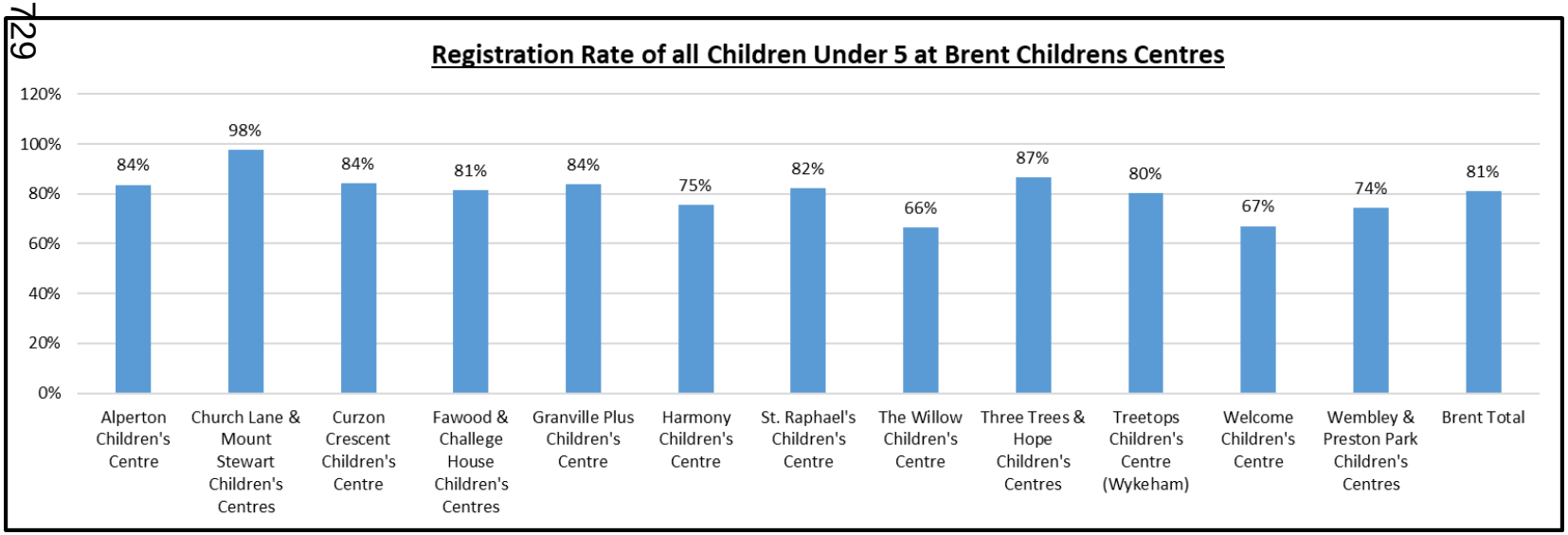
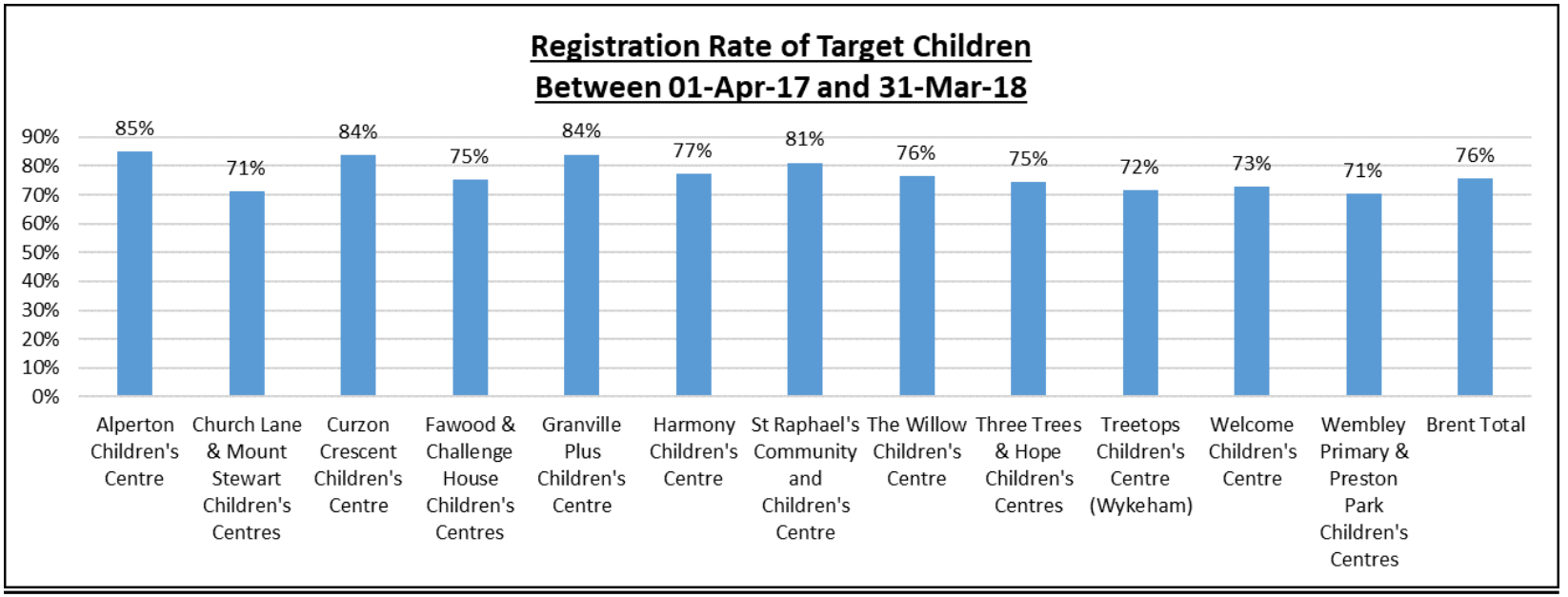


Figure 3: Registration Rate of Target Children - Between 01-Apr-17 and 31-Mar-18 - Target 75%

Children's Centre Catchment	Not contacted	Contacted	Grand Total	Percentage Contacted
Alperton Children's Centre	93	333	426	78%
Church Lane and Mount Stewart Children's Centres	232	515	747	69%
Curzon Crescent Children's Centre	87	676	763	89%
Fawood and Challenge House Children's Centres	110	641	751	85%
Granville Plus Children's Centre	119	326	445	73%
Harmony Children's Centre	74	251	325	77%
St Raphael's Community and Children's Centre	49	190	239	79%
The Willow Children's Centre	61	245	306	80%
Three Trees and Hope Children's Centres	193	518	711	73%
Treetops Children's Centre (Wykeham)	361	957	1318	73%
Welcome Children's Centre	231	640	871	73%
Wembley Primary and Preston Park Children's Centres	200	533	733	73%
Out of borough	177	592	769	77%
Grand Total	**1987**	**6417**	**8404**	**76%**
Brent Total	**1810**	**5825**	**7635**	**76%**



Target Children Criteria:

Children aged 5 and under at the snap shot end date for the relevant period, who were also under 5 at the time of referral or assessment that:
- are or have been in receipt of the Nursery Education Grant for 2-year-olds
- are or have had a social care assessment (Child Protection, Children in Need, Looked After Children)
- have had a CAF/EHA (Common Assessment Framework/Early Help Assessment)
- SENAS has been notified of as children that are likely to have additional needs at school by Community Paediatricians
- have been identified as being in a 'Troubled Family'
- are in households in receipt of Council Tax and/or Housing Benefit where the claimants are not in paid work

'Target Children' criteria (from 01 April 2016) also includes children under 5 that are known to:
- Early Support
- Early Years Inclusion Team
- Maternal Early Childhood Sustained Home Visiting (formerly Family Nurse Partnership)
- Family Solutions Team
- Under 5's Specialist Nursery Panel

Figure 4: Index of Multiple Deprivation
IMD - Index of Multiple Deprivation (2015)
Lower Super Output Areas (LSOAs) within Children's Centres catchments - Number that are in 30% IMD and 70% IMD

Count of LSOA code (New)			
Row Labels	In 30% IMD (2015)	In 70% IMD (2015)	Grand Total
Alperton Children's Centre	1	8	9
Church Lane and Mount Stewart Children's Centres	2	23	25
Curzon Crescent Children's Centre	9	0	9
Fawood Children's Centres (including Challenge House)	10	3	13
Granville Plus Children's Centre	5	3	8
Harmony Children's Centre	4	0	4
St Raphael's Children's Centre	3	0	3
The Willow Children's Centre	3	4	7
Three Trees and Hope Children's Centres	7	19	26
Treetops and Wykeham Children's Centres	17	12	29
Welcome Children's Centre (including Barham Park annexe)	4	16	20
Wembley Primary and Preston Park Children's Centres	2	18	20
Grand Total	**67**	**106**	**173**

Appendix 2: Suggestions of possible Family Hub sites

Following discussion within the CYP department and at the Family Hub Task and Finish group an initial list has been drawn up with suggestion of sites to consider for development into Family Hubs. Several things have been taken into account when developing this list including:

- Ensuring (where possible) a geographical spread of centres
- Index of multiple deprivation – lower super output areas
- Data showing current usage – numbers registered and numbers of target children seen
- Size and accessibility of buildings for vulnerable groups, e.g. disabled access and also accessibility by public transport, see map in Figure 6.
- Possible use of remaining buildings, meeting DfE criteria for avoiding capital clawback where possible.

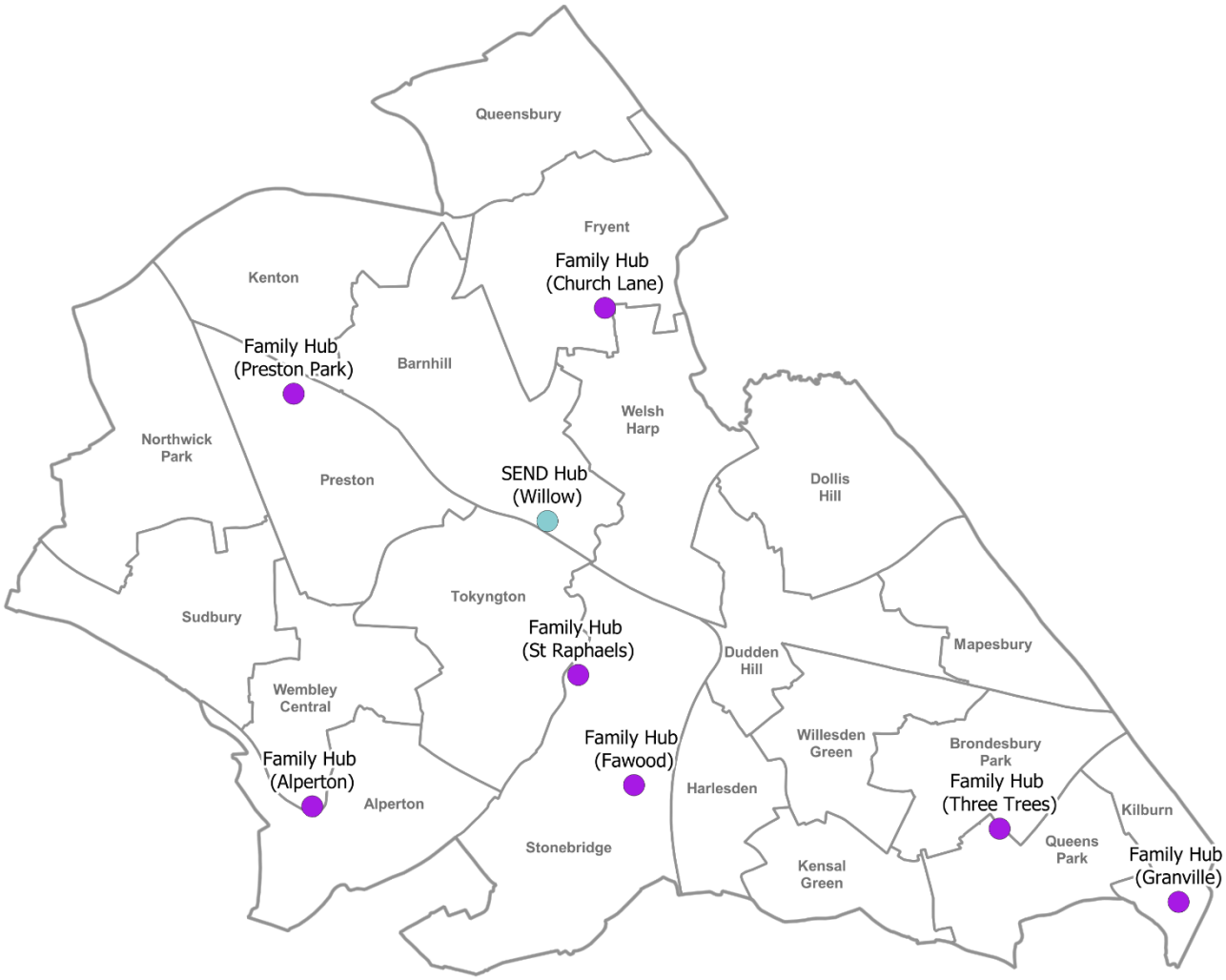
Suggested children's centre buildings for Family Hubs (included in map at Figure 5, giving an indication of where the proposed hubs are located within the borough):

1. Fawood and Curzon (managed as one Hub)
2. Alperton
3. Church Lane
4. Granville Plus
5. Preston Park
6. St Raphaels
7. Three Trees
8. Willow (predominantly as a SEND hub)

Remaining centres for closure or where possible, alternative usage arrangements with no costs to the council:

1. Mount Stewart (on Mount Stewart infant school site)
2. Treetops (standalone centre in King Edward VII Park, currently occupied mostly by a private nursery)
3. Wembley Primary (integrated school site)
4. Welcome Centre and Barham Park Annex (2 sites, one in a Wembley Centre for Health and Care NHS building and the other a small site in a building belonging to Barham Park Trust)
5. Wykeham (attached to Wykeham Primary School)
6. Harmony (standalone centre next to Mitchell Brook Primary School who deliver the school nursery from 40% of the building)

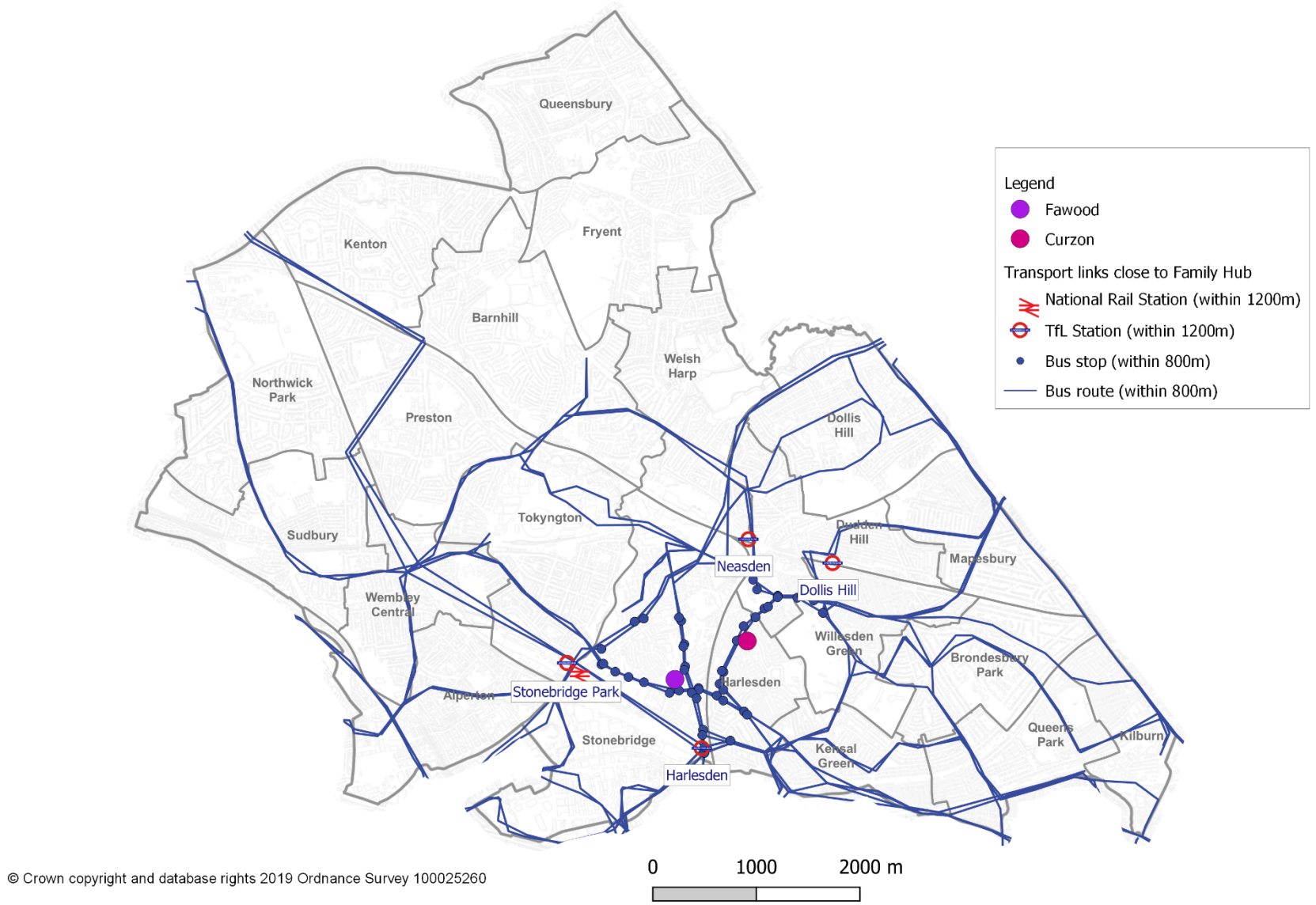
Figure 5: Proposed family hub provision with the current children's centre names in brackets



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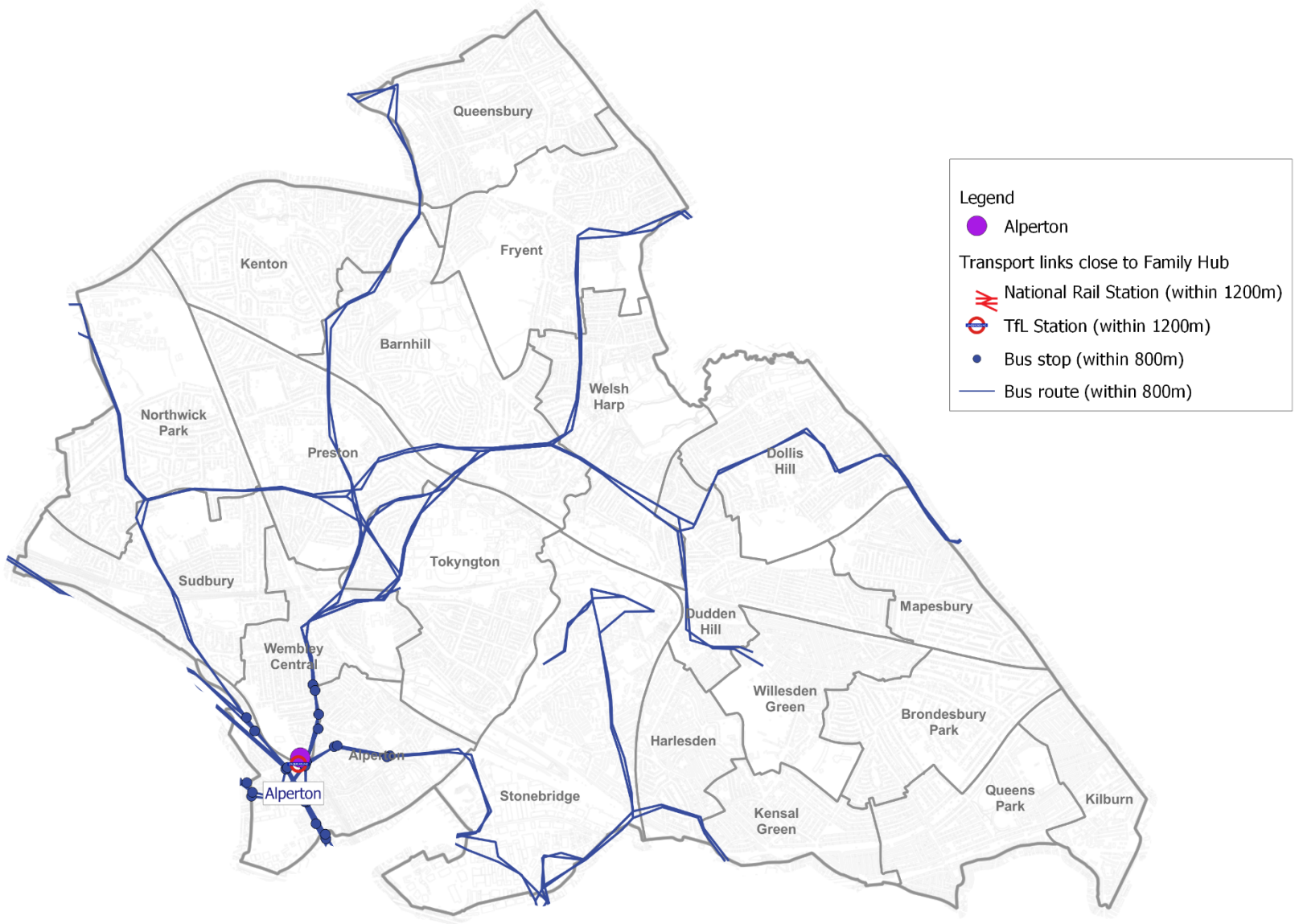
Figure 6: Proposed family hubs provision showing access by public transport by individual site

Fawood and Curzon Crescent



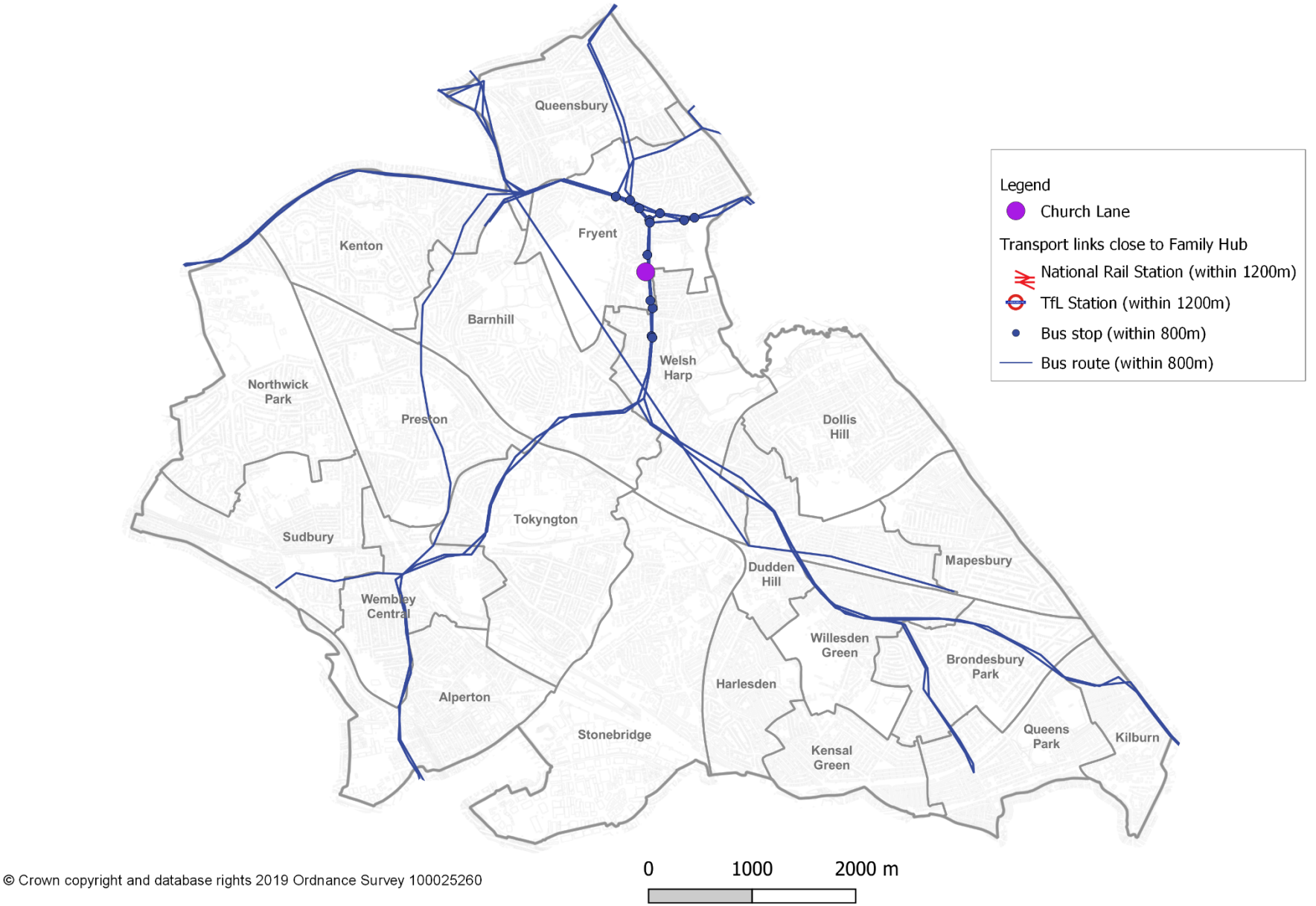
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Alperton



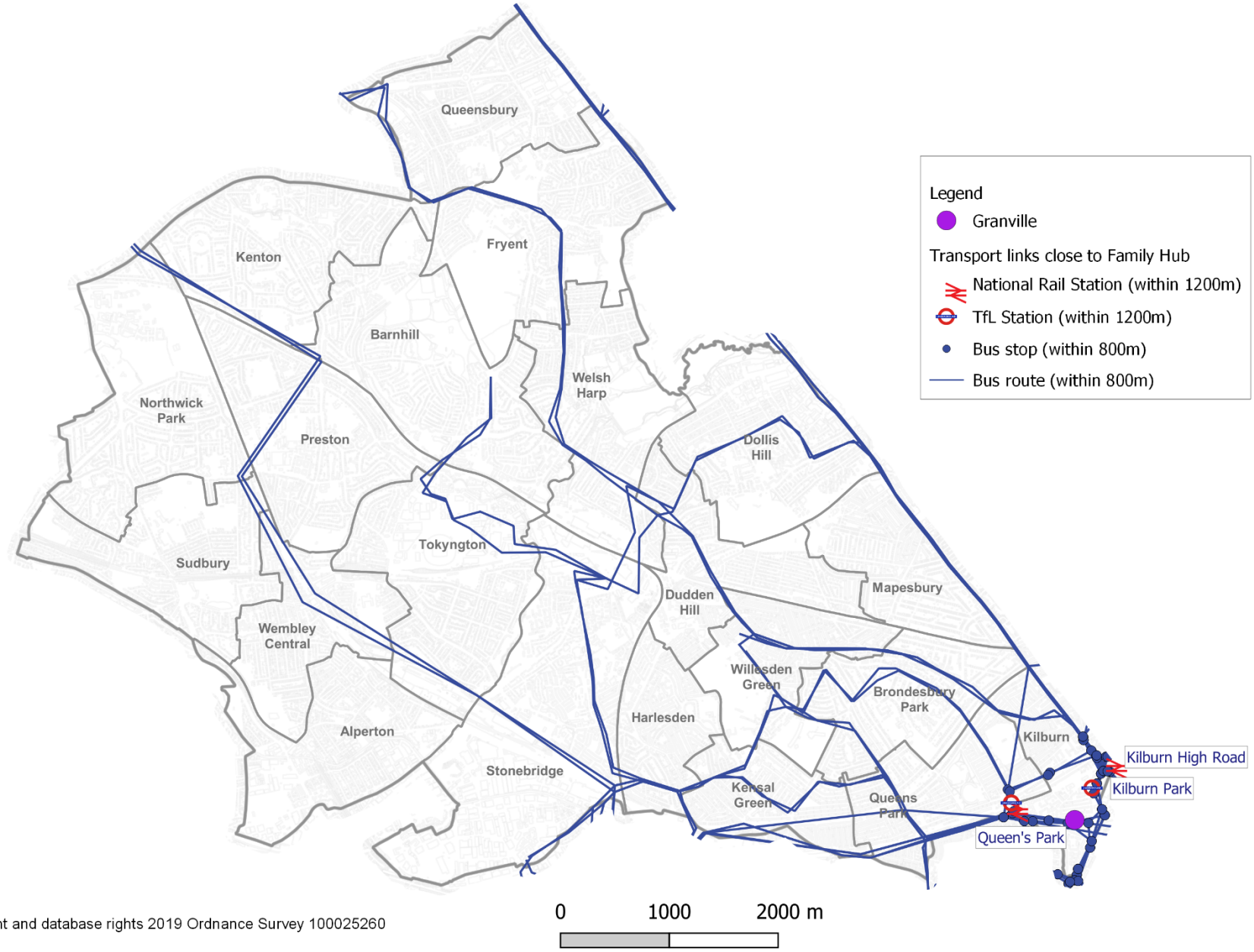
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Church Lane



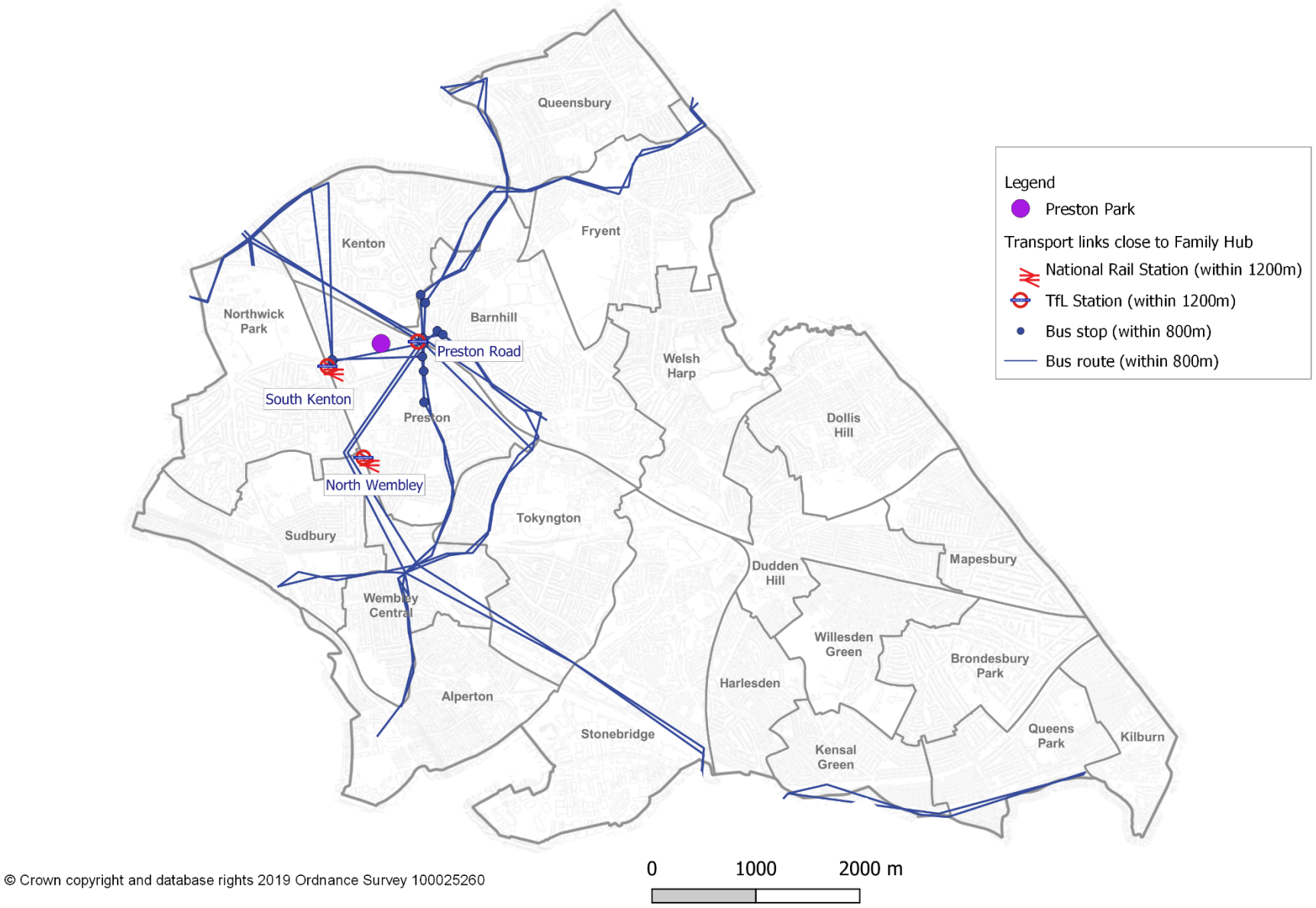
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Granville Plus



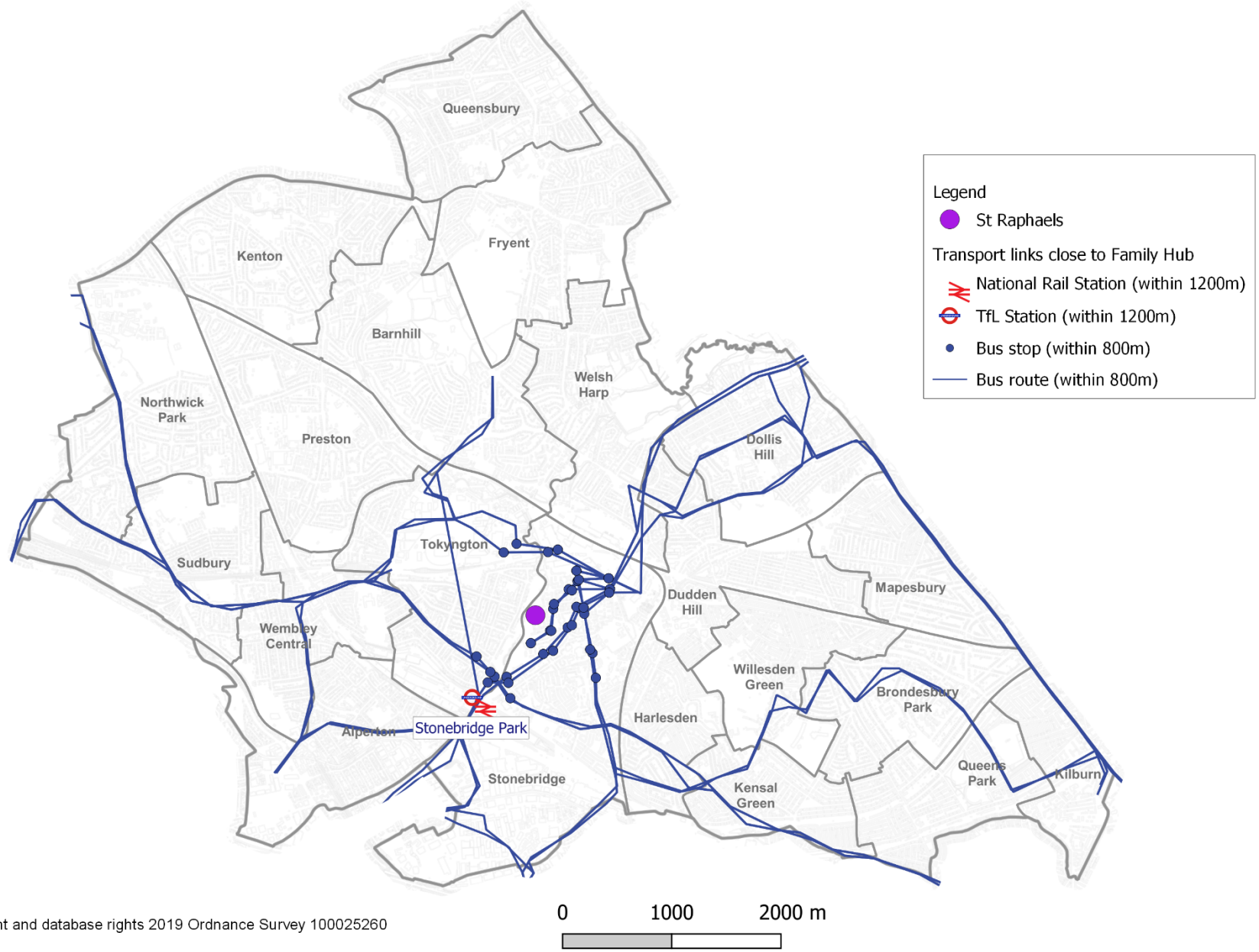
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Preston Park



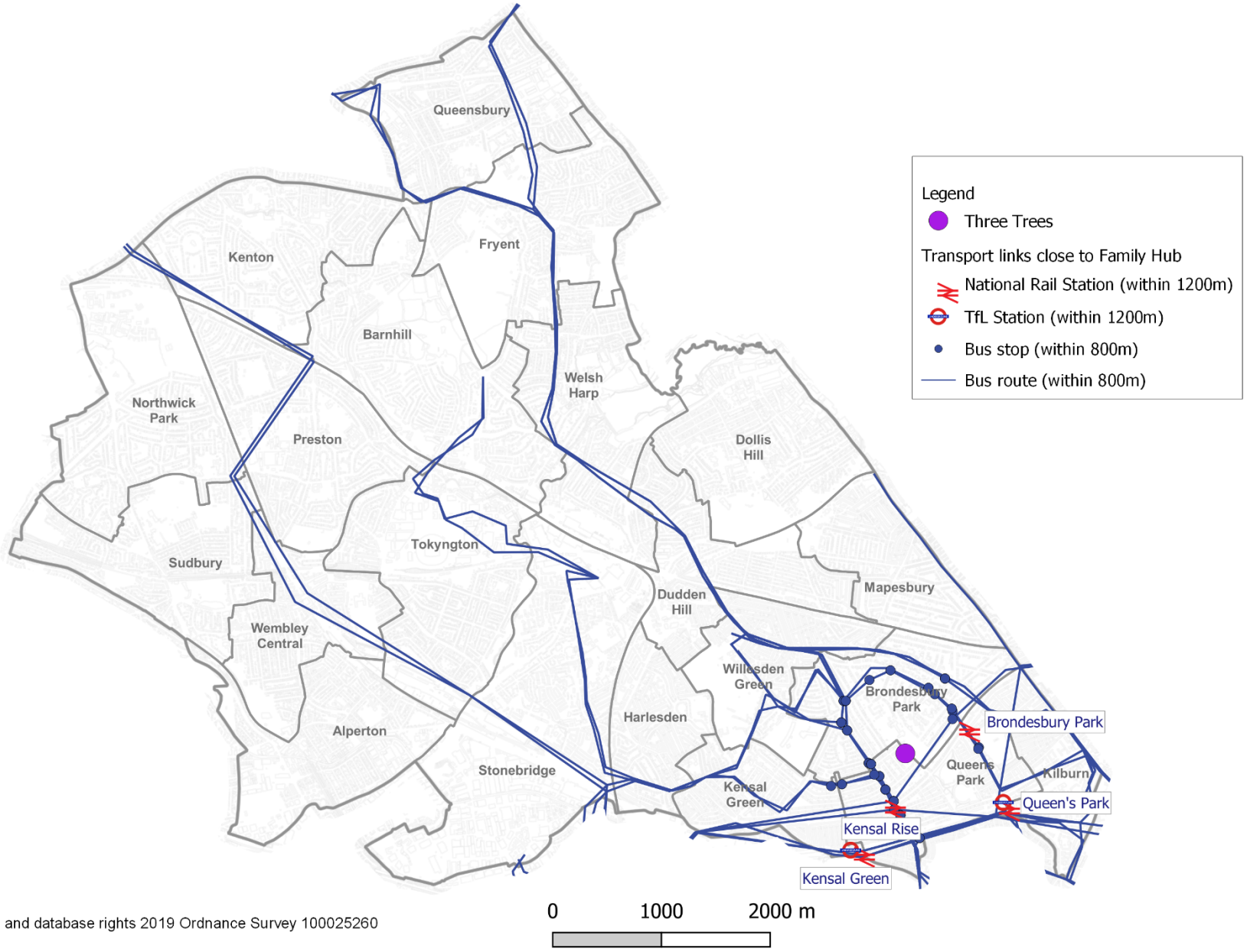
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St Raphaels



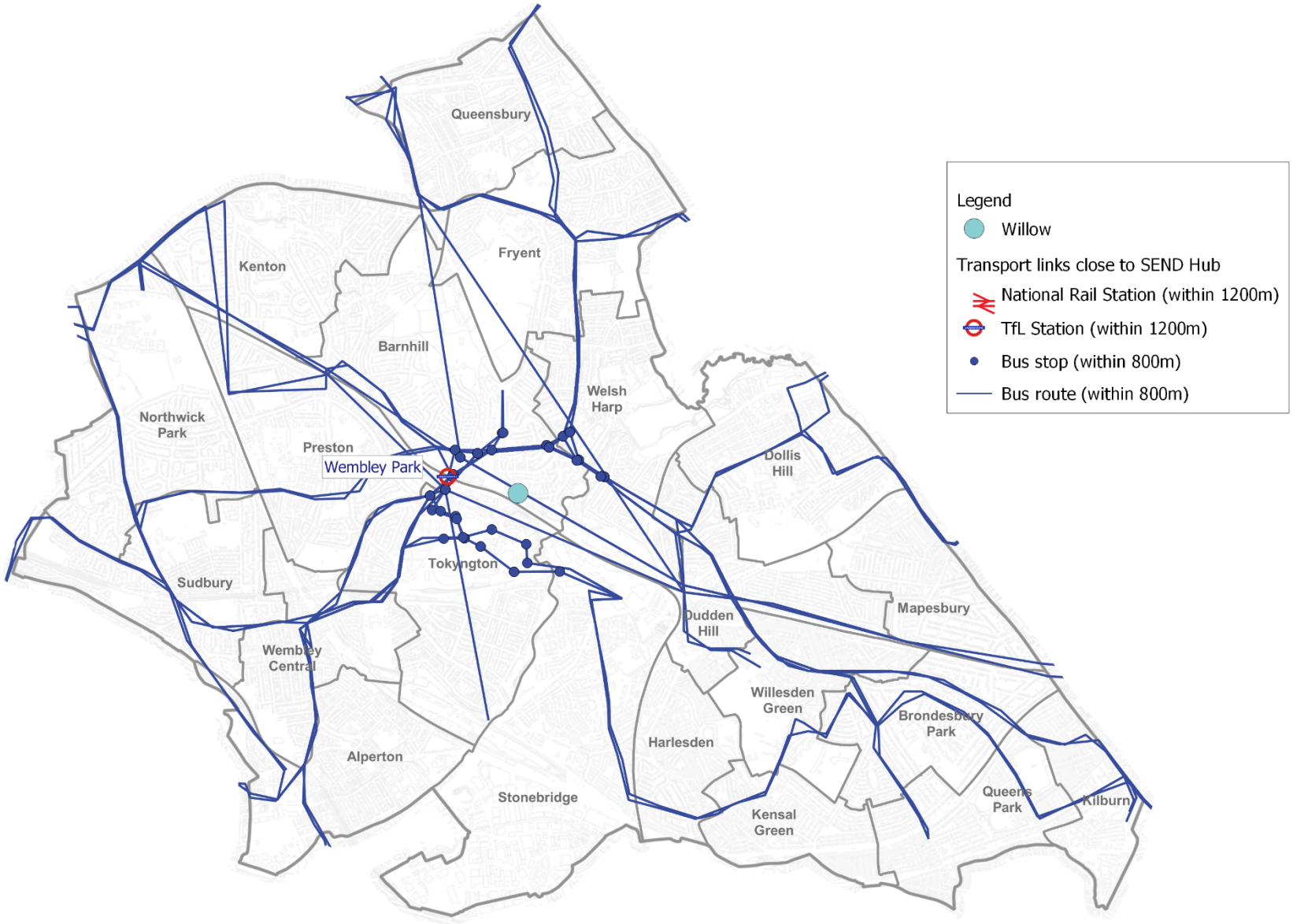
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Three Trees



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Willow



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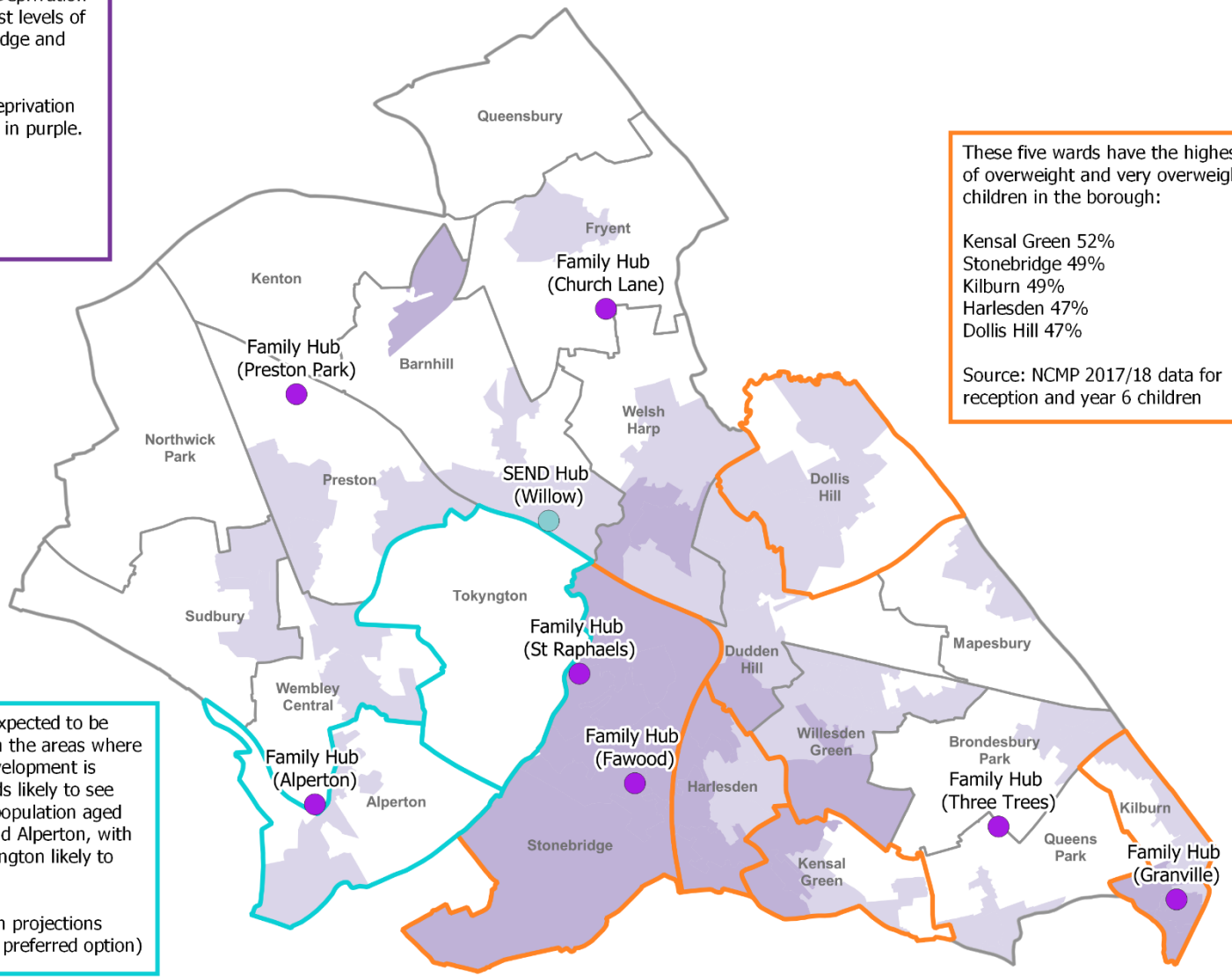
Figure 7: **Proposed family hub provision with selected indicators**

The Index of Multiple Deprivation (2015) shows the higest levels of deprivation in Stonebridge and Harlesden.

All the areas of high deprivation are shown on the map in purple.

IMD 2015 Rank

- 0 - 5000
- 5000 - 10000



These five wards have the highest % of overweight and very overweight children in the borough:

Kensal Green 52%
Stonebridge 49%
Kilburn 49%
Harlesden 47%
Dollis Hill 47%

Source: NCMP 2017/18 data for reception and year 6 children

Population growth is expected to be heavily concentrated in the areas where significant housing development is planned. The two wards likely to see the fastest growth in population aged 0-19 are Tokyngton and Alperton, with the population in Tokyngton likely to almost double

Source: GLA population projections (2016-based, Borough preferred option)

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Appendix 3

Profiles of Brent Children's Centres
March 2019

Curzon Crescent Children's Centre
Curzon Crescent, Willesden
NW10 9SD

Fawood Children's Centre
Fawood Avenue, Harlesden
NW10 8DX

Challenge House Children's Centre
1-2 Bank Building, High Street
NW10 4LX

Fawood and Curzon Crescent Children's Centres are managed by the The Fawood and Curzon Crescent Federation and are based within the two maintained community nursery schools. Children's Centres were built as part of an integrated school build. Challenge House Children's Centre was also part of the federation but due to reaching end the lease this centre closed 19/07/19. Statutory consultation took place regarding the closure and services from Challenge House and were relocated to Fawood Children's Centre and a nearby church hall.
Date of opening Curzon Crescent: 24/03/2006, Fawood: 01/02/2005, Challenge House: 30/09/2009, date of closure 19/07/19.

Curzon Crescent Nursery School and Children's Centre



Fawood Nursery School and Children's Centre



Challenge House Children's Centre



Facilities

Facilities	Curzon Crescent	Fawood
No of floors	2	3 (divided across 3 floors)
Training room	1 (can be divided into 2)	1 (can be divided into 2)
Play room / Group room	1	1
Office space	Yes	Yes
Outside space	Yes	Yes
Disabled access	Yes	Yes
Storage	Yes	Yes
Parking	Street parking	Street parking
Kitchen	Yes	Yes
Clinic room (fitted to health regulations)	Yes	Yes
Other	2 consultation rooms	2 small meeting rooms

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital Curzon Crescent: £290,020.72
  Fawood: £220,465

Costs

- Funding is given to the federation and they allocate it accordingly for the children's centre services and quarterly FIN1 returns are sent to council.

IT

- The centre runs on a school IT network and does not have the Brent IT system in place.

Current status of building management

- Responsibility of the Governing Board.

SLA / MoU Key Points

- 5 year agreement between council and governing body commencing from 01/07/15 and ending 30/03/20.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- SALT staff, once a week for a whole day at both Curzon and Fawood.
- Midwives and Health Visitors weekly from Curzon utilising the dedicated consultation space.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Curzon Crescent Children's Centre	100	1,529	763
Fawood and Challenge House Children's Centres	75	1,907	751

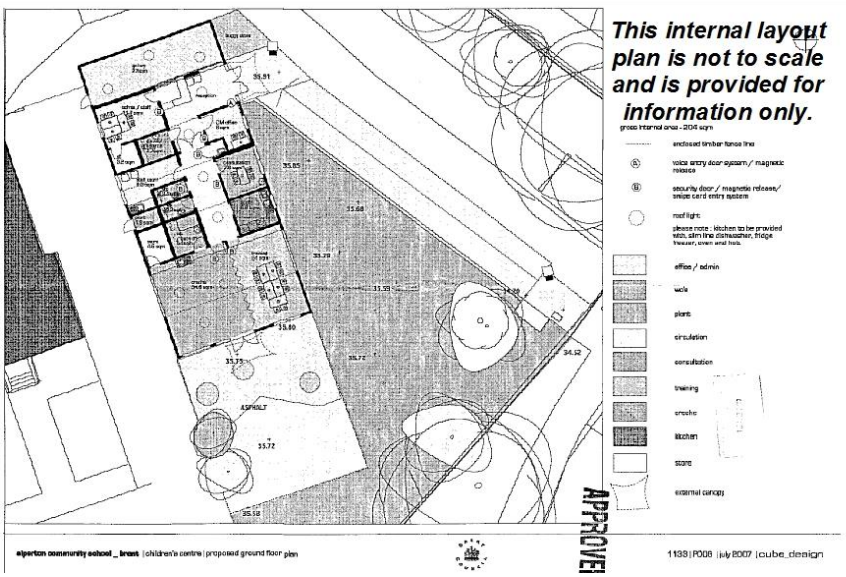
Alperton Children's Centre,
Ealing Road, Wembley, HA0 4PW

Alperton is a separate building built by the council based on the site of Alperton Community School (Academy) with its own separate entrance and is open Monday – Friday, with occasional weekend use, for 50 weeks of the year. Date of opening: 07/03/2008.

Outside



Floorplan



Total Floor Space – Approx. 218 sq.m

Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes
Parking	One shared disabled parking space in front of school
Kitchen	Fully fitted kitchen, tea / coffee bar within group room
Clinic Room (fitted to health regulations)	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start capital: Approx. £850,000

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £9,450.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Alperton School Governing Board, ensuring it is maintained in a clean state and that minor routine repairs and maintenance are undertaken.
- 12.5 hours per week of general caretaking and 12.5 hours a week of cleaning services are provided through the school, this will include unlocking and locking of the site.
- School invoices the provider on a quarterly basis for utilities and site manager costs.
- Health and Safety checks of the site are the responsibility of the site manager.
- CSM is a key holder and will agree access with the Children's Centre team.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider for each.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- SALT staff, twice a week for a full day.
- Health Visitors twice weekly for a full day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Alperton Children's Centre	11	1,484	426

Church Lane Children's Centre
Fryent Primary School, Church Lane, Kingsbury, NW9 8JD

Church Lane Children's Centre is a standalone centre built by the council and is located on the Fryent Primary School site. The centre is open Monday – Friday, with occasional weekend use, 50 weeks of the year. Date of opening: 07/03/2008.

Outside



Floor Plan



Total Floor Space – Approx. 229 sq.m

Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Parking	Street parking
Storage	Yes
Kitchen	Yes x 2
Clinic Room (fitted to health regulations)	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £1,174,447.01

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £7,507.50
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Fryent School Governing Board, ensuring it is maintained in a clean state and that minor routine repairs and maintenance are undertaken.
- 10 hours per week of general caretaking and 10 hours a week of cleaning services are provided through the school and charged to the current provider.
- Locality Children's Centre Team responsible for locking and unlocking of the children's centre.
- School invoices provider on a quarterly basis for cost of utilities and site manager.
- Health and Safety checks of the site are the responsibility of the site manager.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- The centre is run as a hub and spoke model, with the centre being the hub and the spoke being Mount Stewart.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider for each.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- SALT staff, twice weekly for a full day.
- Midwives and Health Visitors twice weekly for a full day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Church Lane and Mount Stewart Children's Centres	8	2,934	747

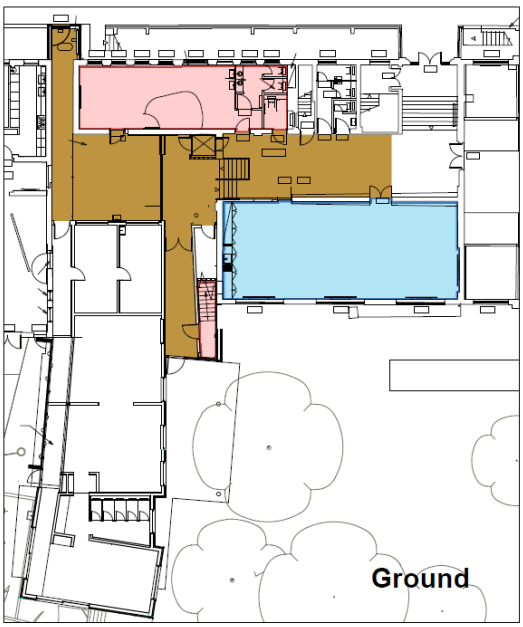
Granville Plus Children's Centre
Carlton Vale, Kilburn, NW6 5HE

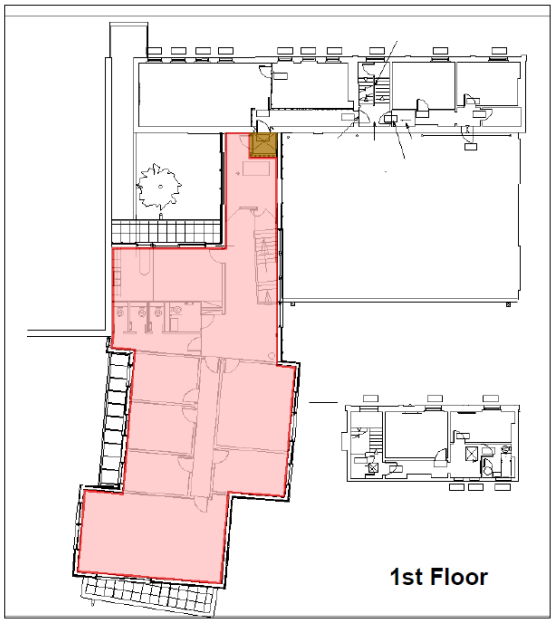
Granville Plus Children's Centre is located within the Granville Plus Centre with designated areas for the children's centre and is also adjoined to Granville Plus Nursery School. It is also the base for one of the locality Family Solutions teams. The centre is open Monday – Friday, with occasional weekend use, 50 weeks of the year. Date of opening: 31/01/2006. South Kilburn Trust are currently redeveloping the site which includes the children's centre, Early Help are involved to ensure that the redevelopment is suitable for the needs of a Family Hub. The Family Hub space will be complete by September 2020.

Outside



Floorplan





As part of the South Kilburn Trust taking over this building, the large hall (blue) was forfeited in exchange for adaptation of rooms in the children's centre to provide better facilities including a clinic room meeting health regulations.

Total Floor Space – Approx 2109.1 sq.m (including the large hall)

Facilities

Facilities	
No of floors	2
Training room	2
Play room / Group room	1
Office space	Yes x 3
Outside space	Communal shared area to the front of the building
Disabled access	Yes
Storage	Yes
Parking	Street parking
Kitchen	Kitchenette area
Clinic room (fitted to health regulations)	Yes
Other	1 multipurpose room x 2 consultation room

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £491,507.00

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £17,850.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.
- Health visiting and midwifery have installed connections to health IT systems.

Current status of building management

- South Kilburn Trust / Brent Council are responsible for the building upkeep, maintenance and repair.

Additional staff based or hot desk from site

- SALT staff, twice weekly for a full day.
- Midwives and Health Visitors twice weekly for a full day.
- Six full time Brent Family Solutions Team are based at site full time.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Granville Plus Children's Centre	63	1,172	445

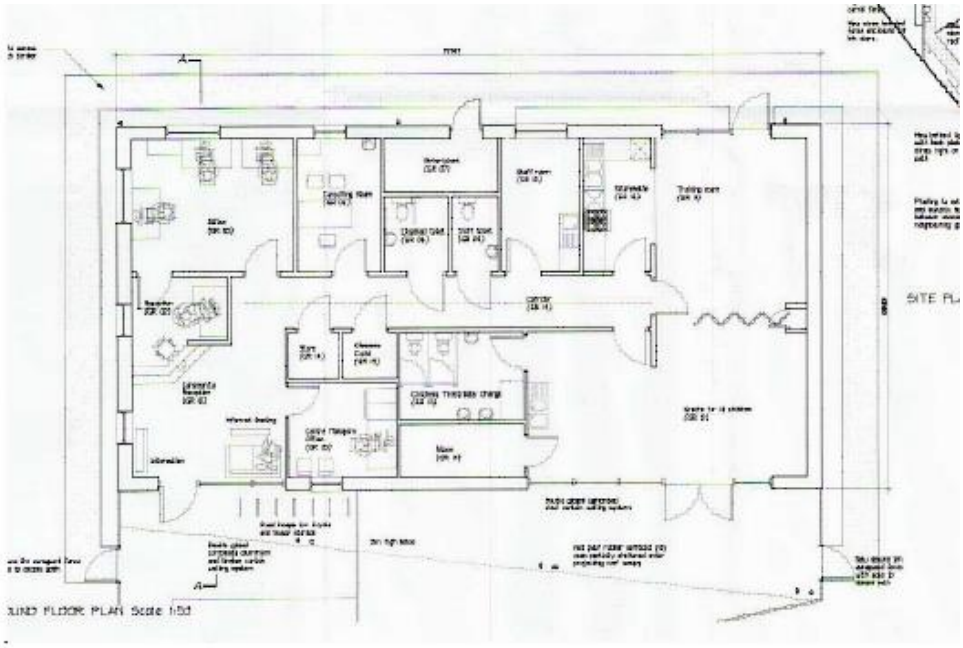
Preston Park Children's Centre
Preston Park Primary School, College Road, Wembley, HA9 8RJ

Preston Park Children's Centre was built by the council and is located on the Preston Park Primary School site. This centre is open Monday - Friday for 50 weeks of the year. It is a shared facility with children's centre services delivered for 50% of the time and the School has access to the centre for the remaining half. Date of opening: 25/03/10.

Outside



Floorplan



Total Floor Space – Approx. 176 sq.m

Facilities

Facilities	
No of floors	1
Training room	0
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Parking	Street parking
Storage	Yes
Clinic room (fitted to health regulations)	Yes
Other	Consultation rooms x 2

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £763,685.55

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £17,199.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance costs are currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Preston Park Primary School Governing Board, ensuring it is maintained, kept clean and that minor routine repairs and maintenance are undertaken.
- School invoices the provider on a quarterly basis for the cost of utilities with an additional 5% administrative charge.
- Health and Safety checks of the site are the responsibility of the site manager.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- The centre runs as a hub and spoke model, with the centre being the spoke and the hub is Wembley Primary.
- Shared use of facilities – Preston Park School has 50% of usage and the children's centre services the other 50%.
- School has no responsibility for the delivery or quality of the services delivered at the centre except those they deliver.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider for each**.**
- Building works required by the centre is the responsibility of the council.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Wembley Primary and Preston Park Children's Centres		2,558	733

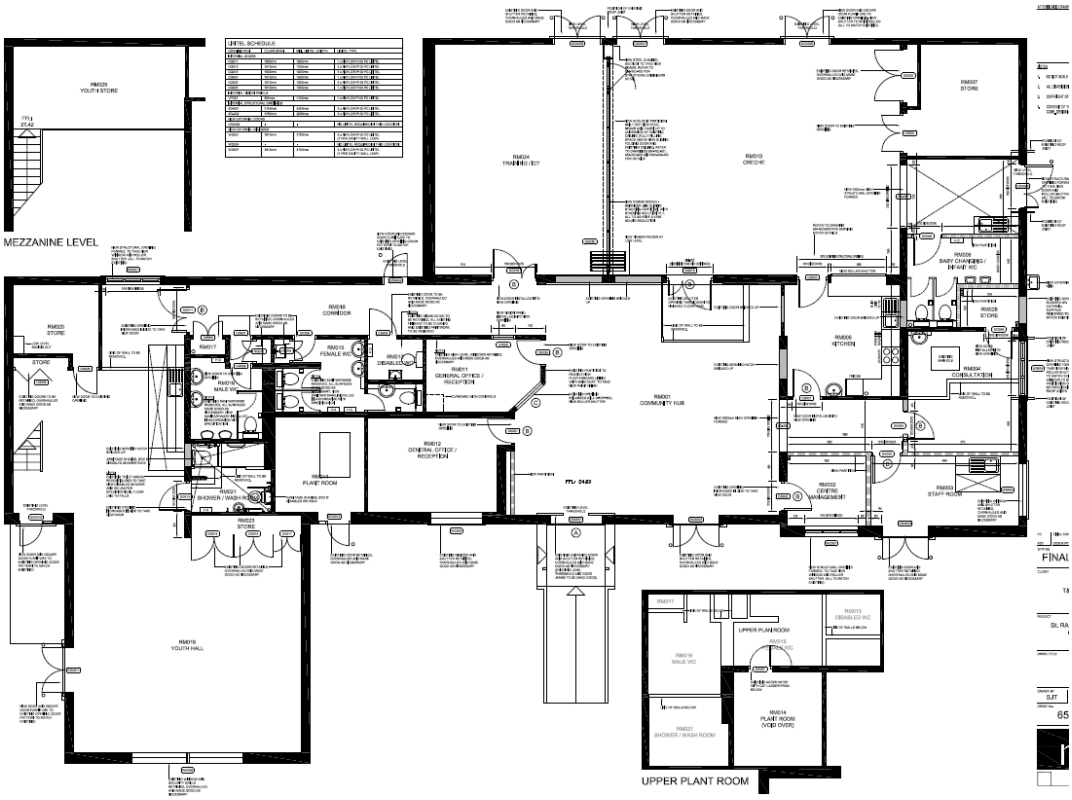
St Raphael's Children's Centre
The Community Centre, Rainborough Close, St Raphael's Estate, NW10 0TS

St Raphael's Children's Centre was initially an intergenerational centre in the St Raphael's estate, it is open Monday – Friday, with occasional weekend use, for 50 weeks of the year. The site is also used during the weekends for community events. It is greatly valued by local people and at the time of designation as a children's centre there was a lot of local protest. Date of opening: 07/03/2010.

Outside



Floorplan



Total Floor Space - Approx. 904 sq.m

Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes – Back and sides + play equipment
Disabled access	Yes
Storage	Yes
Kitchen	Kitchen x 2
Clinic Room (fitted to health regulations)	Yes
Other	Community room currently used as NEG Nursery managed by current provider

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £1,292,350.08

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £21,556.50
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - This site incurs an additional cleaning charge of approximately £10,000 due to the cleaning needs of the childcare provision on site
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Building is fully managed by the current provider.

Additional staff based or hot desk from site

- SALT staff, twice weekly for a full day.
- Health Visitors twice weekly for a full day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
St Raphael's Community and Children's Centre	100	434	239

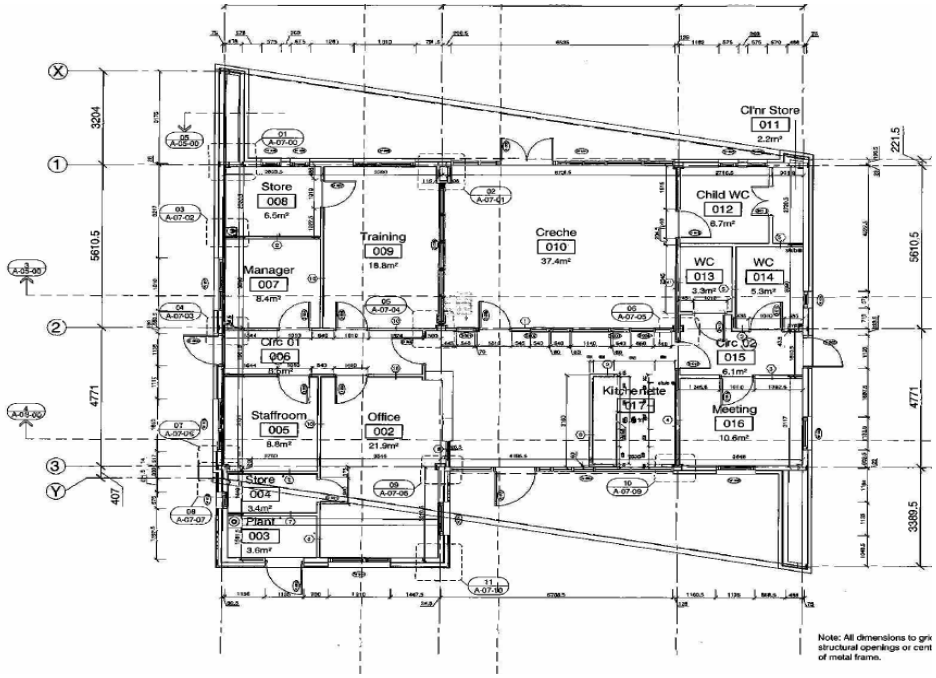
Three Trees Children's Centre
Tiverton Road, Kensal Rise, NW10 3HL

Three Tree's Children's Centre is a standalone centre built by the council and is located on the site of Queen's Park Community School (Academy). The centre is open Monday – Friday delivering services for 50 weeks of the year. A separate legal agreement is in place for lease of the land. Date of opening: 07/03/2008.

Outside



Floorplan



Total Floor Space – Approx. 151 sq.m

Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes
Parking	2 disabled bays outside the centre, street parking
Kitchen	Yes
Clinic room (fitted to health regulations)	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £533,199.44

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £17,850.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of the council and the provider (care taking arrangements, maintenance, Health and Safety etc).
- Councils selected provider has overall responsibility of the centre but nominated school members are also key holders.

Key Points

- Agreement with Queen's Park Community School Academy Trust commencing from 01/10/15 and ending 30/09/20.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre ad recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider for each.
- Building works required by the centre is the responsibility of the council.
- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Additional staff based or hot desk from site

- SALT staff, once a week for a full day.
- Health Visitors twice weekly for a full day.
- Midwifery twice weekly for a full day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Three Trees	27	2,761	711

The Willow Children's Centre
Barnhill Road, Wembley, HA9 9YP

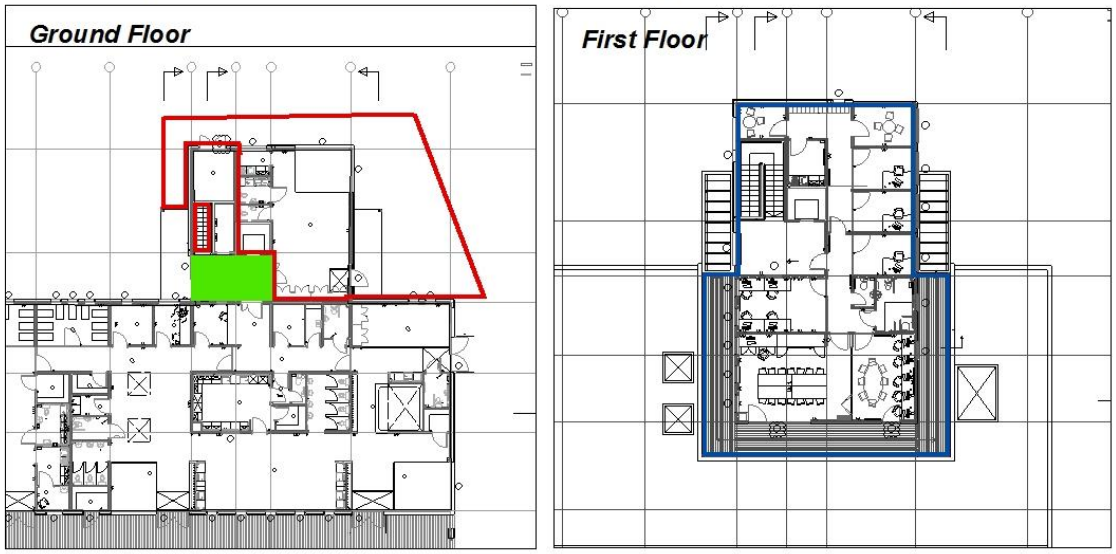
The Willow Children's Centre occupies 40% of the building and the Willow Nursery occupy the remaining 60%. The centre is open Monday-Friday, with occasional weekend use, for 50 weeks of the year. Date of opening: 06/02/2007.

Outside



Floorplan

Inset plans are not to scale and are provided only to illustrate internal layout.



Total Floor Space – Approx. 332 sq.m

Facilities

Facilities	
No of floors	2
Training room	1
Play room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Parking	Disabled bay to the front of the centre
Storage	Yes
Kitchen	Yes
Clinic room	Yes – Consultation room may not have sink

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £1,244,389.02

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £16,275.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - This site incurs an additional cleaning charge of approximately £10,000 due to the cleaning needs of the childcare provision on site
  - Insurance currently covered by the council
  - Council Nursery pays 60% of running costs and children's centre provider pay the remaining 40%.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Brent council.

Additional staff based or hot desk from site

- SALT staff, twice weekly for a full day.
- Health Visitors twice weekly for a full day.
- Midwifery twice weekly for a full day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Willow Children's Centre	43	1,083	306

Welcome Children's Centre and Barham Park Building
116 Chaplin Road, London HA0 4UZ Harrow Road, Sudbury, HA0 2HB

Welcome Children's Centre and Barham Park Building are run as a hub and spoke model. Welcome Children's Centre is based in the Wembley Centre for Health and Care. Welcome Children's Centre is a part time centre, opened 2-3 days a week. Barham Park is a full time centre, open for 3 days a week. Services run for 50 weeks of the year. Date of opening: 07/03/2008.

Welcome Children's Centre
(Part of the building below)



Barham Park Building
(Left hand ground floor wing)



Facilities

Facilities	Welcome Children's Centre	Barham Park Building
No of floors	1	1
Training room / Family Room	1	1
Play room / Group room	1	1
Office space	Yes	No (small area in hallway)
Outside space	Yes + play equipment	No – situated in a large park
Disabled access	Yes	Yes
Storage	Yes	Yes
Parking	Health Centre carpark pay and display	Park carpark
Kitchen	Yes	Yes
Clinic Room (fitted to health regulations)	Yes	No

Services Offered

- For activities being delivered please see Annexe A

Capital

- Welcome – Adaptations and outside play area £11,040.60
- Barham Park: £423,223.74

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £9,000
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council
  - Please note, the costs in relation to Welcome Children's Centre are minimal consisting of just the telephone line rental and calls.

IT

- Welcome has a BT telephone line and Barham Park site has no connection, staff take a laptop and a mobile phone when delivering services at this site.

Current status of building management

- Informal agreement with Health to jointly use the facilities and storage at Welcome
- No legal status and currently no rent is paid for Welcome and it is an NHS building. NHS building services are challenging this.
- Welcome and Barham Park are linked sites, DfE database shows Welcome is the main site with Barham being the satellite, however more capital has been put into Barham.
- Barham Park Building is owned and managed by the Barham Park Trust, supported by Brent Council. No formal lease document was produced.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Welcome Children's Centre	20	2,931	871

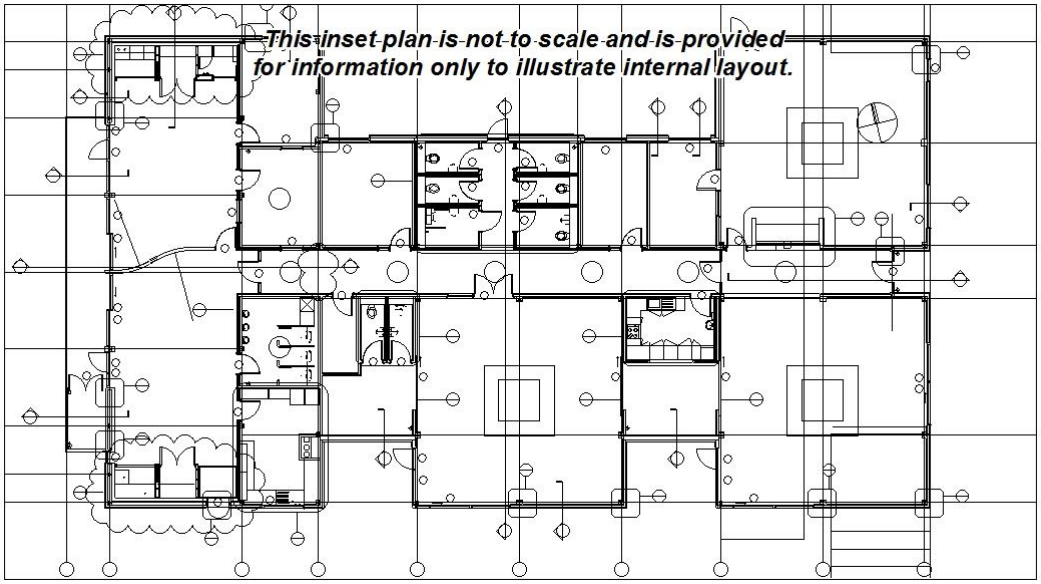
Harmony Children's Centre
38 Bridge Road, London, NW10 9BX

Harmony Children's Centre is a standalone centre built by the council and is located near Mitchell Brook Primary School. It is also the base for one of the locality Family Solutions teams. The centre is open Monday – Friday, with occasional weekend use for 50 weeks of the year. There is a nursery provision within the centre with a separate entrance and outdoor provision. The nursery is part of Mitchell Brook Primary School and a memorandum of understanding is in place between the school and council. Date of opening: 24/03/2006.

Outside



Floorplan



Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes – 1 managers office and 1 large office
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes plus sheds
Parking	Street parking and small onsite carpark
Kitchen	Yes
Clinic room (fitted to health regulations)	Yes
Other	Consultation Room

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £252,473.53

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £31,164.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - This site incurs an additional cleaning charge of approximately £10,000 due to the cleaning needs of the childcare provision.
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of the council and provider (, maintenance, Health and Safety etc.)
- School have responsibility of 40% of the building and costs.
- Councils selected provider has overall responsibility of the centre but nominated school members will also be key holders due to the nursery provision. An informal agreement is in place for the school care taker to open and close the building.

SLA / MoU Key Points

- Nursery provision within Harmony is delivered by Mitchell Brook Primary School under a 5 year agreement commencing from 01/12/14 and ending 30/11/19 and they are responsible for this area.
- School pays approximately 40% of all costs for the nursery areas, shared areas such as the staff room and toilets and reception area are not charged.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the schools with an additional 5% administration fee charged to the provider.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- SALT staff, once a week for a full day.
- Health Visitors twice weekly for a full day.
- Midwifery three times a week for a full day.
- Seven Brent Family Solutions staff are based here full time.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Harmony Children's Centre	100	559	325

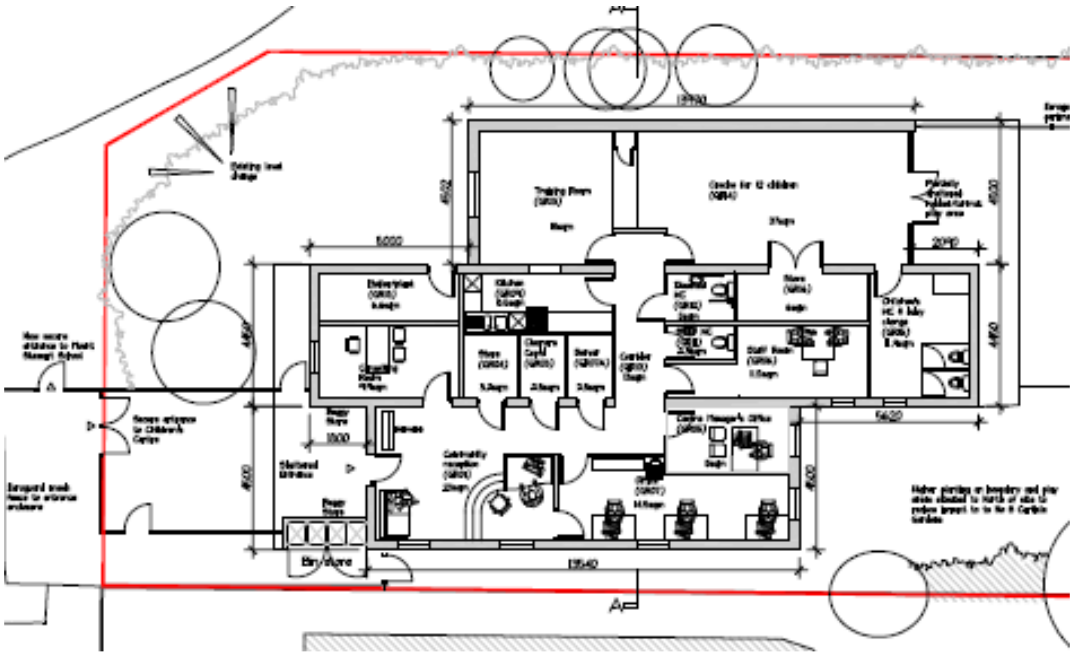
Mount Stewart Children's Centre
Mount Stewart Infants School, Carlisle Gardens, Kenton, HA3 0JX

Mount Stewart Children's Centre is a standalone centre built by the council and is located on the Mount Stewart Infant School site. The centre runs as part of hub and spoke model with Church Lane Children's Centre. The centre operates in the afternoon and the morning is used by the school for nursery provision. The centre is opened for 50 weeks of the year. Date of opening: 31/08/2010.

Outside



Floor Plan



Total Floor Space – Approx. 191 sq.m

Facilities

Facilities	
No of floors	1
Training room	0
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes
Parking	Street parking
Kitchen	Yes
Clinic Room	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £808,352.39

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £15,015.00
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Mount Stewart School Governing Board, ensuring it is maintained in a clean state and that minor routine repairs and maintenance are undertaken.
- School invoices provider on a quarterly basis for the cost of utilities with an additional 5% administrative charge.
- Health and Safety checks of the site are the responsibility of the site manager.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- The centre is part of the hub and spoke model, with the centre being the spoke and the hub is Church Lane Children's Centre.
- Shared use of facilities - Mount Stewart School use the site in the morning for their nursery provision.
- The school has sole use of the area designated for a staff room and the centre has sole use of the clinical room, staff room and office within the centre.
- School has no responsibility for the delivery or quality of the services delivered at the centre except those they provide.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- Health Visitors twice weekly for a half a day.
- Midwifery twice weekly for half a day.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Church Lane and Mount Stewart Children's Centres	8	2,934	747

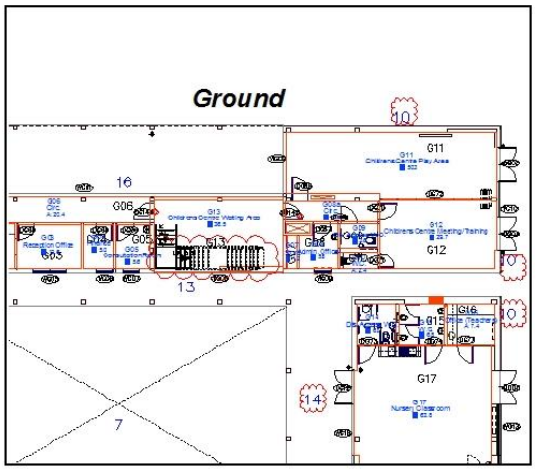
Wembley Primary Children's Centre
East Lane, Wembley, HA9 7NW

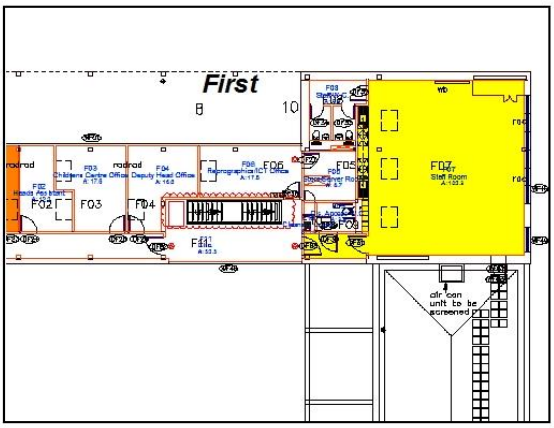
The children's centre was built as part of the integrated development on the school site and use of the centre is for the sole purpose of children's centre services. This centre is open Monday – Friday for 50 weeks of the year. There is a shared reception area and an upstairs office but rest of the centre is self-contained. Date of opening: 07/03/2008.

Outside



Floorplan





These internal layout plans are not to scale and are provided for information only.

Total Floor Space – Approx. 152.1 sq.m

Facilities

Facilities	
No of floors	2 – Only office is upstairs
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes
Parking	Street parking
Other	2 additional rooms
Kitchen	No but a prep area with limited facilities
Clinic room (fitted to health regulations)	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: Approx. £500,000

Costs

- Total running costs:
  - Rates, Utilities (electricity, gas and water), approx. £8,599.50
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of Wembley Primary School Governing Board, ensuring it is maintained, kept clean and that minor routine repairs and maintenance are undertaken.
- School invoices provider on a quarterly basis for cost of utilities with an additional 5% administrative charge.
- Health and Safety checks of the site are the responsibility of the site manager.
- Locking and unlocking of the premises is the responsibility of the school.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- The centre runs as a hub and spoke model, with the centre being the hub and the spoke is Preston Park Children's Centre.
- Shared use of facilities – reception area, staff room and office.
- No children's centre staff are key holders at the request of the headteacher.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider.
- Building works required by the centre is the responsibility of the council.

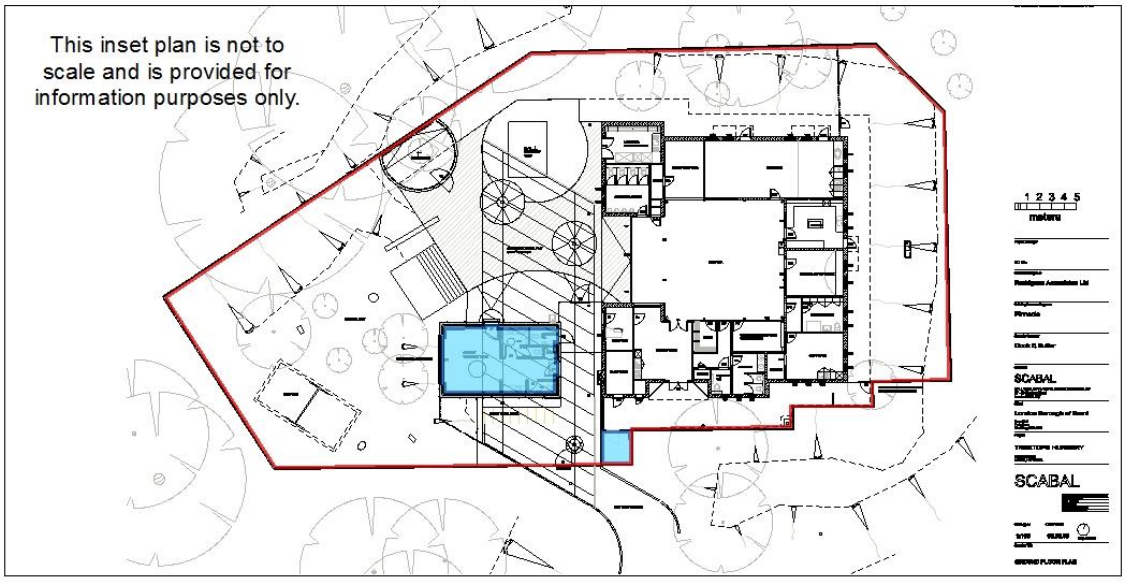
Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Wembley Primary and Preston Park Children's Centres	10	2,558	733

Treetops Children's Centre
Doyle Gardens, Willesden, NW10 3HL

Treetops is a part time children's centre and services are delivered some evenings and occasionally at weekends. The space is used for a nursery provision Monday – Friday. Date of opening: 18/03/2009.

Floorplan



Total Floor Space – Approx. 364.8 sq.m

Facilities and Services

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	0
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes – Shed
Other	n/a

Costs

- All costs are covered by the nursery leasing the building.

Capital

- Sure Start Capital: £645,193.05

Current status of building management

- Managed by the nursery provider. Lease between council (property services) and SAI (private nursery provider.
- The centre runs a hub and spoke model, with the centre being the spoke and the hub being Wykeham Children's Centre.

Data

Children's Centre	**30% Index of Multiple Deprivation as a % of CC catchment area**	**Under 5 population**	**Targeted under 5 population**
Treetops and Wykeham Children's Centres	59	3,745	1,318

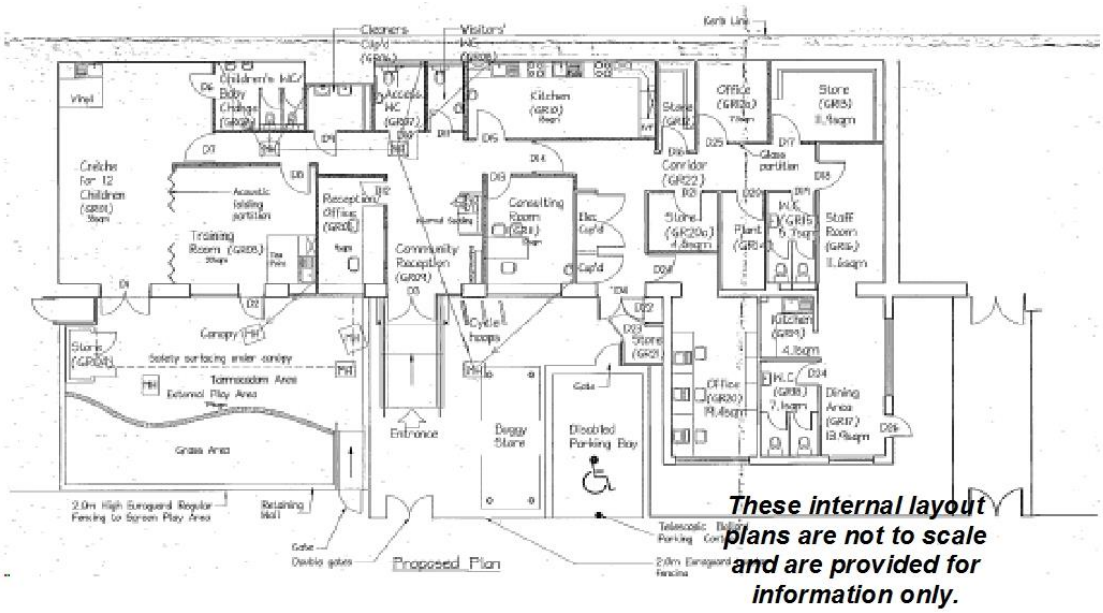
Wykeham Children's Centre
Annesley Close, Neasden, N10 0ES

Wykeham Children's Centre is integrated within Wykeham Primary School and has its own separate entrance. The centre is open Monday – Friday, with occasional weekend use, for 50 weeks of the year. The Family Solutions locality team also use this centre as a base for 2-3 days a week. Date of opening: 25/03/2010.

Outside



Floorplan



Total floor space – Approx. 235 sq.m

Facilities

Facilities	
No of floors	1
Training room	1
Play room / Group room	1
Office space	Yes
Outside space	Yes + play equipment
Disabled access	Yes
Storage	Yes
Parking	Street parking
Kitchen	Yes
Clinic room (fitted to health regulations)	Yes

Services Offered

- For activities being delivered please see Annexe A

Capital

- Sure Start Capital: £504,327.39

Costs

- Total running costs:

  - Rates, Utilities (electricity, gas and water), approx. £9,633.75
  - Security, general maintenance, ground maintenance and cleaning, approx. £8,000 - £15,000
  - Insurance currently covered by the council.

IT

- The centre IT runs on the Brent network, with Brent IT facilities and phone line.

Current status of building management

- Responsibility of the council, ensuring it is maintained in a clean state and that minor routine repairs and maintenance are undertaken.
- Council provides caretaker and cleaning services.
- School invoices the provider on a termly basis for the cost of utilities with an additional 5% administrative charge.
- Health and Safety checks of the site are the responsibility of the provider.

SLA / MoU Key Points

- 5 year agreement with the school commencing from 01/09/15 and ending 31/08/20.
- The centre runs a hub and spoke model, with the centre being the hub and the spoke being Tree Tops Children's Centre.
- School has no responsibility for the delivery or quality of the services delivered at the centre.
- Utilities (electricity and water) are from the school's supply with sub meters to the centre and recharged to the provider. Refuse and CCTV is included as part of the school with an additional 5% administration fee charged to the provider.
- Building works required by the centre is the responsibility of the council.

Additional staff based or hot desk from site

- SALT staff, twice weekly for a full day.
- Health Visitors twice weekly for a full day.
- Midwifery twice weekly for a full day.
- Two part time Family Solutions team members are based here.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Treetops and Wykeham Children's Centres	59	3,745	1,318

Hope Children's Centre
228 Walm Lane, London, Middlesex, NW2 3BS

Hope Children's Centre was delivered from space leased from Norwood, a charity that operates in north west London. Norwood advised Brent Council that they will not renew the lease and after 10 years of Children's Centre services being delivered from this site, it closed mid-summer 2018. Statutory consultation took place regarding the closure and services from Hope were relocated to Granville Plus and Three Trees Children's Centre. The centre opened on 31/08/2009 and closed 01/08/2018.

Data

Children's Centre	30% Index of Multiple Deprivation as a % of CC catchment area	Under 5 population	Targeted under 5 population
Hope Children's Centre (shared with Three Trees)	27	2,761	711

Approximate running costs of current children's centre sites for 2019-20

All figures detailed below are approximations.

Security, general maintenance, ground maintenance and cleaning is estimated to be approximately £8,000-£15,000 per site and is not included in the totals below. There is also an additional amount of approximately £10,000 for cleaning that applies to centres which have childcare provision on site and this is marked with an *.

	Telephone	Electricity	Gas	Water Charges	Business Rates	Estimated total running costs for year (excluding all maintenance costs)
Alperton		2100.00	3150.00	1575.00	2625.00	**£9,450.00**
Welcome **	450.00	2100.00	3150.00	1575.00	2625.00	**£9,900.00**
Harmony *		6825.00	5775.00	1050.00	17514.00	**£31,164.00**
St. Raphael's *		6825.00	6121.50	1050.00	7560.00	**£21,556.50**
Church Lane		1575.00	2362.50	787.50	2782.50	**£7,507.50**
Mount Stewart		3150.00	4725.00	1575.00	5565.00	**£15,015.00**
Preston Park		3150.00	4725.00	1575.00	7749.00	**£17,199.00**
Wembley Primary		1575.00	2362.50	787.50	3874.50	**£8,599.50**
Willow *		3150.00	2100.00	1050.00	9975.00	**£16,275.00**
Granville Plus		4200.00	6300.00	2100.00	5250.00	**£17,850.00**
Three Trees		4200.00	6300.00	2100.00	5250.00	**£17,850.00**
Wykeham		1575.00	2362.50	446.25	5250.00	**£9,633.75**
Tree Tops	*All costs are covered by the nursery leasing the building as part of the agreement.*					
Curzon Crescent	*The costs for the Curzon Crescent and Fawood Partnership is incorporated into the school costs as part of their quarterly funding. These amounts will be available at a later date.*					
Fawood						

**Note, the costs regarding Welcome Children's Centre include the linked site, Barham Park Building.

NB:

Business rates are reduced to 10% if the provider is a registered charity.

For premises that are used for SEND provision an application for a full exemption can be agreed.

School managed buildings have different business rates and this explains some of the variations.

Annexe A – Activities currently being delivered in children's centres

Brent Children's Centres: Grange Cluster Timetable: Spring Term 2019											Last updated: 11th February 2019
Centre Name	**Monday**		**Tuesday**		**Wednesday**		**Thursday**		**Friday**		**Saturday**
	AM	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	
Granville Children's Centre, Carlton Vale, Kilburn, NW6 5HE. 0208 937 6581	9.30 - 4.00: Citizens Advice Brent (by appointment only) 0-5 years	9.00 - 4.00: Midwifery Perinatal Clinic (by appointment only) for 10.00 - 4.00: Health Visiting Postnatal Clinic (by appointment only)	9.00 - 4.00: Midwifery Postnatal Clinic (by appointment only) for parents/carers and new born babies	1.30 - 4.00: Health Visiting 1 & 2 year reviews (by appointment only) 1.30 - 3.00: Breastfeeding Support and Advice (Drop - in)	9.30 - 12.00: Health Visiting 1 & 2 year reviews (by appointment only) 9.30 - 11.30: Childminders' Sessions 0-5 years	1.30 - 3.00: Well Baby Clinic (Drop In) 0-5 years	9.00 - 5.00: Midwifery Antenatal Clinic (by appointment only) for expectant parents 10.00 - 1.00: Strengthening Families, Srengthening Communities, 13 week parenting programme. Starts 17th January.	1.00 - 2.00: Story and Rhyme Time 13 months + Starts 1st, 2nd and 3rd week of the month. Booking required. £1 voluntary contribution.	10.00 - 11.00 or 11.15 - 12.15: Baby Massage 6 weeks to crawling, 5 week course. (Booking required) £12	10.00 - 2.30: First Aid. Please call the Children's Centre for date and time. (booking required) CRECHE AVAILABLE.	
	09.30 - 12.00: ESOL 0-5 years. (Booking required) CRECHE AVAILABLE.	2.00 - 3.00: Let's Talk 0-5 years	10.00 - 11.00: Stay, Play and Learn: Little Explorers (0-12 months). Sensory sessions for babies. £1 voluntary	1.30 - 3.00: Stay, Play and Learn with Messy Play 13 months+. £1 voluntary contribution.	9.30 - 12.30: Health Visiting Postnatal Clinic (by appointment only)	1.30 - 2.45: Busy Feet 18 months+. 19th January to 13th February. £1 voluntary contribution.	10.00 - 4.00: Health Visiting 1 & 2 year Reviews (by appointment only)	1.30 - 3.00: Family Focus. Last Thursday of the month. (Booking required) CRECHE		9.00 - 5.00: Midwifery Antenatal Clinic (by appointment only)	
Three Trees Children's Centre, Tiverton Road, NW6 3HL. 0208 459 4385	9.30 - 11.00: Stay, Play and Learn with Messy Play 13 months+. £1 voluntary contribution.		9.30 - 11.30: Childminders' Sessions 0-5 years	9.30 - 3.00: Health Visiting 1 & 2 year Reviews (by appointment only)	9.30 - 11.00: Dads' Stay and Play 0-5 years. 1st Wednesday of the month	9.00 - 4.00: Midwifery Postnatal Clinic (by appointment only) parents/carers and new born babies	9.30 - 11.00: Stay, Play and Learn, 13 months +. £1 voluntary contribution.			9.00 - 3.00: Health visitor Reviews (by appointment only) 0-5 years	10.30 - 12.30: Developing Good Bedtime Routines CRECHE AVAILABLE. 9th February
	11.30 - 12.30: Stay, Play and Learn: Little Explorers (0-12 months) Sensory sessions for babies. £1 voluntary contribution.				9.30 - 10.30: BUSS group 0-5 years. 3rd Wednesday of the month		11.30 - 12.30: Stay, Play and Learn: Little Explorers (0-12 months) Sensory sessions for babies. £1 voluntary contribution.			1.00 – 2.00 Let's Talk 0-5 years	
Treetops Children's Centre, Doyle Gardens, NW10 3SQ. 0208 937 5960						4.00 - 6.00: Citizens Advice Brent (by appointment only) 0-5 years					10.00 - 11.30: Fun on Saturdays: Stay, Play and Learn. 0-5 years. Alternate weeks

Brent Children's Centres: Grange Cluster Timetable: Spring Term 2019											Last updated: 11th February 2019
Centre Name	**Monday**		**Tuesday**		**Wednesday**		**Thursday**		**Friday**		**Saturday**
	AM	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	
Wykeham Children's Centre, Annesley Close, Neasden, NW10 0ES. 0208 937 5960	9.30 - 12.30: Well Baby Clinic (By Appointment Only) 0-5 years 9.30 - 11.00: Stay, Play & Learn. 13 months+. (Booking required). £1 voluntary contribution. 11.30 - 12.30: Stay, Play and Learn: Little Explorers (0-12 months) Sensory sessions for babies. £1 voluntary contribution. 10.00 -11.00: Breastfeeding Support and Advice (by appointment only)	1.30 - 4.00: Health Visiting Postnatal Clinic (by appointment only) 1.30 - 3.00: Busy Feet 18 months+. 7th January to 11th February. £1 voluntary contribution.	9.00 - 3.00: Midwifery Antenatal and Postnatal Clinic (by appointment only) for expectant parents/carers and new born babies. 9.30 - 11.30: Childminders' Sessions 0-5 years	12.30 - 2.30: ESOL with Creche 0-5 years. (Booking required) CRECHE AVAILABLE.	9.30 - 12.30: Health Visiting 1 & 2 year reviews (by appointment only) 10.00 – 11.00 Small Talk 0-5 years (by appointment only)	1.30 - 4.00: Health Visiting Postnatal Clinic (by appointment only) 12.30 – 2.30: Sewing with Crèche provided by Brent Start 0-5 years (booking required). CRECHE AVAILABLE	9.30 - 11.00: Stay, Play and Learn with Messy Play 18 months+. (Booking required). £1 voluntary contribution. 9.30 - 4.00: Citizens Advice Brent (by appointment only) 0-5 years. 1st & 3rd Thurs of every month.	11.30 - 12.15: Story and Rhyme Time 13 months +. (Booking required). £1 voluntary contribution. 12.30 - 1.30: Let's Talk 0-5 years	9.30 - 4.00: Midwifery Antenatal and Postnatal Clinic (by appointment only) for expectant parents/carers and new born babies.	1.30 - 3.00: Family Focus . Last Friday of the month. (booking required) CRECHE AVAILABLE	
Willesden Green Library, High Road, NW10 2SF. 0208 937 3400									9.30 - 10.15: Stories, Songs and Playtime for 18 months+ 10.30 - 11.15: Stories, Songs and Playtime for 0 -18 months		

Brent Children's Centres: Central Cluster Timetable: Spring Term 2019

Last updated: 11th February 2019

Centre Name	Monday		Tuesday		Wednesday		Thursday		Friday	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Harmony Children's Centre, 38 Bridge Road, NW10 9BX. 0208 451 4180	9.00 - 4.30: Midwifery Antenatal Clinic (by appointment only) for expectant parents		9.30 - 11.30: Family Learning: Sewing, with Crèche 0-5 years.	12.30 - 2.30: Family Learning: Sewing, with Crèche 0-5 years.	9:00 - 3:00: Mellow Parenting Programme with Crèche, 0-5 years.	9.00 - 4.30: Midwifery Antenatal Clinic (by appointment only) for expectant parents	10.00 - 11.00: Stay, Play & Learn 0-5 years, 2nd & 4th week of month	9.00 - 4.30: Health Visitor 1 and 2 year reviews (by invitation only) 1-2 years	9.15 - 10.45: Bumps 2 Babies with breast feeding support group, 0-12 months	9.00 - 4.30: Midwifery Antenatal Clinic (by appointment only) for expectant parents
	Stepping Stones Parenting Programme. Starts 28th January. Ask at Centre for details.		9.00 - 4.30: Midwifery Antenatal Clinic (by appointment only) for expectant parents		9:00 - 3:00: Mellow Parenting Programme with Creche 0-5 years.		10.00 - 11.00: Let's Talk 0-5 years, 1st and 3rd week of the month			12.30 – 3.00: ESOL Invite only
					9:00 - 4:00: Midwifery Antenatal Clinic (by appointment only)					
St Raphaels Children's Centre, Rainborough Close, NW10 0TS. 0208 937 3620	10.00 - 12.00: FP programme. Starts 21st of January. Invite only	1.30 - 3.00: Stay & Play Family Focus 0-5 years	9.00 - 4.30: Development Reviews. Appointment only	12.30 - 2.30: ESOL with Crèche 0-5 years	10.00 - 11.00: Let's Talk 0-5 years	9.00 - 4.00: Perinatal Clinic (by invitation only) for expectant parents and parents with a baby	9.00 - 12:00: Perinatal Clinic (by invitation only) for expectant parents and parents with a baby	1.30 - 3.00: Stay, Play & Learn 0-5 years.	9.00 - 12.00: Childminders 0-5 years	9.00 - 4.30: Citizens Advice Brent 0-5 years. 1st & 3rd week. Booking only
										1.00 - 3.00: Parents Business Network 0-5 years
Alperton Children's Centre, Ealing Road, Wembley, HA0 4PW. 0208 937 3860	9.30 - 11.00: Stay, Play & Learn 0-3 years	12.30 - 1.30: Stay, Play & Learn for Babies 0-12 months	9.30 - 11.00: Stay & Play with Messy Play 0-5 years	1.30 - 3.00: Stay, Play & Learn 0-5 years	9.30 - 10.30: Let's Talk 0-5 years	12.30 - 3.00: ESOL with Crèche 0-5 years	Development Reviews. Appointment only	Development Reviews. Appointment only		9.00 - 4.30: Citizens Advice Brent 0-5 years 2nd & 4th week. Booking only
		2.00 - 3.30: Father's Stay & Play 0-5 years.								
		4.30-7.00: Dads Parenting Programme								
Welcome Children's Centre, 116 Chaplin Road, Wembley, HA0 4UZ. 0208 903 9541	9.30 - 10.30: Stay, Play & Learn 0-5 years	1.30 - 3.00: Stay & Weigh 0-5 years								1.00 - 2.00: Let's Talk 0 - 5 years
	11:00 - 12.00: Stay & Play for Babies 0-12 months	1.30- 3.00: Well Baby Clinic (Drop In) 0-5 years								
Barham Park Building Harrow Road, Sudbury, HA0 2HB. 0208 903 9541			9.30 - 11.00: Stay & Play Family Focus 0-5 years		9.30 - 11.00: Stay & Play 0-5 years	1.30 - 3.00: My Special Time. Last Wednesday of the month	9.30 - 10.30: Sensory Play for Babies 0-18 months		10.30 - 12.00 Childminders' Stay, Play & Learn 0-5 years	
							1.30 - 3.00: Stay & Play 0-5 years			
Freeman Family Centre, 57 Longstone Avenue, Harlesden, London, NW10 3UN. 0208 965 3977				6.45 - 7.45: English Class for parents/ carers						
				6.30-7.30: IT Class for parents/carers						
				6.30 - 7.45: Yoga Class						

Brent Children's Centres: Stadium Cluster Timetable: Spring Term 2019

Last updated: 11th February 2019

Centre Name	Monday AM	Monday PM	Tuesday AM	Tuesday PM	Wednesday AM	Wednesday PM	Thursday AM	Thursday PM	Friday AM	Friday PM
Church Lane Children's Centre, Fryent Primary School, Church Lane, Kingsbury, NW9 8JD. 020 8937 3890	9.30 - 11.30: Midwifery Postnatal Clinic (by appointment only) parents/carers and new born babies. Call to book: 020 8235 4252 / 020 8869 2871	12.30 - 3.30: Midwifery Antenatal Clinic (by appointment only) expectant parents. Call to book: 020 8235 4252 / 020 8869 2871	9.30 - 11.30: Health Visitor Reviews and Baby Clinic (by appointment only) Call to book: 020 8102 4900	1.30 - 4.00: Development Checks 1 and 2 year old (by appointment only). Call to book: 020 8102 4900	9.30 - 11.00: Understanding your Toddler's Development Drop in Group. Children 12-24 months. 9th January - 13th February		Thursday 9.30 - 4.00: Citizens Advice Brent 0-5 years. 2nd & 4th week Booking only.	1.15 - 2.45: Stay, Play and Learn 0-5 years	9.30 - 10.30: Let's Talk 0-5 years.	1.30 - 3.30: Family Focus 29th March
				1.00 - 2.30: Understanding your Toddler's Development Drop in Group. Children 12-24 months. 9th January - 13th February	9.30 - 3.30: Midwifery Antenatal Clinic (by appointment only) expectant parents. Call to book: 020 8235 4252 / 020 8869 2871					
	10.00 - 12.00: Hassle Free Shopping: Call to book and for more information: 020 8937 3890. Monday 25th Feb.	1.00 - 2.15: Understanding your Baby's Development. 0-12 months		1.00 - 2.30: Getting Ready. Call the centre to book and for more information: 020 8937 380	10.00 - 11.00: Stay, Play and Learn 2-4 years. From 20th February		10.00 - 12.00: Family Learning Fun with Cooking. Course Dates 10th January to 14th February		9.30 - 3.30: Midwifery Postnatal Clinic (by appointment only) parents/carers and new born babies. Call to book: 020 8235 4252 / 020 8869 2871	
				2.00 - 3.00: Playgroup: at Fryent Primary School. Call for more information: 020 8205 4047	10.00 - 10.30: Parent's Voice 6th February					
Mount Stewart Children's Centre, Mount Stewart Infants School, Carlisle Gardens, Kenton, HA3 0JX. 020 8937 5970	1.00 - 3.00: Family Learning Magic Numbers. Course Dates 7th January to 11th February	1.00 - 3.00: Health Visitors' Reviews and Baby Clinic (by appointment only). Call to book: 020 8102 4900				12.00 - 3.00: Midwifery Postnatal Clinic (by appointment only) parents/carers and new born babies. Call to book: 020 8235 4252 / 020 8869 2871		Baby Massage: (small fee). (Call the centre to book and for more information: 020 8937 5970 (afternoons only) 7th of March to 4th of April		1.00 - 3.00: Midwifery Antenatal Clinic (by appointment only) for expectant parents. Call to book: 020 8235 4252 / 020 8869 287
						1.30 - 3.00: Stay, Play & Learn with ongoing Getting Ready information. 0-5 years				
	1.00 - 3.00: Family Focus. 25th February to 25th March					1.30 - 3.30: Family Focus 30th January		1.00 - 3.00: Midwifery Antenatal Clinic (by appointment only) for expectant parents. Call to book: 020 8235 4252 / 020 8869 2871		
						1.00 - 3.00: Hassle Free Shopping: Call to book and for more information: 020 8937 5970 (afternoons only). 27th March.				
Preston Park Children's Centre, College Road, Wembley, HA9 7NW. 020 8937 5980	9.30 - 3.00: Midwifery Antenatal Clinic (by appointment only) expectant parents. Call to book: 020 8235 4252 / 020 8869 2871	12.45 - 2.45: Dealing with Disobedience: Call to book and for more information: 020 8937 5980 / 020 8937 5590. Monday 25th March	9.30 - 3.00: Midwifery Antenatal Clinic (by appointment only) expectant parents. Call to book: 020 8235 4252 / 020 8869 2871	1.00 - 3.00: Family Learning Play and Learn with Books. Assessment 8th January. Course. Dates 15th January to 26th February. Call to book: 020 8937 5980 / 020 8937 5590						
	10.00 - 12.00: Family Learning Fun with Cooking. Course Dates 7th January to 11th February. Call to book: 020 8937 5980 / 0208 937 5590		10.00 -11.30: Stay, Play and Learn 0-5 years							
	10.00 - 11.30: Family Focus. Call to book and for more information: 020 8937 5980 / 020 8937 5590		10.30 - 11.00: Parent's Voice 5th February							

Brent Children's Centres: Stadium Cluster Timetable: Spring Term 2019									Last updated: 11th February 2019	
Centre Name	**Monday**		**Tuesday**		**Wednesday**		**Thursday**		**Friday**	
	AM	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**
Wembley Primary Children's Centre, Wembley Primary School, East Lane, Wembley, HA9 7NW. 020 8937 5590	10.00 - 11.30: Understanding your child's development 1- 4 years	12.30 - 2.30pm: Family Learning Using IT with the Family. Assessment 7th January. Course Dates: 14th January - 11th February. Call to book: 020 8937 5590	9.30 - 11.00: English Conversation 29th January to 26th March 9.30 - 4.00: Citizens Advice Brent (by appointment only) expectant parents and parents with a child 0-5years		10.00 - 11.15: Understanding your Baby's Development. 0-12 months		9.30-10.30: Let's Talk 0-5 years.	1.00 - 3.00: Family Learning Magic Numbers. Assessment 10th January. Course Dates: 17th January - 28th February		2.30 - 2.30: Family Focus 26th April
The Willow Children's Centre, Barnhill Road, Wembley, HA9 9YP. 020 8937 6562	9.30 - 11.00: Understanding your Toddler's Development 12-24 months. From 18th February. 10.00 - 12.00: Family Learning Story Sacks and Knitting. Call to book: 020 8937 6562 / 020 8937 3890. Course Dates: 7th January to 11th February.		Health Visitor: 2-year Reviews (by appointment only.) Call to book: 020 8102 4900	2.00 - 3.00: Let's Talk 0-5 years.	9.30 - 11.00: Stay, Play & Learn 0-5 years 10.00 - 10.30: Parents Voice 13th February	1.00 - 3.00: Family Learning Family Language and Learning. Assessment 9th January. Course Dates:16th January to 3rd April 10.00 - 12.00: Dealing with Disobedience: Call to book and for more information: 020 8937 6562 / 020 8937 3890. 6th March	10.00 - 11.15: Understanding your Baby's Development 0-12 months	2.30 - 2.30: Family Focus Friday 22nd February		

Brent Children's Centres: Curzon Cluster Timetable: Spring Term 2019									Last updated: 11th February 2019	
Centre Name	**Monday**		**Tuesday**		**Wednesday**		**Thursday**		**Friday**	
	AM	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**	**AM**	**PM**
Curzon Crescent Children's Centre. Curzon Crescent, Willesden London, NW10 9SD. 020 8459 6813	09.15 - 11.15: Family English Class Assessment 14/01/2019. Starts 21/01/2019		9.30 - 10.15: Busy Feet & Oral Hygiene		9.00 - 5.00: Citizen's Advice Bureau		9:30 - 11.00: Stay, Play & Learn		9.00 – 4.00: Midwifery Clinic (Appointment only)	
	9.30 - 1.30: First Aid. Crèche available. Refundable £5 deposit given on completion of course 01/04/2019		11.00 - 12.00: "Let's Talk"		9.45 – 11.30: Childminders' Stay, Play & Learn	12:00– 1.00: Baby Massage & Breastfeeding support. 0-9 months. £5 refundable deposit on completion of course. 16/01 - 13/02/19	9.45 - 10.30: Brent Book Library		9.30 – 11.30: Tummy Time and Breastfeeding support. Birth – 15 months	
	9.00 - 4.00: Midwifery Clinic (Appointment only)		9.00 - 4.00: Midwifery Clinic (Appointment only)			1.30 – 3.30: Weekly Walk in Baby Clinic & Breastfeeding Support (No appointment necessary)				
Challenge House Children's Centre, 1-2 Bank Building, High Street, NW10 4LX. 0208 937 4025	9.30 - 10.30: "Let's Talk"		9.30 - 11.00: Stay, Play and Learn with Busy Feet and Oral Hygiene				10.00 - 11.00: Healthy Nutrition Group (Weekly)		9.30 - 11.00: Stay, Play and Learn	
	10.45 - 12.00: Health Visitor: 1 & 2 year old review clinic								11.30 - 1.30: English Class. Continuation of English course from Autumn 2018 up until Feb half term (15/02/2019)	
									11.30 - 1.30: Move on with Confidence. 5 week confidence building course to identify strengths and skills. Crèche available. Book at reception. Assessment 1/03/19. Starts 8/03/19 - 5/04/19	
Fawood Children's Centre. 35 Fawood Avenue, Harlesden, London, NW10 8DX. 0208 965 9334	11.30 - 12.30: Sensory Play & Exploration support (Birth – 15 months) in well-equipped sensory room			1.15 – 2.45: Stay, Play and Learn	9.30 – 11.30: Triple P. Crèche available. Settling in for crèche 16/01/19. Starts 23/01/19 - 20/03/19		9.30 - 11.30: Computer Class. 8 week class for parents / carers to learn basic skills. Crèche available. 17/01 - 14/03/19	9.30 - 3.00: Health Visitor Clinic		3.30 – 4.30: Singing and signing with babies (Birth – 15 months)
				1.30 - 2.45: Come and Have Your Say in Stay and Play - 12/02/2019	9.30 – 11.30: Home Safety. Crèche available. 6/03/2019		9.30 - 11.30: Understanding your child's Behaviour. Crèche available 21/03/2019			
				3.30 – 4.30: Sensory Play and Exploration And Breastfeeding support (0-15 months)			9.30 - 11.30: Job Club. Crèche available TBC			

Brent Children's Centres: Dad's Timetable: Spring Term 2019										Last updated: 11th February 2019□	
Centre Name	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM
Alperton's Children's Centre, Ealing Road, Wembley, HA0 4PW. 0208 937 3860		2.00 - 3.30: Dads' Stay & Play, 0-5 years, 1st & 3rd Monday of the month 6.00 - 8.00: Being Dad: Three Workshops for Dads. On 4, 11, 18 February	**No Sessions on Tuesdays**				**No sessions on Thursdays**				10.00 - 11.30: Stay & Play, 0-7 years old. 19 January & 18 March
Harmony Children's Centre, 38 Bridge Road, NW10 9BX. 0208 451 4180											10.00 - 11.30: Dads Stay & Play, 0-7 years old, 9 February 10.00 - 11.30: Curious Dads. See newsletter or text Father's Worker for monthly topics. 26 January, 23, February, 30 March.
Church Lane Children's Centre, Fryent Primary School, Church Lane, Kingsbury, NW9 8JD. 020 8937 3890	9.30 - 11:00: Dads' Stay & Play, 0-5 years. 1st Monday of the month										10.00 - 11.30: Dad's Stay & Play, 0-7 years old. 5 January & 2 March
Preston Park Children's Centre, College Road, Wembley, HA9 7NW. 020 8937 5980											10.00 - 11.30: Dads Stay & Play. 0-7 years old. 2 February
Three Trees Children's Centre, Tiverton Road, NW10 3HL. 0208 459 4385					9.30 - 11.00: Dads' Stay & Play, 0-5 years. 1st Wednesday of the month.						10.00 - 11.30: Dads' Stay & Play 0-7 years old. 12 January. Baby Massage 9 March.
Wykeham Children's Centre, Annesley Close, Neasden, NW10 0ES. 0208 937 5960											10.00 - 11.30: Dads' Stay & Play, 0-7 years old, 16 February
Willesden Sports Centre Donnington Road, NW10 3QX. 020 8955 1120										6.00 - 8.00: Fathers Friday Night Family Fun. 1st Friday of month 7.00 - 8.30: Fathers Friday Night Sports Fun. 3rd Friday of month	
VISITS: Please see the email newsletter or text the Fathers' Worker for more details: 07506 741 480											10.00 - 11.30: Visit to Library for Story Time, 1- 7 year olds, 4 March.

Brent Children's Centres: Childminders' Timetable: Spring Term 2019									Last updated: 11th February 2019	
Centre Name	Monday		Tuesday		Wednesday		Thursday		Friday	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
St Raphaels Children's Centre, Rainborough Close, NW10 0TS. 0208 937 3620	No sessions on Mondays						No sessions on Thursdays		9.00 - 12.00: Childminders' 0-5 years	
Barham Park Building Harrow Road, Sudbury, HA0 2HB. 0208 903 9541									10.30 - 12.00: Childminders' Stay, Play & Learn 0-5 years	
Granville Children's Centre, Carlton Vale, Kilburn, NW6 5HE. 0208 937 6581					10.30 - 12.00: Childminders' Stay, Play & Learn 0-5 years					
Curzon Crescent Children's Centre, Curzon Crescent NW10 9SD. 0208 459 6813			10.30 - 12.00: Childminders' Stay, Play & Learn 0-5 years		9.45 - 11.30: Childminders' Stay, Play & Learn 0-5 years					
Wykeham Children's Centre, Annesley Close, Neasden, NW10 0ES. 0208 937 5960			10.30 - 12.00: Childminders' Stay, Play & Learn 0-5 years							
Wembley Primary Children's Centre, East Lane, Wembley, HA9 7NW. 020 8937 5590									9.30 - 11.30: Childminders' Stay, Play & Learn 0-5 years	
The Willow Children's Centre, Barnhill Road, Wembley, HA9 9YP. 020 8937 6562									9.30 - 11.30: Childminders' Stay, Play & Learn 0-5 years	

Brent Children's Centres: SEND Timetable: Spring Term 2019									Last updated: 11th February 2019☐	
Centre Name	Monday		Tuesday		Wednesday		Thursday		Friday	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Three Trees Children's Centre, Tiverton Road, London, NW10 3HL. 0208 459 4385	**No sessions on Mondays**				9.30 - 10.30: BUSS group 0-5 years. 3rd Wednesday of the month		**No sessions on Thursdays**		**No sessions on Fridays**	
					10.00 - 12.00: Portage Stay and Play 0-5 years, with additional needs. Last Wednesday of the month					
The Willow Children's Centre, Barnhill Road, Wembley, HA9 9YP. 020 8937 6562			9.30 - 11.30: Portage Stay and Play 0-5 years with additional needs. Second Tuesday of the month. Term-Time only							
Wembley Primary Children's Centre, East Lane, Wembley, HA9 7NW. 020 8937 5590						1.00 - 2.00: My Special Time (by invitation only). First Wednesday of every month				
Barham Park Building Harrow Road, Sudbury, HA0 2HB. 0208 903 9541						1.30 - 3.00: My Special Time (by invitation only). Last Wednesday of every month				

Appendix 4

Family Hub model options

1. A Task and Finish group was established to identify the likely benefits and associated risks of the different delivery options available to the council, including in-house arrangements. Membership of this group comprised CYP, CWB, Procurement and Transformation officers. The main options explored by the sub-group were:

    - **Commissioned as a single contract** for the whole service. Family Hubs commissioned as part of an integrated service with Public Health 0-19 years' service. The lead provider or consortium would have responsibility for management and delivery, bringing in other delivery partners as required. The provider would be able to meet the requirements for employing Health Professionals and have experience with managing social care, early years and educational requirements.

    - **In-house** – Management and delivery of Family Hubs, including the Public Health 0-19 years' service currently provided by Central London Community Healthcare (CLCH) NHS Trust, would be achieved through in-house arrangements. The Early Help service could manage the Hubs and create strong partnerships across the sector, negotiating delivery of other council and voluntary sector services as identified by local needs analysis and consultation.

    - **Joint arrangements (hybrid model)** – Key elements of the Family Hub model would be delivered in-house from September 2020. This would include parts of what are currently delivered through the Barnardo's Children's Centre contract, including operational management of the buildings and delivery of some of the services that are retained in the Family Hub model, as well as new services that are introduced (e.g. services for young people and families with children of all ages). A key challenge is to offer all of the required model if fully brought in-house, as this will possibly not achieve the required savings. The potential to have some current roles such as administrator / receptionist, Family Mentor and Early Years workers contracted to a voluntary sector partner would more likely achieve service delivery within the allocated budget. It will have the additional benefit of having voluntary sector representation at the operational board. The current contractual arrangements for the Public Health 0-19 years' service would be extended for two years with variations that allow for the fully integrated service model required. A decision on future (22/23 onwards) arrangements for children's Public Health services would be made at a later date in light of the experience of Family Hubs. Reorganisation of some of the Early Help service would facilitate this arrangement.

2. **Single Contract**

2.1 In this model it is expected that a single contract would be awarded to a lead provider or consortium, instead of two or more contracts with separate providers covering different elements of the model. The lead provider would bring in other services as delivery partners as required. This would help to promote an integrated model (within

the single contract) and mitigate accountability-related risks associated with two or more separate contracts managed by the council.

2.2 This model would transfer overall responsibility for management and delivery of the service (and the associated risks) from the council to the lead provider. It should be noted that whilst the transfer of risk is desirable, it also increases the potential for reputational risk to the council in comparison to other options such as where a provider does not deliver to a high standard.

2.3 The Public Health 0-19 service is a clinical service that requires the provider to demonstrate the clinical infrastructure required for clinical service delivery, including Care Quality Commission (CQC) registration. It is expected that the lead provider would be well placed to absorb the costs of this infrastructure – clinical providers typically bear the costs of these arrangements over different contracts and services across multiple boroughs – which is a benefit attributed to both this model and the hybrid model that is not achievable in the in-house option.

2.4 A further key benefit of this model is that the provider, not the council, would be responsible for responding to and managing demographic growth and increases in demand as part of the contract, ensuring clarity of cost from the outset.

2.5 The commissioning and procurement of this type of model generates some key risks, including the chance of an unsuccessful procurement (i.e. the market not being ready) and a provider that is unable to fully deliver what is required. These risks would be mitigated through market engagement and capitalising on the council's existing links with providers, but would remain a key challenge in successfully implementing and delivering the new arrangements.

2.6 Further risks are generated by the comparative lack of flexibility in this model compared to the in-house and hybrid options. It needs the highest degree of specificity at the outset and may require additional council support to maximise local partnerships, including with voluntary and community organisations, to ensure the model meets local needs. In the context of the ending of the Troubled Families programme (April 2020) and uncertainties around replacement funding that will impact Brent's vision for its wider Early Help arrangements, this model may have the least capacity to adapt to ongoing changes in the local and national landscape.

2.7 The delivery of required outcomes in this model requires careful specification and robust contract/performance management. The role of the lead provider would primarily focus on operational management and delivery of service, with potentially less contribution to the ongoing development of the model. This would be mitigated by establishing appropriate governance arrangements, but this option may offer limited strategic grip for the Local Authority.

3. **In-house**

3.1 In this model, management and delivery of Family Hubs, including the Public Health 0-19 years' service currently provided by CLCH, would be achieved through in-house arrangements. A key benefit of this model would be the full control it gives the council in areas including democratic oversight, culture and values and the capacity for the new service to integrate with other areas. It would also enable to council to better utilise

local partnerships and relationships to broker and coordinate additional services, ensuring the model meets local needs.

3.2 Unlike the lead provider model, the in-house option allows the council to be flexible with its resources in response to any potential policy and funding changes (e.g. the ending of the Troubled Families programme). This is a significant benefit in the context of Brent developing a new approach to deliver wider early help arrangements, for example, the Family Solutions teams could be deployed or assimilated into the model in response to relevant changes.

3.3 This option also presents a number of unique risks. Bringing the Public Health 0-19 years' service in-house would require the council to establish and fund the clinical infrastructure needed for clinical service delivery. This would be a new and unfamiliar responsibility for the council and would include gaining CQC registration within challenging timescales and meeting ongoing clinical governance and inspection requirements, as well as the associated costs. As noted above, clinical health providers are able to spread these costs across multiple health services, but this is not possible for the council, so is expected be more expensive to deliver in-house.

3.4 Other risks unique to this option arise from TUPE implications, with the council required to provide terms and conditions, including access to pensions, equivalent to those provided by CLCH (the current provider of the Public Health 0-19 years' service). There are also additional complications from anticipated NHS staff concerns over being brought in-house; this is based on the perception that NHS terms of employment are more favourable than a local authority, which could have subsequent impacts on staff integration and recruitment and related costs.

3.5 A further risk for the in-house option is full responsibility for managing demographic growth and increases in future demand for the life of the model - as funding for the service would not be tied to a contract, additional resources may be required to respond to changes in demand.

4. **Joint-arrangements (hybrid)**

4.1 In the joint-arrangements (hybrid) model the core elements of Family Hubs would be delivered in-house from September 2020. This would include some of what is currently delivered through the Barnardo's Children's Centres contract, including operational management of the Family Hub buildings and delivery of any services that are retained in the Family Hub model (e.g. parenting programmes, family support and services for 0-5 year olds and their parents). Additional in-house services, including Family Solutions and others targeted at wider age groups, would also be introduced into the model from September 2020 as part of a transformative approach. These may be current services or replacement new/changed services to meet the outcomes required.

4.2 The current contractual arrangements for the Public Health 0-19 years' service would be extended for two years with the current provider, CLCH, and would include negotiating a contract variation to accommodate any operational changes required for the service to work from the new Family Hubs and achieve the required integrated services. This would create a hybrid model with the clinical services (and challenging clinical infrastructure requirements) remaining with an external provider, but the core

elements of the old Children's Centre / new Family Hub service returning in-house following the end of the Barnardo's contract.

4.3 This approach would enable greater sharing of risk than the in-house model and would reduce some of the risks of single contract failure presented by the lead provider model. It would also retain many of the benefits presented by the in-house model, including better utilisation of local partnerships and relationships, flexibility to deploy resources in response to future funding and policy changes and the council retaining control over governance.

4.4 By extending the CLCH contract for two years and bringing the other elements in-house, this option would support incremental development of the model (in contrast to the 'big bang' approach of the lead provider and in-house options). This would enable the council to learn and adapt to changes over the first two years, providing a strong platform to refine the model when the extended CLCH contract expires in 2022. This approach would also provide more flexibility in the context of ongoing uncertainty relating to NHS and Public Health funding.

Summary

5.1 The table below provides a summary of the benefits and risks (and mitigations) identified for each model.

Option	Benefits	Risks (*mitigations*)
Lead provider	• Transfers risk to the provider • Provider will manage demographic growth and increases in demand • Provider absorbs clinical infrastructure costs and provides assurance over clinical quality.	• Two or more providers could lead to lack of ownership and clarity re accountability (*mitigated by one contract with a lead provider)* • Unsuccessful procurement i.e. market not ready *(mitigated by market engagement prior to procurement)* • Provider unable to deliver what we want *(mitigated by existing links with providers known to deliver)* • Lack of flexibility in adapting to local and national policy and funding changes *(mitigated by contract specifications)* • Limited resources allocated for wider management structures *(mitigated by robust strategic governance arrangements and council support)*

In-house	• The council has full control of culture, values and integration • The council is best placed to drive programming and meet local needs • Allows the council to be flexible with its resource in adapting to local and national policy and funding changes	• New and unfamiliar responsibilities and costs for the council in meeting clinical infrastructure requirements; including governance, inspection and CQC registration. • Council required to resource clinical infrastructure. • Legal, financial and cultural implications of bringing NHS staff in-house i.e. redundancy, pensions and staff perception that NHS is a more favourable employer than LA • The council would have full responsibility for managing demographic growth and increases in demand • The council is responsible for all management and delivery risks
Joint arrangements (Hybrid)	• Shared risk with the commissioned service • Clinical infrastructure requirements and costs absorbed by commissioned service • The council has control of culture, values and integration • The council is best placed to drive programming and meet local needs • Allows the council to be flexible with its resource in adapting to local and national policy and funding changes • Current Early Help services could be refocussed to deliver from Hubs and manage buildings and services. • Guaranteed savings from 0-19 contract extension • Opportunities to refine and develop model over two years	• Most similar to current model, limiting transformation potential (mitigated by benefits of incremental development over two years)

Governance considerations (all models)

6.1 Strategic governance arrangements for the selected model will be developed to connect or report into the Brent Children's Trust (BCT); either directly or through an appropriate board.

6.2 Under current arrangements Children's Centres, report into the Working with Families Strategic Board (which reports into the BCT).

6.3 The optimal arrangements will balance minimal reporting layers with robust oversight, appropriate time allocation/commitment and board membership with the requisite authority, representation, knowledge and skills to cover all elements of the model (including universal, early help and clinical services).

6.4 A longlist of contracted services managed by CYP and Public Health with links to family hub outcomes (e.g. CAB information and advice, Oral Health promotion, etc.) is being developed. Under all models it is expected that these services (or parts of these services) would be required to deliver either from family hub locations or in alignment with the family hub model. The roles of these services within the selected model would be managed through non-contractual partnership governance arrangements.

APPENDIX 5: Overview of outcomes of Children's Centre Consultation in response to Council proposals for Family Hubs

The purpose of this paper is to:

- Share key findings from the Council's consultation with families and key stakeholders about closing some and redeveloping remaining Children's Centres into Family Hubs.

Following the consultation, the recommendation is to:

- Progress the development of proposals for closing some and redeveloping remaining Children's Centres into Family Hubs informed by the consultation as detailed.

The Children's Centre consultation key findings are as follows:

The Childcare Act 2006 obliges local authorities to consult as appropriate before doing anything which results in a centre ceasing to be a children's centre or where significant changes in service delivery are proposed.

Council proposals for Family Hubs have the effect of closing some centres and redeveloping remaining centres to serve families with children aged 0-18 (and 25 for children with SEND). For further information about the Council proposals see http://democracy.brent.gov.uk/ieDecisionDetails.aspx?ID=4625.

A mixed method consultation was agreed and implemented across June-August 2019, further to Brent Council agreeing proposals for Family Hubs. The mixed method consultation was developed with Barnardo's and Curzon Crescent and Fawood Partnership which currently manage Brent's portfolio of children's centres.

The consultation methodology was developed further to statutory guidance which specifies that everyone who could be affected by the proposed changes (i.e. local families, children's centre staff, governance body members and service providers) should be consulted with specific consideration of groups that are at greater risk of exclusion. The statutory guidance specifies that the consultation must explain how the local authority will continue to meet the needs of families with children aged 0-4, subsequent to the changes. There are also expectations about providing adequate time for people to share their views and for the decisions following consultation to be made known.

The consultation involved:

(a) 1:1 informal interviews with 29 parents/carers accessing Brent children's centres
(b) 8 focus groups and 2 public consultation events. While public consultation events were not well attended, the 8 focus groups involved 82 stakeholders.

These include 24 parents/carers, 10 childminders and 48 multiagency, multidisciplinary staff and partners.

(c) An online survey completed by 63 multidisciplinary staff and members of governance bodies.

(d) A survey (completed online and via hard-copy) by 544 parents/carers residing in Brent. This included a diverse mix of families, including 32 young parents, 40 families with children with SEND, 28 parents/carers where that parent or their partner has a disability and 41 families that are expecting a baby.

The key findings of the consultation are that:

(a) Largely, no families with children aged 0-4 and other stakeholders engaged with the consultation want any Brent children's centres to close.

(b) Brent children's centres are strongly valued by all stakeholder groups for their role in securing prevention and early intervention outcomes for children and families and supporting self-help and community cohesion. The most significant recurring concern in the consultation was about proposals that reduce universal provision within Family Hubs, most particularly stay, play and learn activities.

(c) Proposals for developing centres into Family Hubs are supported in respect of supporting families with older and young children, having more information, advice and services in one place, having more support available at evening and weekend which suit families and doing more to secure positive outcomes for families with children with SEND.

(d) Clarifications were sought about whether a SEND Hub may mean that there will be no specific support for families with children with SEND at other Family Hubs. In the event that was the case, the recommendation from parents/carers and other stakeholders is that services be available for families with SEND at all Family Hubs, in addition to a more specialist SEND Hub

This is given weight by 626 children with SEND in the year ending March 2019 accessing diverse support at Brent children's centres, with the most popular types of support being day-care (223), family support and outreach (186) and targeted family support (48).

The recurring suggestions about what should be included within future plans for Family Hubs are:

(a) Dedicated provision for families with children aged 0-4 that is distinct from health visiting/midwifery, early education and childcare settings.

(b) Some universal provision for families with children aged 0-4, most particularly:

a. Stay, play and learn activities, including sessions delivered by childminders (and where these include access to outdoor space)
b. Health services particularly health visiting and midwifery
c. Access to early years speech and language
d. Childcare information and advice
e. Support with parenting, especially for new parents

(c) Approaches to scheduling services at times and venues that families with children aged 0-4 can attend and feel confident to do so.
.

(d) A service model which helps overcome challenges for some families to access services. For example, those families unable to travel to relevant services due to cost/distance from home/location not being safe for them and/or where families require support in other languages and/or where families with parents and/or children with SEND. There were particular worries expressed about gaps in provision affecting families in parts of Willesden, Harlesden and Neasden.

Aligned to this, are suggestions for more integrated provision with available services within each Family Hub area. In this way, staff across wider community services and at each Family Hub will have better knowledge about, and are effective in referral/ signposting to all provision relevant to the needs of families with children aged 0-4 within local communities.

There are also suggestions that the Council develop a communications and information strategy that keeps families and staff up to date on developments and provides opportunities for families and staff to inform developments.

Amongst most parents/carers, there is an openness to charging for attendance of some families without greater levels of need for non-statutory services. The average level of charge recommended for sessions is £2-2.50 per child.

For specific cohorts of families, there are also other types of support that are strongly valued. These are:

a. Parenting courses and workshops (especially for young parents and those living in Kingsbury locality). The value of this support was reinforced by multiagency staff, schools and other partners.
b. Midwifery services (especially for lone parents and families expecting a baby).
c. Citizen's Advice Bureau (CAB) (especially for families where parents and/or children have SEND and those living in Harlesden locality).
d. Stay, play and learn sessions for families with a child/ren with SEND.

Multiagency staff and partners strongly reinforced parent/carer views about the importance of a, c and d, while representatives from schools and governance bodies also strongly reinforced the importance of a.

Council proposed response to key findings from the Children's Centre consultation

It is encouraging that many aspects of stakeholder feedback can meaningfully be provided for within existing plans for progressing Family Hubs. These are shown as some of the key findings, concerns and recurring suggestions for Hubs. These aspects are recommended to be made much more explicit in future communications and service specification development and finalisation about Family Hubs.

It is also appropriate to implement the suggestion proposed that an information and communication strategy be developed for the next stages of work to keep families, staff and other stakeholders informed and engaged in processes for finalising and implementing Family Hubs.

On the key findings, it is not recommended to keep all Brent children's centres open, whether as stand-alone children's centres or as redeveloped Family Hubs. This would not deliver the required budget savings. The cost of maintaining buildings will necessarily mean that there will also be fewer services from these buildings reducing the impact of service provision. While some individual Children's Centres that were recommended for closure such as Barham Park, Harmony, Mount Stewart, Wembley and Wykeham did have some specific requests not to be closed, there was relatively few families, childminders and other stakeholders that expressed this.

The worries associated with SEND provision and closures can be ameliorated to some extent by the planned Family Hub service model which helps overcome challenges for some families to access services and for a more integrated provision with available services within each Family Hub area. None of the existing children's centre sites are particularly large. This means that we need to identify satellite sites for Family Hub service delivery. This will also enable access to more local services. We plan to build local committees for each Family Hub which means that wider community based activities within the footprint of each area will be included within the Family Hub model.

On concerns around the provision of some universal stay, play and learn activities accessible for all families with children aged 0-4 within each Family Hub, it is recommended that we help facilitate some stay, play and learn activities and we work with community based parent and toddler groups as part of developing a more comprehensive and integrated service offer, providing good quality provision, building relationships with families and identifying/referring families for extra support. On these activities, this needs to take account of both childminders and that delivered by early years workers. Family Hub early years workers and Brent Council early years advisory team could offer quality improvement support.

Some stay, play and learning groups with a targeted message would still be offered from Family Hubs, e.g speech and language development in rhyme time sessions and the introduction of more early learning sessions for parents of babies for a fixed time e.g. 3 months where parents could then be supported to

continue in community groups. For childminders, it would be possible to offer sessions with a small charge attached. Childminders are professional fee charging carers and not seen as a vulnerable group.

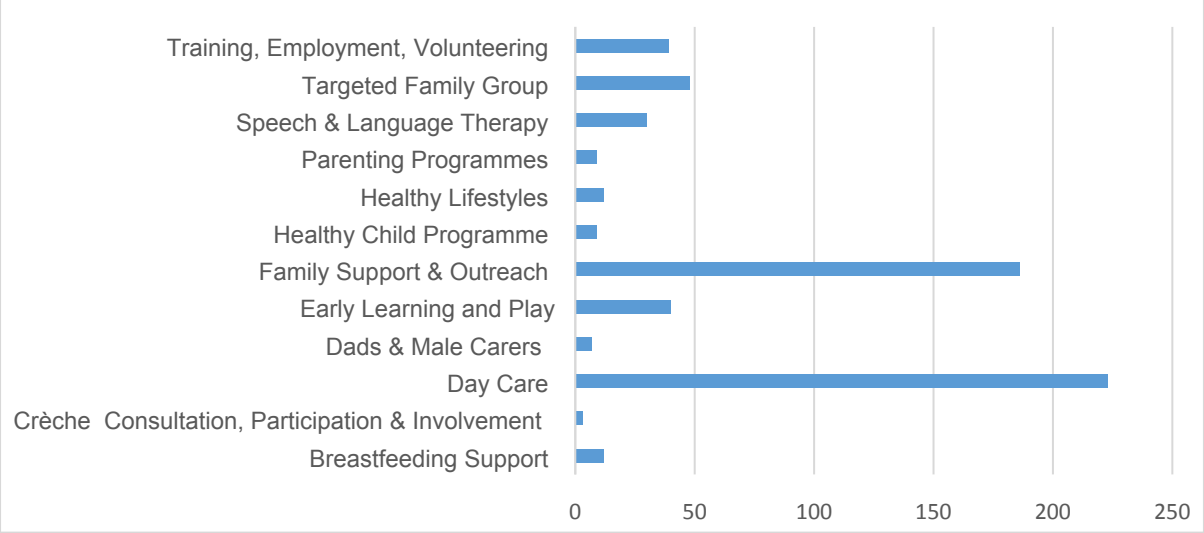
Many other concerns expressed in the consultation process are directly addressed in the emerging plans for Hubs. When the sites and model are agreed, clearer communication can be commenced giving more details for all children's centre stakeholders and future prospective Hub users.

Take up of different services by some specific target groups

Families with children with SEND

Of the 626 children accessing support through Brent children's centres, close to 2 in 5 (39%) attended sessions at Curzon Crescent. The next most frequented sessions are by children with SEND at Tree Tops (11%), Fawood (11%), Alperton (10%), Wembley (8%) and Willow (6%). There was attendance by children with SEND at all Brent children's centres, albeit with very limited attendances at Harmony and St Raphael's children's centres.[1]

The types of sessions accessed by families with children aged 0-4 with SEND are set out below. The most popular sessions are day care (36%), family support and outreach (30%), targeted family support relevant specifically to children with SEND such as Portage, Buss and Child in Need Free Play (8%), training, employment and volunteering (6%) and early learning and play (6%).



Key services sought by stakeholders forming part of the consultation

The value of specific services reported by stakeholders in the consultation is reinforced by existing levels of demand. For example:

- 16,497 children attended universal stay, play and learn activities. These children are largely resident in the Treetops (19%), Three Trees (18%), Alperton (16%), Church Lane (11%), Fawood (10%) and Curzon Crescent

[1] The source is Estart data for the period 1/4/18- 31/3/19

(9%) children's centres areas.

- Childminder stay, play and learn activities, with 2,219 children assisted. These children are largely resident in the Three Trees (22%), Curzon Crescent (18%), St Raphael's (12%) and Willow (12%) children's centres areas. There have been 1,352 attendances by childminders at these sessions.

- Health visiting services delivered as part of the Healthy Child Programme with 6,258 children assisted. These are mainly supported at Church Lane (21%), Granville Plus (20%), Curzon Crescent (16%), Welcome (15%) and Three Trees (8%) children's centres.

- Ante-natal services, with 4,568 parents/carers assisted. These are mainly supported at Church Lane (39%), Wembley (27%), Granville Plus (22%) and Harmony (7%) children's centres. There were also 1,329 parents/carers accessing post-natal services and breastfeeding support, with more than half (58%) doing so at Curzon Crescent children's centre.

- Early years speech and language activities with 9.512 children assisted. These are supported across diverse children's centres, with the most popular attendances at Curzon Crescent (15%), Church Lane (12%), Treetops (12%), Wembley (10%), Welcome (9%) and Three Trees (8%) children's centres.

- Father's programme was accessed by 157 fathers/male carers. This is mainly at Treetops (49%), Church Lane (20%), Three Trees (14%) and Harmony (9%) children's centres.

- Training, Work related advice, Volunteering & Financial Advice Services were accessed by 3,648 parents/carers. These are supported across diverse children's centres, with the most popular attendances at Wembley (16%), Curzon Crescent (15%), Three Trees (15%), Harmony (10%) and Church Lane (10%) children's centres.

To summarise, legislation Children's Centres is contained in the Childcare Act 2006 (as variously amended by subsequent Acts including the Apprenticeships, Skills, Children and Learning Act (ASCL) 2009, Education Act 2011, and Children and Families Act 2014). This refers to the following sections of the Childcare Act:

- Section 1: Duty on local authorities to improve the well-being of young children in their area and reduce inequalities between them.

- Section 3: Duty on local authorities to make arrangements to secure early childhood services in their area are provided in an integrated manner in order to facilitate access and maximise the benefits of those services to young children and their parents

- Section 5A: Arrangements to be made by local authorities so that there are sufficient Children's Centres, so far as reasonably practicable, to meet

local need.

- Section 5D: Duty on local authorities to ensure there is consultation before any significant changes are made to Children's Centre provision in their area.

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APPENDIX 6:

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Development of Family Hubs – in relation to 19/20-20/21 Budget Proposals CYP008
DEPARTMENT:	Children and Young People
TEAM:	Early Help
LEAD OFFICER:	Sue Gates
DATE:	20/08/19

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

SECTION A – INITIAL SCREENING

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

Development of Family Hubs from the existing Children's Centres by reduction of the current number of 16 Childrens Centres to 8 integrated Family Hubs. Children's Centres remit is families with children 0-5 whereas Family Hubs will bring together the focus of whole family approach from 0-18 (25 for those of SEND) supporting in various aspects. Families currently accessing Children's Centres will still be able to access a range of services through the Family Hubs. There will be a level of universal services but also a focus on targeted provision to support those groups with the greatest level of need. This supports the recommendations in the OBR reports as well as objectives int the borough plan. The 8 proposed sites are targeted in areas of the borough with the highest usage and levels of deprivation as well as taking into consideration the size and locality of these.
The development of the 16 Children's Centres into eight integrated Family Hubs for Brent families would consolidate many services into one place creating ease of access for the families therefore offering a complete holistic service that addresses the needs as a whole.

The agreed Family Hub Design Principles are:

- **Accessible and Safe:** An easily accessible service in an inclusive, safe and welcoming environment
- **Integrated:** A professional service that is committed to working as a partnership, with truly integrated pathways
- **Whole Family Approach:** A whole family approach is embedded across the service
- **Universal and Targeted Services:** A service that includes a universal offer and targeted provision for those most in need
- **Community Focused:** A service which is shaped by the community voice and builds on and connects with local community assets (including organisations and groups)
- **Early Intervention:** A flexible and collaborative service which responds early to the needs of Brent families

- **Outcome Focused:** A quality service which achieves improved and measurable outcomes for families

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

Famillies with children and young people 0-18, increasing to 25 years for those of SEND. A variety of services will be on offer across all the Family Hubs and families can access services that suit their needs across all 8 Family Hubs.

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

Due to the proposed objectives of the Family Hubs as integrated centres supporting families with children and young people 0-18 (25 for SEND) we feel that the public sector equality duty will be fulfilled.

The Family Hubs will have a range of support and services a family will need that will include health, family support, parenting, family learning, information, advice and guidance to offer a whole family approach.

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

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

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

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

SECTION B – IMPACTS ANALYSIS

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

Following a wide range of community research and engagement with local residents and stakeholders throughout 2017-2018, Outcome Based Reviews (OBRs) recommended more hub-based service delivery that enables holistic support in addressing the needs of the whole family.

This approach of integrating services to offer a hub approach has already been successfully tested through the Brent Hubs model which, at the Harlesden Community Hub, has been developing and coordinating a range of Brent and partner organisation services to respond to local needs since early 2017

Key pieces of work completed by the Family Hubs task and finish group include developing and agreeing Design Principles to underpin development of the model, which have been approved by the Working with Families Strategic board, reporting to the Children's Trust. The change team has also carried out a range of different different engagement activities across the borough and also supported with prototyping of the services to be delivered at one of the centres.

Statutory Children's Centre consultation took place from 26 June 2019 – 3 August 2019 where current users of the children's centres which are being redeveloped into the Family Hubs had a chance to share their views on what is important to them. A total of 545 surveys were completed. Various focus groups were also delivered during the consultation period in the Children's Centres where multi-diciplinary staff, stakeholders, partners, and parents were engaged. The draft consultation report will be available from 30 August.

Two public consultation meetings were also delivered to welcome views from the general public, we had a total of six in attendance to these meetings. Feedback from these meetings:

What services do you see as most helpful for you, your family or your community?

- "Balance between targeted and universal – sometimes universal are enough to intervene / prevent targeted needs".
- "Knowing each community and the specific needs".
- "Try and keep communities together – it's free!".

How can we ensure hubs are community focussed and make appropriate links with other services?

- "Opportunities for parents and services to get to know each other – early years settings – SEND, 0-25 years, home learning in early years, transitions 0-25"
- "Targeting support – sharing data across (protocols)"
- "Parent champions 0-25"
- "For non-targeted youths (majority), youth clubs with facilities, from 11 years onwards".

How can we show our family hubs are user friendly for all age groups?

- "Young people are consulted"
- "Young mentors/volunteers (NS recruits / Duke of Edinburgh award)"
- "More male role models required"

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

AGE	
Details of impacts identified	Due to the target age group of the Family Hubs, 0-18 (25 for SEND) will mean that they will not be accessible for the older residents. However this risk is mitigated due to the range of services available to the community. The recently opened Community Hubs will also support to mitigate this risk as these are designed to be accessible to all. We will collect data on our users to ensure that we understand who use the Family Hubs and how we can ensure that those protected characterisitics are not discriminated against and that our services also meet the needs of the users.
DISABILITY	
Details of impacts identified	All the proposed sites will be fully accessible for all and we have developed transport link maps for individual sites that can be made accessible to the users of the Family Hubs. This risk will be further mitigated by having outreach / family support workers who can support with accessing the sites should there be the need, as well as carrying out home visits. We will collect data on our users to ensure that we understand who use the Family Hubs and how we can ensure

	that those protected characterisitics are not discriminated against and that our services also meet the needs of the users.
RACE	
Details of impacts identified	We know that Brent is a diverse borough with many races and languages spoken, our workforce will also reflect this. We will utilise the skills of the staff within the hubs to support with translation where there is a need. We will also hope to use parents as champions / volunteers who can be teamed up with families who may speak little English or are isolated. We will collect data on our users to ensure that we understand who use the Family Hubs and how we can ensure that those protected characterisitics are not discriminated against and that our services also meet the needs of the users.
SEX	
Details of impacts identified	We will collect data on our users to ensure that we understand who use the Family Hubs and how we can ensure that those protected characterisitics are not discriminated against and that our services also meet the needs of the users.
SEXUAL ORIENTATION	
Details of impacts identified	Not Applicable
PREGANCY AND MATERNITY	
Details of impacts identified	Not Applicable
RELIGION OR BELIEF	
Details of impacts identified	Not Applicable
GENDER REASSIGNMENT	

Details of impacts identified	Not Applicable
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	Not Applicable

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

No as Family Hubs will be intended to have a 'whole family approach' allowing children and young people from 0-18 to access services from a hub, this is further extended to 25 if they have any SEND needs. The hubs will consist of targeted intervention and also some universal services that will be open to all. Services will be carefully co-ordinated across the Family Hubs and the intention is to develop these as part of an integrated service with the Public Health 0-19 years' service. The 0-19 service is a universal service with the delivery of the Healthy Child Programme at its heart. Following the transfer of responsibility for commissioning of children's public health services to the local authority under the Health and Social Care Act 2012, the service has been redesigned and re-commissioned. Accessibility has been considered with the sites as well as level of need. The transport link maps will support families to access the Family Hubs with ease.

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

Statutory Children's Centre consultation took place from 26 June 2019 – 3 August 2019 where current users of the children's centres which are being redeveloped into the Family Hubs had a chance to share their views on what is important to them. A total of 545 surveys were completed. Various focus groups were also delivered during the consultation period in the Children's Centres where multi-diciplinary staff, stakeholders, partners, and parents were engaged. The draft consultation report will be available from 30 August.
Two public consultation meetings were also delivered to welcome views from the general public, we had a total of six in attendance to these meetings. (Comments as in 1b)

The change team has also carried out a range of different different engagement activities across the borough and also supported with prototyping of the services that were delivered at one of the centres.

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

Continuous review – take up data within the Family Hub – is this reflective of the families within the area and the targets that are yet to be identified for the Hubs.

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

By ensuring that we develop an integrated service and specification that meets the needs of the whole family, negative impacts will be mitigated. However in order to ensure that we continue to have negative impact, Brent will need to ensure continuous review and develop an effective performance management / governance model. We must understand the importance of user feedback and also being reactive to the community needs whilst supporting to meet the borough plans.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Regular reviews - perfomance management cycle for the Family Hubs, (yet to be agreed) involves scrutiny on data against set targets which are also yet to be agreed, contract management with commissioned providers and clear quality improvement strategies to be in place. Reviews are likely to take place on a quarterly basis. Suitable governance framework will need to be developed and in place prior to start of delivery.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Designing a Family Hub model for Brent presents many new opportunities. These include identifying families with multiple needs as early as possible, no matter what service they first come into contact with. The aim is to make sure that any contact with a practitioner will lead to the right intervention at the right time, with greater accountability across all agencies for identifying need earlier. This offers the best route to families understanding and making changes that improve their coping skills and life chances. The Family Hub model provides opportunities to bring together or link more closely with services including (but not limited to) those in the following list. Some will be provided by key commissioned partners or by Early Help and some will be arranged and coordinated by the commissioned service:

0-5 years		
Midwifery services Antenatal classes / clinics Postnatal clinics Dads antenatal Bumps and babies	**Health visiting services** Well baby weighing clinic Breastfeeding support Development reviews Preparation for birth and parenthood Introducing solids Immunisation clinics	**Parenting support** Parenting programmes; Triple P, Strengthening Families Strengthening Communities, Solihull
Family support 1-2-1 Family support Family support drop ins DVIP Support	**Transitions** Primary School application surgery Transition to Primary School	**Family Health** Oral health SALT services Perinatal clinic
Early Education NEG Eligibility surgery CFIS Surgery		

Target sessions for low attainment groups (Boys of Black Caribbean Heritage)		
5-11 years		
Family Support 1-2-1 Family support Family support drop ins DVIP Support	**Transitions** Secondary School applications surgery Transition to Secondary School	**Out of school services** Homework club Family nights Family cooking Holiday activities Trips
12-18 years		
YOS Services Parenting programmes Youth outreach programme (addressing issues such as gangs, knife crime, county lines) Mentoring programme Holiday programmes	**Family Support** 1-2-1 Family support Family support drop ins DVIP Support	
SEND		
Family support 1-2-1 Family support SEND Parent support drop in	**Stay & Play** Portage Stay & Play SEN Stay & Play	**Specialist services** BOAT (Brent Outreach Autism Team) BUSS Group (Brent Under Fives Sensory Support)
Parenting Programmes Stepping Stones Cygnet		
General		
Information Advice and Guidance JCP CAB Benefits surgery NEG Eligibility surgery Employment surgery Housing advice Family law clinic Made of Money	**Family and Community learning** Brent Start adult education English conversation ESOL Functional skills Family learning / Home learning	**Parent partnership / Stakeholder engagement** Coffee mornings Volunteer programme / parent champions You say we did sessions
Family Health Healthy living programme / Weight management DOR therapy Mental Health Support Oral health Sexual health Smoking Cessation	**Dad's programme** Dad's stay & play Engagement activities Trips	

SECTION D – RESULT

Please select one of the following options. Mark with an "X".		
A	**CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED**	**X**
B	**JUSTIFY AND CONTINUE THE POLICY/PROPOSAL**	
C	**CHANGE / ADJUST THE POLICY/PROPOSAL**	
D	**STOP OR ABANDON THE POLICY/PROPOSAL**	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Launch of Family Hub model.	Launch of Family Hubs, bringing together a more integrated approach of working. Governance will need to be agreed before delivery, this will involve key stakeholders forming a management committee. This will support with ensuring integrated working is fully developed.	Sue Gates	October 2020
Continuous engagement with the community.	Transparency and community being kept up to date with the developments.	Sue Gates	Continuous
A range of service available to families through Family Hubs, paying particular focus to those in target groups and most in need.	Families to be able to access a range of services to support their needs at the right time, avoiding the need to further esculation and be able to be supported by a range of professionals.	Sue Gates	Continuous
Promotion of the Family Hubs to the targeted users.	To utilise a range of methods to ensure that the Family Hubs are promoted to the target group, for example, via		

	the exisiting Children's Centres, Brent website (which also has a translate option), local media and also utilising parent champions to promote within the community. To ensure that professionals who will become part of the the wider Family Hub teams are also actively promoting the development of the Family Hubs.		

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Leena Choi
REVIEWING OFFICER:	
HEAD OF SERVICE:	Sue Gates

Brent	**Cabinet** **14 October 2019**
	Report from the Strategic Director of Children and Young People

Consultation on Admission Arrangements for Community Schools for 2021/2022

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One: Appendix 1 Proposed Admission arrangements for 2021/22
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Brian Grady Operational Director, Safeguarding, Partnerships and Strategy Brian.grady@brent.gov.uk 020 8937 4713

Purpose of the Report

1.0 This reports seeks Cabinet approval to consult on proposed changes to the Admission Arrangements for Brent Community Schools for 2021/22. The changes proposed are:

a. to refine the wording of the admission oversubscription criteria so that it is clearer and easier to understand;
b. to introduce a provision for multiple birth children to receive a higher priority for a named school if one of the children has an Education, Health and Care Plan;
c. to introduce a mechanism for making decisions about applications in situations which are not covered in the arrangements;
d. to expand the information available within the admission arrangements.

2.0 Recommendations

That Cabinet:

2.1 Agrees to carry out statutory consultation on the proposed changes to Community Schools Oversubscription Criteria as set out in section 4.0 of this report, to take effect for the academic year 2021/22. The consultation is as required by the School Admissions Code, revised in December 2014.

2.2 Notes that the results of the consultation will be reported back to Cabinet for a final decision on the proposals by February 2020.

3.0 Detail

3.1 This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. Brent Council is the Admission Authority for 30 community primary schools in the borough. Voluntary Aided (VA) and foundation schools, academies and free schools are their own Admission Authority and determine their own admission arrangements and oversubscription criteria.

3.2 The School Admissions Code issued under Section 84 of the School Standards and Framework Act is the legal framework for school admission matters. The School Admissions Code requires that Admission Authorities have a mechanism to rank applications in order of priority. All schools and Admission Authorities must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements for Brent community schools are determined by the council as the Admission Authority.

3.3 Admission Authorities are only required to consult on their admission arrangements if they are proposing any changes, or if seven years have passed since the last consultation. Brent Council last consulted on a change to its admission arrangements in 2018 for the 2020/21 offer year.

3.4 Any consultation to amend or maintain admission arrangements must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year (which is the school year immediately preceding the offer year).

3.5 Admission Authorities are required to determine their admission arrangements by 28 February in the determination year.

3.6 The consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements. As part of the consultation, officers will ensure that the proposed changes are published on the internet, in the local press, circulated to schools, neighbouring local authorities, places of worship, nurseries and children's centres.

4.0 Proposed Changes

4.1 The following amendments are proposed to the existing admission arrangements:

a. to refine the wording of the oversubscription criteria so that it is clearer and easier to understand;
b. to introduce a provision for multiple birth children to receive a higher priority for a named school if one of the children has an Education, Health and Care Plan;
c. to introduce a mechanism for making decisions about applications in situations which are not covered in the arrangements;
d. to expand the information available within the admission arrangements.

4.2 No material changes are proposed to the main criteria. However, it is proposed that the wording and format are updated for the purposes of clarity and understanding. The proposed changes include:

- Clarifying the definition of a previously looked after child
- Clarifying which junior schools use the third criterion 'Linked infant school'
- Expanding the definition of what would constitute a medical or social need
- Clarifying the types of acceptable evidence for this criterion
- Expanding the sources of advice which may be used in assessing these applications

4.3 With the increase in children receiving Education, Health and Care Plans, the local authority is receiving more applications from children of multiple birth whose sibling has an Education, Health and Care Plan which names a specific school. It is proposed that these children are automatically categorised against the social/medical criterion (where they do not meet a higher criterion). This will go some way to ensuring that an offer can be made for all children from the multiple birth at the same school (where no higher preference offer can be made).

4.4 The admission arrangements are written to cover all eventualities and ensure parents are clear about how an application should be made, and how it will be processed. If a dispute arises which cannot clearly be resolved within the scope of the admission arrangements, admission legislation or other admission guidance, it is proposed that an admission panel is formed to make a clear and consistent decision. This will not affect a parent or carer's right to appeal if they do not receive an offer at one of their preference schools.

4.5 Other changes proposed to the admission arrangements include expansion and additions to the supplementary information provided to cover tie breaker scenarios, address validation, multiple addresses and multiple applications, applications from overseas and applications from members of the UK armed forces.

4.6 The Schemes of Co-ordination which are normally included with the admission arrangements are written separately and are based on the suggested wording provided by the London Inter Authority Admissions Group (LIAAG). These will be published on the Brent website by 31 December 2019 and will be appended to the Admission Arrangements when they have been determined.

5.0 Financial Implications

5.1 There are no specific financial implications for this report.

6.0 Legal Implications

6.1 The council as Admission Authority has a duty to undertake consultation on admission policies in order to determine admission arrangements, including admission numbers under Part III of the School Standards and Framework Act 1998 and the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012/8.

6.2 Admission authorities must act in accordance with the mandatory requirements of the School Admissions Code 2014 and have due regard to the discretionary elements of the Code. They must also act in accordance with other laws relating to admissions and relevant human rights and equalities legislation

6.3 Oversubscription criteria must be reasonable, clear, objective and comply with all relevant legislation, including equalities legislation. Highest priority in the oversubscription criteria must be given to looked after children and previously looked after children (Regulation 7, Admission Arrangements Regulations 2012). Subject to these requirements it is for the Admission Authority to decide which criteria would be suitable according to the local circumstances. The criterion proposed to be consulted upon to give priority to children previously in state care outside England, is not referenced by legislation or the School Admissions Code 2014, but may be considered for inclusion as the School Admissions Code does not give a definitive list of acceptable oversubscription criteria.

6.4 The local authority must determine the Admission Arrangements for 2021/22 by 28 February 2020.

7.0 Equality Implications

7.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

7.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. The Admission Criteria ensure fair access to school places. Cabinet

is referred to the contents of this report for further information, in particular section 4.0.

8.0 Consultation with Ward Members and Stakeholders

8.1 The Cabinet member for Education, Skills and Employment has been briefed on the proposed changes set out in section 4.0. All ward members will be consulted on the proposed changes set out in section 4.0.

9.0 Human Resources/Property Implications

9.1 There are no human resources or property implications.

Related Documents

Cabinet report January 2019: Brent Council's School Admission Arrangements for 2020/21

Report sign off:
Brian Grady
Operational Director

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Brent	**ADMISSION ARRANGEMENTS FOR BRENT COMMUNITY SCHOOLS FOR 2021/2022**
	Proposed Arrangements

Appendix 1 - Contents

Brent Community Primary School Planned Admission Numbers for Admission to Reception in September 2021	2
Oversubscription Criteria for Brent Community Schools in 2021/2022	3
How places will be allocated at Brent community schools for September 2021 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)	7

Brent Community Primary School Planned Admission Numbers and Grid Reference Measuring Points for Admission to Reception and Junior in September 2021

Name of School	Planned Admission Number	Grid Reference Measuring Point	
		Easting	Northing
Anson Primary School	52	523552	185345
Barham Primary School	120	517506	184655
Brentfield Primary School	90	520541	184537
Byron Court Primary School	150	517133	186955
Carlton Vale Infant School	60	524938	182956
Chalkhill Primary School	60	520005	186210
Donnington Primary School	30	522577	184004
Elsley Primary School	120	518869	184738
Fryent Primary School	120	520385	187897
Harlesden Primary School	60	521141	183461
Kingsbury Green Primary School	90	520010	188549
Leopold Primary School	120	521640	184310
Lyon Park Primary School	120	518820	184115
Malorees Infant School	60	523952	184011
Mitchell Brook Primary School	90	521010	184768
Mora Primary School	60	523141	185939
Mount Stewart Infant School	90	517785	187999
Mount Stewart Junior School	90	517785	187999
Newfield Primary School	60	521890	184050
Northview Primary School	30	521580	185500
Oliver Goldsmith Primary School	60	520809	188559
Park Lane Primary School	60	518380	185490
Preston Park Primary School	120	517930	187200
Roe Green Infant School	150	519772	189316
Roe Green Junior School	120	519772	189316
Salusbury Primary School	90	524528	183518
The Stonebridge School	90	520512	183844
Uxendon Manor Primary School	90	518023	188541
Wembley Primary School	120	518365	186130
Wykeham Primary School	60	521087	186286

Oversubscription Criteria for Brent Community Schools in 2021/2022

The criteria set out below apply to the 30 Brent community schools listed on page 2.

Voluntary aided or religious faith schools, foundation schools, free schools and academies have their own admission policies. Parents should visit the website of these schools for a copy of their admission arrangements or visit www.brent.gov.uk/admissions

Applications for children with an Education, Health and Care Plan (EHCP) are made by Local Authority SEN teams. The placement of such children is made after a process of consultation between parents, the school and the Local Authority. Children with an EHCP receive priority over others for admission to the school named on their EHCP. An EHCP is a plan made by the Local Authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Schools should not admit more than 30 pupils in each class for Reception, Year 1 and Year 2. This is to enable the Local Authority to meet its statutory duty of having no more than 30 pupils in each class at Key Stage 1. Three-year-old children should not be admitted to Reception classes.

The following criteria are clear, fair and objective. It is illegal for schools to discriminate against a pupil on the basis of his/her ethnicity.

Whenever and wherever possible, children are offered a school of their parents' preference and in practice the majority of children go to the school which their parents select for them.

Sometimes, however, there are more applications for a particular school than there are places available. This is described as oversubscription. Whenever this happens, pupils are offered places in the following order of priority:

1. Looked After Children or previously Looked After Children
A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.

- The highest priority must be given to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted, or became subject to a child arrangements order, or special guardianship order immediately following having been looked after.

2. Children adopted from state care outside of England
Children who appear to Brent Council to have been in state care outside of England and ceased to be in state care as a result of being adopted.

- A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.

3. Linked infant school
Children attending an infant school on the same site as a junior school.

- This criterion only applies to Year 3 applications to Mount Stewart Junior School (for children attending Mount Stewart Infant School) and Roe Green Junior School (for children attending Roe Green Infant School).

4. Medical or Social needs
Exceptional circumstances to do with significant medical needs and or social needs which necessitate a child's placement at one particular school.

This criterion relates to the child's medical and/or social needs. The application must be supported by written evidence (see below) that sets out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The recommendation for this specific school should demonstrate knowledge of the school in terms of location, resources and organisation which deems it essential that the named pupil be admitted to the specific school. The Council will not give higher priority to children under this criterion if the required documents have not been submitted. Decisions on whether to allow the criterion will be made by an admission panel, based on all the evidence available, and will be consistent.

- *Medical Needs*
  Applications made on the child's medical grounds must be accompanied by compelling medical evidence from a GP/hospital consultant at the time of application. The letter from the GP/hospital consultant must provide information about the child's medical condition, the effects of this condition and why, in view of this, the child needs to attend the parent's preferred school.
  If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties that may exist if the child had to attend another school. Medical claims will only be considered for one school and this should be named by the GP/hospital consultant. In assessing these applications, advice will be sought from relevant professionals as required.

- *Social Needs*
  Applications made on the child's social grounds must be accompanied by compelling evidence at the time of application. Social needs claims will be considered where there is involvement from a social worker, or other professional and where it can be demonstrated that the child has exceptional social needs that cannot be met at any other school than the named school. Parents' circumstances can have an impact on a child's social needs and evidence of this will be considered. In assessing these applications, advice will be sought from relevant professionals as required.

5. Siblings in catchment area
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, *living in the catchment area of the school* and who will continue to do so on the date of admission.

- This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

6. Children of staff
Children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage.

7. In catchment area
Children living within the school's catchment area.

8. Siblings outside catchment area
Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.

This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins. Siblings attending the same school should have priority over those attending a separate school on the same site.

9. All other applicants.

'Tie-break' Distance Measurement

Where pupils meet the same criteria, places will be offered in order of the distance from home to school which will be measured by straight-line, from the address point in the property to the address point in the school, as determined by LLPG (Local Land Property Gazetteer) data. Those living nearer the school will have the higher priority. The measuring system is an integral part of the admission software produced by Servelec Synergy Ltd, uses Ordnance Survey maps and LLPG data and is accurate to 1 centimetre.

Where two or more children, sharing the same priority, live equidistant from a community school and only one place remains, the local authority will use a computerised random allocation to determine which child should be given priority.

Catchment Area

The catchment area is the defined neighbourhood in which the school is sited. It is generally bounded by major roads and/or railway/tube. The catchment area is defined by the Local Authority and is designed to ensure that each address in the borough falls into the catchment area of one school. Information on which streets make up a catchment area can be obtained from the Local Authority, the school, the Local Authority's website and the Local Authority's composite prospectus.

Home Address

The address used must be the child's permanent home address on the closing date for on-time applications or at the time of application for late or in-year applications.

This cannot be a business address, childminder's or relative's address, or any address other than child's permanent home address. Only in circumstances where the relative or carer has legal guardianship, and is the main carer, will a different address be considered as the main residence. Evidence will be requested to support this arrangement.

Proof of address is not required to be sent with an application. The council tax reference number should be supplied on the application if the applicant is responsible for paying it. Brent Council will check internal council databases in order to verify the address. Where it is not possible to verify the address or the applicant has recently moved, the Council will write to the applicant to ask for two proofs of address.

Any offer of a place on the basis of address is conditional upon the child living at the appropriate address on the relevant date. Applicants have a responsibility to notify the local authority of any change of address.

Any applications received containing fraudulent or misleading information, or any offers made based on fraudulent or misleading information may be withdrawn where other applicants have been disadvantaged.

Twins, Triplets and other children of multiple births

In the event that the school has one place to offer and the next child on the waiting list is one of twins, triplets or other children of multiple births, the Local Authority will offer both twins, all triplets or children of multiple birth a place even if this means temporarily going over the published admission number.

In the event that one child from a multiple birth has an Education, Health and Care Plan which names a particular community school, all other children from the same multiple birth will be considered under the fourth criteria for the same school – medical or social needs – unless a higher criteria should be applied.

Split residence

Where a child lives with parents/carers with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child's residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If the residence is not split equally between both parents then the address used will be the address where the child spends the majority of the school week.

If it is not possible to determine which residential address should be used through a joint declaration, then the address of the parent who is in receipt of child benefit will be used for the purpose of the application. In cases where parents are not eligible for child benefit the address will be that of the parent where the child is registered with the doctor. In cases that still cannot be determined, or are open to dispute by parents/carers, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Multiple applications

Only one application can be processed for each child. In the event that the local authority receives more than one application for the same child, whether from the same parent/carer or not, the most recently received application will be processed. This includes applications that have been submitted online and by post.

Parents/carers are responsible for ensuring that only one application is received. If multiple applications are received and it is not possible to obtain a joint declaration from both parents /carers (or those with parental responsibility) regarding which schools should be included as preferences, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Applications from overseas

Applications with an overseas address will not be accepted for processing by the local authority unless there is evidence of a link to an address in the area and evidence that a child will be living in the area on or before the date of admission.

Where an application is accepted, the address used on the application will be the overseas address until such time as there is evidence of the child's return to the linked address prior to the closing date (or the date for accepting applications as late for good reason). Such evidence received after the closing dates will be considered on the application after National Offer Day.

The local authority is only responsible for making offers for children currently living in the area. If it is not possible to make a preference offer prior to a child's arrival on the relevant offer days, an alternative offer will not be made.

Applications will not be accepted from overseas addresses for in-year applications with the exception of applications for Children of UK Service Personnel (UK Armed Forces) and Crown Servants.

Children of UK Service Personnel (UK Armed Forces) and Crown Servants

Families of service personnel with a confirmed posting to the area, or crown servants returning from overseas to live in the area, can apply to the local authority in advance of their arrival provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address.

The address used on the application will be the postal address or quartering area address provided.

Offers will be made in advance of a child's arrival for in-year applications and on the relevant offer date for normal round applications.

How places will be allocated at Brent community schools for September 2021 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)

There is **no** automatic transfer from nursery to Reception class. Parents wanting to apply for a place at Reception **must** complete an application which is available on line or a paper Common Application Form (CAF).

If more applications are received than there are places available, places are offered up to a school's planned admission number to applicants whose application is received by the closing date in accordance with the oversubscription criteria listed on page 3 using an equal preference system (see below).

Equal preferences

Each preference is treated as a separate application. Then using the oversubscription criteria each application is considered and ordered in a list based on how well it meets the oversubscription criteria (page 3).

If applicants qualify for a place at more than one school, a place is offered at the school given the highest ranking by the applicant.

Application forms will be available from September 2020 and the closing date for applications will be 15 January 2021. Offer letters and e-mails will be sent out on 16 April 2021.

Deferred Entry

Parents can request that the date their child is admitted to school is deferred until later in the year for which they apply or until the term in which the child reaches statutory school age. Statutory school age begins the first day of the term after a child's fifth birthday.

Parents wishing to defer entry must contact the school to advise them of this after a place has been offered.

Parents can also request that their child attends part-time until their child reaches statutory school age.

Applications for children outside the normal age group

The Council's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. This is in line with the Department for Education's (DfE) most recent "Advice on the Admission of Summer Born Children", published in December 2014, which states that, "in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate, and that they should only be educated out of their normal age group in very limited circumstances".

If parents/carers believe their child should be educated in a different year group they should submit an application for the 'normal' Reception round for their child, and provide supporting evidence from relevant professionals working with the child and family stating why it is in the child's best interest to be placed outside their normal age appropriate cohort. DfE guidance makes clear that "it is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case".

For community schools, the Council as the admission authority will decide whether the application will be accepted on the basis of the information submitted. Decisions will be based on the individual circumstances of each case including the view of parents, the relevant head teacher(s), the child's social, academic and emotional development and whether the child has been previously educated out of year group.

There is no guarantee that an application will be accepted on this basis. If the application is not accepted this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly, there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the head teacher and senior leadership of individual schools.

Late Applications and changes after the closing date

Application forms must be received by Brent Council by the closing date of 15 January 2021.

Applications received after the closing date will be considered as late applications and will be processed after places have been allocated to applicants who applied on-time. However, in very exceptional circumstances applications received after the closing date may be considered as on time.

Applicants who consider they have exceptional circumstances that prevented them from applying between applications opening in September 2020 and the closing date of 15 January 2021 should provide independent written evidence explaining why the application was late no later than 5pm on Friday 5 February 2021.

Additionally, any changes to the application (e.g. order of school preference or change of preferences) received after the closing date will be treated in the same way as late applications.

Changes of Address after the closing date

Changes of address will only be considered after applicants are resident at the new address and evidence to demonstrate this has been supplied. Applications will not be processed from an intended future address except in the case of Crown servants and UK service personnel.

Evidence must be received by 5pm on Friday 5 February 2021 for the new address to be used when processing the application and calculating home to school distances. Any change of address evidenced after 5pm on Friday 5 February 2021 will not be included until after National Offer Day 16 April 2021.

Waiting Lists

If the school place allocated is not the first preference, the child's name will automatically be placed on the waiting list for schools which have been ranked higher than the offer made. Community school waiting lists will then be maintained by the Council whilst voluntary aided, foundation and academy schools' waiting lists will be maintained by the relevant schools.

Waiting lists are not maintained on a 'first come - first served' basis. Waiting lists are kept in the priority order as explained in the oversubscription criteria.

Places are offered from the waiting list throughout the year. When a place becomes available, it is offered to the first child on the list and, if it is accepted, all other children will move up the list. Children may also move down the waiting list if another family, with a higher priority under the oversubscription criteria, ask for their child's name to be added to the list.

Applicants, who ask for their child's name to be placed on the waiting list for another school after a school place has been allocated, are indicating they prefer this school to the other school already allocated. If at a later date a place is offered from the waiting list, this new offer will supersede any previous offer, which will then be withdrawn.

Looked after children and previously looked after children, and those allocated a place at the school in accordance with Brent's Fair Access Protocol, will take precedence over those on a waiting list.

Lists will be maintained throughout the school year. A child's position on the waiting list does not depend upon the time they have been on the list but will be determined by how they meet the oversubscription criteria.

This means that a child's position on the list can go down as well as up, depending upon the child's circumstances and those of other applicants.

The waiting list will be closed each year and will not roll over. A new application will have to be made for a new academic year.

Appeals

Parents can appeal against any decision made by Brent Council about the school where they would like their child to be educated.

When an appeal form is requested, the child's name is automatically placed on the waiting list for that school, if it is not already included.

A child admitted to a school as a result of a successful appeal will be admitted in precedence to those on the waiting list.

There is no right of appeal against any decision not to offer a place in a nursery.

Admission to community school nurseries

The timeline and oversubscription criteria for a place in a nursery class in a community school are the same as for a Reception place. The council does not co-ordinate applications for nursery places. Applications for a nursery place in a community school must be made directly to the school by 15th January 2021. Offers will be made on 16th April 2021 by the school. If the nursery is oversubscribed the Community Schools Oversubscription Criteria will be applied.

In-Year Applications

Applications received outside the normal admission round will be considered in line with the oversubscription criteria.

A place will be offered at the school requested provided there is a vacancy in the appropriate year group. Where the year group is full and it is not possible to meet the parental preference, a place will be offered at the nearest primary school with a vacancy in the year group.

The address used to process the application will be the address where the parent and child normally live and they must be living there at the time of application.

Admission of one child to a primary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.