



Brent

Cabinet

Monday 12 October 2020 at 10.00 am

This will be held as an online virtual meeting

The link to view the meeting is available by clicking [HERE](#)

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
Farah	Lead Member for Adult Social Care
Knight	Lead Member for Community Safety and Engagement
Nerva	Lead Member for Public Health, Culture & Leisure
M Patel	Lead Member for Children's Safeguarding, Early Help and Social Care
Krupa Sheth	Lead Member for Environment
Stephens	Lead Member for Schools, Employment and Skills
Southwood	Lead Member for Housing & Welfare Reform
Tatler	Lead Member for Regeneration, Property & Planning

For further information contact: James Kinsella, Governance Manager, Tel: 020 8937 2063; Email: james.kinsella@brent.gov.uk

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

The press and public are welcome to attend this meeting as an online virtual meeting. The link to attend and view the meeting is available [HERE](#).

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
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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 7th September 2020 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)

To consider any reference reports from any of the Council's two Scrutiny Committees.

6a. Recommendations from Resources & Public Realm Scrutiny Committee and Draft Executive Response - Public Realm and The Brent Economy 9 - 20

This report seeks endorsement of the proposed executive response to the recommendations made from the Resources and Public Realm Scrutiny Committee at their meeting on 14 July 2020 on the Public Realm in Brent and the Brent economy.

Ward Affected:
All Wards

Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler),
Lead Member for Environment (Councillor Krupa Sheth)

Contact Officer: Michael Carr, Senior Policy

Regeneration and Environment reports

7 Public Space Protection Order Extension 21 - 36

This report seeks approval for the extension of the borough wide street drinking Public Space Protection Order (PSPO) for three additional years to October 2023.

Ward Affected: All Wards
Lead Member: Lead Member for Community Safety & Engagement (Councillor Promise Kinight)
Contact Officer: Simon Egbor, ASB and Crime Manager, Community Protection
Tel: 020 8937 5853 Simon.Egbor@brent.gov.uk

8 Application for the re-naming of the eastern section of Meadow Garth to Pramukh Swami Road 37 - 46

This report seeks a decision on the renaming of the eastern section of Meadow Garth Road to Pramukh Swami Road, following an application from the local community, and outlines the conditions and associated costs.

Ward Affected: Stonebridge
Lead Member: Lead Member for Regeneration, Property & Planning (Councillor Shama Tatler)
Contact Officer: Alice Lester, Operational Director - Regeneration, Growth and Employment
Tel: 020 8937 6441 alice.lester@brent.gov.uk

Digital and Customer Services reports

9 Procurement Strategy 2020-2023

This report seeks approval for the Procurement Strategy 2020-2023, which outlines the Council's procurement priorities. 47 - 74

Ward Affected: All Wards
Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Rajesh Shori, Head of Procurement
Tel: 0208 937 1598 rajesh.shori@brent.gov.uk

10 ICT Work with the Local Government Association 75 - 78

This report seeks approval to enter into further arrangements to partner

with the Local Government Association (LGA) for a period of 3 years for the provision of ICT services. The contract includes the hosting of LGA ICT services at Brent Data Centres, the provision of ICT support services, and the implementation of new hardware where required.

Ward Affected: All Wards
Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Sally Chin, Head of IT Transformation and Programme Management
Tel: 020 8937 1432 sally.chin@brent.gov.uk

Community Well-being reports

11 Shared Ownership Sales and Marketing Policy 79 - 96

This report seeks approval for the Shared Ownership and Sales Marketing Policy, developed to set out the Council's approach to selling shared ownership homes and to raise awareness of the scheme to potential applicants.

Ward Affected: All Wards
Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: John Magness, Head of Housing Partnerships
Tel: 020 8937 3272
John.Magness@brent.gov.uk

12 Authority to Tender for a Framework Agreement for Housing Refurbishment Works & a Framework Agreement for Technical Consultancy Services 97 - 116

This report seeks approval to commence procurement of two multi-supplier, multi-lot framework agreements for housing works and technical consultancy services as required by Contract Standing Orders 88 and 89.

Ward Affected: All Wards
Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Giuseppe Coia, Asset Compliance Manager
Tel: 020 8937 2652
Giuseppe.Coia@brent.gov.uk

Chief Executive's reports

13 Q2 Financial Report 2020/21 117 - 137

This report presents the council's current forecast of income and expenditure against the approved revenue budget for 2020/21.

Ward Affected: All Wards
Lead Member: Deputy Leader (Councillor

All Wards

Margaret McLennan)

Contact Officer: Minesh Patel, Director of Finance

Tel: 020 8937 4043 Minesh.patel@brent.gov.uk

14 Exclusion of Press and Public

No items have been identified in advance of the meeting that will require the exclusion of the press or public.

15 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or her representative before the meeting. Any decisions taken urgently under this heading must comply with the provisions outlined in paragraphs 12 and 39 of the Council's Access to Information Rules (part 2 of the Constitution).

Date of the next meeting: Monday 9 November 2020 at 10am



LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET

Held as an online virtual meeting on Monday 7 September 2020 at 10.00 am

PRESENT(in remote attendance): Councillor M Butt (Chair), Councillor McLennan (Vice-Chair) and Councillors Farah, Knight, Nerva, M Patel, Krupa Sheth, Southwood, Stephens and Tatler

Also present (in remote attendance): Councillor Kennelly (for agenda item 7 only).

1. **Apologies for Absence**

Councillor Butt welcomed Councillors Knight, Nerva and Stephens and to their first meeting as newly appointed Cabinet Members for Community Safety & Engagement; Public Health, Culture & Leisure and Schools, Employment & Skills.

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 held on 17th August 2020 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any)**

None.

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

None.

7. **Poverty Commission Final Report and Recommendations**

Councillor Butt began by advising members of a written submission received shortly in advance of the meeting from Councillor Ketan Sheth, as Chair of the Joint Community & Wellbeing and Resources & Public Realm Scrutiny briefing, held to present the Poverty Commission report to scrutiny members in advance of its

consideration by Cabinet. Scrutiny members had welcomed the Commission's report and highlighted a number of proposals, which had been detailed in Appendix 2 of the report. These included (as highlighted in Councillor Sheth's submission) proposals relating to public health, housing, financial exclusion and local welfare and the need to ensure clear metrics to monitor progress against implementation of the recommendations.

Councillor Butt then welcomed Councillor Kennelly to the meeting who had also requested to speak on the item. In welcoming the Commission's report and findings, Councillor Kennelly highlighted the need to ensure adequate challenge around inequalities in both public health and the environment, especially in relation to oral and mental health, air quality and regeneration of the boroughs high streets. Whilst recognising the work undertaken to date, he highlighted a need to ensure the report was subject to full scrutiny in order to enable all stakeholders to engage in the process with a clear set of measureable objectives and targets to be set and presented to Full Council for consideration.

Councillor Southwood thanked Councillor Kennelly for his remarks and introduced the item, which set out the final report and findings of the Poverty Commission. In responding to the comments raised Cabinet were assured that the issues raised by Councillor Kennelly along with the comments from the joint scrutiny briefing in relation to the findings would be considered in the response to the commission and as part of the development of the Action Plan, which it was confirmed would be submitted to Council for consideration, prior to Cabinet as requested.

In continuing her introduction, Cabinet were informed that an Action Plan would be developed in partnership with voluntary organisations to support the implementation of the recommendations from the Commission. The Plan would include specific performance measures to assess the impact which implementation of the Commission's recommendations were having across local communities in the borough.

Councillor Southwood requested that her thanks be recorded to Lord Best for chairing the Commission and to the community and voluntary partners who had contributed to the findings.

In expressing their support for the both the commissioning of the report and the findings produced, Cabinet highlighted the openness of the Council in inviting active scrutiny. In discussing the recommendations Members emphasised:

- The effect of the pandemic in highlighting the link between poverty and health inequalities.
- The need to address low quality housing, given the associated health and social impacts arising from residents having to live and increasing work in unsuitable conditions.
- A desire for consideration to be given to the particular effect of poverty on women. Support was shown for the provision of free sanitary products in civic facilities, with encouragement for partners to do the same.
- The need to link poverty to the climate emergency, including a recognition of the effects of poor air quality.

- The welcome focus on the need to address digital exclusion as part of the overall approach along with progress already being made and determination of the Administration to deliver despite the budgetary pressures faced as a result of the Covid-19 pandemic,

In expressing his support for the report, Councillor Neil Nerva took the opportunity to record his thanks to his predecessor for their work on developing the profile of public health in the borough.

Having noted the comments received and report from the Commission, Cabinet **RESOLVED** to:

- (1) accept all the recommendations within the Commission's report and the steps outlined within the report for their implementation.
- (2) To agree publication of a Council response to the Commission's report and development of a delivery plan for implementation of the recommendations.

8. **Brent Black Community Action Plan – Implementation**

The Deputy Leader, Councillor Margaret McLennan introduced the report which outlined the proposed implementation strategy for the Brent Black Community Action Plan. The plan had been developed in response to global events, in recognition of the significance and pertinence of the issues to the local black community.

Cabinet were informed that the actions contained in the plan had been grouped into ten thematic work streams for implementation, resourcing and risk analysis. Cabinet noted that a Community Action Plan Coordinator had been appointed to both assist officers and Members in the delivery of the work streams, and to ensure and promote the continued engagement of the community. In summing up her introduction, Councillor McLennan thanked officers for their efforts and support in delivery of the plan and their work in developing actions that were widely supported by the community.

Whilst recognising the importance of the plan and welcoming the strategy for implementation, Cabinet were keen to ensure that the actions identified translated into positive outcomes for the community and that progress in their implementation was kept under review in order to maintain the long term commitment to action and community focus.

In showing their support for the proposals, Councillors Promise Knight and Thomas Stephens thanked their predecessors for their work on progressing the actions under their remits.

Having considered the work streams presented for consideration and prioritisation in relation to the Brent Black Community Action Plan, Cabinet **RESOLVED** having taken into account the timescales and resourcing implications identified to:

- (1) Agree that actions with a delivery date within six months were prioritised for initial action and implementation.

- (2) Agree that actions with delivery dates beyond six months be considered as part of the Council's annual budget setting process, with the Action Plan to be reviewed accordingly.

9. **Borough Plan - Review of Year One**

The Deputy Leader, Councillor Margaret McLennan introduced the report which presented the one year review of the Borough Plan 2019-2023, against the delivery plan broken down across the five main strategic themes. The overall strategy and delivery plan for the coming year had also been subject to review in order to reflect changing priorities and the impact of the Covid-19 pandemic. The review had outlined the key achievements and progress made by the Council in delivery of the Plan over the last year with further work being undertaken to review and refresh the main strategic themes within the Borough Plan to reflect the changing priorities and to provide a greater challenge to the Council.

In expressing their support for the review, Cabinet felt it was important to highlight the achievements identified in relation to the educational attainment levels of black Afro-Caribbean boys, the strides made in regeneration, employment and skill apprenticeships, the building of new homes, the reduction in fly tipping, and the planting of trees.

Cabinet **RESOLVED** to approve the first year review document for the Council's Borough Plan 2019-2023.

10. **Treasury Management 2019/20 Outturn Report**

The Deputy Leader and Lead Member for Resources, Councillor Margaret McLennan, introduced the report which summarised the treasury management activity for the 2019/20 financial year, and provided confirmation that the Council was in compliance with its prudential indicators. Cabinet's attention was drawn to the following points:

- The improved net borrowing position of the Council in relation to its Capital Financing Requirement;
- The diversification of investment options with borrowing having taken place from a private placement for the first time in response to more favourable interest rates and in order to reduce the reliance on the Public Works Loan Board;
- Final payment having been received in recovery of the Council's investments following the Icelandic Bank's collapse.

Cabinet **RESOLVED** to:

- (1) Note the 2019/20 Treasury Management outturn report and approve its referral to Full Council, in compliance with CIPFA's Code of Practice on Treasury Management (the Code).
- (2) Note that for 2019/20 the Council had complied with its Prudential Indicators, which were approved by Full Council on 25 February 2019 as part of the Council's Treasury Management Strategy Statement and Capital Strategy Statement.

11. **Procurement of 6 supported living services for Mental Health & Dual Diagnosis Learning Difficulties and Profound and Multiple Learning Disabilities (PMLD)**

The Cabinet Member for Adult Social Care, Councillor Harbi Farah, introduced the report seeking approval to tender for six supported living services for residents with learning difficulties and mental health issues. The tendering exercise formed part of the wider 'New Accommodation for Assisted Living' (NAIL) programme and would provide more specialised care services. Cabinet were informed that all services would be procured in compliance with the London Living Wage.

Cabinet expressed their support for the scheme, noting that it highlighted the priorities of the Council in supporting housing for all sectors of society.

Cabinet **RESOLVED** to:

(1) approve inviting tenders for six Supported Living services, as detailed below, by way of open competition within the following Lot structure based on specialist needs:

- Lot 1 PMLD services John Wilson House, 167 Willesden Road and 124 Harrowdene Road
- Lot 2 Mental Health service, 12 St Gabriel's Road
- Lot 3 Dual Diagnosis service, 155 Walm Lane
- Lot 4 LD services 2-4 Cranhurst Road and 3 Salmon Street

(2) approve inviting the tenders referred to in (1) above on the basis of the pre-tender considerations set out in paragraph 6.2 of the report.

(3) approve officers evaluating the tenders referred to in (1) above based on the evaluation criteria set out in paragraph 6.2(vi) of the report.

(4) delegate award to the Strategic Director in consultation with the Cabinet Member for Adult Social Care.

12. **Affordable Workspace Strategy & Action Plan**

The Cabinet Member for Regeneration Property and Planning, Councillor Shama Tatler, introduced the report which sought approval for the implementation of the Affordable Workspace Strategy and Action Plan. The strategy was designed to support local start up, micro and small & medium-sized enterprise (SME) by maximising planning policy to encourage affordability, whilst supporting the regeneration of high streets and aligning with the Council's social value policy and other local and community benefits

Cabinet welcomed the incremental approach to implementation outlined in the report, and noted that the timing of the strategy was particularly relevant given the recovery process for local business and enterprise being supported following the Covid-19 pandemic.

Having thanked officers for their work in preparing the Strategy, Cabinet **RESOLVED** to

- (1) Note the Affordable Workspace Strategy & Action Plan.
- (2) Approve the Affordable Workspace Strategy and Action Plan, prior to publication on the Council's website, dissemination of the same to key partners and stakeholders, and implementation.

13. **Proposals for a Community Infrastructure Levy (CIL) Governance Strategy**

The Cabinet Member for Regeneration, Property and Planning, Councillor Shama Tatler, introduced the report which set out a suggested approach for the introduction of a governance strategy for the use of strategic Community Infrastructure Levy (CIL) spending. The governance strategy sought to link the growth objectives within the draft Brent Local Plan and projects identified within the Infrastructure Delivery Plan in support of growth and the Borough Plan priorities, whilst also having regard to existing internal processes and arrangements in order to provide a clear fair and efficient, decision making process regarding the allocation of strategic Community CIL funding. In concluding her remarks Councillor Tatler thanked the officers involved in developing the strategy.

In noting the Council's efforts to collect and utilise CIL funding in order to support local communities and infrastructure, Cabinet **RESOLVED** to agree the suggested approach and arrangements for introducing a Governance Strategy for Strategic CIL, as set out in section 3 of the report.

14. **Highways Carriageway Scheme Programme 2020-21**

The Cabinet Member for the Environment, Councillor Krupa Sheth, introduced the report which sought approval for the Highways Carriageway Scheme Programme 2020-21. The proposal to use the total capital budget allocation of £3.5 million exclusively for carriageways and highways was highlighted, with footways subject of their own £20 million major investment programme. Whilst noting the additional £239k received from Transport for London (TfL) to fund resurfacing work along Willesden Lane (Sidmouth Road to Coverdale Road), Cabinet expressed concern that future LIP funding was uncertain in light of the budgetary pressures on TfL created by the Covid-19 pandemic, which given the impact on the Council, would be subject to ongoing review and discussion.

Cabinet **RESOLVED** to approve the proposed Highways Carriageway Scheme Programme 2020-21, as detailed within Appendix B of the report.

15. **Proposed New Article 4 Directions To Replace The Existing Directions For Brent's Residential Conservation Areas**

The Cabinet Member for Regeneration, Property and Planning, Councillor Shama Tatler, introduced the report seeking approval to proceed with the development of proposals for new Article 4 directions in local conservation areas. Cabinet were informed that the new directions were required to ensure planning policy reflected current guidance. It was emphasised that the directions would apply only to the façade and front garden of a building; public highways were not within the remit,

with final approval of the directions based on a consultation period and subsequent support from residents.

Whilst welcoming the report, Cabinet were keen to ensure that the final wording of the example notice, as set out in Appendix One of the report, was made as clear as possible for local residents to understand.

Cabinet **RESOLVED** to:

- (1) Note the regulatory requirements for the cancellation of existing Article 4 Directions and the making of new Article 4 Directions, as prescribed by The Town and Country Planning (General Permitted Development) (England) Order 2015.
- (2) Note the making of new Article 4 Directions, as outlined within the report on a non-immediate basis to withdraw permitted development rights in the conservation areas listed within section 1.3 and as detailed within Appendix 1 of the report.
- (3) Delegate authority to the Strategic Director for Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to carry out the necessary publicity, notification, consultation and subsequent decision on whether to cancel and confirm the new Article 4 Directions, as prescribed by the Town and Country Planning (General Permitted Development) (England) Order 2015, in that respect.

16. Exclusion of Press and Public

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


17. Any other urgent business

None.

The meeting ended at 10:52

COUNCILLOR MUHAMMED BUTT
Chair

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	Cabinet 12 October 2020
	Report from the Assistant Chief Executive
Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee 14 July 2020;- The Public Realm in Brent and The Brent Economy	

Wards Affected:	All
Key or Non-Key Decision:	Non Key Decision
Open or Part/Fully Exempt:	Open
Appendices:	<p>Two</p> <p>Appendix 1 Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020 on The Public Realm in Brent.</p> <p>Appendix 2 Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020 on the Brent Economy.</p>
Background Papers:	None.
Contact Officer(s):	Michael Carr - Senior Policy and Scrutiny Officer michael.carr@brent.gov.uk Tel: 020 8937 2855

1 Purpose of the Report

- 1.1 The purpose of this report is to present the recommendations from the Resources and Public Realm Scrutiny Committee on the Public Realm in Brent and the Brent Economy, made at its meeting on 14 July 2020, for an Executive Response. The proposed Executive Responses to the recommendations are attached at the Appendices.

2 Recommendation(s)

- 2.1 That the Executive Response to the scrutiny recommendations on the Public Realm in Brent and the Brent Economy, made by the Resources and Public Realm Scrutiny Committee at its meeting on 14 July 2020, be agreed.

3 Detail

- 3.1 In accordance with Part 4 of the Brent Council Constitution, (terms of reference for council committees and subcommittees), Brent Council scrutiny committees may make recommendations to full Council or the Cabinet with respect to any functions which are the responsibility of the executive or of any functions which are not the responsibility of the executive, or on matters which affect the borough or its inhabitants. The Community and Wellbeing Scrutiny Committee may also make recommendations to the relevant NHS bodies or relevant health service providers or Full Council.
- 3.2 Cabinet is being asked to consider its Executive Response to the recommendations and either agree, reject or agree as amended, the scrutiny recommendations made, as set out in the draft Executive Response attached at the Appendices to this report.
- 3.3 Scrutiny committees may not make executive decisions. Scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; usually Cabinet, but also full Council for policy and budgetary decisions and the NHS where it is the decision maker, in accordance with the terms of reference for scrutiny committees, set out in the Council Constitution.
- 3.4 The minutes of the meeting of the scrutiny committee provide the record of the scrutiny committee's consideration of the issue and the scrutiny recommendations made during the meeting.
- 3.5 Scrutiny recommendations may include those made in scrutiny reports agreed in committee (e.g. through Scrutiny Task Groups). These are usually dealt with through a separate report to the Cabinet following the same process, which requests an Executive Response to the scrutiny report and recommendations.
- 3.6 The scrutiny committee will be notified of the executive decisions made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising from the scrutiny recommendations, for example, service improvements, value for money savings and outcomes for residents.

4 Procedure for Reports and Recommendations from Scrutiny Committees

- 4.1 Where scrutiny committees submit reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an Executive Response and the issue will be published on the Council's Forward Plan. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response, the technical feasibility, financial implications, legal implications and equalities implications etc.
- 4.2 The Cabinet will receive notification of the committee's report or recommendations and agree the Executive Response, which may include an executive decision with respect to the scrutiny recommendations.

- 4.3 Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its Executive Response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's Response.
- 4.4 Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
- 4.5 Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

5 The Public Realm in Brent

- 5.1. At its meeting on 14 July 2020, the Resources and Public Realm Scrutiny Committee considered *The Public Realm in Brent* and received a report and oral evidence from Councillor Krupa Sheth, Lead Cabinet Member for Environment and Councillor Shama Tatler - Cabinet Member for Regeneration, Property & Planning and lead officers within the Environment Services, Regeneration and Environment department.
- 5.2. The minutes of that meeting are published here: <http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=551&MId=6134&Ver=4>
- 5.3. At the end of the consideration of the issue, the committee resolved to recommend to Cabinet:
- 1. That the new parking strategy ensure that it is always cheaper to park a bike than park a car in Brent, and ensure that the cheapest resident parking permit is more expensive than using a bike hangar.*
 - 2. That 20mph be adopted as the default speed on Brent roads, subject to an environmental audit, and that a timetable be drawn up for the introduction of a 20mph speed limit across the borough.*
 - 3. That unspent balances in the capital budget be reinvested in active travel.*
 - 4. That any future transport strategies and plans include clear measurements and modelling for active transport and the impact on air quality.*
 - 5. That low traffic streets be rebranded in a way that is clearer for the public, for example 'Healthy Streets' or 'Peaceful Streets'.*

6 The Brent Economy

- 6.1. At its meeting on 14 July 2020, the Resources and Public Ream Scrutiny Committee considered the Brent Economy and received a report and oral evidence from Councillor Shama Tatler - Cabinet Member for Regeneration,

Property & Planning and lead officers within the Regeneration and Environment department.

- 6.2. These proceedings are also recorded in the minutes of that meeting.
- 6.3. At the end of the consideration of the issue, the committee resolved to recommend to Cabinet:

That the Cabinet Member for Regeneration work with the West London Prosperity Board to set up a jobs summit with large local employers (regardless of sector) to look at ways the public and private sectors can work together to support local employment.

7 Social Welfare in Brent

- 7.1. At its meeting on 14 July 2020, the Resources and Public Realm Scrutiny Committee also considered Social Welfare in Brent and received a report and oral evidence from Councillor Southwood, Cabinet Member for Housing and Welfare Reform, the Strategic Director Customer and Digital Services and the Head of Customer Access

- 7.2. These proceedings are also recorded in the minutes of that meeting.

- 7.3. At the end of the consideration of the issue, and with particular regard to its consideration of the COVID-19 Support Fund, the committee resolved to recommend to Cabinet:

1. *That the COVID-19 Interest Free Loans Eligibility Criteria to include debt as part of the criteria.*
2. *That the department organise a member development session to brief elected members of the Council on the new support funds and when it may be appropriate to refer people to them.*
3. *That the department use the information it has available on vulnerable local people to proactively contact them to advise of the support on offer, and accompany this with a media campaign through social media and traditional media.*
4. *That the department conduct a review of its debt collection processes in the light of the COVID-19 crisis, to ensure that the circumstances of vulnerable people adversely affected by the epidemic will be taken into account.*

- 7.4. These scrutiny recommendations were considered at Cabinet on 20 July 2020, as part of Cabinet's consideration of the COVID-19 Support Fund. The Cabinet resolved to support and approve the following recommendations made by the Resources and Public Realm Scrutiny Committee being taken forward as part of the development and implementation of the new support funds:

- (a) That the Covid-19 Interest Free Loans eligibility criteria be extended to include debt;
- (b) A member development session be arranged on the new support funds and their referral process;
- (c) The Strategic Director, Customer & Digital Services be requested to consider how best to proactively use data already available to offer advice and support for vulnerable local people; and

- (d) The Strategic Director, Customer & Digital Services be requested to undertake a review of debt collection processes in light of Covid-19 to ensure that the circumstances of vulnerable people adversely affected by the pandemic were fully taken into account.

7.5. The minutes of the Cabinet meeting are published here: <http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=455&Mid=6032&Ver=4>

8 The Executive Response

8.1 The proposed Executive Responses to the scrutiny recommendations made, as explained in paragraphs 5 and 6 above, are attached at the Appendices to this report. This includes proposed executive decisions for each of the scrutiny recommendations.

9 Financial Implications

9.1 The majority of the actions are activities that can be contained within existing budgets. Where actions are unable to be contained within existing resources, the financial implications will need to be developed and considered as detailed implementation plans are developed.

10 Legal Implications

10.1 Section 9F, Part 2 of the Local Government Act 2000, *overview and scrutiny committees: functions*, requires that Executive Arrangements by a local authority must ensure that its overview and scrutiny committees have the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are or are not the responsibility of the executive, or on matters which affect the authority's area or the inhabitants of that area.

10.2 Section 9Fe, *duty of authority or executive to respond to overview and scrutiny committee*, requires that the authority or executive:

(a) consider the report or recommendations,

(b) respond to the overview and scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,

(c) if the overview and scrutiny committee has published the report or recommendations, publish the response, within two months beginning with the date on which the authority or executive received the report or recommendations.

10.3. Statutory guidance in relation to Scrutiny Committees has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

10.4. The guidance provides that local authorities and combined authorities must have regard to it when exercising their functions. The phrase "must have regard", when used in this context, does not mean that the sections of statutory

guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

- 10.5. Detailed legal advice and assistance will be provided where further consideration is to be given in relation to the Scrutiny recommendation.

11 Equality Implications

11.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need to:

- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- b) advance equality of opportunity; and
- c) foster good relations between those who share a "protected characteristic" and those who do not.

11.2 This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

11.3 There are no specific equality implications arising from this report.

12 Consultation with Ward Members and Stakeholders

12.1 The relevant Cabinet members and Council directorates have been consulted in drawing up this report.

Related Documents: Minutes of the Resources and Public Realm Scrutiny Committee 14 July 2020.

Report sign off:

SHAZIA HUSSAIN
Assistant Chief Executive

Draft Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020

by Cabinet on 12 October 2020

On 14 July 2020, the Resources and Public Realm Scrutiny Committee made recommendations to the Cabinet after consideration of issues at that meeting. The Cabinet's Executive Response and decisions against those recommendations are provided below, under the respective agenda item subjects provided in the minutes of that meeting.

The Public Realm in Brent

Scrutiny Recommendations:

1. That the new parking strategy ensure that it is always cheaper to park a bike than park a car in Brent, and ensure that the cheapest resident parking permit is more expensive than using a bike hangar.
2. That 20mph be adopted as the default speed on Brent roads, subject to an environmental audit, and that a timetable be drawn up for the introduction of a 20mph speed limit across the borough.
3. That unspent balances in the capital budget be reinvested in active travel.
4. That any future transport strategies and plans include clear measurements and modelling for active transport and the impact on air quality.
5. That low traffic streets be rebranded in a way that is clearer for the public, for example 'Healthy Streets' or 'Peaceful Streets'.

Executive Response:

1. *Scrutiny Recommendation:*

That the new parking strategy ensure that it is always cheaper to park a bike than park a car in Brent, and ensure that the cheapest resident parking permit is more expensive than using a bike hangar.

Response:

We will look to raise the lowest parking permit price to the equivalent of the starting price for using a cycle hanger, i.e. from the current £25 to £36.

Cabinet Decision:

That consideration be given to raising the lowest parking permit price to the equivalent of the starting price for using a cycle hanger.

2. *Scrutiny Recommendation;*

That 20mph be adopted as the default speed on Brent roads, subject to an environmental audit, and that a timetable be drawn up for the introduction of a 20mph speed limit across the borough.

Response:

This is being considered and a policy paper is being developed. The main consideration is that the borough is already largely considered a 20mph zone, and that any extension will depend on the cost of making that extension, the value and impact that might actually have in real terms on traffic and speeding, and the capacity of the Highways teams to be able to deliver given other competing pressures at this time.

Cabinet Decision:

That consideration be given to introducing 20mph as the default speed on Brent roads to an extent that reasonably accounts for the feasibility, the cost, the value, the actual impact on traffic and speeding at any given location, and the capacity of the department to deliver this policy at this time.

3. *Scrutiny Recommendation;*
That unspent balances in the capital budget be reinvested in active travel.

This recommendation is rejected.

Reason: it is not envisaged that there will be any unspent capital budgets available.

Response:

It is not clear what capital budgets are being referred to. Local Implementation Plan funding has been frozen. Brent funded capital is for maintenance only and Section 106 funding is usually scheme specific although we can seek to prioritise.

4. *Scrutiny Recommendation;*
That any future transport strategies and plans include clear measurements and modelling for active transport and the impact on air quality.

Response:

We will account for this when reviewing and updating the Long Term Transport Strategy or drafting any new strategies.

Cabinet Decision:

That consideration be given, when reviewing and updating the Long Term Transport Strategy or drafting any new strategies for future transport strategies and plans, to include clear measurements and modelling for active transport and the impact on air quality.

5. *Scrutiny Recommendation;*
That low traffic streets be rebranded in a way that is clearer for the public, for example 'Healthy Streets' or 'Peaceful Streets'.

Response:

This has been branded 'Healthy Neighbourhoods'.

Cabinet Decision:

That the Council's low traffic streets policy be branded 'Healthy Neighbourhoods'.

Implementation by: March 2021.

Cabinet Member: Councillor Krupa Sheth, Lead Cabinet Member for Environment and Councillor Shama Tatler - Cabinet Member for Regeneration, Property & Planning

Lead Department: Environment Services, Regeneration & Environment

Lead Officers: Alan Lunt - Strategic Director Regeneration & Environment
Chris Whyte - Operational Director Environment Services.

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Draft Executive Response to the Recommendations of the Resources and Public Realm Scrutiny Committee Made 14 July 2020

by Cabinet on 12 October 2020

On 14 July 2020, the Resources and Public Realm Scrutiny Committee made recommendations to the Cabinet after consideration of issues at that meeting. The Cabinet's Executive Response and decisions against those recommendations are provided below, under the respective agenda item subject provided in the minutes of that meeting.

The Brent Economy

Recommendation:

That the Cabinet Member for Regeneration work with the West London Prosperity Board to set up a jobs summit with large local employers (regardless of sector) to look at ways the public and private sectors can work together to support local employment.

Decision: *Agreed*


Implementation by: March 2021.

Cabinet Member: Councillor Shama Tatler - Cabinet Member for Regeneration, Property & Planning

Lead Department: Regeneration & Environment

Lead Officers: Alan Lunt - Strategic Director Regeneration & Environment
Alice Lester - Operational Director Regeneration Growth and Employment, Regeneration

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 <p>Brent</p>	<p>Cabinet 12 October 2020</p>
<p>Report from the Strategic Director of Regeneration and Environment</p>	
<p>Extension of Borough-Wide Street Drinking Public Spaces Protection Order to October 2023</p>	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Two Appendix 1: PSPO Area Map Appendix 2: Breakdown of Alcohol Related Offences
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Colin Wilderspin Head of Public Protection colin.wilderspin@brent.gov.uk 020 8937 5367 Simon Egbor ASB Nuisance and Crime Manager simon.egbor@brent.gov.uk 020 8937 5853

1.0 Purpose of the Report

- 1.1 Brent Council is committed to maintaining a clean and safe environment and it is the Council's responsibility to keep the local environment clear of litter, anti-social behaviour, including other local environmental quality issues affecting the lives of residents and other members of the public.
- 1.2 Public Spaces Protection Orders (PSPO) were made available under the Anti-Social Behaviour Crime and Policing Act 2014 (The 2014 Act) to enforce activities (nuisance behaviour) in a public place within the authorities area that is, or is likely to have a detrimental effect on the quality of life for those in the locality. By 20 October 2017 all Local authorities were required to replace Controlled Drinking Zones (CDZs) with PSPOs or discontinue them. Cabinet of 11 September 2017 agreed to replace the Borough Wide CDZ with a Public

Spaces Protection Order for the maximum duration of 3 years. The PSPO came into force on 20 October 2017 in accordance with the legislation and now requires extending before it expires. This paper outlines the PSPO enforcement data since the order was implemented and consultation findings on the proposed recommendation to extend the PSPO.

2.0 Recommendations for Cabinet

That Cabinet agree to:

- 2.1 Extend the Borough wide street drinking PSPO for a further 3 years, commencing from 20 October 2020 to 19 October 2023 on the grounds that it is necessary to prevent an increase in the frequency or seriousness of those activities.

3.0 Detail

- 3.1 Under Section 59 of The 2014 Act, a PSPO may be made by the Council after consultation with the Police, Mayor's Office for Policing and Crime, and any other relevant bodies, groups or individuals (such as community leaders or users of a particular area/facility). The PSPO places restrictions and/or requirements on people using the area defined by the PSPO. Breach of a PSPO is a criminal offence and could lead to a fixed penalty notice of £100 or a maximum penalty of £1000 if prosecuted.
- 3.2 The prohibition and mapped out area for which the PSPO will be enforced can be seen in Appendix 1, Aside from extending the duration, the prohibition and localities remain the same.
- 3.3 The legal requirements regarding the Council's powers to make and extend PSPOs are set out in section 6 of this report. They must be taken into account (in particular paragraphs 6.1 to 6.4) when considering extending the proposed restriction.

Street drinking in Brent

- 3.4 Following the implementation of a Borough wide street drinking PSPO, there have been 887 alcohol offences which has shown a downward trend from the preceding 3 years. Police data has shown that 57% of all alcohol related offences involved violence within that period. The data also shows evidence of street drinking offences in all wards in Brent with Stonebridge, Wembley Central, Harlesden and Tokyngton being the Wards with the highest frequency of offences. A full breakdown can be seen in Appendix 2.
- 3.5 Complaints around consumption of alcohol creating a nuisance was the second highest category reported to the Anti-Social Behaviour Team between January 2018 and July 2020. There have been 84 complaints reported to the Anti-Social Behaviour Team during that period and there have been 9 member and MP complaints, including 3 service requests regarding drinking hotspot areas.

- 3.6 Brent Police in conjunction with the Council's ASB Team have issued either warnings or fixed penalty notices for breach of this PSPO to 392 individuals between 1 January 2018 and 31 July 2020. Similarly, the Council's Environmental Enforcement Team and the Neighbourhood Patrol Team, who are authorised teams to enforce the PSPO, have issued 310 Fixed Penalty Notices for street drinking non-compliance from 1 January 2018 to 31 July 2020.
- 3.7 There is therefore clear evidence of a direct causal link between street drinking and unlawful or anti-social behaviour
- 3.8 The extension of this PSPO will maintain the Council's ability to continue to monitor and take enforcement action where necessary, including safeguarding members of the public and signposting individuals to alcohol treatment services commissioned by Brent.
- 3.9 The Council's current approach where someone is evidenced to have been drinking alcohol on the street is to approach the individuals concerned, issue a warning and request them to stop drinking alcohol. If they fail to comply, a fixed penalty notice is issued. A vulnerability protocol is in place between the police and council to ensure that those with mental health, substance misuse issues and or other vulnerabilities have enforcement waived and are triaged to support services. Enforcement data is also monitored to see if there are adverse impacts on those persons with protected characteristics as set out in the Equalities Act 2010. Westminster Drug Project (WDP) an organisation that works with people with protected characteristics, have treated 663 people for alcohol abuse between 1 April 2018 and 31 July 2020. The extension of the PSPO will continue to aid the identification of individuals with alcohol misuse issues and ensure effective signposting to support services like WDP
- 3.10 Offenders who continue to breach after being issued with a fixed penalty notice will be referred for prosecution and be subject to other anti-social behaviour tools and powers such as Community Protection Notices. Criminal Behaviour Orders will also be considered to ban individuals from areas. A breach of these orders could lead to a large fine or a custodial sentence at the discretion of the court.
- 3.11 Commissioned services such as St Mungo's and WDP are tasked monthly through the Council's Brent Joint Action Group to proactively outreach in areas which have been identified as drinking hotspots, to ensure alcohol treatment pathways and homeless needs are addressed.
- 3.12 In light of recent legislation restricting the hours of pubs and clubs to 10pm, there is a potential to see an increase in street drinking activity and this is currently being monitored.

4.0 Alternative Options Considered

- 4.1 Consideration was given to look at parts of Brent where street drinking is most prevalent and implement a PSPO in those particular areas. However, the data referenced in Appendix 2 has shown street drinking offences in all wards in Brent. There is also a risk of displacing the problem to other areas in Brent

should selective areas be implemented. Extending the existing borough-wide drinking PSPO also provides Brent Council with the ability to provide a consistent approach to tackling alcohol related ASB across the Borough.

5.0 Financial Implications

- 5.1 There is no cost to affixing the notices as the current notices in place are not time limited. Furthermore, there are no additional officer costs to enforce the PSPO.
- 5.2 Should the PSPO not be extended there is an estimated cost of £5000 to remove the current signage prohibiting street drinking.
- 5.3 Annual income generated from fixed penalty notices for breach of the PSPO is estimated at £8000.

6.0 Legal Implications

- 6.1 The 2014 Act provides the Council with power to make PSPOs in the areas where a particular nuisance or problem occurs which is detrimental to local community's quality of life, by imposing conditions on the use of those areas. In order to issue a PSPO, the Council must be satisfied on reasonable grounds that the two statutory conditions set out in s59 (2) and s59 (3) are met and that it is reasonable and proportionate for the restrictions.
- 6.2 S60 of The Act sets out the requirements in order to extend a PSPO. It states that a PSPO has effect for not more than three years and may be extended in order to prevent
 - (a) Occurrence or recurrence after that time of the activities identified in the order, or*
 - (b) An increase in the frequency or seriousness of those activities after that time.*
- 6.3 Furthermore, in accordance with the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 (SI 2014/2591), when a local authority has made, extended or varied a PSPO, that local authority must publish the order and erect notices publicising the fact that an Order has been made and the effect that it has.
- 6.4 The council will need to evidence that it has given regard to The Human Rights Act 1998. The rights and freedoms provided for in the Human Rights Act are qualified rights which means they can lawfully be restricted providing it is a proportionate and necessary means of achieving a legitimate aim. In considering the Human Rights Act the council must balance the rights and freedoms of individuals, in relation to the proposed restrictions imposed, against the needs of the wider community.

Business Planning Act 2020

- 6.5 The Business Planning Act 2020 temporarily modifies the Licensing Act 2003 to provide an automatic extension to the terms of most premises licenses which only permit the sale of alcohol for consumption on the premises to allow the sale of alcohol for consumption off the premises. It's important to note that the provisions in the Act do not override or suspend PSPOs that ban the consumption of alcohol in public. However, licensed premises in such an area and wanting customers to be able to consume alcohol outside or off the premises, can apply to the Council for an exemption.

7.0 Equality Implications

- 7.1 The implementation and policing of the PSPO will be in accordance with the Equality Act 2010. There will be no discriminatory policing of this proposed order in line with our Public Sector Equality Duty.
- 7.2 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.
- 7.3 Consideration must also be given how these restrictions regarding extending the proposed PSPO might impact adversely on those persons with protected characteristics as set out in the Equalities Act 2010 and whether there should be any mitigated actions proposed in relation to any potential adverse impacts of such proposals.
- 7.4 An Equality Impact Assessment has been carried out around the PSPO enforcement since the order was enacted. A summary of those findings show an overrepresentation of males issued warnings and notices. There are challenges in obtaining data around race, sexual orientation, or religious belief and there are current plans in progress to mitigate this by developing more joined up enforcement structures between the council and police.

8.0 Any Other Implications (HR, Property, Environmental Sustainability - where necessary)

- 8.1 None.

9.0 Consultation with Ward Members and Stakeholders

- 9.1 A six week consultation was conducted from 20 July 2020 to 31 August 2020. 354 respondents participated in the consultation to extend the borough wide street drinking PSPO. This is typically a good response rate for a consultation as the recent Budget 2019-2022 consultation received 275 responses. The consultation was publicised on the Council website in accordance with the

legislation. All ward members, all Safer Neighbourhood Teams in Brent, the Safer Neighbourhood Board and all resident groups in Brent, signed up to receive notifications from the Council, all received an alert of the consultation. A press release was also sent to the Kilburn Times to notify the wider public and information was included in the Council's weekly electronic newsletter which is sent to Brent residents.

- 9.2 Over 90% of respondents strongly agree or agree that the PSPO should be extended for a further 3 years. Less than 10% of respondents strongly disagree or disagreed with the proposed extension, showing an overwhelming majority in favour of extending the existing PSPO.
- 9.3 The overall Consultation findings show that most participants are in favour of the extension of the PSPO for a further 3 years however a small minority who opposed the order expressed doubts on the resourcing capacity to effectively monitor or enforce, vulnerable individuals unfairly targeted and an unnecessary regulation in the absence of public disorder. As outlined in the paper the current enforcement protocol safeguards vulnerable people and the use of crime data will dictate how resources are shared across the borough.
- 9.4 The Safer Neighbourhood Board and Brent Police Inspector have both written a statement of support to extend the order for a further 3 years

Report sign off:

ALAN LUNT

Strategic Director, Regeneration & Environment

Appendix 1

PSPO Map

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**ANTI-SOCIAL CRIME AND POLICING ACT 2014
Section 59**

Boroughwide Public Spaces Protection Order

The London Borough of Brent, in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, will be implementing for a duration of three (3) years a Public Spaces Protection Order (PSPO), identifying a Restricted Area (outlined on the map below) where the activities listed under PROHIBITIONS are prohibited and where a Police Officer, Police Community Support Officer (where accredited) or Authorised Council Officers have the power to require persons undertaking any of the restricted actions to cease forthwith.

**Restricted Area:
London Borough of Brent**



Relevant Period

From (time)	0001	hrs (24 hour clock) on	20 October	(year)	2020
To (time)	2359	hrs (24 hour clock) on	19 October	(year)	2023

PROHIBITIONS

Within the area described below, the following is prohibited:-

Alcohol:

Any person is prohibited from, at any time, consuming alcohol or having an open alcohol container, in the restricted area

(i) In this area any person who without reasonable excuse continues consuming alcohol in the restricted area when asked to stop by a Police Officer, Police Community Support Officer or authorised person from the Council under Section 63 of the ASB Crime and Policing Act 2014 or fails to surrender any alcohol in his / her possession when asked to do so by a Police Officer, Police Community Support Officer or authorised person from the Council is liable on summary conviction to a fine not exceeding level 2 on the standard scale or if in receipt of a Fixed Penalty Notice to a penalty of a maximum of £100.

Notices will be displayed in the affected area announcing the end of the authority when it no longer applies. For further information, contact the Brent Community Safety Team on 020 8937 1058, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 OFJ.

BREACH OF PSPO

Failure to comply with PSPO prohibitions is a criminal offence subject to up to a level 3 fine on prosecution (up to £1000). A warning will be issued upon the first instance of a breach. Further breach will result in the issuing of a Fixed Penalty Notice (£100), payable within 14 days. If paid within 10 days, a discounted charge of £75 is applied. Payment of the Fixed Penalty Notice discharges liability to conviction for the offence. A notice will be displayed in the affected area announcing the end of the authority when it no longer applies. For further information, contact the Brent Community Safety Team on 020 8937 1058, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 OFJ.

Notices will be displayed in the affected area announcing the end of the authority when it no longer applies. For further information, contact the Brent Community Safety Team on 020 8937 1058, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 OFJ.

Appendix 2

Alcohol Related Offences

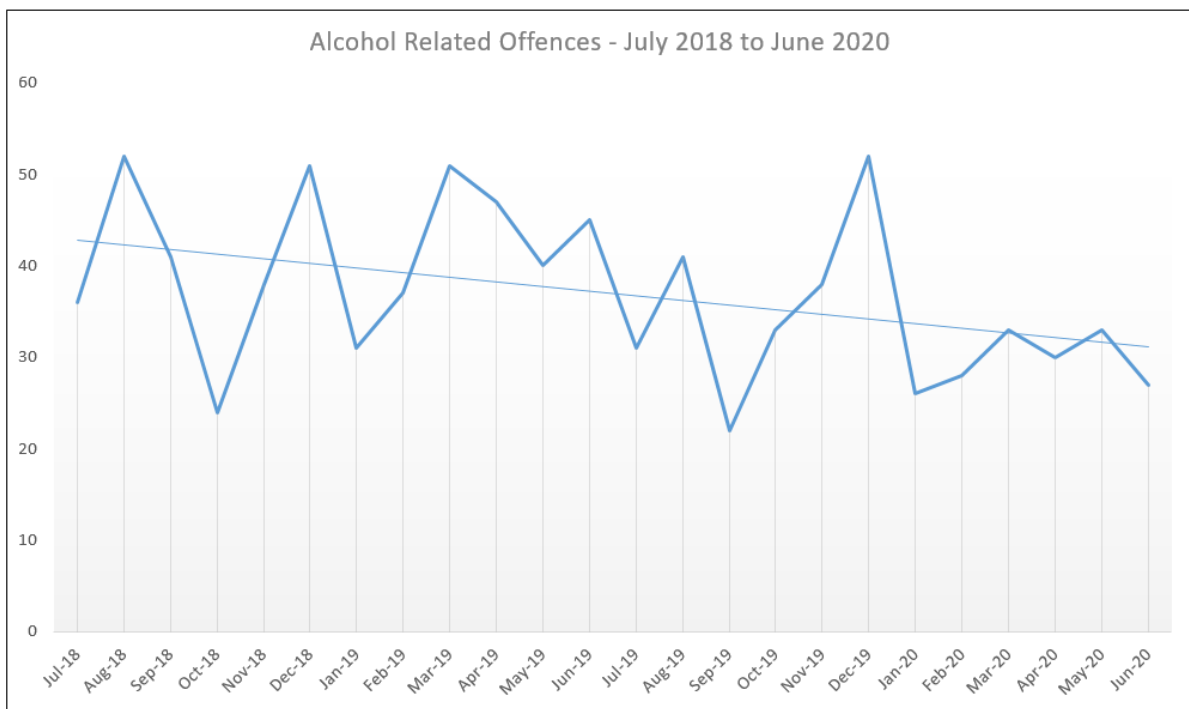
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Alcohol Related Crime - Crimes recorded on CRIS where either suspect or victim had been drinking.

There has been a slight downward trend in alcohol-related offences between July 2018 and June 2020. However, alcohol consumption remains a driver of violent crime.

Year / Month	Offences
Jul-18	36
Aug-18	52
Sep-18	41
Oct-18	24
Nov-18	38
Dec-18	51
Jan-19	31
Feb-19	37
Mar-19	51
Apr-19	47
May-19	40
Jun-19	45

Year / Month	Offences
2019 / 7	31
2019 / 8	41
2019 / 9	22
2019 / 10	33
2019 / 11	38
2019 / 12	52
2020 / 1	26
2020 / 2	28
2020 / 3	33
2020 / 4	30
2020 / 5	33
2020 / 6	27



Offence Type

Crime Type	Offences	% of Total
Acquistive	91	10%
Criminal Damage	63	7%
Drugs	13	1%
Harrassment	24	3%
Other	114	13%
Sexual	80	9%
Violence	502	57%

57% of all alcohol related offences involve violence.

Calls to Police Related to Street Drinking

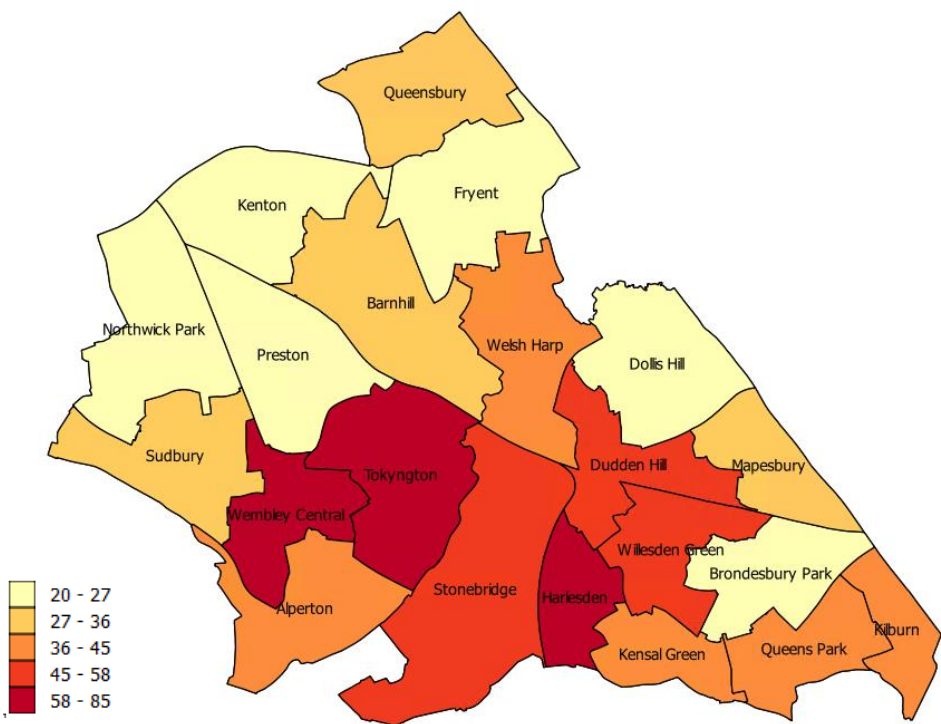
There is a small downward trend in calls to police related to street drinking. However, in May and June 2020, there were more calls than in any other month in the 2 year period.

Year / Month	Calls to Police
Jul-18	18
Aug-18	21
Sep-18	20
Oct-18	14
Nov-18	7
Dec-18	8
Jan-19	7
Feb-19	6
Mar-19	11
Apr-19	13
May-19	11
Jun-19	14

Year / Month	Calls to Police
Jul-19	15
Aug-19	9
Sep-19	13
Oct-19	13
Nov-19	3
Dec-19	1
Jan-20	12
Feb-20	5
Mar-20	8
Apr-20	11
May-20	22
Jun-20	23



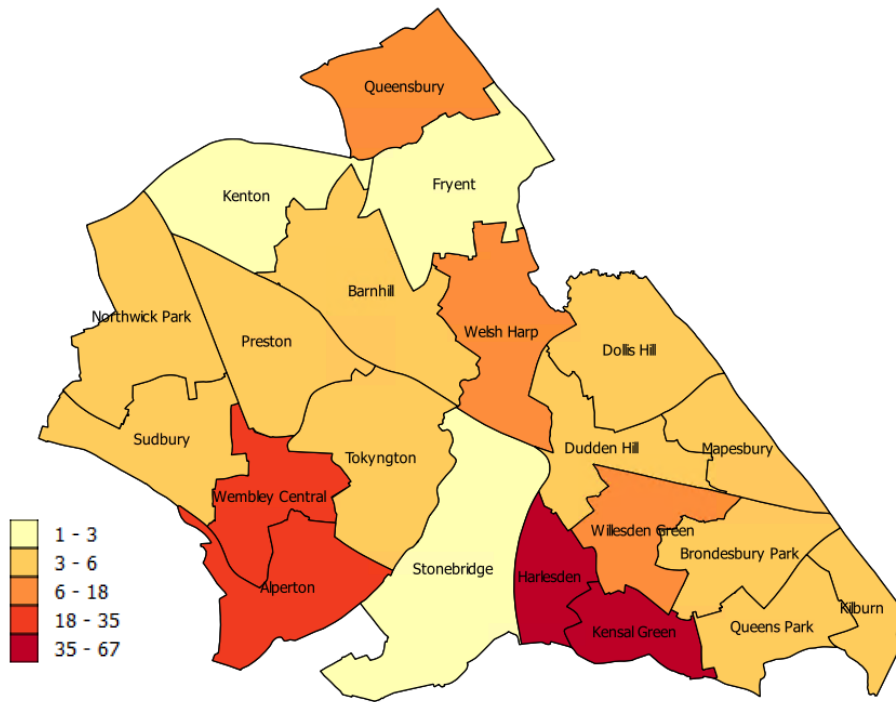
Alcohol Related Offences by Ward – July 2018 to June 2020



Alcohol Related Offences by Ward July 2018 to June 2020


Ward	Offences
Stonebridge	57
Barnhill	35
Welsh Harp	39
Dudden Hill	50
Wembley Central	85
Fryent	22
Harlesden	71
Dollis Hill	26
Kilburn	40
Tokyngton	72
Preston	25
Sudbury	32
Northwick Park	27
Alperton	42
Kensal Green	45
Brondesbury Park	22
Kenton	20
Mapesbury	36
Queensbury	32
Willesden Green	58
Queens Park	40

Calls to Police Relating to Street Drinking by Ward – July 2018 to June 2020



**Street Drinking Calls by Ward
July 2018 to June 2020**

Ward	Incidents
Harlesden	67
Kensal Green	62
Wembley Central	35
Alpertown	24
Queensbury	18
Welsh Harp	10
Willesden Green	10
Brondesbury Park	6
Queens Park	6
Dudden Hill	5
Kilburn	5
Tokyngton	5
Sudbury	5
Barnhill	4
Dollis Hill	4
Preston	4
Northwick Park	4
Mapesbury	4
Fryent	3
Stonebridge	2
Kenton	1

	Cabinet 12 October 2020
	Report from the Strategic Director of Regeneration and Environment
Application for the re-naming of the eastern section of Meadow Garth to Pramukh Swami Road	

Wards Affected:	Stonebridge
Key or Non-Key Decision:	Non Key
Open or Part/Fully Exempt:	Open
Appendices:	One Appendix 1: Location Map
Background Papers:	None
Contact Officer:	Alice Lester, Operational Director, Regeneration Growth and Employment alice.lester@brent.gov.uk Tel: 020 8937 6441

1 Purpose of the Report

- 1.1 This report refers to an application (SN/19/08678) from the Shree Swaminarayan temple to rename the eastern section of Meadow Garth to Pramukh Swami Road. It details the consultation carried out and the responses to that consultation, and the guidelines for making a decision on street names.

2 Recommendations

- 2.1 That Cabinet confirms whether it wishes to make an order to change the name of the eastern part of Meadow Garth to Pramukh Swami Road as requested in the application.
- 2.2 That if Cabinet wishes to proceed with the name change:
- 2.2.1 Authority is delegated to the Strategic Director for Regeneration and Environment to implement the proposed order.

2.2.2 Authority is delegated to the Strategic Director for Regeneration and Environment to enter into a legal agreement to ensure that the Applicant covers the reasonable costs that are incurred by the Council and occupiers affected arising as a result of the change to the street name at eastern section of Meadow Garth, plus, to the occupiers of the properties, an inconvenience fee.

3 Detail

3.1 Meadow Garth is a road running east to west, with a metal road closure gate circa 100 metres from its junction with Brentfield Road at its eastern end. At its western end it forms a junction with Harrow Road.

3.2 The application, submitted by the Temple, is for the re-naming of part of the eastern section of the road, from its junction with Brentfield Road up to the metal road closure gate as indicated on the site plan in Appendix 1. The western side of Meadow Garth would be unaffected by the proposal.

3.3 The Shri Swaminarayan Mandir Temple occupies much of the southern part of the road from the junction with Brentfield Road, up to Brentfield Primary School. Opposite the Temple are some residential and commercial properties. Beside the Temple, and to the eastern side of the road closure is the entrance to the nursery school part of the Brentfield primary school. The properties affected would therefore be:

- 54 Meadow Garth – Shayona Shop
- 56 Meadow Garth – Shayona Restaurants
- 62 Meadow Garth – Residential
- 64 Meadow Garth – Residential
- 66 Meadow Garth – Residential
- 68 Meadow Garth – Residential
- Brentfield Primary School (nursery entrance)

3.4 Although the Temple has a long frontage along the street with its entrance there, the postal address for the Temple is in Brentfield Road so would be unaffected.

3.5 Five letters of support from or representing three properties in Meadow Garth were submitted with the application (however one of these letters was superseded by a subsequent objection).

3.6 In one of the letters submitted with the application, the text states that BAPS (the Temple) will pay for all Royal Mail postal redirection costs for 12 months, and underwrite any costs incurred in informing agencies of change of road).

3.7 Consultations

3.8 Neighbour notifications

105, 121, 123, 125, 127 Brentfield Rd
54, 56, 58, 60, 62, 64, 66, 68 Meadow Garth
Brentfield Primary School - Nursery, Primary School and the Out of Hours Club

3.9 Internal consultations

Property Data Team
Ward Councillors

3.10 External organisations

London Fire Service
London Ambulance Service
Royal Mail

3.11 Two site notices were placed at the Temple entrance and at the junction of Meadow Garth and Brentfield Road.

4 **Representations**

4.1 Including the letters of support submitted with the application and responses to the consultation exercise, comments were as follows:

From	Comment
Owner of business premises at Meadow Garth	30/09/2019 (submitted with application) Support – “We support the application...we are happy with the proposed new name....”
Proprietor of business premises at Meadow Garth	30/09/2019 (submitted with application) Support “We would be happy to support this application”
Owners of businesses and two residential properties at Meadow Garth Further letter from same owner as above, of one residential property at Meadow Garth (also covered by above letter)	22/10/2018 (submitted with application) “We are happy to give consent to renaming Meadow Garth to Pramukh Way; we support the street naming application”. 29/10/2019 (submitted with application) “We are happy to give consent to renaming...support the application”

Resident of Meadow Garth	1) 15/10/2018(submitted with application) Confirming understanding of proposals and gives consent. BAPS to pay costs.
Resident of Meadow Garth (same resident as above)	2) 05/11/2019 Objection 'I am not in favour of this name change. Having lived at this property for over 20 years this would prove extremely disruptive and tedious for me'
Resident of Meadow Garth	18/10/2019 Objection – unnecessary inconvenience when not in good health, causing stress and anxiety, have lived here for 15 years and having to make changes...will be very stressful and expensive. Was previously advised that this would not go ahead if there were objections.
London Fire and Emergency Planning Authority (LFEPA)	Objection – detailed below
Brentfield Primary School	07/11/2019 Objection - Will result in a split boundary - Have just re-branded showing current address - Does not reflect our community or the school community
Property Data Team	No objection
Royal Mail	No objection

4.2 The LFEPA commented on the initial consultation (14/10/2019) stating “We have the following objections or observations concerning this Consultation. We object to the name Pramukh Swami on the grounds of spelling and pronunciation. This could cause confusion and possible delay in the event of an emergency”.

4.3 Brent Building Control subsequently requested on 16/10/2019, from the LFEPA if there was any mitigation measures that would alleviate their concerns.

- 4.4 The LFEPA responded on 23/10/2019 stating *“The answer to this question is no. The proposed name is not the easiest to pronounce and could be received wrongly during call handling. It is always better to act on the side of precaution when choosing street or building names to minimise the risk of delay when attending an incident. We do object to the renaming of part of 'Meadow Garth Road' as it currently doesn't present any issues for us in terms of locating this address. The guideline states that renaming/renumbering existing streets and buildings is normally only considered when changes occur which give rise to problems for the occupiers, post office, emergency services etc”*
- 4.5 A further email was received from the LFEPA Borough Commander, stating that the above response *“was just advice from our national guidelines but you are free to make any decision you wish.”*

5 Considerations

- 5.1 In making the decision, the Council will need to give due regard to the representations received, which in this case demonstrated both support for, and objections to, the change of street name.
- 5.2 The main reference document regarding street naming and numbering and is the “LFCD (LFEPA) Naming and Numbering of Streets and Buildings – Guidance Notes” and this should be taken into account when the Cabinet makes its decision.
- 5.3 The guidance states that renaming of streets should only occur where issues have given rise to problems for the occupiers, post office, emergency services etc (paragraph 6).
- 5.4 It states that ‘street names should not be difficult to pronounce or awkward to spell....words of more than three syllables should be avoided and this precludes the use of two words except in special cases’ (paragraph 4b).
- 5.5 The guidance sets out that the Authority should consider:
- Duplication (should be avoided)
 - Ease of pronunciation
 - Hierarchy (use of terrace, street, etc)
- 5.6 This guidance is noted; the request for the name change has not arisen because of any issues and problems with the existing street name, which is itself two words and three syllables long.
- 5.7 The Temple is an important asset to Brent, both for residents and as a visitor attraction; it provides valued facilities to many residents and visitors. Although the rationale for applying for the name change has not been clearly set out in the application, it is important to recognise the desire of the Temple to have a street presence which reflects its culture and that of its thousands of attendees and visitors.
- 5.8 The guidance states that names should not be difficult to pronounce or awkward to spell. However it is also the case that the diverse nature of Brent’s population

should be embraced, and that in order to reflect the culture of different parts of Brent's community, some street names should reflect different cultures and languages.

- 5.9 There is concern about the proposal from three other occupiers who would be impacted on by the change, concerned about inconvenience, stress and expensive of dealing with such a change. The school, which would then have a split address for the main school entrance and the nursery entrance, object to the impact it would have on them and question whether the proposed change reflects the school and local community.
- 5.10 The fire service, whilst recognising that their comments are advisory only, set out that the spelling and pronunciation of the proposed name could be received incorrectly during an emergency call, and that it is contrary to guidelines which only support name changes if the existing one is causing problems.
- 5.11 The LFEPA's response to the consultation, states that the name change could result in delays in the Fire Brigade attending an emergency. For the LFEPA attending an emergency even a few minutes can have serious life safety consequences for both occupiers and Fire Fighters. This point needs to be given serious consideration.
- 5.13 This is a finely balanced decision for members to make. Clearly the statutory responders and the school are not in favour of the name change along with some residents of Meadow Garth. On balance this would often lead to a rejection of the name change. However, given the need to reflect diversity in the borough and the significance of the Temple to the life of the Borough, Cabinet may well decide that this is a change which they would wish to support.

6 Legal Implications

- 6.1 The application is made under sections 5 and 6 of the London Building Acts (Amendment) 1939 and this legislation regarding street renaming only applies to London boroughs. There will be no right to appeal against the decision of the Cabinet regarding the application relating to the proposed street name change. Any subsequent challenge would have to be by way of judicial review.
- 6.2 As stated above in paragraphs 3.7 to 3.10 of this report, consultation has taken carried out by the Council with those occupiers and organisations based on the part of the street that is affected and with internal Council departments and external organisations regarding the proposal to change the name of the eastern part of Meadow Garth to Pramukh Swami Road. They have also been informed during the consultation process that the Council's Cabinet will make a decision on whether to change the name of the street in question and that the Cabinet will consider their submissions when it makes its decision.
- 6.3 If a decision is taken to agree the making of an order to change the name of the road, it will be subject to a legal agreement between the Council and the Applicant to ensure that the costs arising from the street name change to the Council are met by the applicant. The applicant has agreed to this.

6.4 Under section 93(1) of the Local Government Act 2003, a (best value) local authority may charge a person for providing a service if: (i) the local authority is authorised, but not required by an enactment, to provide the service to him; and (b) he has agreed to its provision.

6.5 The Council would notify statutory authorities of the change, if an order is made.

7 Equality Implications

7.1 The council, as a public authority exercising public functions, is subject to a general public sector equality duty (PSED) under section 149 Equality Act 2010. The PSED requires public authorities to have 'due regard' to:

- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act
- the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - 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.
- the need to foster good relations between persons who share a relevant characteristic and those who do not share it. This includes having due regard to the need to tackle prejudice and promote understanding.

7.2 Use of street names with local significance may increase community cohesion and the sense of culture, tradition and heritage in a local area. In this case, the renaming may have a positive impact on people of certain faiths and/or ethnic groups.

7.3 Issues were raised in the consultation, with some respondents indicating that the change did not reflect the community. There may also be negative impacts in terms of age –two objectors are elderly and not in good health, and indicated that the change would cause stress and anxiety.

8 Financial Implications

8.1 The costs to the Council relate to changes to street name plates, amending records as owner of two of the properties, and updating Council Tax and other databases.

8.2 It is estimated that the costs of changing the street name plates is £150 each. The costs of amending databases are officer time.

9 Any Other Implications (HR, Property, Environmental Sustainability - where necessary)

9.1 Officer time would be required to implement the changes if agreed.

10 Proposed Consultation with Ward Members and Stakeholders

10.1 Consultation with Members and Stakeholders is as set out above.

Related Documents:

- London Fire and Emergency Planning Authority Naming and Numbering of Streets and Buildings – Guidance
- Application form and accompanying letters
- Copies of Representations

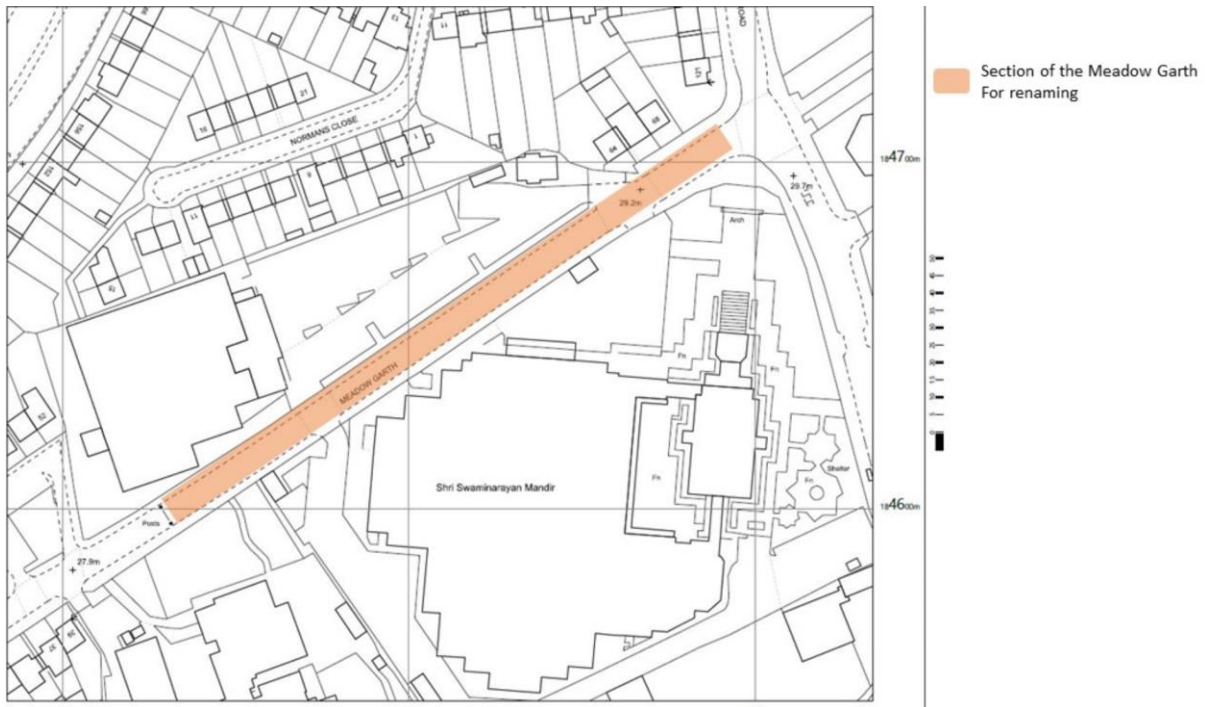
Report sign off:

ALAN LUNT


Strategic Director of Regeneration and Environment

Appendix 1- map of section of Meadow Garth

Application for the re-naming of the eastern section of Meadow Garth to Pramukh Swami Road (reference SN/19/08678)



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	Cabinet 12 October 2020
	Report from the Strategic Director of Customer and Digital Services
Procurement Strategy 2020-2023	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	One: Appendix A: Procurement Strategy
Background Papers:	None
Contact Officer(s):	Rajesh Shori, Head of Procurement rajesh.shori@brent.gov.uk Tel: 0208 937 1598

1.0 Purpose of the Report

- 1.1 To provide Cabinet with the Procurement Strategy 2020-2023 aligning with the remaining term of the Borough Plan 2019 – 2023. The strategy also places heavy focus on recent significant events relating to the impact of Covid 19 on the local economy and supplier base as well as Black Lives Matter movement and sets out how it will look to support these alongside the Council's other key priorities.

2.0 Recommendation for Cabinet

- 2.1 Cabinet is asked to approve the Procurement Strategy 2020-2023 set out in appendix A.

3.0 Procurement Strategy 2020-2023

- 3.1 How and what we procure has an important role to play in helping to support the delivery of the Council priorities.
- 3.2 The new strategy defines how Procurement will work with key sections of the Council e.g. Employment Skills and Enterprise and Strategy and Partnerships in supporting our wider engagement with the community as a whole.

Other key areas that Procurement will need to work closely with in the delivery of the various pillars of the Procurement Strategy are: Finance, Legal and all Directorates.

3.3 The Procurement Strategy aligned to Brent Council's strategic themes builds further on Brent's commitment to support Community Wealth Building and reviving the local economy.

3.4 It comprises of five pillars, which will be central to delivering better procurement of goods, services and works contracts over the next three years with each pillar set against key SMART outcome(s) .

The five core Pillars are:

- Community Wealth Building – *Increase the number of local suppliers we use from our current baseline*
- Sustainability – *Reduce waste through recycling*
- Circular Economy – *Reduced use of natural resources by purchasing goods and services using recycled materials and increased investment with local businesses in Brent operating within the circular economy.*
- Social Value and Ethical Policy – *Increase local investment from Council awarded contracts.*
- Active Procurement – *Deliver a reduction in procurement spend during the period of this strategy – Target £2m*

3.5 It also sets out how the Council will promote effective procurement across the Borough, by having regard to local employment and skills shortage, social value, localisation and ensuring wherever possible contracts are Small and Medium Enterprise (SME) friendly.

3.6 A fundamental tenant of the strategy is that the organisations and individuals we do business with, have compatible values and their culture aligns with the Council where this is legally permissible.

3.7 Community Wealth Building

The Local Authority is well placed as an Anchor Institution to promote opportunities for SME's, employee owned businesses, social enterprises and other community based or owned businesses, which in turn will help support the aim of recirculating wealth and surplus locally but primarily within the borough of Brent.

Community Wealth Building is not a 'quick win' but with support and backing of the Council, the Procurement Strategy can help to support its development. Thereby as we progress embedding Community Wealth Building within our procurement psyche and incorporating the recommendations of The Poverty Commission and Black Community Action Plan within our supplier base and community, the success which comes from future procurements can be used as a catalyst to engage with other Anchor Institutions to explore and incorporate this programme within their organisations. Examples of Anchor

Institutions in Brent would include, NHS trusts, trade unions, large local businesses like Wembley Stadium and housing associations.

3.8 Sustainability

Brent Council is committed to adopting a sustainable approach for all products and services it procures and to harness its purchasing power in order to: help combat climate change and reduce carbon emissions; reduce waste, save resources; improve air quality; and enhance green space and promote biodiversity.

Improving sustainability throughout our supply chain is an essential component of our commitment to reduce our environmental impact and lead by example.

3.9 Circular Economy

The Circular economy is about taking the ethos of embedding sustainability into everything the Council does a step further, moving from a linear (purchase, produce, use and dispose) to a circular economy (produce, use, repair, recycle). This means we can make the earth's limited resources last longer by keeping items in high value use for as long as possible.

It's not only good for the environment, it's also good for society and the economy as more jobs could be created through a repair, refurbished and recycling economy with more opportunities for SME's by educating, training and signposting to drive innovative ideas to support the circular economy.

3.10 Social Value and Ethical Policy

Brent is firmly committed to social value and has joined the Co-Operative Councils' Innovation Network, a collaboration of 32 likeminded authorities, with a view to finding better ways of working for, and with, people to the benefit of their communities.

Social Value can help support Community wealth-building aims to revive local economies, renew trust in local services and deliver a renaissance of local government; by giving local businesses and local communities a bigger stake in the local economy.

To enable and support this vision, we have developed a new Social Value and Ethical Procurement Policy which sets out how we will ensure that our local community is central to the way we purchase goods and services, demonstrating that small changes can have big impacts across the local economy.

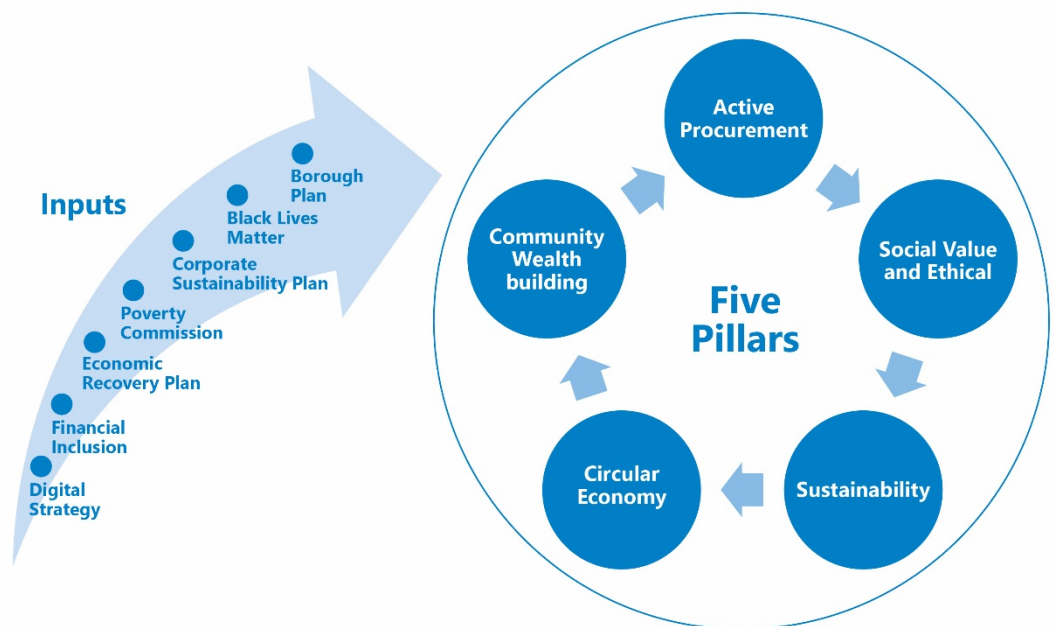
3.11 Active Procurement

High quality procurement support is not only essential for delivering better procurements but also for developing a knowledge and intelligence base of data so we are well placed to help support the delivery of the Council Priorities. The term Active Procurement is to highlight that as a key resource in the Council we will continue to be innovative, reflective and proactive. In addition to this through these activities we aim to support the Council's medium term financial plan which has a savings target of £2m over the period of this strategy to be applied to all procurement spend.

3.12 Making it Happen

The Procurement Strategy in Appendix A sets out the details and timescales to implement the strategy and also include within each pillar of the strategy the key Outcomes/ KPIs that the Council will be looking to achieve. Progress across all pillars will be reported on Scrutiny Committee every six months and to Cabinet in an annual report.

The process flow of how this will work is highlighted below.



4.0 Financial Implications

4.1 A change in policy that adds additional responsibilities within a tender process could add a financial burden on the supplier that would likely be passed on to

the Council, however this would be dependent on the specific contract and will be assessed on a case by case basis.

5.0 Legal Implications

- 5.1 This report seeks Cabinet approval. Such a Procurement Strategy must comply with and be delivered in accordance with all applicable EU and UK legislation and guidance, to include the Public Contract Regulations 2015, the Public Services (Social Value) Act 2012 and the Equality Act 2015.
- 5.2 Officers in Legal Services will continue to provide support and guidance in the implementation of the Procurement Strategy and any necessary amendments to contract and tender documents.

6.0 Equality Implications

- 6.1 The Procurement Strategy is designed to help promote equality and Officers believe that there are no adverse equality implications

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Not applicable

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 Not applicable

Report sign off:

PETER GADSDON

Strategic Director of Customer and
Digital Services

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Procurement Strategy 2020-2023



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Foreword

We have talked about unprecedented times, previously it was coping with the many years of austerity and when we found ourselves just being able to see some light at the end of the tunnel, we have now been thrown into the midst of even more uncertainty as we look to deal and recover from the effects of Covid 19.

But what these unprecedented times have shown, is just how resilient the people and communities of Brent are. It has been a humbling experience to see our borough unite with such selflessness, care and compassion, in supporting our most vulnerable through these difficult times.

Now, as the Council looks to continue to support our recovery within Brent, it's more important than ever to ensure that every pound invested in our community contributes to our objectives and allows the Council

to find opportunities to help local businesses, the voluntary sector and the community as a whole, in the most appropriate and transparent way.

Brent Council spends approximately £400m per year across its supplier base to support its various activities; from keeping the streets clean, to providing care and support for our most vulnerable to building and creating new affordable housing for residents in the heart of our communities.

Increasing investment in Brent sits at the very heart of our new procurement strategy, and through this we will seek every opportunity to ensure that local businesses form part of the Council's supply chain.

For this to continue, procurement has a pivotal role to play in supporting much of what the Council is looking to do in Brent. This document sets out how the Council is looking to align our priorities and embed the five key pillars of the Procurement

Strategy to achieve the economic, social and environmental benefits for Brent.

The road ahead will not be easy, as we look to recover from one of the biggest economic and public health crises we have had in our history. However, we have the skills and tenacity to succeed, and with our new procurement strategy, we have a solid foundation and a clear direction through which we can drive forward the initiatives at the heart of this Council to build a better Brent.



Cllr Margaret McLennan
Deputy Leader, London Borough of Brent



Cllr Margaret McLennan

“as the Council looks to continue to support our recovery within Brent, it's more important than ever to ensure that every pound invested in our community, contributes to our objectives”

Aligning the principles

Central to this strategy is delivering better procurements in line with the Council's strategic priorities that are set out in the borough plan "Building a better Brent".

It is also fundamental for the Council to ensure that the organisations and individuals it does business with, have a culture and values which aligns with the Council's.

This includes awareness and adherence to the UK Law and Brent Council policies. For example, Health & Safety Acts and regulations, Safeguarding, Equality & Diversity, Confidentiality & Publicity, Data Protection, Freedom of Information, the Modern-Day Slavery Act, Anti-Terrorism and Anti-bribery.

Through implementing this strategy the Council will be contributing to the economic growth of the borough, including improved infrastructure and housing. The Council promotes effective procurement across the Borough, by having regard to local employment and skills shortages, social value, localisation and ensuring wherever possible contracts are Small and Medium Enterprise (SME) friendly.

The pillars and values ultimately feed into the Council's priorities:

- Strong Foundations,
- Every Opportunity to Succeed;
- A Future built for everyone, an economy fit for all;
- A Cleaner, more considerate Brent;
- A borough where we can all feel safe, secure, happy and healthy.





Five Core Pillars of Brent's Procurement Strategy



Five Core Pillars of Brent's Procurement Strategy

Brent's Procurement Strategy comprises of five pillars.

These are core to Brent Council and will be embedded in the way we procure goods, services and works contracts over the next three years as a minimum to support the Council's top priorities.



1 Community Wealth Building

The Local Authority is well placed as an Anchor Institution to promote opportunities for SMEs, employee owned businesses, social enterprises and other community based or owned businesses, which in turn will help support the aim of recirculating wealth and surplus locally but primarily within the borough of Brent.

Community wealth building should not be considered a 'quick win' but with support and backing of the Council, this Procurement Strategy can help to contribute in its development.

Thereby as we progress embedding community wealth building within our procurement psyche, supplier base and community, the success which comes from future procurements can be used as a catalyst to engage with other anchor Institutions to explore and incorporate this programme within their

organisations. Examples of anchor institutions in Brent would include, NHS trusts, trade unions, large local businesses like Wembley Stadium and housing associations.

It's important to develop strong links with other anchor institutions as this will give us the ability to leverage our collective spend, review economies of scale and see how best placed the community of Brent could support those procurement opportunities by developing programmes for nurturing the entrepreneurial spirit, diversity and experiences of local communities across Brent, which could lead to local businesses and local communities having a bigger stake in the local economy.

Community wealth building coupled with the other pillars within this strategy and working alongside other initiatives across the Council will

help to address the various inequalities our residents experience by focussing on generating economic growth and supporting financial security within our local community.

This will be supplemented by our work with the Cooperative Councils Network whose role recognises the need to define a new model for local government built on civic leadership, with Councils working in equal partnership with local people to shape and strengthen communities. This means a new role for local authorities that replaces traditional models of top down governance and service delivery with local leadership, genuine co-operation, and a new approach, built on the founding traditions of the co-operative movement: collective action, co-operation, empowerment and enterprise.



“community wealth Building should not be considered a ‘quick win’ but with support and backing of the Council, this Procurement Strategy can help to support its development”

2 Sustainability

Brent Council is committed to adopting a sustainable approach for all products and services it procures. By harnessing our purchasing power we will: help combat climate change and reduce carbon emissions; reduce waste; save resources; improve air quality; and enhance green space and promote biodiversity.

Improving sustainability throughout our supply chain is an essential component of our commitment to reduce our environmental impact and lead by example. We will seek every opportunity to drive sustainability through our procurements, with the following representing some of the ways through which we will achieve this:

- As a minimum, comply with all relevant environmental, social and procurement legislation.
- Minimise the environmental impacts across design, construction and operation, as well as services and goods provision.

- Integrate environmental considerations throughout the procurement process; from options appraisal to contract completion, applying appropriate significance.
- Support our goal of carbon neutrality by 2030 and reduce the carbon dioxide emissions from contracted services.
- Reduce energy consumption and maximise the use of clean and/or localised energy sources.
- Reduce the energy consumption and subsequent contribution to the Council's carbon footprint from ICT equipment and electrical appliances.
- Ensure that waste is reduced, reused, and recycled wherever possible.
- Support the Council's aim to reduce usage of plastic and reduce plastic waste.
- Increase the amount of reclaimed, reused or recycled materials.

- Prioritise services with circular economy and closed loop systems.
- Support services that support improved air quality and healthy streets in the borough.
- Reduce transport impacts through reduced and smarter delivery options and encourage greener vehicles in freight services on the Council's behalf.
- Ensure green purchasing of products such as office stationery, printed materials, marketing materials, horticultural supplies and textiles.
- Avoid the unnecessary use of chemicals, and prevent the use of hazardous chemicals wherever possible on our own estate and within our contracted services.
- Support options that encourage biodiversity and green infrastructure.



3 Circular Economy

Our aim is to create a more circular economy in Brent. We will do this by promoting effective review and discussion across the Council about how we procure in a broader context. Considering different options, asking different questions, analysing the needs of the organisation and community so the market is clear that within Brent our approach is to create a more circular supply of products and services.

Whilst developing the circular economy within Brent will not be without challenge, the benefits of doing so will be felt by residents and business for generations to come. In the short-term it will encourage and reward innovation, providing opportunities for new and existing businesses to help refine the way that goods and services are used. As the circular economy matures and expands it will deliver further long-term environmental benefits and help Brent toward achieving carbon neutrality.

We will achieve this by taking the ethos of embedding sustainability into everything the Council does a step further. Moving from a linear (purchase, produce, use and dispose) to a circular economy (produce, use, repair, recycle) means we can make the earth's limited resources last longer by keeping items in high value use for as long as possible.

It is not only good for the environment, it is also good for society and the economy as more jobs could be created through a repair, refurbished and recycling economy with possible opportunities for SMEs in educating, training and signposting to drive innovative ideas to support the circular economy.

Overall there should be social, financial and strategic benefits realised by driving the market in a more circular direction.

"we can make the earth's limited resources last longer by keeping items in high value use for as long as possible"



4 Social Value and Ethical Procurement

Brent is firmly committed to social value and has joined the Co-Operative Councils' Innovation Network; a collaboration of 32 likeminded authorities, with a view to finding better ways of working for, and with, people to the benefit of their communities.

Social value can help support Community wealth-building aims to revive local economies, renew trust in local services and deliver a renaissance of local government; by giving businesses and communities a bigger stake in the local economy.

To enable and support this vision, we have developed a new Social Value and Ethical Procurement Policy which sets out how we will ensure that our community is central to the way we purchase goods and services, demonstrating that small changes can have big impacts across the local economy.

This policy was agreed by Cabinet in April 2020 and now forms part of the overall Procurement Strategy. <http://democracy.brent.gov.uk/documents/s96911/12a.%20Appendix%201%20-%20Social%20Value%20Policy%20and%20Ethical%20Procurement.pdf>

"Social value can help support community wealth building aims to revive local economies, renew trust in local services and deliver a renaissance of local government"



5 Active Procurement

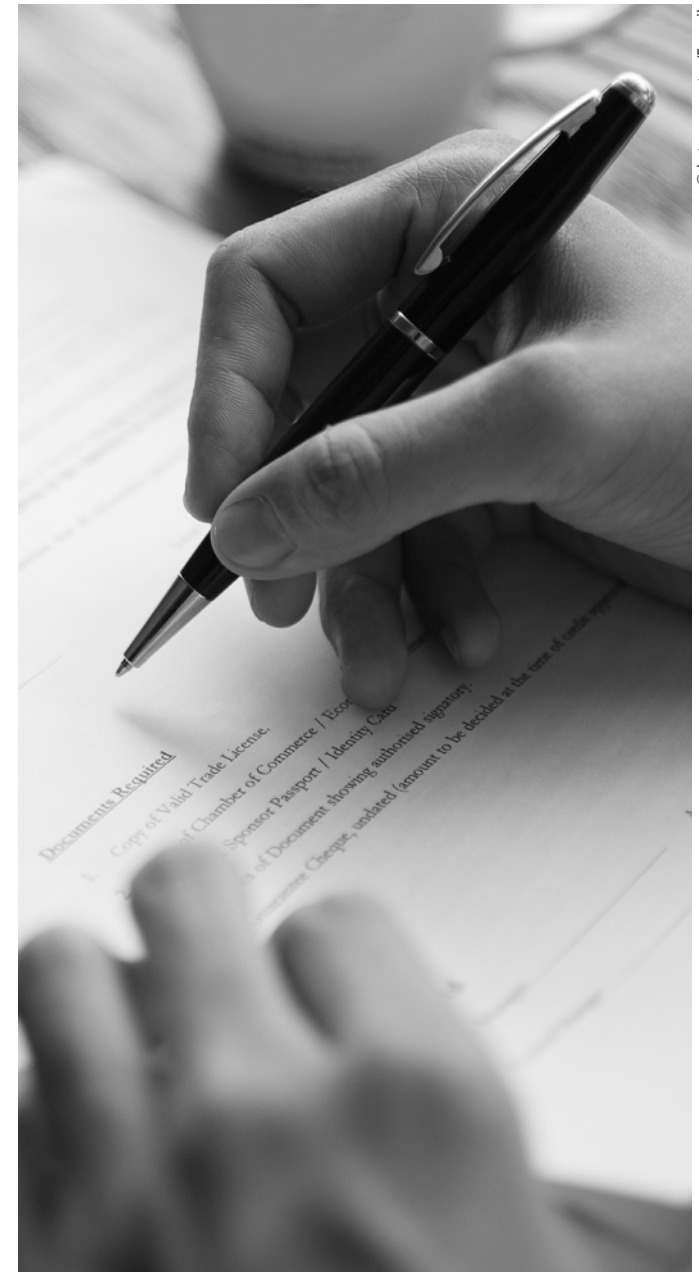
High quality procurement support is not only essential for delivering better procurements, but also for developing a knowledge and intelligence base of data that can help support the delivery of Council priorities. The term 'active procurement' highlights that we have an ongoing commitment to developing our key internal resources that enable us to be innovative, reflective and proactive. Through these activities we aim to deliver £2m reduction in procurement spend during the period of this strategy, whilst ensuring we continue to provide the very best support to the Council and the community of Brent.

Active Communication

- Creating opportunities to engage with Members, setting out how we are supporting their strategic priorities and the affect it's having on the communities they represent.
- Constantly creating opportunities to engage with our stakeholders, developing a knowledge base on how various directorates are supporting the Council's strategic priorities.
- Reaching out to create opportunities to engage with the community, local businesses, the voluntary sector, through forums like supplier events and hub meetings.
- Through this process, building a repository of intelligence and using it to enable us to be best placed to provide appropriate guidance, developing a consultative approach across the Council to all our procurements.

Active Learning Developing and Resourced

- From the procurements we have undertaken, always following up with a lessons learnt and striving to ensure we are making effective use of public money and continuously looking for opportunities to develop our local supplier base.
- Looking inward as a Procurement function to ensure we are appropriately trained and guided, with the appropriate tools and data to deliver the procurement strategy.
- Providing opportunities to develop skills and knowledge, as well as creating procurement career pathways that will enable the Council to attract and retain the best talent.
- The Council will continually review how its procurement function is resourced, to appropriately support and deliver the challenges of the Procurement Strategy.



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5 Active Procurement (continued)

Actively contract managing

- Ensuring we have captured all our contracts on a central contracts register to support effective contract management.
- Ensuring all contracts for major and operational contracts have appropriate KPIs and outcome measures included.
- Learning from suppliers and stakeholders to understand how performance and outcomes have been delivered and can be improved, along with lessons learnt to build into future procurements.
- Undertaking benchmarking exercises of pre-agreed services and continuously working to strive to extract maximum value from our contracts.
- Identifying appropriate contracts and suppliers that would benefit both parties in turning contract management into Supplier Relationship Management (SRM).
- Producing an annual report on the performance of our contracts and additional benefits extracted over and above through our SRM relationships.

Active Analysis

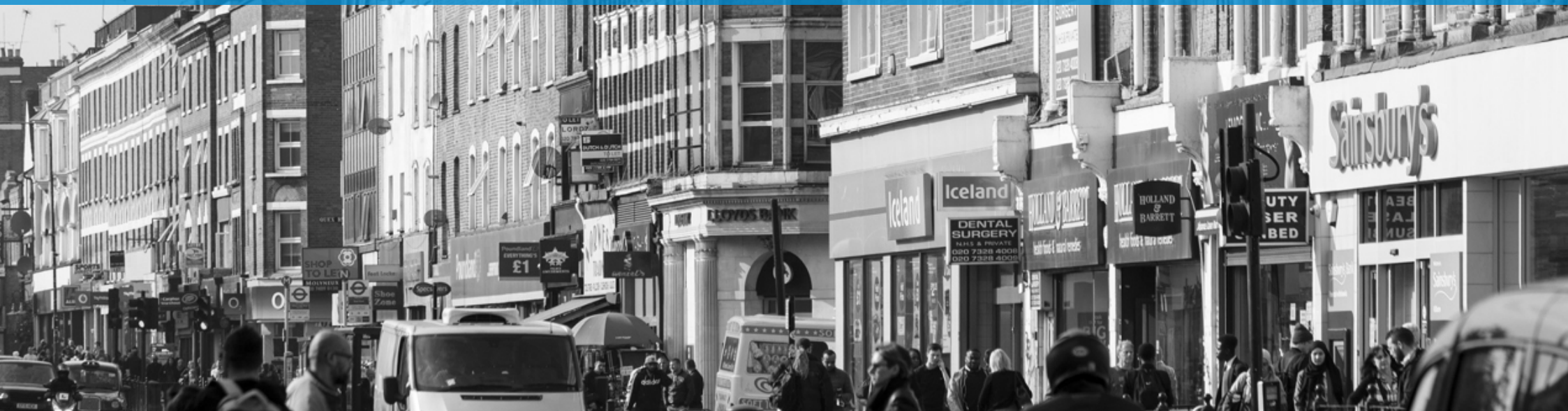
- Data integrity and intelligence is key to good procurement. Therefore we need to ensure our current learning and issues identified are fed through into the implementation of Oracle Cloud.
- Have the ability to generate reports that provide a complete understanding of our contractual spend and supplier make up, including local versus non local spend, building on the intelligence already gained from the existing data mining and segmentation of spend data exercises.

Actively Making it Happen

- Reviewing progress, across the pillars of the procurement strategy through effective governance arrangements in place to monitor progress, including six monthly reports to the scrutiny committee and an annual report to cabinet.
- Taking on board feedback from all stakeholders (internal and external) and constantly striving through our procurements to deliver maximum, social, environmental and economic benefits for our local communities.
- Providing guidance through spend and contract information on where our focus should be in supporting the Council's objectives while balancing the need to make efficiencies.

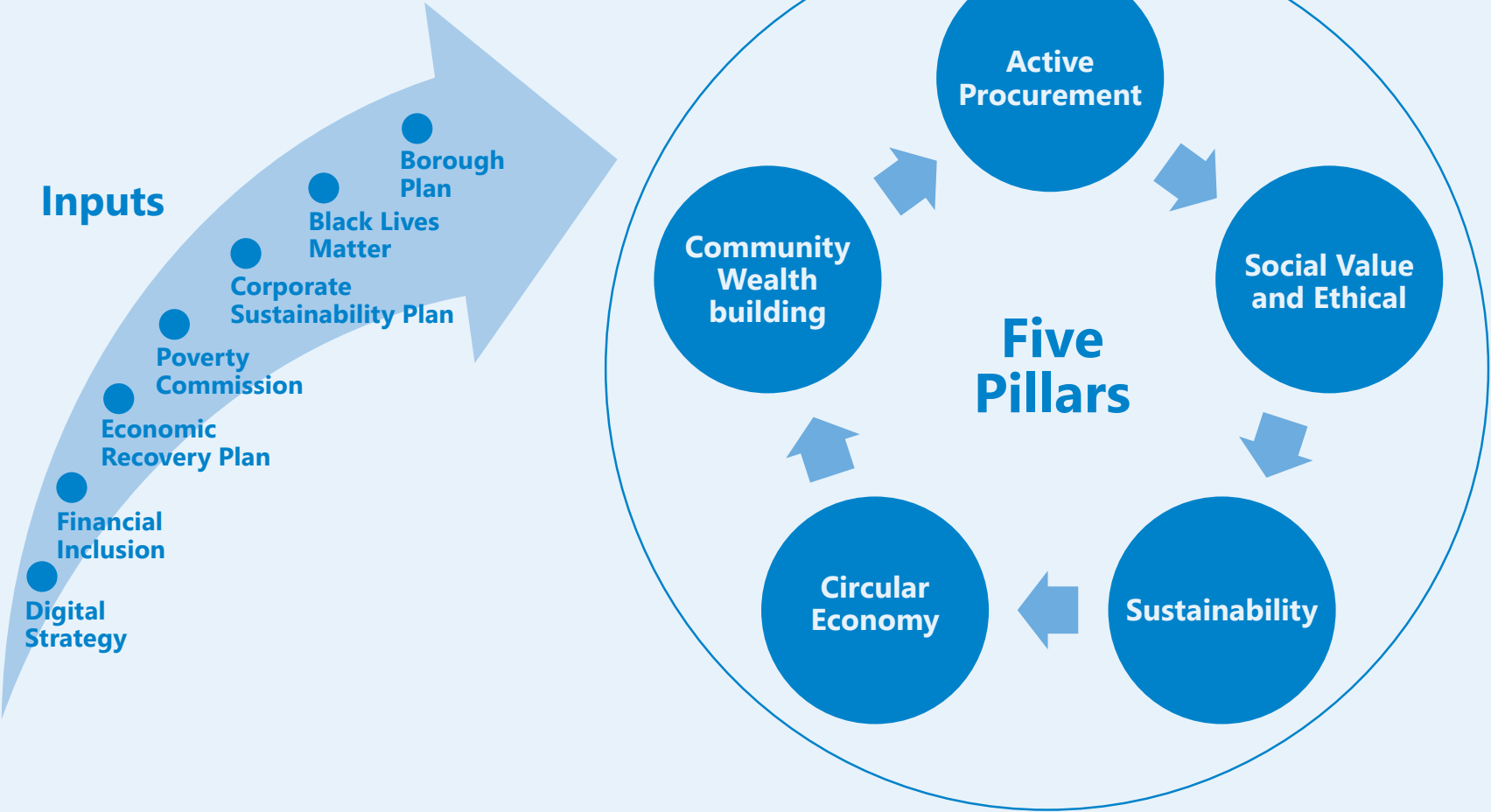


Making it Happen



Making it Happen

Here we can see the interdependence between the pillars and the steps that need to be taken to make it happen.



Community Wealth building

The Council is a key anchor organisation within Brent and can lead by example to encourage and support community wealth building.

To create community wealth from a procurement perspective we need to understand the local supplier base

- Conduct research, identify supplier engagement activities, and work with key local supplier representatives to understand more of what our local supplier base comprises of.
- Conduct a gap analysis to show what we are looking to procure at a micro level across our programmes of work versus the types of local suppliers.

Identify opportunities where existing suppliers can bid for work

- Reconciling the work conducted at a micro level to highlight programme requirements over the coming years.
- Through supplier events and by improving our online offer specific to local suppliers, enabling them to learn more about the support available, future opportunities and how to register onto the procurement portal.

PI/Outcome delivery

Increase the number of local suppliers we use within Brent year on year from our current baseline.

Indicators

- Number of contracts awarded to local suppliers.
- Amount spent with the local supply chain.
- Number of local suppliers within the supply chain.
- Number of local suppliers used in our larger contractors supply chains.



Community Wealth building (continued)

Identify areas where further development of the supplier base is required

- Gap analysis will highlight where we need to encourage development of new local suppliers.
- Procurement working with key departments can look to support this through training programmes, communication of future Council requirements, and signposting to encourage businesses to diversify.

Targeting procurements for the local supplier base

- Identify the number of social enterprises, for example, mutuals, co-operatives, community interest companies etc. in the local community.
- Understand what services they can provide and look to conduct preferred contract procurements targeted to social enterprises in line with current legislation.
- Through our procurements, create links for larger suppliers to use our local supply chain in delivery of the required project, capturing the number of suppliers and amount spent within the local economy.
- Work with key departments to encourage the creation of more social enterprises that will support community wealth building.

Broadening the scope

- Building on the work above and start engaging with other anchor Institutions.
- Specifically looking to identify opportunities where leveraging of spend will enable all involved to provide more opportunities for the local economy.
- Using an evidence based approach to demonstrate the journey, intelligence around local suppliers base and social enterprises, as well as successes with regard to increases in the amount we have been able to spend within the community.



Sustainability

Creating a Procurement Sustainability Policy

- Incorporating the principles of the Council's sustainability agenda into a formal policy.
- Working with key departments to ensure it capture all aspects relating to the procurements that will be undertaken.

Communicating the importance of the Procurement Sustainability Policy

- Working across the Council setting out what the policy is looking to capture and address.
- Providing guidance on how we are looking to incorporate this and building in feedback.

Implementing the Procurement Sustainability Policy

- Once agreed including the policy within all tenders.

KPI/Outcome delivery

Reduce waste through recycling.

Indicators

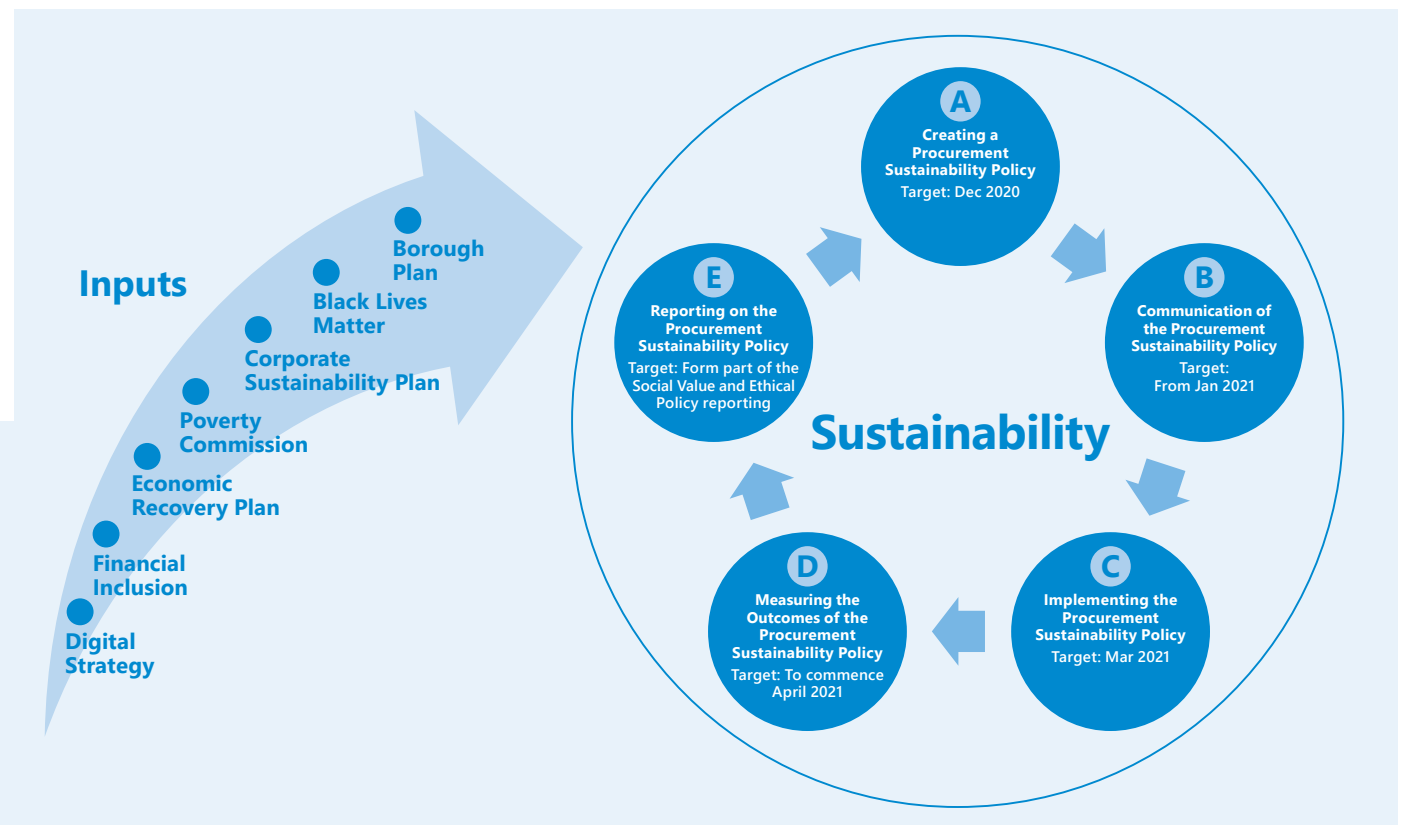
How many of our suppliers comply with ISO 14001: 2004 or equivalent and work towards ensuring as many suppliers within our existing supply chain are conforming. Moving forward it forms part of our evaluation criteria for suppliers wishing to work with the Council.

Measuring the outcomes of the Procurement Sustainability Policy

- Including appropriate questions related to the procurement to understand how the environmental impact will be mitigated.
- As the Social Value and Ethical Policy has a KPI around the greener agenda, procurement colleagues will work with each service to determine how best to assess the impact when measuring sustainability.

Reporting on Procurement Sustainability Policy

- Social Value Action Plan reporting template will capture all elements related to the Sustainability agenda.
- This will be reported through to Cabinet as part of the annual Social Value and Ethical Policy reporting.



Circular Economy

Promoting the understanding and benefits of the circular economy within the Council and to the community as a whole.

- Identifying across the variety of forthcoming procurements where we can utilise and embed the circular economy principles.
- Using the intelligence gained from local supplier research and gap analysis to identify opportunities to encourage local suppliers to promote the longevity of resources that we are using.

- This will be further supplemented by procurement work with key directorates to share intelligence on how the entrepreneurial spirit in Brent can support this.
- Building the opportunities identified into our procurements and contracts through the circular economy principles, along with the ability for the local supplier base to be used in the repair, refurbishment and recycling process.

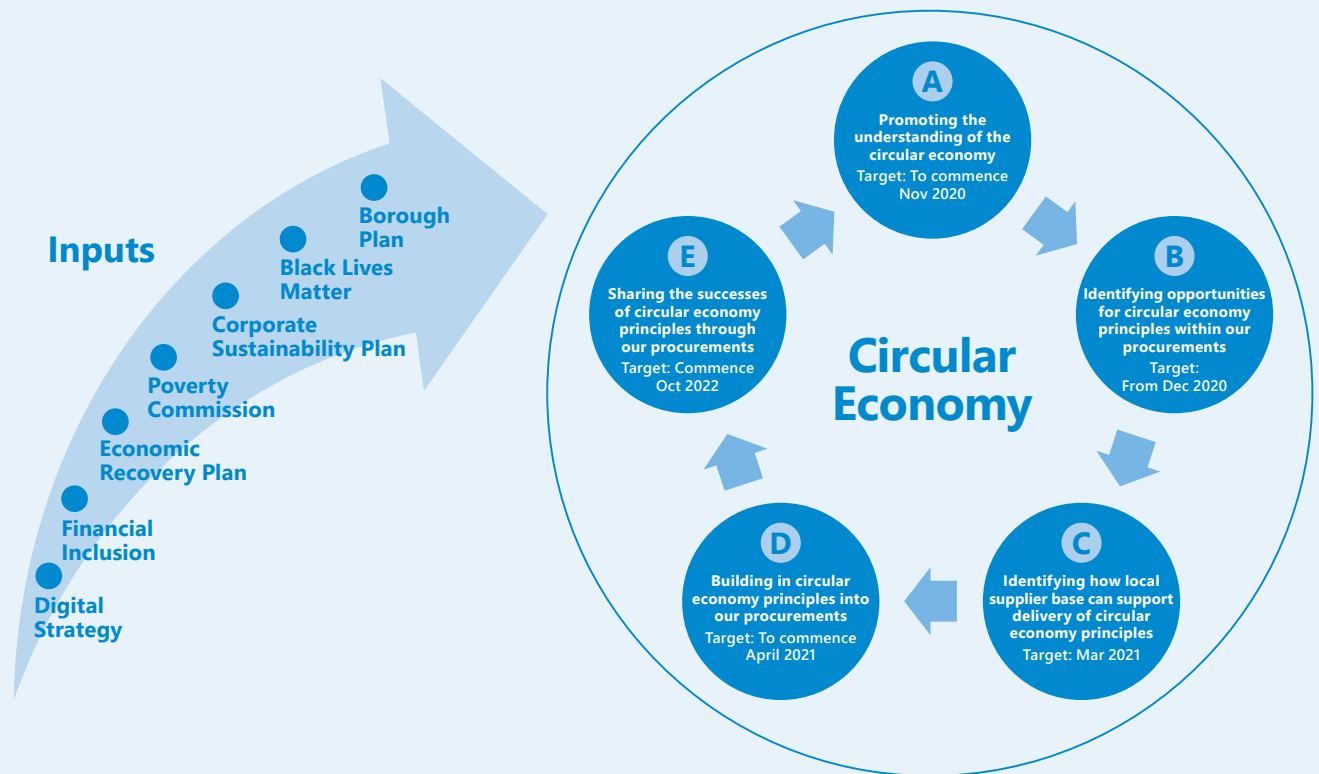
- Encouraging confidence and uptake across the Council by promoting examples of procurements where circular economy principles were applied and are being delivered.

KPI/Outcome delivery

Reduced use of natural resources by purchasing goods and services using recycled materials and facilitate increased investment with local businesses who operate within the circular economy in Brent.

Indicators

- Percentage of businesses operating within the circular economy.
- What percentage of goods and services used in the supply chain are recycled.
- What percentage of good and services are recycled within supplier's organisation?
- What percentage of goods and services are recycled using the local supplier base?



Social Value and Ethical Policy

The Social Value and Ethical policy was agreed by Cabinet in April 2020 and now moved into the making it happen phase.

- Agree a new Social Value and Ethical Policy.
- Include the Social Value and Ethical Policy within our tender documentation.
- Create a Social Value Action Plan template as part of our tender documentation.

- Create a mechanism for collating and identifying all Social Value contractual commitments in line with Council priorities to enable the compiling of an annual report to Cabinet.
- Continue to share learning and build up a list of Social Value Commitments, working across the Council and local communities.

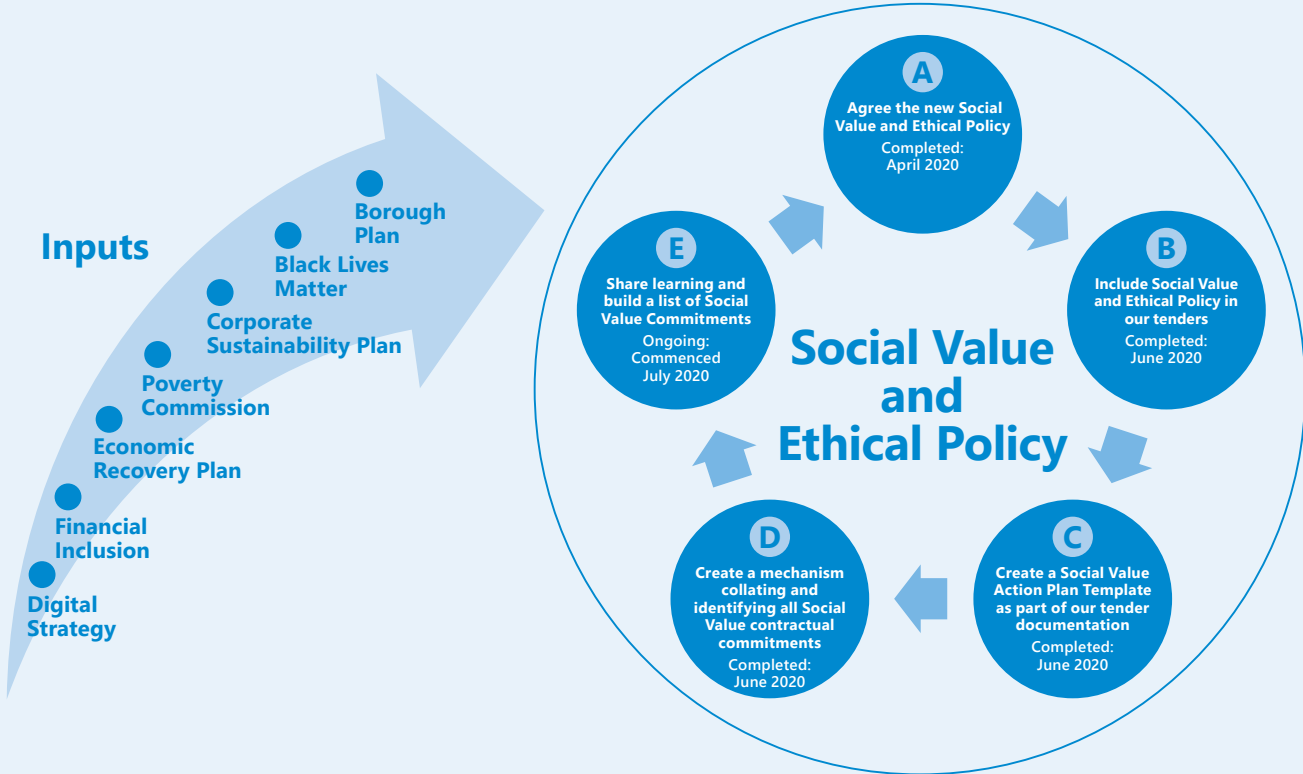
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PI/Outcome delivery

Local investment from Brent contracts.

Indicators

- Number of Brent organisations who participate in the Councils supply chain.
- Supporting innovative delivery models such as co operatives, community interest companies, social enterprises.
- Total amount of social value delivered through Brent Contracts.

See Brent’s Social Value and Ethical Procurement Policy for a full list of key performance indicators.



Active Procurement

Active Communication

- Instigate a number of Member briefing and training sessions on key Council priorities that relate directly to procurement.
- Report monthly to the lead member of current, forthcoming and completed procurements.
- Utilise senior management teams across the Council to highlight key procurement initiatives and review performance against delivery the delivery Councils priorities.
- Develop a timetable of supplier and community engagements, directly building on the work being undertaken through the other pillars of the procurement strategy.
- Consolidating the work being undertaken across the five pillars into an annual Procurement Strategy report to Cabinet.

Active Learning Developing and Resourced

- Set up a process to undertake a lessons learnt after each tendered procurement, to inform an action plan that will address any issues highlighted, reviewed quarterly.
- Quarterly sessions to identify areas of additional knowledge that will enable the Council's procurement resource to continue to support the delivery of Council priorities.
- Continually review how the Council's procurement function is resourced in order to ensure it is equipped to support and deliver the challenges of the Procurement Strategy. Additionally, to consider opportunities to build on the existing structure, in particular to strengthen contract management and analytical capacity.

Active Contract Management

- Working with directorates across the Council to create a contracts register baseline of all known contracts we are actively spending against.
- Work with Directorates to identify all major contracts. Supporting contract managers directly for those identified to ensure the contract management and performance is achieving contractual commitments.
- Create a process to assess major contracts mid-way through their contract term and use this evidence to determine overall performance and next steps.
- Producing a report on the performance of contracts and additional benefits extracted over and above, through our Supplier Relationship Management (SRM) that feeds into the annual procurement strategy report to Cabinet.



Active Procurement (Continued)

Active Analysis

- Working with key departments to ensure there is full awareness of data requirements and how this feeds into supporting the Council's priorities.
- Building clear links between key departments to ensure we work collectively to deliver a successful Oracle Cloud implementation.

Actively making it Happen

- Building in the milestones set out across all the pillars in the Procurement Strategy and reviewing regularly to make sure we are on track.
- Consolidating the work being undertaken across the five pillars into an annual Procurement Strategy progress report to Cabinet.

KPI/Outcome delivery

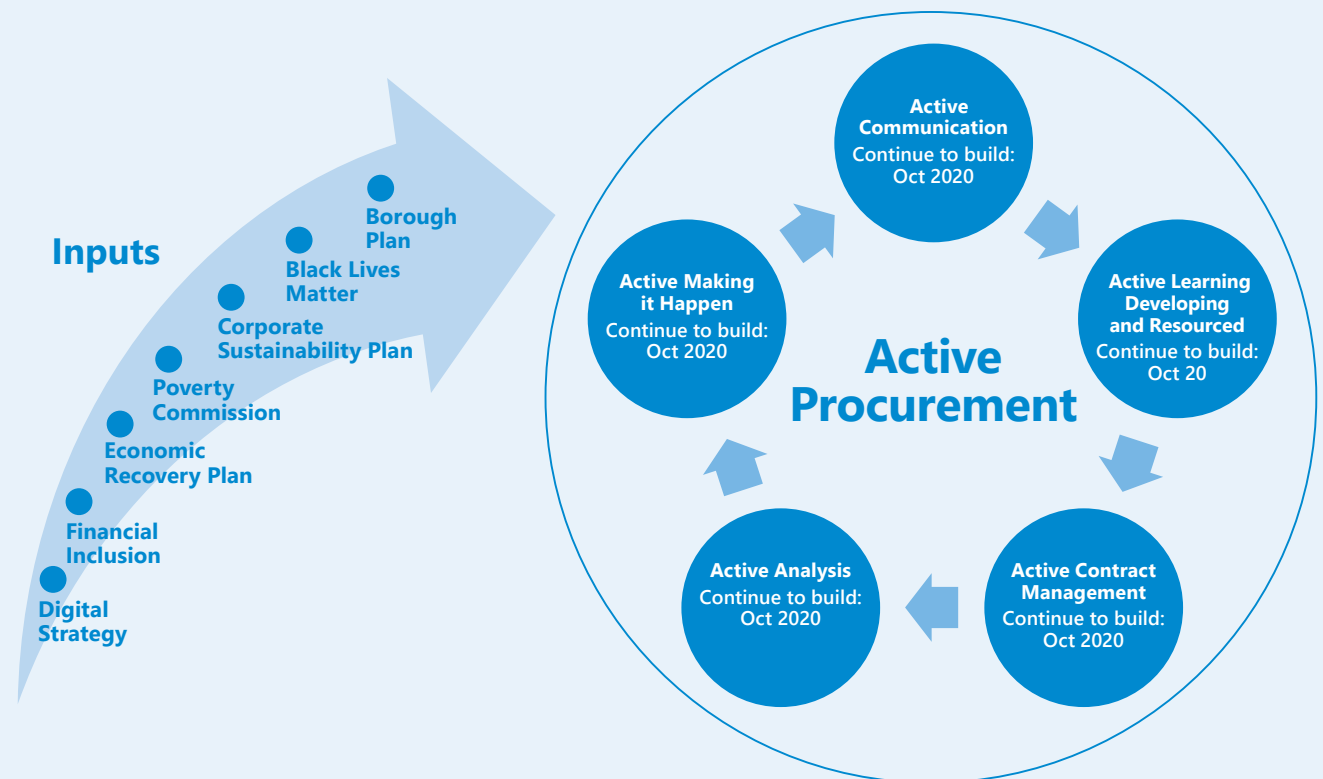
Deliver a reduction in procurement spend during the period of this strategy – target £2m

KPI/Outcome delivery


Provide commercial intelligence to ensure we are achieving value for money

Indicators

- **Spend analysis:** Producing annual reports showing how we spend our money identifying opportunities of leveraging decommissioning and commissioning activities to best support the Council strategic priorities.
- **Effective Contract management:** Maintain a contract register and work with Directorates/ Sections to identify opportunities to bring different services together under one contract.



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 <p>Brent</p>	<p>Cabinet 12 October 2020</p>
<p>Report from the Strategic Director of Customer and Digital Services</p>	
<p>ICT Work with the Local Government Association</p>	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s):	Sally Chin, Head of ICT Clienting & Applications sally.chin@brent.gov.uk Tel: 020 8937 1432

1.0 Purpose of the Report

- 1.1 This report sets out proposals for Brent Council to continue to partner with the Local Government Association for the provision of ICT services.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Notes current arrangements for partnership working with the Local Government Association in relation to the provision of ICT services as set out in paragraphs 3.1 and 3.2.
- 2.2 Approves the council entering into further arrangements to partner with the Local Government Association for a period of 3 years with an optional 2 year extension for the provision of ICT services, to include the hosting of its ICT services at the Brent Data Centres, and the ongoing provision of ICT support services and the implementation of new hardware where necessary.
- 2.3 Delegates authority to the Strategic Director of Customer and Digital Services in consultation with the Director of Finance and the Director of Legal, HR, Audit and Investigations to agree the full terms of the legal agreements required to deliver the partnering arrangements referred to in 2.2 above and thereafter to enter into such agreements.

3.0 Detail

- 3.1 The council entered into a partnering arrangement with the Local Government Association (LGA) for the provision of ICT services in January 2016. This arrangement involved the establishment of a company jointly owned by the council and the LGA, called LGA Digital Services Limited (LGA Digital). This is a company that complies with the requirements of Regulation 12 of the Public Contracts Regulations 2015 (commonly referred to as a Teckal company). Three contracts were also entered into whereby LGA Digital provided services to the LGA and purchased from and also provided services to the Council.
- 3.2 The partnering arrangement with the LGA has worked well since 2016. The Council has assisted LGA to implement new technologies such as DA Laptops that have improved resilience and facilitated new ways of working: that proved to be significant during the COVID 19 lockdown. The new technology also benefited the Council by reducing the number of support calls from LGA staff.
- 3.3 The existing contracts between the Council, LGA Digital and the LGA will terminate on 29th January 2021. Following a review of partnering arrangements that involved a soft market testing exercise, the LGA has indicated that they would like to continue to work in partnership with the Council and for LGA Digital to continue to deliver ICT services.
- 3.4 Officers consider that there are benefits to the Council in continuing to deliver the service in partnership with the LGA. The income from LGA contributes to the cost of maintaining and replacing core ICT and networking infrastructure. A term of 3 plus 2 years is preferred because it provides stability for all parties and allows for the ongoing development and implementation a strategy roadmap.
- 3.5 It is proposed that future partnering arrangements will be delivered in the same was as currently, using LGA Digital, the Teckal company jointly owned by LGA and Brent.
- 3.6 Detailed negotiations are taking place with the LGA regarding its specific service requirements and the associated cost. Officers are therefore seeking Cabinet approval to delegate authority to the Strategic Director of Customer and Digital Services in consultation with the Director of Finance and the Director of Legal, HR, Audit and Investigations to agree the full terms of the legal agreements required to deliver the partnering arrangements and thereafter to enter into such agreements.

4.0 Financial Implications

- 4.1 Discussions are ongoing about LGA's specific requirements. The annual support cost is likely to be around £600,000 in fixed costs, plus £130,000 in variable costs for 480 users. These costs would cover any expenditure incurred by Brent towards the delivery of the ICT services.

5.0 Legal Implications

- 5.1 The recommendation in this report for the council to partner with the LGA for the provision of ICT services is permitted pursuant to the general power of competence in s1 of the Localism Act 2011 and the Local Authority (Goods and Services) Act 1970. The partnering arrangements proposed with the LGA do not constitute the establishment of a formal partnership.
- 5.2 In view of the value of the proposed arrangement as detailed at paragraph 4.1, Cabinet approval is required to such partnering arrangements in accordance with Contract Standing Order 87.
- 5.3 Consistent with current partnering arrangements, it is proposed that the council, LGA and LGA Digital will enter into agreements setting out the parties' respective duties and liabilities in relation to the proposed arrangement. These agreements are likely to be classed as High Value Contracts under the Council's Contract Standing Orders and Financial Regulations. As such, Cabinet approval is required to award / enter into such contracts. As negotiations on the details of these agreements has not yet been concluded, delegated authority is sought to the Strategic Director of Customer and Digital Services in consultation with the Director of Finance and the Director of Legal, HR, Audit and Investigations to agree the full terms of the legal agreements and thereafter to enter into such agreements
- 5.4 The value of the proposed agreements are such that a competitive procurement process would ordinarily be required under the Public Contracts Regulations 2015. However, as detailed in paragraph 3.1, Brent and LGA established LGA Digital in 2016 to deliver the services and this is a company that complies with the requirements of Regulation 12 of the PCR 2015. As a result both the Council and the LGA may rely on Regulation 12(4) of the PCR 2015 to directly award contracts to LGA Digital, with the direct award of a contract by LGA Digital to the Council being permitted pursuant to Regulation 12(2) of the PCR 2015.

6.0 Equality Implications

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

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The partnering arrangements will primarily be delivered through the use of existing council staff. There is no intention to transfer these staff into the company owned jointly with the LGA.

8.0 Human Resources/Property Implications (if appropriate)


- 8.1 None

Report sign off:

PETER GADSDON

Strategic Director of Customer and Digital Service

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 <p>Brent</p>	<p>Cabinet 12 October 2020</p> <hr/> <p>Report from Strategic Director, Community Well Being</p>
<p>Shared Ownership Sales and Marketing Policy</p>	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	One Appendix 1: Shared Ownership Sales and Marketing Policy
Background Papers:	None
Contact Officer(s):	<p>Hakeem Osinaike Operational Director of Housing Hakeem.osinaike@brent.gov.uk Tel: 020 8937 2023</p> <p>John Magness Head of Housing Supply and Partnerships John.magness@brent.gov.uk Tel: 020 8937 3272</p> <p>Elaine Cleland-Awity Strategy Delivery Officer Elaine.cleland-awity@brent.gov.uk Tel: 020 8937 2566</p>

1.0 Purpose of the Report

- 1.1 The purpose of this paper is to present a new Shared Ownership Sales and Marketing Policy for review and approval.

- 1.2 The Council is building a minimum of 1000 Council homes for Brent residents as part of its New Council Homes Programme (NCHP). Though the Council does not currently intend to develop any shared ownership homes as part of this programme, it may do so in the future depending on the outcome of the government's current consultation on affordable housing. Furthermore, if the Council begins to purchase land, it may become necessary to develop shared

ownership homes if the financial appraisal requires the mix of tenure to include shared ownership to enable a viable social housing scheme.

- 1.3 Additionally, the Council has acquired a s.106 scheme (Grand Union, Alperton), which includes shared ownership properties so we do need to have a policy for their sale and marketing in place and we are likely to be interested in other s.106 schemes. This may also be the case for i4B and FWH should their Boards decide to deliver Shared Ownership homes.
- 1.4 In line with the [regulatory requirements set out by the Homes and Community Agency \(HCA\)](#) (now Homes England), and the [Greater London Authority \(GLA\)'s Affordable Housing Capital Funding Guide](#), this policy sets out how these new shared ownership homes will be marketed and sold.
- 1.5 There is a chronic shortage of social housing in Brent, highlighted by our recent Poverty Commission, which called for us to build on our ambitious council housing programme to develop an even greater number of social homes.:

Whilst the council is not intending to develop its own shared ownership homes, and certainly does not consider shared ownership to be a social housing option, we do recognise that shared ownership plays a role in providing a more affordable opportunity for home ownership. With a lower deposit to pay upfront, shared ownership is one way for people who have been financially impacted by the pandemic, such that they are no longer able to afford sufficient deposit to buy a home outright, to become homeowners nonetheless.

- 1.6 Other housing providers in Brent who are building new shared ownership units are encouraged to adopt the approach to prioritising applications outlined in this policy.
- 1.7 It is important to note that the Mayor of London has a set standard for many aspects of the sales, marketing and management of shared ownership homes i.e. eligibility, rent level, service charges etc. What the Council does have control over and is presented to Cabinet, is the priority listing for allocations, exemptions and allocations to elected members, staff and their relatives.
- 1.8 It is also necessary to note that the government is currently consulting on changes to the shared ownership scheme. Some of the proposed administrative changes differ from what is contained in the current policy. However, it is not known which of the proposed changes will be confirmed and/or when a new scheme will commence.

2.0 Recommendations

Cabinet is asked to:

- 2.1 Note the contents of this report;
- 2.2 Approve the content of the draft Shared Ownership and Sales Marketing Policy;

- 2.3 Delegate Authority to the Strategic Director for Community Well Being in consultation with the Lead Member for Housing and Welfare Reforms to make relevant changes to the Shared Ownership and Marketing Policy arising from any relevant changes to legislation or statutory guidance made by central Government

3.0 Context

- 3.1 Shared ownership, which is classed as an affordable housing product, enables households to purchase a share in a new home and pay a regulated rent via a lease arrangement on the remaining unsold share.
- 3.2 In recent years, shared ownership has become a more accessible home ownership product meaning more people are eligible than ever.
- 3.3 As the purchaser only needs a mortgage for the share they are purchasing, the amount of money required for a deposit is typically a lot less than the amount needed when buying a home outright.
- 3.4 The purchaser then has the opportunity to increase their share in the property through a process known as 'stair casing.' In line with the policy, this will be in chunks of 25%.
- 3.5 Once stair-cased to 100% in shared, the purchaser will officially become the homeowner and will no longer have to pay rent, only their mortgage along with any applicable service charge.
- 3.6 The Council currently has 23 shared ownership homes in the pipeline, as part of the Grand Union development which the council has purchased through Section 106. Additionally, the Council will continue buying s106 schemes that include shared ownership and so it is necessary to have a policy in place to guide how they will be allocated.

4.0 Meeting Council Objectives

- 4.1 In accordance with the Borough Plan 2019-2021, the Council is committed to delivering 5,000 new affordable homes in the next five years.
- 4.2 Although the Council accepts that shared ownership helps to meet specific housing need for some residents in the borough, social rented housing remains the priority. The NCHP was specifically implemented to deliver at least 1000 of these 5000 homes.
- 4.3 Under the NCHP, 138 homes have been completed, 695 are currently onsite being built, 332 have planning consent and going through procurement for developers, 170 have been submitted for planning consent and 516 are in feasibility. There are 19 other sites being explored. The Council's intention is to continue building good quality and affordable rented homes that meets the needs of Brent residents.
- 4.4 To deliver the additional 4000, the Council is committed to providing a range of affordable housing options that meet both the housing needs and aspirations of Brent residents, and this includes shared ownership.

- 4.5 The Council is in favour of shared ownership as it is an affordable housing product that will meet the needs of some of the households in Brent, who may not earn enough to buy a property at full value but earn too much to qualify for affordable rented products. These are mainly the people paying expensive rents in the private sector, disabling them from being able to save and buy their own homes.
- 4.6 Additionally, evictions in the private sector are currently the number one reason for homelessness in Brent, which means this group of people are subject to homelessness and/or frequent home moves. By prioritising these households when allocating the homes, there will be more capacity to tackle homelessness.
- 4.7 Also, there are potentially Council tenants who, although have a right to buy their homes, cannot afford to obtain a mortgage for the full value of their homes. Such tenants may be attracted to a shared ownership product, freeing up their existing homes for the council to let to households on the Housing Register.
- 4.8 Through this affordable home ownership product, our residents can have more tenure security, stay in Brent and potentially contribute more to the community.

5.0 Shared Ownership Sales and Marketing Policy

5.1 This policy has been developed to set out the Council's approach to selling shared ownership homes and to raise awareness of the scheme to applicants, and inform them of the responsibilities of becoming a homeowner.

5.2 The aim of this policy is to:

- support Brent residents to meet their housing needs and aspirations
- ensure that the Council's shared ownership homes are purchased fairly and transparently
- ensure that applicants who purchase a shared ownership property can afford it
- ensure all sales are compliant with the regulatory requirements of Homes England the GLA
- enable a quick and efficient sales process

6.0 Eligibility

6.1 As detailed in the policy, to be eligible for a home on a shared ownership basis, you must:

- Be aged 18 years or over
- Be able to afford at least 5% of the equity being purchased
- Have a household income of less than £90,000
- Be unable to purchase a home on the open market without assistance
- Not have any mortgage or rent arrears
- Have good credit history

- Applicants who are self-employed will need to provide three years' worth of audited accounts evidencing that the mortgage and rent payment for the shared ownership property will be affordable.
- Not own a home (exceptions made in cases where applicants current home no longer meets their housing needs or due to a relationship breakdown which causes a household split)

6.2 In such cases, existing homeowners wishing to apply for a Brent shared ownership home must:

- have their name removed from the previous mortgage; or
- be in the process of selling their existing home and be able to demonstrate it is no longer suitable (e.g. overcrowded)

7.0 Exemptions

7.1 Exemptions may include (but are not limited to) individuals whose financial commitments such as high childcare or child maintenance payments reduce their ability to afford to buy a home on the open market. This will be assessed on a case-by-case basis.

7.2 The Operational Director of Housing has authority to approve any exemptions to the criteria included in this policy. All exceptions will be monitored to ensure the Council's shared ownership properties are targeted to those most in need.

8.0 Priority

8.1 Where there is a shortage of housing, such as in Brent, both serving and former military personnel must be given priority.

8.2 Following this, whilst the government has removed any requirement to prioritise other group, the Council has adopted local criteria meaning applications will be prioritised as follows:

- Existing Council or housing association tenants
- Households on the Housing Register
- Key workers (within the London Borough of Brent definition)
- First-time buyers
- All other Brent residents
- Applicants living outside of Brent

8.3 The term of the lease purchased will be 125 years and charges will be set and administered in accordance with current legislation, including the production of annual accounts.

9.0 Elected members, staff and their relatives

9.1 Elected members, staff and their relatives are eligible to apply for council shared ownership properties. All applications, including those from elected members, staff and their relatives will be assessed in line with the process set out in this policy.

9.2 Following this assessment and before an allocation is made, final approval must be provided by the Operational Director of Housing and Head of Audit for any allocation to staff and their relatives and by the Chief Executive and the Head of Audit for any allocation to elected members and their relatives.

10.0 Other details

10.1 For the first year, the contractor who built the property remains responsible for rectifying defects at no cost to the owner.

10.2 At the end of the 12-month period, it will be the responsibility of the buyer to carry out any internal repairs to their home.

10.3 Leaseholders (shared owners of a flat) may be able to sublet their property, subject to the terms of their lease and following written consent from Brent Council. If a leaseholder sublets their property they will become a landlord and are expected to comply with the rules and regulations imposed on landlords.

11.0 Next Steps

11.1 Public consultation regarding the implementation of this policy has not been necessary. This is because aspects such as eligibility, rent and service charges have been set nationally and have been adopted in line with the Mayor of London's guidance and therefore do not require further feedback.

11.2 Further actions to take include amending and writing documentation in relation to the policy i.e. amending the Council's Leasehold Management Policy to include the management of shared ownership homes.

11.3 Other documentation includes business protocol for the Housing Needs Service to utilise when allocating the shared ownership homes, as well as the Housing Management Service who will manage the homes.

12.0 Legal Implications

12.1 Section 32 of the Housing Act 1985 provides that specific consent must be obtained from the Secretary of State prior to the sale of Housing held for the purpose of part II of the Housing Act 1985.

12.2 Secretary of State General Consent 2013 provides for the Council to grant shared ownership leases in respect of property acquired pursuant to part II of the Housing Act 1985 (for housing purposes) without requiring the specific permission of the Secretary of State.

12.3 Section 17 of the Housing Act 1985 provides the Council with powers to acquire houses, or buildings, which may be made suitable as houses, together with any land occupied with the houses or buildings.

13.0 Financial Implications

- 13.1 The financial appraisal of building and acquiring new build schemes are assessed on a site by site basis. Factors such as funding streams, local tenure mix, and payback period are taken into account when considering if shared ownership properties should be offered in a scheme. Shared ownership properties purchased by Brent will be managed within the Councils Housing Revenue Account (HRA)
- 13.2 Funding of shared ownership acquisitions by the Council will require borrowing, in addition to GLA grants received. Capital receipts received through shared ownership sales will be ring-fenced within HRA, and utilised towards financing and repayment of debt.
- 13.3 Expenditure incurred by Brent Housing Management for management and maintenance of communal areas such as cleaning, gardening and lift works, are re-charged to shared ownership leaseholders by way of service charges. Leaseholders are consulted about major works and improvements such as external fabric works to the building, as required by Section 20 of the Landlord and Tenant Act 1985.
- 13.4 Cost of internal repairs and maintenance of shared ownership properties after the first year, are the responsibility of the leaseholder and will not be a cost to the Council.

14.0 Equality Implications

- 14.1 Pursuant to section 149 of the Equality Act 2010 (“the Act), The Council has a duty to have ‘due regard’ to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, advancing equality of opportunity between persons with a protected characteristic and those without, and foster good relations between persons with protected characteristics and those without.
- 14.2 The protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership but to a limited extent.
- 14.3 Equalities Impact Assessment of the Borough Plan and Housing Strategy, which includes the priority to deliver affordable housing within Brent, has previously been completed and identified that it will have an overall positive impact on all sections of the community.

15.0 Consultation with Ward Members and Stakeholders

- 15.1 This policy has been discussed with the Lead Member for Housing and Welfare Reforms. Once agreed, it will be circulated to all Ward Members.

16.0 Human Resources / Property Implications

16.1 There are no HR implications in relation to this report.

16.2 The purchase of further shared ownership homes will be subject to separate reports as and when necessary.

Report Sign Off

PHIL PORTER
Strategic Director – Community
Wellbeing



LONDON BOROUGH OF BRENT

Shared Ownership Sales and Marketing Policy



1.0 Policy overview

Introduction

The London Borough of Brent is committed to providing a range of affordable housing options that meet both the housing needs and aspirations of Brent residents.

Shared ownership is an affordable housing product through which households can purchase a share in a new home and pay a regulated rent via a lease arrangement on the remaining unsold share. By purchasing a share, households are able to benefit from the stability of home ownership without having to meet the deposit and borrowing requirements of purchasing the property in whole.

In line with the [regulatory requirements set out by the Homes and Community Agency \(HCA\)](#) (now Homes England), and the [Greater London Authority \(GLA\)'s Affordable Housing Capital Funding Guide](#), this policy sets out how these new shared ownership homes will be marketed and sold.

Other housing providers in Brent who are building new shared ownership homes are encouraged to adopt the approach to prioritising applications outlined in this policy.

Aims of the policy

The aims of this policy are to:

- support Brent residents to meet their housing needs and aspirations
- ensure that the Council's shared ownership homes are purchased fairly and transparently

- ensure that residents who purchase a shared ownership property can afford it
- ensure all sales are compliant with the regulatory requirements of Homes England the GLA
- enable a quick and efficient sales process

Links to the Council's corporate aims

This policy supports the [Brent Borough Plan 2019-2023](#), "Building a Better Brent". The plan aims to make Brent a great place to live and work, where people feel that they have opportunities to change their lives for the better.

Equality and Diversity

Brent is the second most culturally diverse borough in the UK¹. This policy supports the Council's commitment to championing equality and ensuring procedures are in place so that all residents are treated fairly and without unlawful discrimination in line with the [Equality Act 2010](#).

2.0 Eligibility and Qualification

Financial eligibility

When selling a shared ownership product, it is essential to check whether residents can afford the mortgage, rent and service charge payments combined; hence this will be assessed as part of an applicant verification process.

The deposit required for a shared ownership property is at least 5% of

¹ [Equality profile of Brent 2019](#)

the equity being purchased. Evidence of funds for the deposit will be sought at verification.

The GLA requirements state that, to be eligible for a London shared ownership home, the annual income of the household must be less than £90,000 and the household must be otherwise unable to afford to purchase a home unassisted. The annual household income includes income from any member of the household that is directly linked to the purchase of the property, and excludes income from any member of the household under 18 years old. Brent Council is adopting this approach.

Also in accordance with the GLA guidance, residents must not be in mortgage or rent arrears and must have a good credit history at the point of applying. It must be evidenced that residents can afford the regular payments and costs involved in buying a home.

Residents who are self-employed will need to provide three years' worth of audited accounts, evidencing that the mortgage and rent payment for the shared ownership property will be affordable.

Age

All applicants must be 18 or over.

Existing homeowners

Under some circumstances, existing homeowners could be considered eligible for shared ownership homes. This includes cases of existing homeowners whose property no longer meets their housing needs and cannot afford to buy on the open market, or where a relationship breakdown has resulted in the household splitting. Existing homeowners wishing to apply for a Brent shared ownership home must;

- have their name removed from the previous mortgage; or
- be in the process of selling their existing home and be able to demonstrate it is no longer suitable for their needs (e.g. overcrowded)

Citizenship

Residents must be a British or EU/EEA citizen with a Settled Status or have indefinite leave to remain in the UK.

Elected members, staff and their relatives

Elected members, staff and their relatives are eligible to apply for Council shared ownership properties. All applications, including those from elected members, staff and their relatives will be assessed in line with the process set out in this policy. The London Borough of Brent's Chief Executive and Head of Audit & Investigation will give a final approval for any allocations to elected members and their relatives. The Operational Director of Housing and Head of Audit & Investigations will give a final approval to any allocations to staff and their relatives.

Exemptions

Exemptions may include (but are not limited to) individuals whose financial commitments such as high childcare, or child maintenance payments reduce their ability to afford to buy a home on the open market. This will be assessed on a case-by-case basis.

The Operational Director of Housing has authority to approve any exemptions to the criteria included in this policy. All exceptions will be monitored to ensure the Council's shared ownership properties are targeted to those most in need.

Bedroom eligibility

To ensure households are not overcrowded, they will be assessed against the [Government's Allocation of Accommodation Guidance 2012](#) defined 'bedroom standard', which requires a separate bedroom for the following:

- Married or cohabiting couple
- Adults aged 21 years or more
- Two children aged 0-20 years of the same sex
- Two children aged under 10 years regardless of sex

3.0 Priority

Priority requirements

Priority will be given to both serving and former military personnel. This priority applies if:

- The applicant has completed their basic training (phase one) as:
 - Regular service personnel (Navy, Army and Air Force)
 - Clinical staff
 - Ministry of Defence Police Officers
 - Uniformed staff in the Defence Fire Service
- They are ex-regular service personnel who have served in the Armed Forces for a minimum of six years, and can produce a Discharge Certificate (or similar documentation) as proof, where they apply within two years the date of discharge from service

- They are defined as a surviving partner under the [Capital Funding Guide](#) of regular service personnel who have died in service, where they apply within two years of the date of being bereaved

Whilst the government has removed any requirement to prioritise any other group, the Council has adopted local criteria meaning applications will be prioritised in the following order:

- Existing Council or housing association tenants
- Households on the Housing Register
- Key workers (within the London Borough of Brent [definition](#))
- First-time buyers
- All other Brent residents
- Residents living outside of Brent

Households with the same eligibility

If two or more residents have the same level of priority, the property will be offered to the applicant with the earliest registration date.

4.0 Marketing

Management of sales and marketing

The Council will enter into an agreement with an external agent/company, to manage the sales and marketing of Council built shared ownership homes.

The appointed marketing and sales company will be required by the Council to ensure it acts in accordance with the [Consumer Protection and Unfair Trading Regulations \(2008\)](#) and any other relevant regulatory guidance when marketing the Council's shared ownership homes.

All prospective purchasers will be provided with clear and accurate information, which has been approved by the Council on the homes being sold.

Marketing

Council shared ownership homes have been built as part of the [Homes for Londoners initiative](#). All properties will be listed on the [Homes for Londoners portal](#).

5.0 Sales

Valuation

Prior to sale or stair-casing, each shared ownership home will receive an independent valuation from a Royal Institute of Chartered Surveyors qualified surveyor. Initial sales will be based on the full market value of the property.

It is the responsibility of the leaseholder to cover the costs of a valuation. The valuation will be reviewed every three months until the point of sale to ensure the sale price is reflective of the open market. Properties cannot be advertised below their open market value without permission from central government.

Once purchased, any revaluations required for stair-casing or resale will be at the owner's expense.

We expect all surveyors carrying out a valuation to ensure it is a true reflection of the property's value.

If the property is down-valued by the mortgage lender's surveyor, the Council will investigate the reasons supplied by the lender against the original valuation. This will include reviewing other similar properties for sale in the local area.

Lease purchase

The minimum initial equity share that can be purchased is 25% and the maximum initial equity share is 75%.

At the point of sale, annual rents will be no more than 3% of the unsold equity. This means rents will be set on an individual property basis depending what percentage is sold.

Under current regulations, increases in rent are limited to the Retail Price Index (RPI) plus 0.5%, using the RPI figure for a specified month, which, is published annually. The [Capital Funding Guidance](#) sets out further information on rent increases.

The term of the lease purchased will be 125 years and charges will be set and administered in accordance with current legislation, including the production of annual accounts. (See 'service charges' below for more information).

Reservation

At the point of reservation, residents will be required to supply:

- Proof of income

- Proof of identification
- Proof of address
- Evidence of deposit (bank statement, council bond)
- Evidence of eligibility
- Evidence of affordability (e.g. bank statements, bills)

Once verified the successful applicant (now the buyer) will be required to pay a reservation fee of £500 to reserve a property and start the sales process. When paying the reservation fee, the buyer will be required to complete and sign the reservation fee form agreeing to the terms and conditions under which the fee is paid.

This fee will then be refunded once the purchase has been completed.

Should the buyer not proceed with the purchase for any reason, the fee will not be refunded. Exceptions may be made in certain circumstances; e.g., where not receiving the refund would cause financial hardship. This will be at the discretion of the appointed sales and marketing company.

Mortgage offer approval

Prior to the purchase, the appointed sales and marketing company will require a copy of the buyer’s mortgage offer, including the amount of borrowing and the terms.

Service Charges

Under the [Homes for Londoners](#) initiative, the Mayor of London requires all housing providers building shared ownership properties,

including Brent Council, to adopt the [Mayor of London’s Shared Ownership Service charges charter](#).

This charter requires the Council to meet the following principles:

- transparency - addressing the management of information relating to service charges and when and how this is communicated to leaseholders
- affordability - ensure service charges are sustainable for leaseholders in the long term
- intelligent design – adopt strategies before the homes are built to minimise service charges in the future

6.0 Post-purchase

Property Management

Details of the management of shared ownership properties will be outlined in the Council’s [Leasehold Management Policy](#).

Customer experience

On the completion of each sale, each buyer will be asked for feedback on their experience of purchasing their new home via Brent’s settlement check questionnaire. This will be used to improve the customer experience.

Complaints can be registered at: brent.gov.uk/your-council/complaints/making-a-general-complaint/

Completion

On the day of completion, a member of the Brent team will be on hand to provide new owners with keys to the property and to demonstrate how to use the facilities and answer any queries they may have.

Buyers will also be given a Home User Guide that will include meter readings, warranties for any appliances fitted, and an explanation of how to pay service charges.

Repairs during the first year

For the first year, the contractor who built the property remains responsible for rectifying defects at no cost to the owner. Common defects repairs are outlined in the Home User Guide.

At the end of the 12-month period, it will be the responsibility of the owner(s) to carry out any internal repairs to their home. Ratification of defects is outlined in the Brent Defects Repairs Procedure.

The [NHBC Buildmark insurance cover](#) as outlined below, will cover the cost of any damage caused by the builder failing to build the home to NHBC requirements.

Repairs & Maintenance

Brent Council will maintain the external fabric of the building and shared communal areas, in accordance with lease obligations. This includes day-to-day repairs, cyclical and planned major works.

Leaseholders will be fully consulted about major works and improvements as required by Section 20 of the [Landlord and Tenant Act 1985 \(as amended\)](#).

Rent and Service Charge

Purchasers will pay the rent and service charges on the first of each month to Brent Council by Direct Debit. Both will be reviewed annually, in line with the terms of the lease. The service charge may change depending on the expenses incurred for the development.

Service Charges

Service charges will be levied to fund the following:

- Communal cleaning and gardening
- Buildings insurance
- Maintenance of lifts, door entry systems and other items such as solar panels and communal TV aerials/satellites
- Management and audit fees

We will provide leaseholders with accurate and timely information about service charges, including a breakdown of the relevant costs. Charges will reflect the actual cost of delivering a particular service. The annual management charge will cover the costs of managing and providing the leaseholder management service.

Brent Council has signed up to the [Mayor for London Shared Ownership Charter for Service Charges](#) to minimise service charges wherever possible.

Deficits and credits from previous years will be carried forward into subsequent years and included in the calculation of service charges each year. Leaseholders will be notified of their actual charges once a year. Full details are outlined in the Brent Leaseholder Handbook.

Leaseholders will be encouraged to pay via Direct Debit and spread the total charges over a 10-month period in equal instalments.

Leaseholder arrears will be dealt with in line with Brent's Leaseholder Handbook, [available here](#), (page 13).

Stair-casing (buying more of your home)

Buying more shares in a shared ownership home is called 'stair-casing'. The Brent Lease Agreement allows for purchasing more shares in chunks of 25% and outlines this process. Prices for stair casing are based on new valuations at the time of purchase carried out by qualified RICS Surveyors who specialise in valuations reflecting true market value.

Home Improvements

Leaseholders can make alterations or improvements to their home and should first seek consent from Brent Council in line with the Brent Leaseholder Handbook (page 21). A decision on alterations or improvements will be provided in writing. Brent will clarify expectations such as inspection of planning permission, building regulations, insurance cover during and after works, and set out conditions such as the future maintenance of improvements and alterations.

Subletting

Leaseholders may be able to sublet their property, subject to the terms of their lease and following written consent from Brent Council. If a leaseholder sublets their property they will become a landlord and are expected to comply with the rules and safety regulations imposed on landlords as well as tenants.

The landlord will have to provide the names and other relevant details of the tenant to whom a property has been sublet, as well as their own new correspondence address so that all future service charges bills can

be sent to them. The leaseholder will remain responsible for paying all service charge and major works bills.

Any property rented out to five or more people who are unrelated will require a Mandatory HMO license regardless of the number of floors in the building. Brent also operates the following licensing schemes for privately rented properties:

- Mandatory Licensing Scheme - this covers houses in multiple occupation (HMOs) occupied by 5 or more people
- Additional Licensing Scheme - this is borough-wide and is for HMOs occupied by three or four people
- Selective Licensing Schemes - this was introduced in 2018 and covers the wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park.

To apply for a property license, please go our website:

<https://www.brent.gov.uk/services-for-residents/housing/landlords/property-licensing/apply-for-a-property-licence/>

Pets

If a leaseholder wishes to keep a pet, they must obtain written permission from Brent Council in accordance with their lease.

NHBC Buildmark cover

New homes will be guaranteed under a [NHBC](#) warranty for a period of up to 10-years after the building was finished. This includes covering the cost of repairs caused by faulty workmanship/materials/repairs or replacement of items that are supplied as part of new homes.


[The Buildmark cover](#) has two parts:

- Initial problems in the home caused by faulty workmanship or materials
- Years 3-10 insurance for the costs of putting right damage caused by a structural defect

7.0 Monitoring and delivering of the policy

This Policy will be reviewed once the government makes a decision on its ongoing consultation on how affordable housing will be delivered in the future. Amendments at other times will be made through the local decision making progress. Any major changes will be consulted upon before a decision is taken to implement them.

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 <p>Brent</p>	<p>Cabinet 12 October 2020</p>
<p>Report from the Strategic Director of Community Wellbeing</p>	
<p>Authority To Tender For Framework Agreements For Housing Refurbishment Works And Technical Consultancy Services</p>	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	One Appendix One: Contract Decision Making
Background Papers:	None
Contact Officer(s):	Giuseppe Coia, Asset Compliance Manager Giuseppe.Coia@brent.gov.uk Tel: 0208 937 2652

1.0 Purpose of the Report

- 1.1 The Council requires to establish a contractor and a technical consultancy supply chain in order that the future capital works programme in relation to several new Council and Government initiatives can be effectively delivered.
- 1.2 This Report seeks approval to commence procurement of two multi-supplier, multi-lot framework agreements for housing works and technical consultancy services as required by Contract Standing Orders 88 and 89. The proposed frameworks will be for a period of four (4) years commencing 1 July 2021. Delegated authority is also sought for the Strategic Director for Community Wellbeing, in consultation with the Lead Member for Housing Welfare Reforms, to appoint consultants and contractors to the Framework Agreements with Contractors and Consultants following a compliant procurement process.
- 1.3 The Council procured a 10-year Integrated Asset Management contract in 2014. This was intended for the provision of responsive repairs and planned maintenance services to Council housing. Recent Council and government initiatives have meant that additional works and technical consultancy capacity is required. These include the Asset Management Strategy, the Building Safer Futures Act (pending), the revised Fire Safety Regulatory Reform Order (pending), the Climate Change agenda, and the major refurbishment works programme.

2.0 Recommendations

That Cabinet:

- 2.1 Approve inviting tenders for a framework agreement for Housing Refurbishment Works on the basis of the pre - tender considerations set out in paragraph 3.11 of the report.

- 2.2 Approve inviting tenders for a framework agreement for Technical Consultancy Services to support the asset management and refurbishment programmes on the basis of the pre - tender considerations set out in paragraph 4.8 of the report.
- 2.3 That Cabinet approve Officers evaluating the tenders referred to in 2.1 and 2.2 above on the basis of the evaluation criteria set out in paragraph 3.11 of the Report.
- 2.4 That Cabinet delegate to the Strategic Director for Community Wellbeing, in consultation with the Lead Member for Housing Welfare Reforms, authority to appoint contractors and consultants to the framework agreements referred to in 2.1 and 2.2 above for a term of 4 years.
- 2.5 In line with the Council Procurement Rules, specific contract awards will be as set out in paragraphs 5.6 – 5.10.

3.0 Background

- 3.1 The new Framework Agreements will be used to deliver the following initiatives:
- The Building Safer Futures initiative will lead to comprehensive legislation evolving post-Grenfell.
 - The Fire Safety Regulatory Reform Order is being amended to develop further fire requirements.
 - The Council has committed to tackling climate change by achieving a SAP B rating for all of its housing stock by 2030. This is a significant undertaking that will require additional contractor and technical consultancy resource to ensure that the target is met.
- 3.2 The Asset Management Strategy has been drafted and is currently under consultation. It sets out a comprehensive strategy to bring together all pertinent property management requirements going forward. It contains six core commitments and these are that:
1. We have a good understanding of the condition of our housing stock and use this knowledge to target work, providing and maintaining quality, safe homes for our residents.
 2. The homes we manage are fully compliant with all fire safety regulations and as a service, we take a proactive approach to delivering fire safety works and providing peace of mind for our residents.
 3. The work we do is informed by resident priorities and feedback and we use what residents tell us about their experience to provide homes and estates where residents feel proud to live.
 4. Our housing stock is efficiently managed and opportunities to create greater economic and social value are recognised.
 5. The homes we manage are energy efficient and the services we deliver are mindful of environmental impact.
 6. We provide a quality repairs service that is accessible and accountable to our residents.

3.3 The Strategy spans five years and covers the following key areas:

- Stock condition.
- Fire safety.
- The investment programme and the required capital budget.
- The Climate Change emergency.
- Resident priorities.

The above initiatives and legislation will ultimately impact on the refurbishment programme for Council housing going forward creating a major refurbishment work stream. The benefits for our stock are that it will be refurbished and maintained at a high standard in terms of energy efficiency, quality of environment, amenity, and fire safety.

Importantly, residents will have a greater say in shaping their homes and community, providing feedback to the Council, and meaningful consultation.

Existing arrangements

3.4 Housing planned, cyclical and responsive repairs are currently delivered by a Contractor under a partnership contract with the Council. This is an up to 10-year contract which can run until late 2024, subject to contractor performance and annual renewal by the Council.

3.5 The contractor partner is Wates Construction Limited. Their current workload consists of the delivery of the responsive repairs service, and the planned maintenance programme.

3.6 As a significant major refurbishment works programme has been developed which will require additional contractor and consultancy support to deliver, this procurement is required to source additional capacity in order to deliver the core commitments of the Asset Management Strategy.

4.0 Detail

The new procurement requirements

Works

4.1 The works requirements are as follows:

- Major Works Refurbishment (multi-trade major works refurbishment)
- Planned Maintenance
- Minor Works (multi-trade minor works)
- Roof Top/Infill Developments (roof top, infill buildings, side extensions)
- Associated mechanical and electrical works

Consultancy Services

4.2 The technical consultancy services disciplines to support the delivery of housing projects include:

- Major Works administration
- Minor Works administration
- Building Surveying
- Structural Surveys

- Heating, mechanical and electrical
- Principal Designer
- Cost Consultant / Quantity Surveying
- Architectural Design Services
- Employer's Agent / Client Representative
- Fire Engineering
- Project Management

- 4.3 The intention is to set up two Council multi-supplier specific framework agreements (both of a four year duration). The Public Contracts Regulations 2015 do not allow for a term of a framework agreement to extend beyond four years save in exceptional circumstances. However, services and works ordered before the expiry of the term of the frameworks may run past this period.
- 4.4 It has been decided to set up frameworks as these facilitate a dedicated supply chain for the Council, provide flexibility and provide for much quicker procurement and contract award process. The frameworks will also be leaseholder compliant. The lots selected reflect the expected works and consultancy services to be procured over the next four years.
- 4.5 The Framework for works will be split into six Lots with bidders able apply for more than one Lot and a maximum number of contractors awarded a Framework for each Lot as indicated below:

Lot	Title	Annual Value From	Annual Value To	Award
1	Major Works Refurbishment and Associated New Build	£ 5,000,000	£ 25,000,000	4-8
2	Minor Works	£ 250,000	£ 2,000,000	4-8
3	Voids Re-Servicing	£ 250,000	£ 2,500,000	3-6
4	Fire Safety Works	£ 250,000	£ 3,000,000	3-6
5	Adaptations	£ 100,000	£ 300,000	2-4
6	Energy Efficiency and Retrofit Works	£ 250,000	£ 2,500,000	3-6

The proposed number of providers are the optimum number to obtain a good balance between ensuring ongoing competitive pricing and good service, whilst maintaining interest for the bidders. Too high a number will mean that many providers never obtain any work; too low a number will mean that the same bidders win work all of the time and there is restricted competition.

- 4.6 The Framework for consultancy will be split into seven Lots with bidders able apply for one or multiple Lots and a maximum number of consultants awarded a Framework as indicated below:

Lot	Consultancy Type	Annual Value From	Annual Value To	Award
1	Multi-disciplinary Consultancy Services - Major Works	£ 300,000	£ 1,000,000	4-8
2	Multi-disciplinary Consultancy Services - Minor Works	£ 100,000	£ 400,000	4-8

3	Structural Engineering	£ 50,000	£ 200,000	3-6
4	Energy Design and Retrofit Consultancy	£ 50,000	£ 250,000	3-6
5	Fire Engineering	£ 50,000	£ 250,000	3-6
6	Mechanical and Electrical Engineering	£ 100,000	£ 300,000	3-6
7	Partnering Contract Administration	£ 150,000	£ 300,000	2-4

4.7 This will ensure that the opportunity is attractive to suppliers by:

- Providing ongoing opportunities to win work based on price and ongoing good levels of service
- Encouraging long-term relationships to be formed
- Facilitating the ability to gain understanding of the borough and the Council so that future contracts become easier to deliver and will also benefit the Council by:
- Giving officers timely access to value for money services and works (a competitive process will ensure that the Council achieves optimum rates)
- Development of collaborative working practices
- High quality contract management
- Deliver social value outcomes that provide a greater social value impact to the Borough

4.8 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet.

Ref.	Requirement	Response
(i)	The nature of the service	<p><u>Works Framework</u></p> <p>A multi contractor framework with the following six Lots.</p> <ol style="list-style-type: none"> 1. Major Works Refurbishment (multi-trade major works refurbishment) and associated new build and infills 2. Minor works 3. Voids Re-Servicing 4. Fire Safety works 5. Adaptations 6. Energy Efficiency and Retrofit Works <p><u>Consultants Framework</u></p> <p>A multi supplier framework agreement for complementary consultancy services with the following seven Lots:</p> <ol style="list-style-type: none"> 1. Multi-disciplinary Consultancy Services - Major Works 2. Multi-disciplinary Consultancy Services - Minor Works 3. Structural Engineering 4. Energy Design and Retrofit Consultancy 5. Fire Engineering 6. Mechanical and Electrical Engineering 7. Partnering Contract Administration

Ref.	Requirement	Response																						
(ii)	The estimated value.	<p>Works – the estimated total annual values for works across all Lots on the framework will range between £6.1 million to £35.3 million per annum. £24.8 million to £141.2 million full term.</p> <p>Consultancy – the total annual value across all Lots for consultancy will range between £0.8 million to £2.7 million per annum. £3.2 million to £10.8 million full term.</p> <p>Use of the frameworks will be restricted to Brent Council.</p>																						
(iii)	The contract term.	The Framework will be a four year term. However, services and works ordered before the expiry of the term of the framework may run past this period provided that the award of contract will be in accordance with the Public Contract Regulations.																						
(iv)	The tender procedure to be adopted.	Restricted Procedure.																						
v)	The procurement timetable.	<table border="1"> <thead> <tr> <th>Indicative dates are:</th> <th>Required Date</th> </tr> </thead> <tbody> <tr> <td>Adverts placed and SQ issued</td> <td>25 October 2020</td> </tr> <tr> <td>S20 Leasehold consultation</td> <td>Dec 20</td> </tr> <tr> <td>Deadline for SQ submissions</td> <td>27 Nov 2020</td> </tr> <tr> <td>Evaluation of SQ submissions and notification of outcome to bidders</td> <td>10 January 2021</td> </tr> <tr> <td>Invitation to Tender Issued</td> <td>18 Mar 2021</td> </tr> <tr> <td>Deadline for tender submissions</td> <td>18 Apr 2021</td> </tr> <tr> <td>Panel evaluation and moderation</td> <td>15 May 2021</td> </tr> <tr> <td>Report recommending Contract (Framework Agreement) award circulated internally for comment</td> <td>25 June 2021</td> </tr> <tr> <td>S20 consultation</td> <td>July 21</td> </tr> <tr> <td>Contract (Framework Agreement) Award – Delegate Authority to</td> <td>8 August 2021</td> </tr> </tbody> </table>	Indicative dates are:	Required Date	Adverts placed and SQ issued	25 October 2020	S20 Leasehold consultation	Dec 20	Deadline for SQ submissions	27 Nov 2020	Evaluation of SQ submissions and notification of outcome to bidders	10 January 2021	Invitation to Tender Issued	18 Mar 2021	Deadline for tender submissions	18 Apr 2021	Panel evaluation and moderation	15 May 2021	Report recommending Contract (Framework Agreement) award circulated internally for comment	25 June 2021	S20 consultation	July 21	Contract (Framework Agreement) Award – Delegate Authority to	8 August 2021
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(vi)	The evaluation criteria and process.	<p>1. As a Restricted Procedure will be followed, all interested bidders will complete a Selection Questionnaire (SQ) which will be assessed to ensure bidders meet the Council's minimum requirements in respect of financial standing, technical capacity and technical expertise. The highest ranking qualified bidders will then be invited to tender.</p> <p>At tender evaluation stage, the panel will evaluate all of the tender lots for both frameworks against the following criteria: 40% Quality – delivery of the service/works, 10% Social Value and 50% Price.</p> <table border="1"> <thead> <tr> <th>Technical / Quality</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> </thead> <tbody> <tr> <td>Q1 Resourcing & Management</td> <td>20%</td> <td rowspan="4">40%</td> </tr> <tr> <td>Q2 Delivery of Service</td> <td>40%</td> </tr> <tr> <td>Q3 Quality & Monitoring</td> <td>20%</td> </tr> <tr> <td>Q4 Stakeholder Engagement</td> <td>20%</td> </tr> <tr> <td>Total for Quality/Technical</td> <td>100%</td> <td></td> </tr> <tr> <th>Social Value</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> <tr> <td>Social Value</td> <td>100%</td> <td>10%</td> </tr> <tr> <th>Commercial</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> <tr> <td>Commercial (Tendered Framework Prices)</td> <td>100%</td> <td>50%</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total</td> <td>100%</td> </tr> </tbody> </table> <p>Once successfully appointed to the Framework, Call off contracts will ordinarily be awarded to the Contractor or Consultant who can carry out the works/deliver the commission at the lowest rate as indicated by the SOR (Schedule of Rates). Where items are not included in the</p>	Technical / Quality	Area weighting	Overall weighting	Q1 Resourcing & Management	20%	40%	Q2 Delivery of Service	40%	Q3 Quality & Monitoring	20%	Q4 Stakeholder Engagement	20%	Total for Quality/Technical	100%		Social Value	Area weighting	Overall weighting	Social Value	100%	10%	Commercial	Area weighting	Overall weighting	Commercial (Tendered Framework Prices)	100%	50%	Total		100%
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Ref.	Requirement	Response
		Schedule of Rates (SOR) or there is a significant change of scope a mini competition will be undertaken between the appointed contractors/consultants to award any such works or services. Factors such as capacity, contract performance and financial standing will also be taken into account before awarding a Call off from either Framework. The use of right is reserved to undertake mini-competition regardless of the circumstances.
(vii)	Any business risks associated with entering the contract.	No specific business risks are considered to be associated with entering into the proposed Frameworks. Financial Services and Legal Services have been consulted concerning this. By setting up framework agreements, this does not commit the Council to any level of expenditure at this stage.
(viii)	The Council's Best Value duties.	Full advertising in accordance with the Public Contracts Regulations 2015, Contracts Finder and on the London Tenders Portal and a robust tender evaluation process will be carried out in order to support the Council's best value duties.
(ix)	Consideration of Public Services (Social Value) Act 2012	10% of the evaluation is included for Social Value benefits.
(x)	Any staffing implications, including TUPE and pensions.	See section 8 below.
(xi)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.

4.9 Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

Options Appraisal

4.10 In order to deliver the initiatives referred to above it will be necessary for the Council to have access to a number of suitable contractors and technical consultants. Several procurement options are available. Due to the scale and value of the future works programme it will be advantageous to have access to a supply chain that is procured under thorough tender conditions. The preferred option should be relatively easy to administer whilst still providing ongoing competition from the supply chain and opportunities to make further cost, quality and service benefits. The procurement of new Council framework agreements is the proposed option as outlined below.

Options Considered

4.11 Officers have considered the following three options:

4.11.1 **Deliver in house on an ad-hoc basis** – this would require a significant investment in officer and technical consultants time in regards to preparing bespoke specification and tender documents, administrating the procurement process, evaluating tenders, preparing award documentation, and mobilisation. This would have to be repeated for each procurement.

In addition, this would be extremely time-consuming as a new process is required each time.

Skills and expertise of this magnitude are not currently available in-house.

4.11.2 **Use an existing framework agreement** – no appropriate framework agreement has been identified that can meet the Council’s requirements across all areas of works/consultancy services. There are some frameworks that cover some of our services but not all them. In addition, existing frameworks have constraints in terms of the available contractors and consultants. It is often difficult to engage the supply chain from larger frameworks as their odds of winning works tend to be larger.

Importantly, existing established frameworks are not leasehold compliant and complications can arise when leasehold consultation is attempted. This would be an issue on every procurement.

4.11.3 **Go out to procure Council Framework Agreements** – a formal procurement process to enable works and services to be tailored to meet the Council’s requirements, with statutory consultation with leaseholders pursuant to s20 of the Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002. The frameworks will include robust social value commitments in the subsequent contracts. This is the option that is being proposed in this Report.

5.0 Financial Implications

5.1 The estimated annual value of each category/work stream is as follows:

Category	Annual Value From	Annual Value To
Major Works Refurbishment and Associated New Build	£ 5,000,000	£ 25,000,000
Minor Works	£ 250,000	£ 2,000,000
Voids Re-Servicing	£ 250,000	£ 2,500,000
Fire Safety Works	£ 250,000	£ 3,000,000
Adaptations	£ 100,000	£ 300,000
Energy Efficiency and Retrofit Works	£ 250,000	£ 2,500,000
Multi-disciplinary Consultancy Services - Major Works	£ 300,000	£ 1,000,000
Multi-disciplinary Consultancy Services - Minor Works	£ 100,000	£ 400,000
Structural Engineering	£ 50,000	£ 200,000
Energy Design and Retrofit Consultancy	£ 50,000	£ 250,000
Fire Engineering	£ 50,000	£ 250,000
Mechanical and Electrical Engineering	£ 100,000	£ 300,000
Partnering Contract Administration	£ 150,000	£ 300,000

- 5.2 These figures are based on historical expenditure and estimated future project expenditure during the term of the proposed framework.
- 5.3 The procurement of these contracts is affordable as they will be met from the existing HRA budget.
- 5.4 By setting up framework agreements, this does not commit the Council to any level of expenditure at this stage. Individual, framework call-offs and mini-competitions will continue to follow the standard Council's approval and governance processes.

Procurement and Contract Award Post Framework Award

- 5.5 Whilst works will continue to be awarded to Wates under the existing Integrated Asset Management Contract, the new framework agreements will facilitate the delivery of the wider capital works programme and related technical consultancy services.
- 5.6 Post-framework award, it will be necessary to tender and award a series of contracts either as direct call-offs or mini-competitions. The tender and award route will follow the Procurement Rules based on each contract award value.
- 5.7 The decision to tender and award most contracts will be by delegated authority to the Strategic Director / relevant Operational Director or such other person they have formally authorised for all values of contract with the exception of:
- Contracts for services and supplies above £2M
 - Contracts for works above £5M
- 5.8 The decision to tender and award these contracts will be via Cabinet.
- 5.9 DMT / Commissioning & Procurement Board / Capital Board requirements will be followed as set out in the Council Procurement Rules.
- 5.10 Appendix 1 sets out the procurement and award process that will be followed under the Framework Agreements. This follows the requirements of the Council Procurement Rules.

6.0 Legal Implications

- 6.1 The proposed estimate for the procurement of the two frameworks will be above the threshold for both works and also services as detailed in the Public Contracts Regulations 2015 ("PCR 2015"). The estimated value of Call-Off Contracts under the framework for works will be between £24.8 million and £141.2 million for the term of the framework. The estimated value of Call-off Contracts under the framework for consultancy services will be between £3.2 million and £10.8 million for the term of the framework.
- 6.2 The estimated value of the two frameworks is such that they are classified as High Value Contracts under the Council's Contract Standing Orders. For High Value Contracts, the Cabinet must approve the pre-tender considerations set out in paragraph 4.8 above (Standing Order 89) and the inviting of tenders for the framework (Standing Order 88). Delegated authority to the Strategic Director for Community Wellbeing, in consultation with the Lead Member for Housing Welfare Reforms is sought to appoint contractors and providers to the frameworks and therefore, once the tendering process is undertaken Officers will report back to the Strategic Director for Community Wellbeing, explaining the process undertaken in tendering the frameworks and recommending appointment to the frameworks.

- 6.3 As this procurement to establish two framework agreements is subject to the full application of the PCR 2015, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the PCR 2015 before the frameworks can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the frameworks may commence.
- 6.4 There is a current Integrated Asset Management Contract with Wates. This procurement does not seek to replace those arrangements. However, there are significant areas of work that are not currently covered by the contract with Wates, and / or where Wates do not have sufficient capacity. These new frameworks provide this additional capacity and facilitates the delivery of other works and consultancy services as the need arises.
- 6.5 In procuring the frameworks, it will be necessary for the Council to carry out consultation pursuant to s20 of the Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002 as the frameworks will be classed as a Qualifying Long Term Agreements. A two-stage consultation will be required with at least a 30 day consultation period for each stage. The Council has a duty to regard any observations, comments or responses arising from consultation with the leaseholders. If it is possible to draft the frameworks with sufficient detail, it may be possible to ensure that no further consultation is required save for consultation under Schedule 3 of the consultation legislation when the Council undertakes any qualifying works i.e. building works.

7.0 Equality Implications

- 7.1 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 Equality Act 2010. This is known as the Public Sector Equality Duty.
- 7.2 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.
- 7.3 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.
- 7.4 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

8.0 Consultation with Ward Members and Stakeholders

8.1 A Notice of Intention to procure the Frameworks will be sent to leaseholders prior to the commencement of the procurement process. A notice of Proposal will be issued prior to the award of the framework agreements. This will be a Long Term Qualifying Agreement for the purposes of leaseholder consultation. Post framework award it is only necessary to issue a single Notice of Estimate when works or services are required.

8.2 The Lead Member for Housing Welfare Reform has been consulted

9.0 Human Resources/Property Implications (if appropriate)

9.1 There are no direct implications for council staff arising from the tender.

10.0 Public Services (Social Value) Act 2012

10.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (“the Social Value Act”) to 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. Officers will incorporate social value into the specification, award criteria and contract for these Frameworks to ensure that a contribution of 10% of the contract value delivered is made to Brent’s Social Value commitments.

Report sign off:

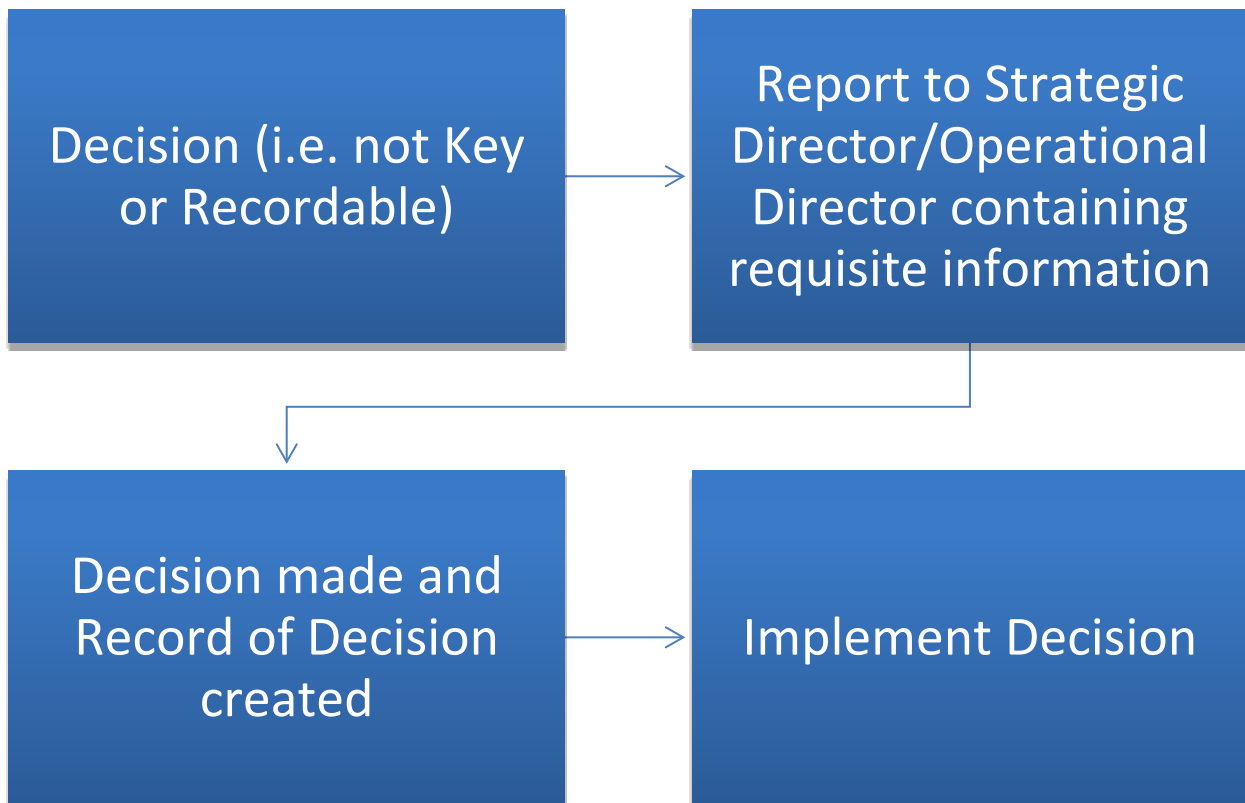
PHIL PORTER

Strategic Director of Community
Wellbeing

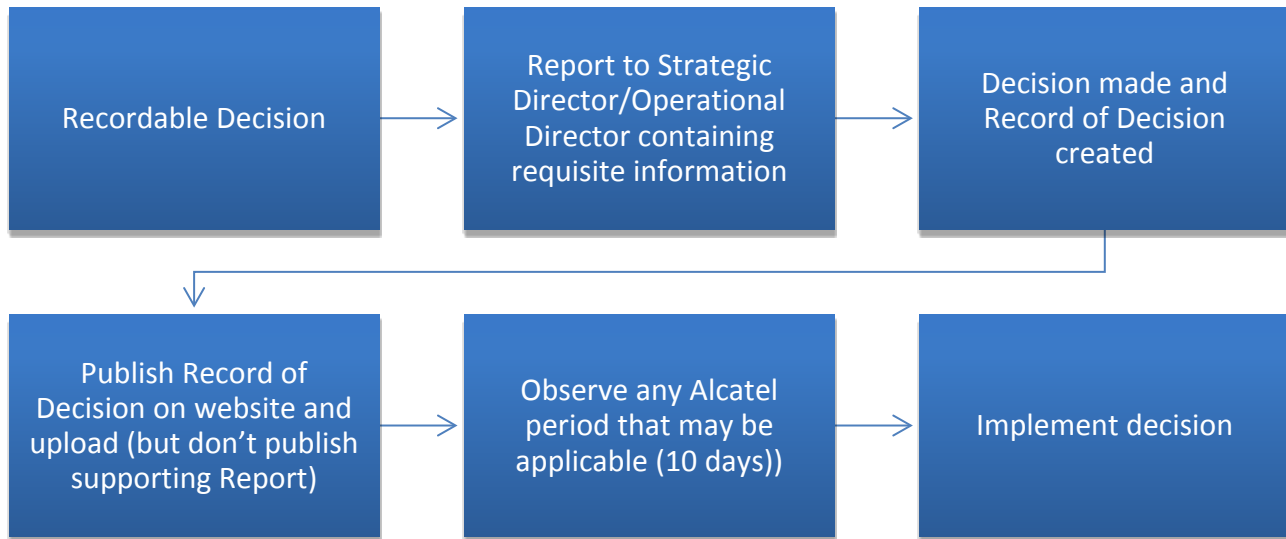
APPENDIX 1

CONTRACT DECISION MAKING

Estimated Value is less than £250,000

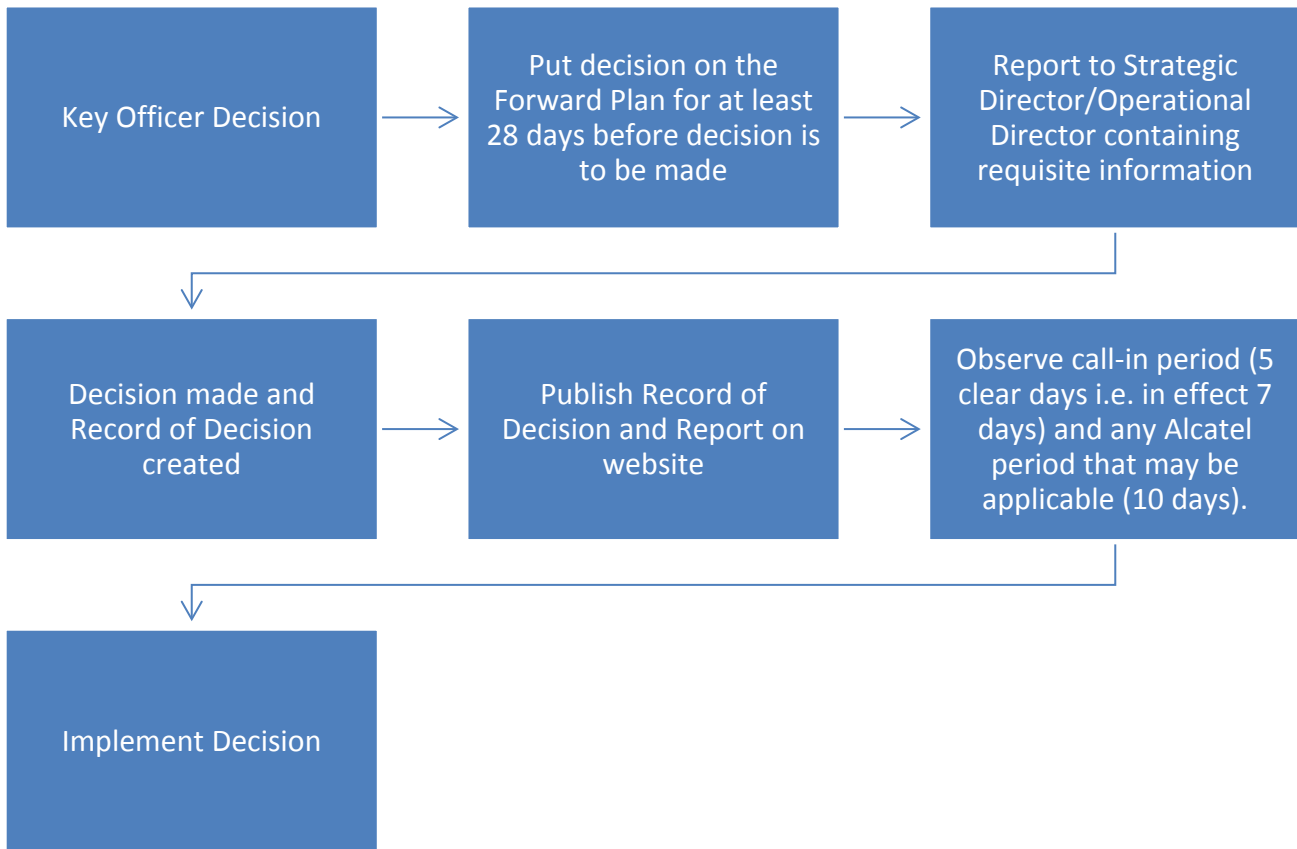


Estimated Value between £250k - £500k

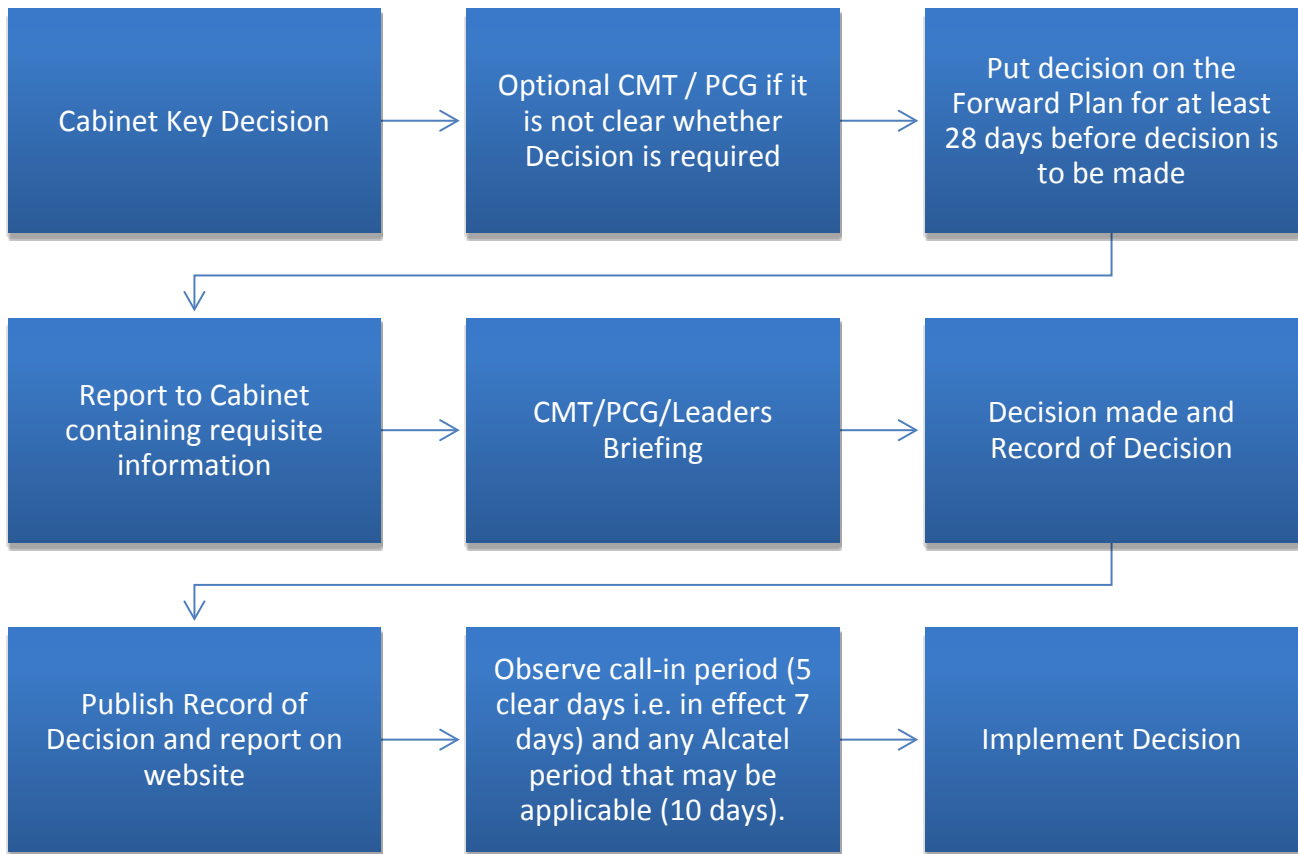


Estimated value for Services and Supplies – from £500k to £2M;

and for Works from £500k to £5M



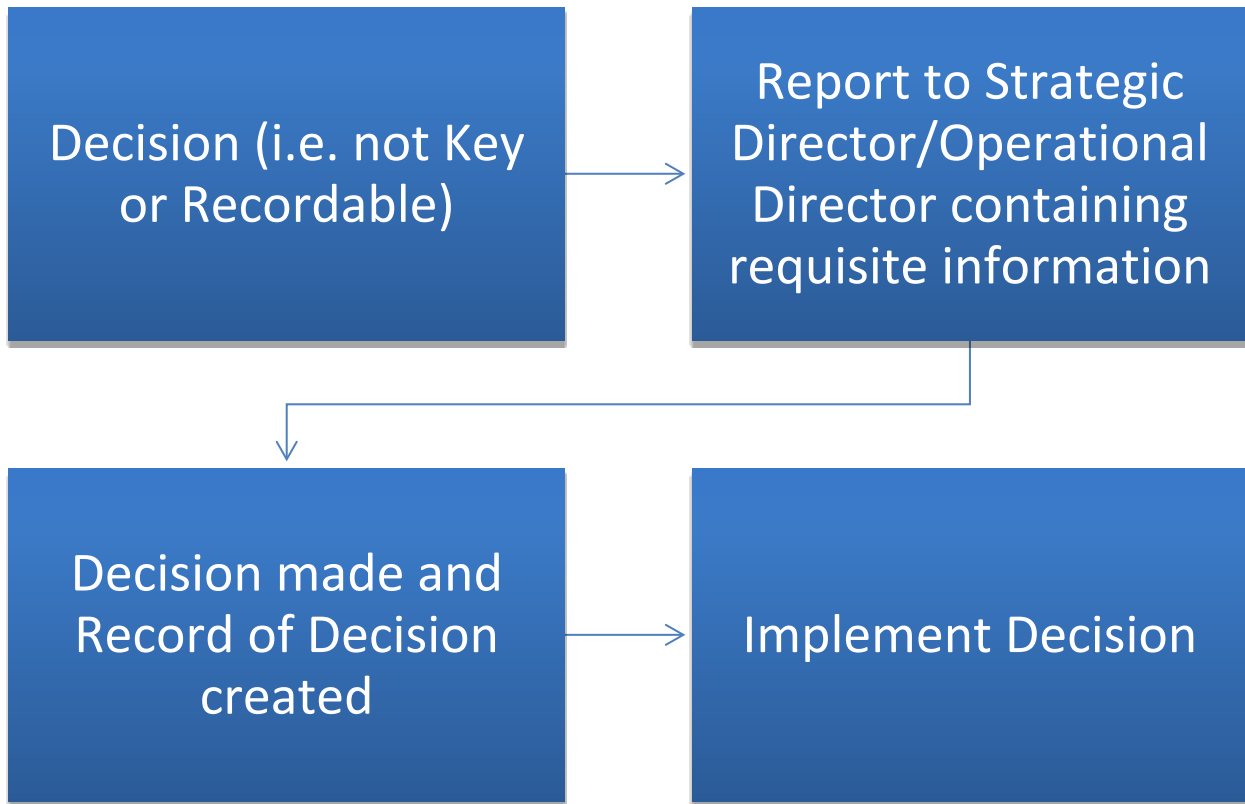
Estimated value for Services and Supplies - £2M and over; and for Works - £5M and over (or where Decision is particularly significant or controversial)



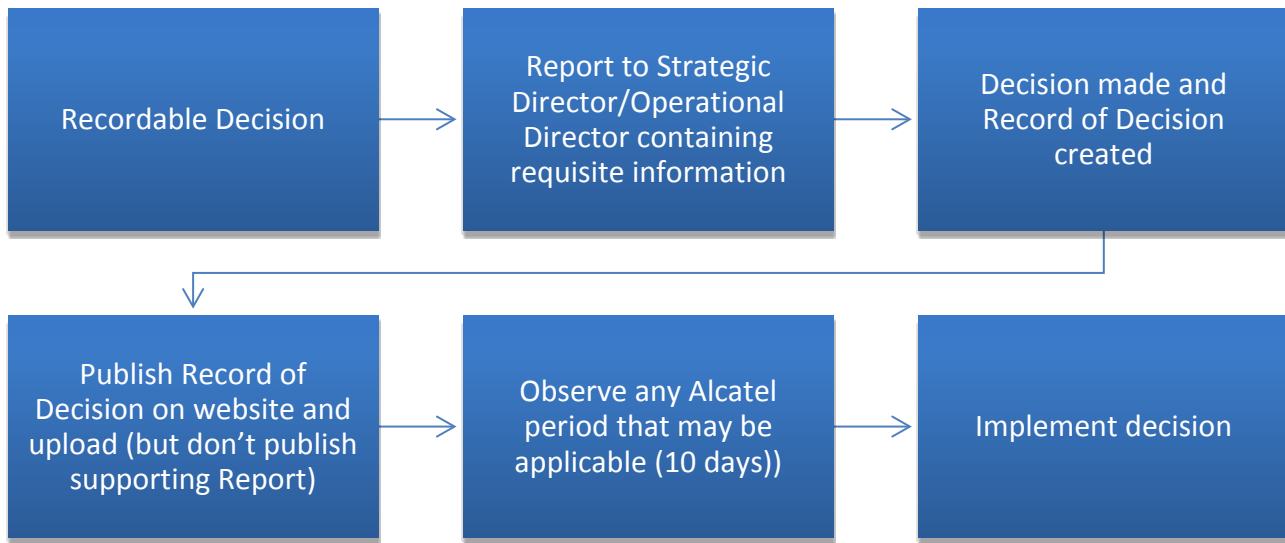
APPENDIX 1

CONTRACT DECISION MAKING

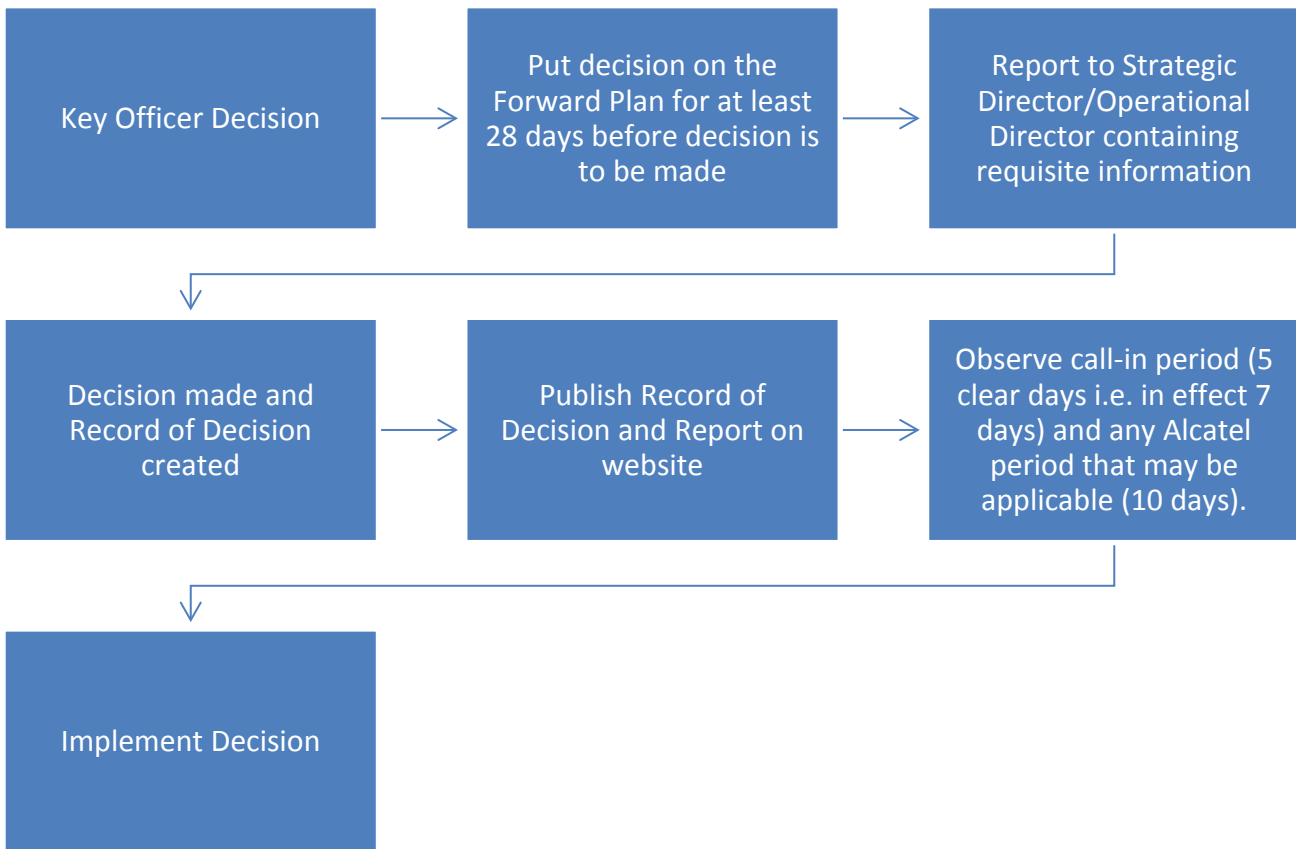
Estimated Value is less than £250,000



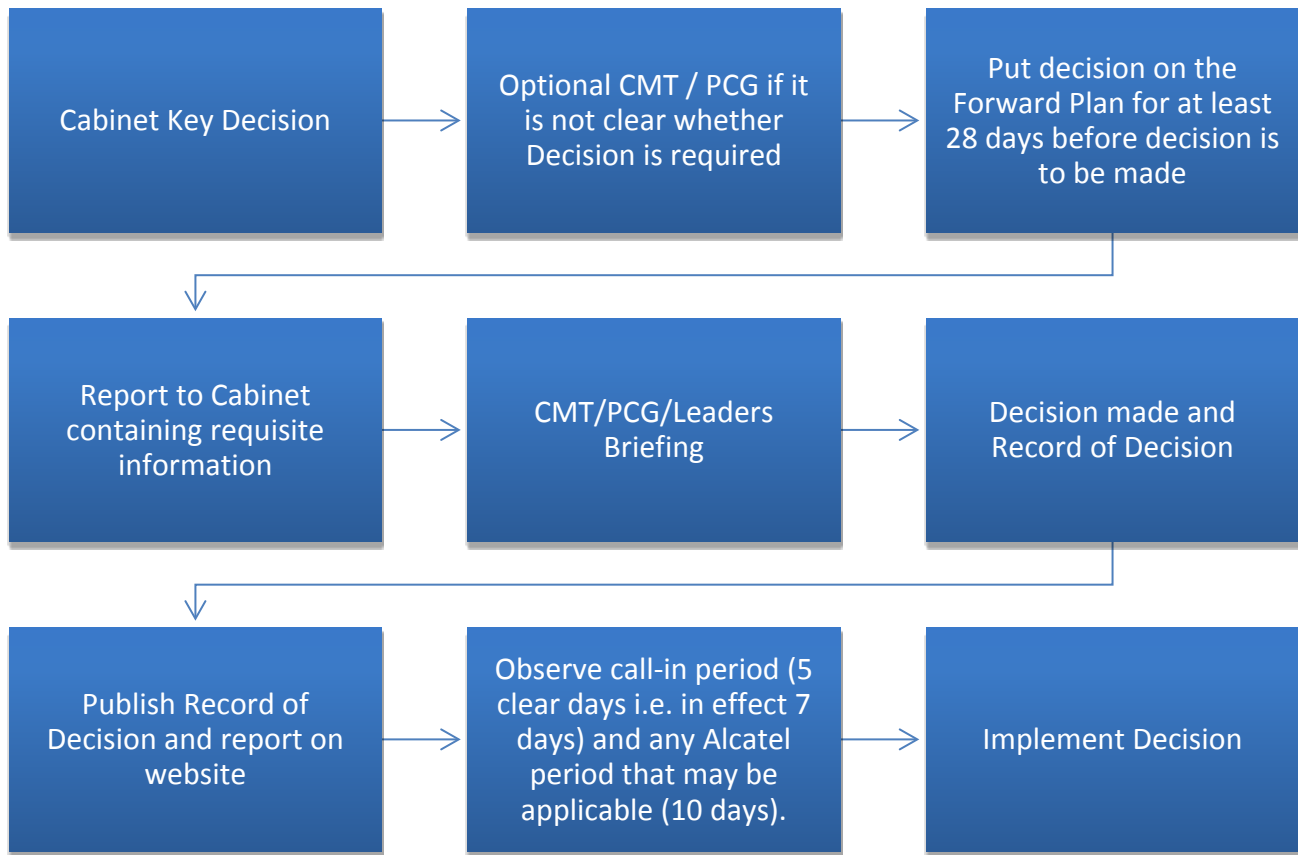
Estimated Value between £250k - £500k




**Estimated value for Services and Supplies – from £500k to £2M;
and for Works from £500k to £5M**



Estimated value for Services and Supplies - £2M and over; and for Works - £5M and over (or where Decision is particularly significant or controversial)



 Brent	Cabinet 12 October 2020
	Report of the Director of Finance
Quarter 2 Financial Report 2020/21	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s):	Minesh Patel, Director of Finance minesh.patel@brent.gov.uk Tel: 020 8937 4043 Ben Ainsworth, Head of Finance ben.ainsworth@brent.gov.uk Tel: 020 8937 1731

1.0 Summary

- 1.1. This report sets out the current forecast of income and expenditure against the revenue budget for 2020/21 and other key financial data.
- 1.2. Excluding the impact of COVID-19, the Council is expecting an overspend of £0.6m on the General Fund (GF). Children and Young People are expecting to overspend by £0.6m. The HRA is expected to breakeven and DSG is expected to overspend by £3.2m before the impact of COVID-19 is taken into account.
- 1.3. The impact of COVID-19 is forecast to add an additional £35.2m of additional costs or loss of income to the general fund service areas in 2020/21. This is less than the projected cost of COVID-19 to the council as some significant costs, such as impairment of doubtful debt, have already been paid in 2019-20.
- 1.4. Offsetting this is £4.8m of COVID 19 related underspends within service areas. This brings the net overall forecast impact due to COVID-19 on the general fund to £30.4m. Overall, the projected overspend on the general fund is £31m.
- 1.5. The impact of COVID-19 on the Dedicated Schools Grant (DSG) within Children and Young People is forecast as £0.3m thereby increasing the overall DSG deficit position.
- 1.6. Currently, the impact of COVID-19 on the HRA is forecast as £2.9m, which is greater than the HRA reserves of £1.4m, therefore the HRA will need to consider mitigating

actions such as reduced or deferred capital expenditure, or some of the COVID-19 funding, detailed below will need to be used to offset this cost.

- 1.7.** Adding the £3.2m non-COVID-19 and £0.3m COVID 19 overspend on the DSG, to the £2.9m COVID-19 overspend on the HRA, and the total overspend of £31m on the General Fund gives a total forecast overspend of £37.4m (before additional COVID-19 grants).
- 1.8.** Offsetting the council's projected overspend of £37.4m is additional government funding of £27.8m for COVID-19. This includes an early estimate of £6m from central government's package of support for income losses: some income losses to be reimbursed where losses are more than 5% of a council's planned income from sales, fees and charges, with the government covering up to 75% of the remainder. Several items are excluded from eligibility for this support, such as loss of commercial rental income.
- 1.9.** In total, the Council is forecast to overspend by £9.6m.
- 1.10.** These figures are more uncertain than at any similar point in previous years due to uncertainty about how severe the impact of COVID-19 will be this winter. For the purposes of this forecast, it is assumed that the infection control measures implemented, such as social distancing, will be effective in stopping a major second wave of COVID-19 cases that necessitates a sustained local or national lockdown. A sustained second wave and/or second lockdown would significantly increase the overspend by both increasing costs and reducing income.

	Budget (£m)	Forecast Overspend / (Underspend) excluding COVID-19 (£m)	Additional costs/ loss of income due to COVID-19 and Savings shortfall (£m)	COVID-19 Related service underspends (£m)	Total Forecast Overspend/ (Underspend) (£m)
Assistant Chief Executive	7.5	0.0	0.8	(0.1)	0.7
Chief Executive Department	16.6	0.0	0.2	(0.3)	(0.1)
Children and Young People	48.2	0.6	3.2	(0.5)	3.3
Community and Well-Being	134.2	0.0	16.6	(2.4)	14.2
Customer & Digital Services	21.2	0.0	3.9	(0.6)	3.3
Regeneration & Environment	40.5	0.0	10.5	(0.9)	9.6

Subtotal Service Area Budgets	268.2	0.6	35.2	(4.8)	31.0
Central items (including Business Rates, Council Tax and Specific Grants, excluding specific COVID-19 grants)	(268.2)	0.0	0.0	0.0	0.0
Total General Fund	0.0	0.6	35.2	(4.8)	31
DSG Funded Activity	0.0	3.2	0.3	0.0	3.5
Housing Revenue Account (HRA)	0.0	0.0	2.9	0.0	2.9
Overall Position before COVID-19 funding	0.0	3.8	38.4	(4.8)	37.4
Central funding for COVID-19	0.0	0.0	(27.8)	0.0	(27.8)
Overall Position before COVID-19 funding	0.0	3.8	10.6	(4.8)	9.6

1.11. For capital, the current forecast outturn is £226.9m against the revised budget and an underspend of £20m as broken down in the table below. An explanation of the variance of current forecast to the revised budget is provided in section four.

Directorate	Original Budget (Approved Feb20) (£m)	Revised Budget (£m)	Current Forecast (£m)	Over / (Under) Spend to Budget (£m)
Corporate Landlord	22.3	17.7	9.6	(8.1)
Regeneration	18.7	26.2	25.5	(0.7)
St. Raphael's Estate	0.3	0.6	0.5	(0.2)
Housing Care Investment	191.1	150.0	150.2	0.2
Schools	11.6	14.6	12.2	(2.3)
South Kilburn	24.2	9.6	8.1	(1.5)
Public Realm	24.2	28.1	20.8	(7.4)
Total	292.4	246.8	226.9	20.0

2.0 Recommendation

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

3.0 Revenue Detail

3.1. Assistant Chief Executive (ACE)

Assistant Chief Executive (ACE)	Budget (£m)	Actual Forecast excluding COVID-19 (£m)	Forecast Overspend / (Underspend) excluding COVID-19 (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Chief Executive Office	0.5	0.5	0.0	0.0	0.0	0.0
Communications	0.4	0.4	0.0	0.7	0.0	0.7
Executive and Member Services	3.6	3.6	0.0	0.0	0.0	0.0
ACE Director	0.3	0.3	0.0	0.0	0.0	0.0
Strategy and Partnership	2.7	2.7	0.0	0.1	(0.1)	0.0
Total	7.5	7.5	0.0	0.8	(0.1)	0.7

3.1.1 Excluding the various impacts of COVID-19, the department is expected to breakeven overall.

3.1.2 Taking account of the additional costs for COVID-19, the ACE department is currently forecast to overspend by £0.8m, made up of a £0.7m overspend in the Communications department and a £0.1m overspend in the Strategy & Partnerships department. Within Communications, there has been a loss of income due to cancellation of events in The Drum as well as lower than expected income from commercial advertising, roundabout sponsors and film production sites. Within Strategy & Partnerships, there are expenditure pressures from additional funding and capacity to support the voluntary sector. Additional costs also include the need to engage and build networks with smaller organisations in the borough in identifying COVID-19 impacts on vulnerable individuals and groups.

3.1.3 ACE is required to identify £0.1m of in-year COVID-19 related underspends and so far is on track to deliver this in full, which should reduce the overspend to £0.7m. The underspends are as a result of delayed recruitment to posts, holding posts vacant, reduced purchase of stationery and other equipment, underspends against training budgets and a general reduction in civic activities as a result of COVID-19.

3.2. Chief Executive Department (CE)

Chief Executive Department	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Legal, HR and Audit	8.9	8.9	0.0	0.2	(0.2)	0.0
Finance	7.7	7.7	0.0	0.0	(0.1)	(0.1)
Total	16.6	16.6	0.0	0.2	(0.3)	(0.1)

3.1.1 Excluding the various impacts of COVID-19, the department is expected to breakeven overall.

3.1.2 With the impact of COVID-19, CE is currently forecast to overspend by £0.2m, primarily within the Legal, HR and Audit & Investigations department. Within Legal Support, there has been a loss of income from services offered to those in the construction industry and on client debt related matters due to reduced demand. There are also additional costs expected in providing specialist advice and upgrading of electronic services due to the lockdown of courts. Within HR, additional costs are expected in providing risk assessments and additional support for specialist counselling in respect of individuals or teams suffering from PTSD.

3.1.3 CE is required to identify £0.3m of in-year COVID-19 related underspends and so far is on track to deliver this in full, which should reduce the overspend to an overall £0.1m underspend. The underspends are a result of delayed recruitment to posts where COVID-19 has resulted in a short term reduction in demand, reduced energy usage in council owned assets, bringing forward savings planned for future years and various other activities related to changes in demand as a result of COVID-19.

3.2 Children and Young People (CYP) (General Fund)

CYP Department	Budget (£m)	Forecast (£m)	Forecast Overspend / (Under spend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Central Management	0.7	0.4	(0.3)	0.0	0.0	(0.3)
Early Help	4.6	4.6	0.0	1.0	(0.2)	0.8
Inclusion	1.6	1.6	0.0	0.0	(0.1)	(0.1)
Localities	15.4	16.2	0.8	0.2	0.0	1.0
Looked After Children and Permanency	6.3	6.4	0.1	0.1	(0.1)	0.1

Forward Planning, Performance & Partnerships	17.6	17.6	0.0	1.2	(0.1)	1.1
Safeguarding and Quality Assurance	1.9	1.9	0.0	0.0	(0.0)	0
Setting and School Effectiveness	0.1	0.1	0.0	0.7	(0.0)	0.7
Total	48.2	48.8	0.6	3.2	(0.5)	3.3

- 3.2.1 The Children and Young People department is currently forecasting an overspend position of £0.6m excluding Covid-19 related pressures and this is a reduction from the previous quarter's position of £0.9m. Due to the impact of Covid-19, the department is forecasting an overall pressure of £3.2m arising from additional costs incurred; loss of income; and slippage against 2020/21 savings target. The forecast pressure reported is mainly against demand led Care at Home and Direct Payment budgets against the Children and Young People with Disabilities (0-25). These pressures are offset by contingency budgets held in central management and in-year underspends identified of £0.5m against a £5m corporate target.
- 3.2.2 Against the in-year underspend corporate target of £5m, the CYP's allocated target is £1m and across the department underspends of £0.5m have been identified. These underspends are mainly due to 13 vacant posts identified which will be held vacant for the rest of the financial year, reduced spend against costs of events and conferences and underspends expected against travel costs and subsistence for staff as a result of fewer face to face visits during the lockdown.
- 3.2.3 The Localities service is forecasting an overspend of £0.8m at the end of the financial year. There are pressures of £0.3m against the Children and Young People with Disabilities (0-25) care at home and direct payment budgets. The forecast is based on continuing demand pressures due to growing numbers of Education Health and Social Care plans (EHCPs) and the requirement to support the social care element of the plan. As at the end of 2019/20, there were 2,173 EHCPs and as at June 2020, this number increased by 18% to 2,570 despite the overall pupil population remaining broadly the same. The forecast includes a provision for additional demands for 25 Care at Home clients and 75 Direct Payment clients currently being assessed. There is also a £0.5m forecast pressure due to the cost of agency staff covering established social worker posts. Management action taken to reduce the number of agency social workers included the offer to agency social workers to opt to move to permanent contracts, a recruitment drive, career progression arrangements and the use of key worker housing. The forecast against agency staff is higher than the previous quarter's position of £0.3m because the quarter 1 position assumed that 20 agency staff would end their contracts part way through the year and the roles be filled by permanent staff. 5 Social Worker positions have been filled on a permanent basis and the forecast has been updated to project agency staff costs till the end of the financial year.
- 3.2.4 Localities caseload modelling is based on established national good practice and the current caseload is within the caseload ceiling. Where there is scope to safely reduce agency staff levels this will be undertaken. There remains a risk of increasing temporary agency staff numbers to cover a rise in demand. The Operational Director

considers all requests for any new agency staff and extension requests for agency workers and there is scrutiny of activity in this area.

- 3.2.5 The Forward Planning, Performance and Partnership (FPPP) service is currently reporting a breakeven position following an expected increase of £0.8m in grant funding to support unaccompanied asylum seeking children (UASC). There remains a risk within this service area, as the main cost driver against this budget is the volatility of demand for social care placements for Looked after Children and Care Leavers. These are demand led placements and new placements may have to be found at relatively short notice, which can be expensive. The department is managing to keep the numbers of children and young people taken into care at low levels when compared to neighbouring boroughs. However, a challenge remains that the children that come into care are often teenagers who have complex needs resulting in high cost placements.
- 3.2.6 In addition, the local authority is supporting a number of care leavers in semi-independent placements as part of their transition to adulthood. A number of care leavers who it had been expected would have moved into their own tenancies have had these tenancies delayed due to Covid-19 and are likely to be accommodated for longer than anticipated. Initial analysis indicated that this would lead to a £60k pressure, but further analysis indicates the pressure could equate to £0.3m and this will be tracked as part of the Covid-19 financial pressure reporting.
- 3.2.7 Management action in place to control spend includes establishing additional sign off processes at Children's Placement Panel; undertaking further work with finance colleagues to refine the forecast; more challenge and support around stepdown arrangements from residential placements to foster placements and/or semi-independent placements, monitoring and actively supporting the transition of care leavers to their own tenancies and reviewing financial policies and payments to carers for Special Guardianship support.
- 3.2.8 The Looked after Children and Permanency service is forecast to overspend by £0.1m, arising from the costs of commissioning of some adoptive placements, based on a child's best interests, with adoption agencies other than Adopt London West.
- 3.2.9 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. Last year, the team successfully achieved 100% of their claims target. With 59 successful claims this year, the service was below the target number of claims for Q1, but is planning to increase claims in Q2 and Q3.
- 3.2.10 The forecast reflects COVID related pressures of £3.2m, which represents additional costs, loss of income and slippage against the 2020-21 savings target. The additional costs pressures and loss of income is currently forecast as £2.3m include;
- i. an estimate for the statutory support of school travel for under18s;
 - ii. the impact on the care at home and direct payment budgets;
 - iii. placement budgets (arising from the need to ensure there is greater supervision in foster and residential placements);
 - iv. in year temporary uplift to subsistence allowance for care leavers in line with universal credit increase and emergency payments for food and utilities.

- v. It also includes the impact of the loss of income in 2020/21 from traded services i.e. Brent Music Service and the Gordon Brown Centre.

3.2.11 The slippage expected against the department's two savings targets to be delivered in 2020/21 reported against the COVID-19 impact pressures amount to £0.9m. The targets include £1.5m to develop Family Wellbeing Centres (FWC) from children's centres. It is expected that the opening of these centres will now be December 2020 instead of September 2020 and the impact of this slippage is £0.8m. The other savings target of £0.1m, relates to developing a shared fostering service with two other West London Alliance (WLA) boroughs, resulting in staffing efficiencies. Progress is primarily dependent on the DfE starting the next round of funding to assist local areas in scaling up the models that have been agreed. It is estimated that savings of £30k can be identified in this financial year as the funding is unlikely to be agreed until Autumn 2020 resulting in a £70k slippage.

Key Assumption	Downside if worse	Upside if better	Mitigations
That total caseloads in the Localities and LAC & Permanency service remain within budgeted levels of c. 2,500.	The commitment to hold safe caseloads means that if the total number of cases increased by 15% for the majority of the year, there would be an additional spend on social work staff.	Up to one third of case holding staff in some front line teams are agency. If caseloads reduce spend could be brought down.	Caseloads are being monitored across the service to allow management of social work resources.
The forecast assumes that there will be a number of agency staff within the establishment.	If the projected agency staff reduction does not occur this would add a further pressure to the budget of c£1m.	Additional reductions in agency staffing could reduce spend further	Continued management action to recruit permanent staff and reduce the reliance on agency workers.
The current mix of 600 LAC and Care Leaver placements remains broadly stable throughout the year. Unit costs remain stable.	A 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.	A reduction in demand or reduction in the use of expensive placements will see a reduction in costs.	Brent has a track record of maintaining stable and relatively low numbers of LAC. Targeted step down work to ensure more children are supported to transition from more expensive residential placements to semi-independent placements and fostering options. WLA commissioning function is being

			used to control unit costs. Joint commissioning with Health was successfully developed in 2019/20 and this will be built on to ensure further contributions to placement costs.
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3.3 Community Well-Being (CWB) (General Fund)

CWB Department	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Housing	8.0	8.0	0.0	5.6	0.0	5.6
Public Health	21.8	21.8	0.0	0.3	0.0	0.3
Culture	5.1	5.1	0.0	1.2	0.0	1.2
Adult Social Care	99.3	99.3	0.0	9.5	(2.4)	7.1
Total	134.2	134.2	0.0	16.6	(2.4)	14.2

3.3.1 Excluding Covid-19 related pressures, CWB is forecast to break even. The impact of the pandemic on this department is currently estimated to be £16.6m.

3.3.2 COVID-19 is forecast to have the following impacts on the housing general fund totalling £5.6m: £2.5m for loss of rental income, £0.3m for reduced income from enforcement activities, £1.4m in additional costs tackling homelessness, £0.2m commissioning a homelessness support contract and £1.2m cost from delays in implementing the Temporary Accommodation reform plan.

3.3.3 The loss of rental income from Housing Needs tenants in General Fund properties is forecast to be £2.5m. The rent collection rates across broader Temporary Accommodation have dropped from circa 95% prior to the Covid-19 outbreak down to 77%. This can be partially attributed to delays in newly homeless people registering and receiving Housing Benefit towards their accommodation costs. However, another factor in the decline in rent collection is that tenants ineligible for Housing Benefit may be less able to pay rent due to the wider economic impact of Covid-19. The forecast also takes into account that a potential prolonged recession may impact the collection rates further in future quarters and increase the levels of bad debts incurred by the

Council. These projections will continue to be closely monitored as the impact of the pandemic and potential recession becomes more certain.

- 3.3.4 In addition to the rental income losses, a reduction in income is anticipated from enforcement activities, creating a funding gap of £0.3m in the Private Housing Services.
- 3.3.5 Within the Housing Needs service, an additional £1.4m is forecast to be spent on accommodating the increased demand and providing temporary accommodation to homeless people through the outbreak. Most of these clients are considered to be formerly hidden homeless and have been accommodated by the Council as part of the emergency response. The £1.4m includes cost of accommodation, food provision and security in hotels, as well as one-off costs for making permanent placements into the Private Rented Sector. However, whilst a significant proportion of clients will have their rents covered by Housing Benefit or EEA nationals grant, a residual ineligible group will result in ongoing housing costs to the Council. This forecast is net of specific secured government grants and assumed Housing Benefit income.
- 3.3.6 Of the total £1.4m forecast, £0.8m relates to the cost of continuing to support a cohort with no recourse to public funds (including housing benefit). Members have made a decision not to continue to accommodate this cohort post 1 July and the service will be lobbying MHCLG for additional funding to support this cohort. If successful, more of the costs above would be covered.
- 3.3.7 There are also potential costs of £0.2m forecast to be incurred on commissioning a homelessness support contract from the charitable sector and additional temporary staffing resource, both of which are necessary to cope with the increased demand.
- 3.3.8 The ongoing pandemic has also affected the deliverability of the planned savings. In Housing, £1.2m of planned savings that form part of the Temporary Accommodation reform plan, are at risk. The crisis has caused delays to the construction and procurement of new properties. The threshold for TA placement has also been reduced due to Covid-19, which has temporarily increased demand through the lockdown period. Whilst alternative plans and mitigations are in place, there is a risk that the full savings target will not be achieved in 2020/21 due to Covid-19. Covid-19 is also forecast to put £0.3m public health recommissioning savings at risk.
- 3.3.9 The Culture service, which encompasses Libraries and Leisure Centres, is expected to be impacted by Covid-19 by £1.2m. Sports centres have forgone their expected income during the lockdown and support has been provided for operational and mothballing costs for the leisure centres. The loss of income from leisure services at Bridge Park and Vale Farm is estimated to be £0.4m, and the cost of mothballing Vale Farm and Willesden Sports Centre is forecast to be £0.7m. In addition, £0.1m of income generated by libraries is expected to be lost across the full financial year.
- 3.3.10 The Covid-19 outbreak has not resulted in significant extra costs for Public Health. However, £0.3m of savings linked to re-procurement of contracts will not be delivered in 2020-21. The total grant for 2020-21 is £21.8m.

- 3.3.11 The forecast impact of COVID-19 on additional costs or loss of income in Adult Social Care is £9.5m. This consists of: £4.4m costs for PPE, £1.4m for additional residential and nursing placements, £0.4m in increased homecare payment rates, £0.6m for commissioned homecare packages from April to July, £2m in delayed NAIL savings, £0.4m in delays to daycare savings, and £0.3m in other small items. These additional costs are explained further in the paragraphs below.
- 3.3.12 In Adult Social Care, the major financial impact of the COVID-19 pandemic for CWB is the cost of procuring Personal Protective Equipment (PPE) and distributing it free of charge to care providers. The Council is better able to source and buy this equipment than many care providers who would struggle given the competitive market. Allocating it out to providers is part of the emergency response, but also prevents further pressure on cost of care as if this was left to providers themselves they may not achieve value for money and would pass on increased costs to the Council. As of the end of August £2.5m worth of PPE had been bought and the estimated usage rate is £58k per week, which results in a forecast of £4.4m for the year. This is somewhat reduced from the forecast in Q1 of £5.9m as the costs of PPE have reduced since the height of the pandemic and providers are able to source some of their own PPE through their supply chains. It is expected that this forecast could reduce further as the Government has recently announced that it will be able to provide PPE at no cost to all care homes for the remainder of this financial year but the forecast is currently unchanged as the Authority awaits further clarification of how this will be delivered.
- 3.3.13 For the duration of the Covid-19 pandemic period from March 19th until August 31st Brent CCG commissioned all Residential and Nursing placements. However from 1st September the Council will need to cover these costs. It is estimated that the CCG have made fifty-six more Residential and Nursing placements than what the Council would typically make during the same period. Additionally during the pandemic period the placements made by the CCG have typically 33% more expensive than the usual cost to the council. If all of these placements have to be funded by the Council from September onwards this creates a cost pressure of £0.2m per month which equates to £1.4m for this financial year.
- 3.3.14 As part of the response to the pandemic the payment rates for all homecare providers was uplifted by 5% to £16 per hour as an interim measure until the Council is able to implement London Living Wage. The above-inflation cost of this measure is £0.4m for this financial year. A further support measure was to pay homecare providers at commissioned levels for homecare packages from April to July which has an approximate cost of £0.6m. Homecare providers are being paid based on actual delivery of care from August onwards. Both measures are being funded out of £1.5m of budget was earmarked for starting to implement the London Living Wage for Homecare workers as these contracts will not be rolled out until quarter 4.
- 3.3.15 Also in the MTFs, there are some reported risks to savings such as an incomplete saving on Daycare from 2019/20 of £0.3m and a further Daycare saving of £0.3m for this year, but the delivery of these savings is dependent upon how Daycare will be delivered in a post-Covid environment. This is expected to create additional costs of

£0.4m in 2020-21, of which £0.3m can be mitigated by additional savings found from COVID-19 related underspends as detailed below.

- 3.3.16 There are some other direct minor costs as a result of COVID-19 such as paying directly for care home agency staff, equipping the Peel Road NAIL scheme as a discharge facility and providing shopping calls for those service users who were self-isolating. These costs total £0.3m.
- 3.3.17 The NAIL programme has been delayed because of Covid-19 as it has not been possible to move any clients into NAIL schemes for the duration of the pandemic period. It had previously been agreed that the £2m NAIL savings could be re-profiled from 2020/21 to 2021/22, this creates an overspend of £2m. In addition, due to the delays in moving clients some of these savings may be further delayed.
- 3.3.18 It is expected that Adult Social Care will be able to identify in-year COVID -19 related underspends of £2.4m largely from a reduction in demand from Residential and Nursing placements. Adult Social Care had been set a target of funding £2.1m savings, so the additional saving will be used to offset most of the £0.4m cost of not achieving the Daycare saving.
- 3.3.19 From March to July there has been a reduction in demand of 64 Residential and Nursing placements because of additional COVID-19 deaths. This equates to an annualised saving of £2m and an in-year saving of £1.5m.
- 3.3.20 The remainder of the target will be met through the £0.9m funding that the Council is expecting from Brent CCG arising from a pooled budget that has been created between the Council and the CCG to enable the Council to claim back additional costs arising from hospital discharges made during the Covid-19 pandemic.

Key Assumption	Downside if worse	Upside if better	Mitigations
That the additional numbers of homelessness can be brought down to c.25 people by the end of Q2, down from 50 at the moment.	Each person costs on average £380 per week to accommodate, so a delay for 13 weeks (1 quarter) of 10 people will cost an additional £50k.	Faster progress on homeless pathways will reduce expenditure by £380 per person per week.	Additional support (at additional cost) is being brought in to assist moving homeless clients along the various pathways. Bids for additional government funding and use of FHSG reserves can offset the overspend.
That the YTD collection rate for Housing Needs stays at 77%, compared to 95% last year.	A 5% worsening in the collection rate will cost £0.8m	A 5% improvement in the collection rate will recover £0.8m.	Collection rates are being closely monitored and investigations into the drivers for the movements in the collection rates are ongoing.

That the Council continues to provide PPE to social care providers free of charge at a cost of £58k per week.	Any additional PPE demands will add to the forecast £4.4m spend.	Stopping the supply of PPE could save on expenditure, but providers are likely to then demand higher fees.	Potential to fund some expenditure from the Public Health grant.
That the additional cost of CCG placements reverts to the council from September onwards.		Projected at £200k a month, so if the NHS continues to fund this will bring the forecast cost down.	Work with the CCG to prevent excessively priced care packages and review all care placements to ensure that social care only are responsible for funding those costs .

3.4 Customer & Digital Services (CDS)

Operational Directorate	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Customer And Digital Services Director	0.7	0.7	0.0	0.6	(0.0)	0.6
Customer Services	9.9	9.9	0.0	2.3	(0.3)	2.0
Shared ICT Service	0.0	0.0	0.0	0.2	0.0	0.2
ICT Client And Applications Support	6.3	6.3	0.0	0.1	(0.2)	(0.1)
Procurement	1.3	1.3	0.0	0.6	0.0	0.6
Transformation	3.0	3.0	0.0	0.1	(0.1)	0.0
Total	21.2	21.2	0.0	3.9	(0.6)	3.3

3.4.1 Excluding the impact of COVID-19, it was expected that the department would break-even overall by year end.

3.4.2 The department is forecasting an overall impact of £3.9m due to COVID-19, primarily made up of £0.6m cost of supplies for residents who are shielding, £1.5m additional discretionary housing payments and cost of delays in processing housing benefit applications. In addition, the procurement team are now undertaking the purchasing of PPE on behalf of the council and is currently forecast to spend £0.6m.

3.4.3 CDS is required to identify £0.6m of in-year COVID-19 related underspends and so far is on track to deliver this in full, which should reduce the overspend to £3.3m. These understands have been found as a result of delayed recruitment to posts, holding posts

vacant, reduced use of ZIP cars, reduced use of resilience contracts and various other activities related to changes in demand as a result of COVID-19.

3.5 Regeneration & Environment (R&E)

R&E	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Environmental Services	32.3	32.3	0	6.1	(0.2)	5.9
Regeneration Services	0.5	0.5	0	1.0	(0.5)	0.5
Property Services	6.1	6.4	0.3	0.3	0	0.6
R&E Directorate	1.6	1.3	(0.3)	3.1	(0.2)	2.6
Total	40.5	40.5	(0.0)	10.5	(0.9)	9.6

3.5.1 The department is currently forecasting a net overspend of £9.6m for 2020/21 based on current trends and assumptions around COVID-19 implications. This includes a £10.5m financial pressure due to COVID-19, offset by £0.9m COVID-19 related underspends.

3.5.2 The forecast breakeven position (excluding COVID-19) consists of:

- i. £0.3m overspend within Property & Assets due to additional staffing costs and an unbudgeted water bill.
- ii. Offsetting £0.3m underspend from the R&E directorate due to small efficiencies across the directorate, and releasing money set aside for the projects that are not expected to materialize.

3.5.3 The £0.9m COVID-19 related underspend has been identified within the department to contribute to the one-off corporate target. This is predominantly as a result of additional income generated by planning fees, the Mortuaries service, and underspends of staffing budgets from held staff vacancies.

3.5.4 The department's finances have been significantly impacted by the COVID-19 outbreak and the largest attributable costs and income losses include:

- i. £1.6m potential additional cost for SEN transport (Brent Transport Service). This relates to possible social distancing measures and additional buses required.

- ii. £3.3m estimated reduction in income for parking due to reduced motoring activity during 2020/21
- iii. £1.0m reduction in Highways & Infrastructure fees and charges
- iv. £1.3m pressure in Public Realm for acceptance of liability for increased residual tonnage, agreement to pay Veolia agency staffing costs and loss of income from garden waste and bulky waste

3.5.5 The impact of Covid-19 was previously estimated at £17.3m in Q1, but this has been revised down significantly as Covid-19 restrictions are revised, and the impact is further understood. The main changes to the financial impact are:

- i. Social distancing has not been required on SEN transport services. This reduced the worst-case scenario of £6.6m of additional costs for BTS, down to £1.6m.
- ii. Motoring activity has increased more quickly than expected in June, which combined with the redeployment of parking enforcement has meant the loss of anticipated income for the parking service has been revised down from £4.7m to £3.3m
- iii. The impact on planning fee income, previously forecast at £0.5m loss, has been removed. This is largely because three major developers have agreed costs in principle improving the PPA income forecast, and there has been confirmation that the GLA funding will be available for the full financial year.

3.5.6 There are a number of risks and uncertainties within the service that may affect the projected outturn and assumptions made. The uncertainties around SEN transport and Parking have been mentioned above. These continue to be analyzed as Covid-19 restrictions evolve. Commercial rental income is likely to suffer as tenants may be unable to pay rent and the recent introduction of new legislation that prevents the Council taking possessions for non-payment is also a factor. The longer-term impact on income anticipated from building control applications is also uncertain due to slow progress on current Major Projects and a potential reduction in the number of new Major Projects received

3.6 Central items - Collection Fund

3.6.1 The budgeted net collectible amount for Council Tax (after exemptions, discounts and Council Tax support) is £160.5m. The actual net collectible amount as at August 2020 has not changed since May 2020. It is expected that this figure may decrease during the year if new properties are not completed as expected and additional Council Tax Support granted to residents increases substantially due to COVID-19. This is being closely monitored to assess the overall impact over the timeframe of the medium term financial plan. As at the end of August 2020 the amount collected was 38.6% and in line with the revised in-year target. The amount collected in the same period last year was 41.8%.

3.6.2 The budgeted net collectible amounts for Business Rates (after exemptions, reliefs and discounts) is £130.5m. The actual net collectible amount as at August 2020 is £80.3m, a decrease of £50.2m since May 2020. The reduction is a direct result of additional reliefs granted to businesses as a result of COVID-19 which reduces their tax burden. The council will receive a direct grant to compensate for the loss of income from the government. This figure can vary during the year as new assessments are made, which may include additional premises, or reductions due to successful appeals. As at the end of August 2020 the amount collected was 32.14%, significantly lower than the amount collected in the same period last year, at 46.88%. This is primarily due to payment deferrals that have been granted to support businesses through the impact of COVID-19.

3.6.3 Movements between the budget and actual collectable amounts affect the overall level of balances held on the Collection Fund at year end after deducting charges. The income due to the General Fund from the Collection Fund is forecast on budget with no variation expected. As a result of COVID-19, it is expected that there will be a significant impact on the collection of council tax and business rates for the remainder of 2020/21. The impact of this reduction in income would be phased over three years as the deficit is repaid to the Collection Fund, in line with the revised national accounting rules governing the collection of council tax and business rates.

3.7 Central items - Capital financing and other central items

3.7.1 It is expected that people and organisations who owe the council money will be slower to pay these debts. In some cases council initiatives, such as payment deferrals and reduced recovery actions, will have a direct impact on debt collection and ultimately fewer debts will be repaid in full. Some of the council's debt has already been impaired to recognise this, but these costs are uncertain and could increase. As a result of the postponement of normal debt recovery action, it is too early to be able to estimate the short and long term impact on collection. However, the data will continue to be monitored and analysed accordingly as recovery action resumes.

3.7.2 The capital financing budget for 2020/21 is £23.4m and is currently forecast to spend to budget, as set out below.

	£m
Interest Payable	23.1
Interest Receivable	(7.2)
Capital Financing and Minimum Revenue Provision	7.5
Total	23.4

3.8 Dedicated Schools Grant (DSG)

Funding Blocks	DSG Funding (£m)	Forecast excluding Covid-19 related pressures (£m)	Over/ (Under) spend (£m)	Additional costs/ loss of income due to Covid-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
Schools Block	233.8	233.8	0	0	0	0
High Needs Block	62.2	65.4	3.2	0.3	0	3.5
Early Years Block	22.9	22.9	0	0	0	0
Central Block	2.2	2.2	0	0	0	0
Total DSG	321.1	324.3	3.2	0.3	0	3.5

- 3.8.1 The DSG is forecast to overspend by £3.5m against grant funding due to increased demand on the High Needs Block and additional costs incurred due to Covid-19. The High Needs block funding allocation for 2020-21 increased by £5m which represents an 8% increase however further growth in Education Health Care plan (EHCP) numbers has resulted in forecasted overspends in top-up funding predominantly in out of borough special schools, mainstream schools, independent residential schools and post-16 placements. There has been an 18% increase in the number of EHCPs, which have risen from 2173 at the end of 2019/20 to 2570 as at the end of June 2020 and numbers are still rising.
- 3.8.2 The growth in EHCPs is a London and national trend whereby the number of children assessed as meeting the threshold for support continues to increase, but High Needs funding has not increased in line with the exponential growth in overall pupil numbers creating financial pressures. The average cost of funding the services required by an EHCP is £20k and costs currently range from £4k for support in a mainstream school to £176k in specialist independent out of borough settings
- 3.8.3 Apart from the pressures arising from EHCPs, there is a projected overspend of £0.5m against the SEN service budgets primarily due to spot purchases in the Speech and Language Therapy service to accommodate needs of children over and above the budgeted contract value and there are also pressures against the under 5s specialist nursery panel due to increased demand.
- 3.8.4 There is an estimated cost against the high needs block of £0.3m incurred to support the vulnerable children and young people during the COVID-19 pandemic lockdown and support post lockdown to fund additional tuition, therapy and specialist equipment costs.
- 3.8.5 At the end of 2019/20, the DSG budget was in deficit of £4.9m and including the current forecast overspend this could result in an overall DSG deficit of £8.4m at the end of 2020/21. The regulations make clear that the deficit can be carried forward to be funded from future year's funding and/or recovery plans agreed with the DfE. A task group has been set up by the council to coordinate and monitor actions that may

recover the deficit. The blocks will continue to be monitored and reported to the Schools Forum in addition to Cabinet.

3.9 HRA

HRA	Budget (£m)	Forecast excluding COVID-19 Impact (£m)	Forecast Overspend/ (Underspend) (£m)	Additional costs/ loss of income due to COVID-19 (£m)	COVID-19 Related service underspends (£m)	Total (£m)
HRA	0.0	0.0	0.0	2.9	0.0	2.9

3.9.1 The budgets for the Housing Management function are contained within the ring-fenced Housing Revenue Account (HRA), which has a balanced budget set for 2020-21. The total potential budgetary pressure as a result of the ongoing pandemic is currently estimated to be £2.9m.

3.9.2 Of the total £2.9m potential budgetary impact, £2m is attributed to an increase in rent arrears. This is based on the decline in rent collection rates experienced to date, extrapolated to forecast the impact for a full year, and accounting for the potential future impact of a possible recession depressing the collection rates and increasing the levels of bad debts further.

3.9.3 Setbacks to new build developments are expected to result in a delay in letting new properties out to tenants, therefore increasing the loss of rental income further by £0.2m. However, it is not anticipated that the expenditure on new builds will be significantly lower than the annual capital budgets.

3.9.4 In addition, it is forecast that 10% of service charges income will be under-recovered, which is estimated to be £0.5m. This is in line with Bank of England forecasts on consumer credit and debt recovery.

3.9.5 Additional costs of £0.2m are forecast to be incurred on providing estate caretaking services through the pandemic without compromising on the standards of service. This includes sourcing additional personal protective equipment and employing additional temporary staffing resource to provide cover for colleagues staying in isolation.

3.9.6 The HRA operating reserve currently stands at £1.4m and the identified pressures will continue to be closely monitored. Mitigating action, such as re-scheduling major works and new build capital investments, will be considered if required, to avoid the HRA going into deficit.

4 Capital Programme

4.1 Table 2 below capital programme shows the forecast to budget position as 31 July 2020. The original approved capital programme for 2020/21 totaled £292.5m. It should be noted that the revised budget reported at July cabinet for 2020/21 was £350.9m.

4.2 The budget has been revised to £246.8m to reflect the programme slippage, additions and re-profiling of schemes since July cabinet. The main changes are set out and explained in table 1 below.

Table 1

Directorate	Revised Budget (Cabinet July 2020)	Revised Budget	Budget Movement
	£m	£m	£m
Corporate Landlord	27.8	17.7	(10.1)
Housing Care Investment	226.4	150.0	(76.4)
Public Realm	28.1	28.1	0.0
Regeneration	22.2	26.2	4.0
Schools	19.3	14.6	(4.7)
South Kilburn	26.5	9.6	(16.9)
St Raphael's	0.6	0.6	0.0
Total	350.9	246.8	(104.1)

4.2.1 Corporate Landlord - £11m loan planned to be advanced to United Colleges Group (UCG) has been re-profiled to future years.

4.2.2 Housing Care Investment:

- i. General Fund – realignment and re-profiling of planned spend to future years undertaken on a number of schemes (£20.8m Allotment Roundwood scheme, £11.5m Learie Constantine, Brent Indian Community Centre (BICC) and Preston Community Library schemes and £5.4m on Honey Pot Lane and £2m on Clock Cottage).
- ii. HRA – realignment and re-profiling of planned spend to future years undertaken on a number of schemes (£18.8m New Homes Programme, £1.2m Major works). In addition £14m planned spend on Infill schemes will not be required. HCIB has agreed the underspend from the Infill schemes to be repurposed to fund Grand Union homes.

4.2.3 Regeneration – £8.7m Olympic Way Improvements budget has been brought forward, this is being offset by the re-profiling of the £3.4m Brent contribution to the CCG medical centres and £1.7m on Picture Palace to future years.

4.2.4 Schools – Due to the Secondary School expansion project being put on hold for a year the planned spend of £6.8m has been re-profiled to future financial years. The Asset Management Programme (AMP) budget has been accelerated by £0.5m in addition to £1.3m from the contingency budget and a new budget of £0.2m was requested for Roundwood Free School Provision.

4.2.5 South Kilburn – Due to delays the planned spend has been re-profiled to reflect the progress on property acquisitions across the schemes.

Table 2

Directorate	Original Budget (Approved Feb20) (£m)	Revised Budget (£m)	Current Forecast (£m)	Over / (Under) Spend to Budget (£m)
Corporate Landlord	22.3	17.7	9.6	(8.1)
Regeneration	18.7	26.2	25.5	(0.7)
St. Raphael's Estate	0.3	0.6	0.5	(0.2)
Housing Care Investment	191.1	150.0	150.2	0.2
Schools	11.6	14.6	12.2	(2.3)
South Kilburn	24.2	9.6	8.1	(1.5)
Public Realm	24.2	28.1	20.8	(7.4)
Total	292.4	246.8	226.9	20.0

4.3 The current forecast outturn is £226.9m against the revised budget and an underspend of £20m. An explanation of the variance of current forecast to the revised budget is provided in the paragraphs below.

4.4. Corporate Landlord

4.4.1. Reporting £8.1m underspend due primarily to the £7.5m Utilising Surplus property budget which has not been spent. It is proposed that the budget is paused as part of the capital programme review. In addition there is £0.8m underspend on the Energy programme which is offset by historic overspends in ICT projects.

4.5. Regeneration

4.5.1. Reporting £0.7m underspend due to £0.4m on Bridge Park and £0.2m for Liveable Neighbourhoods programme which has been paused indefinitely by TFL but has not been cancelled officially.

4.6. St Raphael's

4.6.1. Reporting £0.2m underspend to budget due to the impact of COVID-19 on our ability to engage with residents to support decisions internally about viability of redevelopment.

4.7. Housing, Care and Investment

4.7.1. The New Council Homes Programme (HCHP) is underspending by 0.8m due to delays in start on sites at Kings Drive Mason Court, Gloucester Close, Frontenac and Hindhurst Close schemes. In addition due to increase in demand, Disabled Facilities Grant (DFG) is expected overspend by £1m. HCIB recommended an increase in the DFG budget to be funded from the DFG reserve.

4.8. Schools

4.8.1. Reporting £2.3m underspend of which £1.9m is projected on the phase 3 Primary Schools projects at Uxendon Manor and Elsley. In addition there are underspends of £0.4m forecasted on the AMP programme and Ark Elvin project.

4.9. South Kilburn

4.9.1. The £1.5m is underspend due to delays in securing property acquisitions on the whole programme. The forecast has been revised down to reflect progress on property acquisitions.

4.10. Public Realm

Reporting a £7.4m underspend across a number of infrastructure improvement programmes. £2.3m relates to the LIP grant allocation for 2020/21 paused by Transport for London (TfL) due to the COVID-19 outbreak. Instead TfL has replaced this with funding for the Mayor's Streetspace Plan for improvement in infrastructure to enable social distancing on high streets and walking and cycling routes. In addition, £3m spending on planned footways works which were paused due to the pandemic outbreak has been re-profiled to next financial year. There are also additional underspends of £2.1m forecasted in landscaping, sports and street lighting.

4.11. The capital programme is continually reviewed to assess the financial and delivery implications of the COVID-19 crisis on programmes and projects planned to be completed during this financial year. There are some savings anticipated from the recent review undertaken. A report will be brought to CMT once the review has been completed.

5 Financial Implications

5.1 This report is about the Council's financial position in 2020/21, but there are no direct financial implications in agreeing the report.

6 Legal Implications

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

7 Equality Implications

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

Report Sign Off

MINESH PATEL
Director of Finance

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