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Cabinet

Monday 7 March 2022 at 10.00 am

(Agenda republished on 1 March 2022)

Conference Hall - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Please note that this meeting will be held as an in person physical meeting with all Cabinet members required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available here

Membership:

Lead Member Councillors:	**Portfolio**
M Butt (Chair)	Leader of the Council
McLennan (Vice-Chair)	Deputy Leader, Lead Member for Resources and Children's Safeguarding, Early Help and Social Care
Farah	Lead Member for Adult Social Care
Knight	Lead Member for Community Safety and Engagement
Nerva	Lead Member for Public Health, Culture & Leisure
Krupa Sheth	Lead Member for Environment
Stephens	Lead Member for Education, 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

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recycle for Brent

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

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

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

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

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

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

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

Item Page

1 Apologies for Absence

2 Declarations of Interest

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

3 Minutes of the Previous Meeting 1 - 14

To approve the minutes of the previous meeting held on Monday 7 February 2022 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 the Council's two Scrutiny Committees.

Children and Young People reports

7 Approval to Establish a New Special School at Secondary Level 15 - 20

The 2019-23 School Place Planning Strategy (November 2021 refresh), approved by Cabinet in November 2021, and the Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND approved by Cabinet on 17 January 2022 identified the need for an additional Special School in the borough at secondary level that would offer a curriculum for pupils whose special educational needs cannot be met within mainstream schools. This report details the process to establish the school and seeks Cabinet approval to proceed.

Ward Affected: **Lead Member**: Lead Member for Children's

All Wards	Safeguarding, Early Help and Social Care (Councillor Margaret McLennan) & Lead Member for Education, Employment & Skills (Councillor Thomas Stephens) **Contact Officer**: Nigel Chapman, Operational Director Integration & Improved Outcomes Tel: 020 8937 4456 Email:nigel.chapman@brent.gov.uk	

Chief Executive's reports

8 i4B Business Plan 2022-23 21 - 86

This report provides Cabinet with a final draft of the i4B Holdings Ltd (i4B) 2022/23 Business Plan for approval on behalf of the Shareholder.

Ward Affected: All Wards	**Lead Member**: Deputy Leader (Councillor Margaret McLennan) **Contact Officer**: Sadie East, Operational Director of Transformation Tel: 020 8937 1507 Email:sadie.east@brent.gov.uk	

9 First Wave Housing Business Plan 2022-23 87 - 142

This report provides Cabinet with a final draft of the First Wave Housing Ltd (FWH) 2022/23 Business Plan for approval on behalf of the Guarantor.

Ward Affected: All Wards	**Lead Member**: Deputy Leader (Councillor Margaret McLennan) **Contact Officer**: Sadie East, Operational Director of Transformation Tel: 020 8937 1507 sadie.east@brent.gov.uk	

10 Annual Complaints Report 2020-21 143 - 180

This Annual Report sets out complaints performance in Brent Council for the period 1 April 2020 to 31 March 2021 and focuses on the nature of complaints and the learning they provide to inform Brent's future approach to service improvement. The report also includes details on complaints relating to Adult Social Care and Children's Social Care, which are governed by separate statutory complaint procedures.

Ward Affected: All Wards	**Lead Member**: Deputy Leader (Councillor Margaret McLennan) **Contact Officer**: Mariza Barros, Complaints and Casework Manager Tel: 020 8397 1381	

Email: mariza.barros@brent.gov.uk

Digital and Customer Services reports

11 Brent Cyber Security Strategy 2022-2026 181 - 200

This report seeks approval to the draft Brent Cyber Security Strategy 2022-2026.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Sadie East, Operational Director of Transformation
Tel: 020 8937 1507
Email:sadie.east@brent.gov.uk

12 Energy Rebate - Non-Discretionary and Discretionary Scheme 201 - 208

The government announcement of 3 February 2022 regarding Energy Bills Rebate included provision for most properties in council tax bands A to D to receive a £150 rebate payment. The announcement also made provision for local authorities to create a discretionary scheme to support some properties in bands E to H. A required amendment to disregard Energy Rebate income in the Council's Council Tax Reduction scheme was approved by Full Council at its meeting on 24 February 2022.

Following additional guidance received from the Government, this report provides information on the operation of the non-discretionary scheme and also seeks approval to a discretionary scheme.

Ward Affected:
All Wards

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Peter Cosgrove, Head of Revenues and Debt
Tel: 020 8937 2307
Email:Peter.Cosgrove@brent.gov.uk

13 Covid Additional Restrictions Fund 2022 – Rate Relief Scheme 209 - 220

This report seeks approval for a discretionary scheme for Covid Additional Restrictions Fund 2022 – Rate Relief Scheme, which will last until the end of September 2022, coming into force once approved.

Ward Affected:
All Wards

Lead Member: Deputy Leader (Councillor Margaret McLennan)
Contact Officer: Peter Cosgrove, Head of Revenues and Debt
Tel: 020 8937 2307
Email:Peter.Cosgrove@brent.gov.uk

Regeneration and Environment reports

14 Authority to enter into a Partnership and Funding Agreement to expand the Brent Electric Vehicle Charging Point (EVCP) Network and to appointment a Charging Point Operator to install and maintain the EVCPs on behalf of Brent 221 - 288

This report provides an update on the work to expand electric vehicle charging provision in Brent and seeks approval to the Council entering into a partnership and funding agreement to further expand the charge point network in the borough as well as to the procurement process in respect of supplying, fitting and maintaining vehicle electric charge points.

Ward Affected:
All Wards

Lead Member: Lead Member for Environment (Councillor Krupa Sheth)
Contact Officer: Annekatrin Dennemann, Principal Transport Planner, Spatial Planning
Tel: 020 89373553
Email: annekatrin.dennemann@brent.gov.uk

Community Well-being reports

15 Purchase of Site known as 381-397 Edgware Road, Colindale, NW9 289 - 298

This report seeks permission to purchase the freehold of the site known as 381-397 Edgware Road, Colindale, NW9.
(Agenda republished to include the report originally marked as "To Follow" on 1 March 2022)

Ward Affected:
Fryent

Lead Member: Lead Member for Housing and Welfare Reform (Councillor Eleanor Southwood)
Contact Officer: Hakeem Osinaike & Nick Ljustina, Operational Director Housing & Director of Property & Assets
Tel: 020 8937 2023 / Tel: 020 8937 5025 Email: Hakeem.Osinaike@brent.gov.uk / nick.ljustina@brent.gov.uk

16 Exclusion of Press and Public

The following items are not for publication as they relate to the category of exempt information set out below, as specified under Part 1, Schedule 12A of the Local Government Act 1972:

Agenda Item 8: i4B Business Plan 2022-23– Appendix 1 (Business Plan) Financial Appendices

These appendices are classified as exempt under Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular

person (including the authority holding that information)"

Agenda Item 9: FWH Business Plan 2022-23 – Appendix 1 (Business Plan) Financial Appendices

These appendices are classified as exempt under Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

Agenda Item 14: Authority to enter into a Partnership and Funding Agreement with Uber to expand the Brent Electric Vehicle Charging Point (EVCP) Network and to appointment a Charging Point Operator to install and maintain the EVCPs on behalf of Brent - Appendix A: Draft Infrastructure Funding Agreement

Appendix A is classified as exempt under Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

Agenda Item 15 Purchase of Site known as 381-397 Edgware Road, Colindale, NW9 – Appendix 1: Financial Implications

Appendix 1 is classified as exempt under Paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

17 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 in accordance with Standing Order 60. 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 – Constitution)

Date of the next meeting: Monday 11 April 2022

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

- The meeting room is accessible by lift and limited seats will be available for members of the public. Alternatively it will be possible to follow proceedings via the live webcast **here**

LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET
Held in the Conference Hall, Brent Civic Centre on Monday 7 February 2022 at 10.00 am

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

Also present: Councillor Ketan Sheth (in remote attendance) for Agenda Item 7.

1. **Apologies for Absence**

None received.

2. **Declarations of Interest**

There were no declarations of interest made at the meeting.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Monday 17 January 2022 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any)**

5.1 Environmental and Public Realm improvements and enforcement Tokyngton Ward

Councillor Muhammed Butt (Leader of the Council) welcomed Sonia Francis to the meeting, who had been invited to speak on behalf of local residents living in the area surrounding Oakington Manor Drive, Grand Avenue, Vivian Avenue & Gardens and Neeld Parade within Tokyngton ward in order to highlight concerns relating to the local street scene (public refuse and recycling bins, street lighting, anti-littering) and anti-social behaviour in the area. Members were advised that the request to speak and action being sought in response was supported by a petition, co-ordinated by Marion Barton (as a local resident), which contained 320 signatures.

In addressing Cabinet, Sonia Francis began by thanking those Lead Members and officers who had attended the site visit held on 2 February 2022 and outlined the key concerns highlighted by local residents in relation to:

- the need identified for more substantial litter bins in the area that were regularly emptied, cleaned and maintained as opposed to provision of plastic refuse bags;
- the need for additional anti-littering signage of the type approved by Keep Britain Tidy and wider promotion of anti-littering. Reference was made to the measures introduced by Quintain around Wembley Park, with the suggested pilot of new bins in strategic areas across the ward;
- the need for additional enforcement activity and action to address street drinking and associated anti-social behaviour with particular reference to the area surrounding Oakington Manor Drive and the junction with Harrow Road. Concerns were expressed at the impact this was having in terms of local residents feeling intimidated, threatened and unsafe with specific concerns raised about the safety of women and children living in the surrounding area and need to enforce the Public Space Protection Zone prohibiting such behaviour;
- The need for more proactive street lighting audits to be undertaken in order to identify and enhance areas of substandard lighting, particularly as a way of assisting to design out crime and anti-social behaviour;
- The need for paving in the area adjacent to the public toilets located at the junction of Oakington Manor Drive and Harrow Road;

Taken together local residents felt these initiatives and interventions would help to not only improve the street scene but also civic pride and safety along with the health and wellbeing of the local community.

In responding, Councillor Krupa Sheth (as Lead Member for Environment), began by thanking local residents for their comments and proactive engagement with the Council in order to address the issues recognised as needing to be tackled in the area. Whilst highlighting the need to work within existing budgetary constraints, work was being undertaken to develop an action plan aimed at improving the street scene, cleaning up and enhancing the level of local enforcement activity in the area. The commitment to tackle the issues raised and continue working and engaging with local residents was highlighted by both Councillor Muhammed Butt (as Leader of the Council) and Councillor Krupa Sheth as part of the Council's ongoing objective to making Brent a safer, cleaner and greener borough for all residents.

5.2 Kilburn Village Residents Association – Kilburn Square Development

Councillor Muhammed Butt then moved on to welcome Margaret Von Stroll (as an online participant) who had been invited to speak on behalf of the Kilburn Village Residents Association in order to present a petition containing over 900 signatures against the scale of proposals for the infill development at Kilburn Square and expressing concern at the pre-consultation process undertaken to date.

In addressing Cabinet, Margaret Von Stroll highlighted concerns that despite requests for a process of meaningful engagement, the Council had now informed residents of the intention to move forward on the basis of an option (Approach A) which it was felt had failed to address issues raised in relation to the loss of existing open space and overcrowding and would have a detrimental impact in terms of health, the environment, community engagement and scrutiny. Concerns were also raised in relation to the way in which the engagement process and design workshops had been undertaken along with how the outcome of the resident

engagement survey had been presented and reported. In addition, concerns were highlighted in relation to the extent it was felt the Council had involved Source Partnership in the process, who had been appointed to act as an independent advisor to local residents.

Whilst noting that Councillor Southwood (as Lead Member for Housing and Welfare Reform) had acknowledged community concerns, it was not felt that the decision to proceed on the basis of Approach A had demonstrated a willingness to work collaboratively with local residents or to seek a balance in terms of housing targets against the health and wellbeing of existing estate residents. This was in view of the level of overcrowding, loss of health and community facilities and open green space which it was felt this option would result in.

Although recognising the need for social housing, the residents who had signed the petition felt the scale of proposals now being recommended would have a detrimental impact on amenity space in Kilburn Square as well as on an area already deprived of green space further impacting on local concerns relating to air quality and the climate emergency.

Margaret Von Stoll concluded by highlighting previous assurances provided by officers at a Community and Wellbeing Scrutiny meeting in relation to the Council wanting to build and provide homes with the support and encouragement of local residents and ward councillors and therefore asked Cabinet to continue that philosophy in relation to Kilburn Square with a request for further genuine engagement with local residents in order to create a more sustainable solution.

In responding, Councillor Southwood (as Lead Member for Housing & Welfare), began by thanking local residents for their involvement in the process to date and outlined the Council's objective throughout the scheme in seeking to balance the need to increase the provision of family sized and genuinely affordable social housing with wider improvements driven through the development process to benefit those living in Kilburn Square. In recognising concerns initially raised by local residents living both on and off the estate in relation to height, density, overcrowding and the impact on open space, the Council had extended the pre-consultation and engagement process in order to review and consider further options in response to these concerns, which had resulted in amended design options being identified for further engagement and feedback. As a result of preferences expressed through the extended engagement process Approaches A & E had been identified as the final design options, with Approach A (involving a reduction in the height of the tower block) having been selected as the preferred option to take forward through the planning process.

Whilst recognising the difference in views expressed regarding the preferred options and resident engagement process by those in support of the petition, the efforts which had been made to meaningfully engage with residents were highlighted with the amended design felt to have responded to original concerns raised in terms of the proposed reduction in height of the tower, no loss of open space and the aim to turn existing amenity space into a more usable area. Councillor Southwood also felt it important to reiterate the Council's commitment and balance which had needed to be struck in seeking to secure the additional provision of family sized affordable accommodation for families currently placed in much more unsuitable forms of temporary accommodation, which the scheme had

been designed to support. In addressing concerns relating to overcrowding she also highlighted the recent change to the Council's Housing Allocation Policy that would support this approach in terms of the allocation of property within the new development.

Given the timescales relating to the GLA funding being provided for the scheme, the petitioners were advised that no further extension to the engagement process would be possible with the selected approach now needing to move forward to the Planning stage. It was, however, noted that as part of the planning application process local residents would have further opportunities to comment on the design and impact of the scheme.

In supporting the approach outlined by Councillor Southwood, Councillor Muhammed Butt (as the Leader of the Council) also took the opportunity to highlight the challenges faced in relation to the supply of affordable social housing and the detrimental impact this was having on those currently placed in unsuitable temporary accommodation. Whilst recognising the difficult nature of the decisions involved and efforts made to address concerns highlighted, he ended by reaffirming the Council's continued and overriding commitment to making the choices required in order to increase the provision of affordable social housing as a means of ensuring a secure future for everyone in borough.

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

There were no references from Scrutiny submitted for consideration at the meeting.

7. **Budget & Council Tax 2022/23**

Prior to consideration of the main report Councillor Muhammed Butt (Leader of the Council) invited Councillor Ketan Sheth to introduce the key themes within the Budget Scrutiny Task Group report, which had been included as an appendix to the Budget and Council Tax 2022/23 report. In introducing the report, Councillor Ketan Sheth highlighted that the Task Group in undertaking their review had recognised the challenging financial environment in which the Council was operating given the long term reduction in Government funding, level of savings already achieved by the Council, social and economic impact of the pandemic and increasing complexity of demand for Council services along with similar pressures on other statutory and voluntary and community sector support.

In considering the second year of a two year budget phase, Councillor Ketan Sheth advised that the Task Group had undertaken extension consultation and engagement in order to seek evidence from a wide range of stakeholders with a number of areas scrutinised in depth. These had includes the pressure within the Dedicated Schools Grant; the Covid Recovery programme; the impact of the pandemic on Adult Social Care, particularly in relation to mental health; the impact on health inequalities work once Government grant funding had ceased; the impact of the pandemic on business rates, Council Tax and HRA rent collection. As a result the Task Group had made a number of recommendations, as detailed within section 2 of their report, which were commended to Cabinet for consideration and approval as part of the final budget decision making process.

In summing up, Councillor Ketan Sheth thanked the members and officers who had been engaged in the review process. In response, Councillor McLennan expressed her own gratitude for the hard work of members and officers in producing the report and highlighted its importance to the overall budget setting process, especially given the detailed analysis undertaken in respect of the wider budget and funding implications on services.

Councillor McLennan, as Deputy Leader and Lead Member for Resources then introduced the report which set out the Council's budget proposals for 2022/23. The report also set out the results of the budget consultation, scrutiny and equality processes and the overall financial position facing the Council for the medium-term.

Councillor McLennan began by taking the opportunity to thank all officers and members who had been involved in the budget setting process and reminded Cabinet that the proposals represented the final year in a two year budget phase based on a savings programme (agreed in February 2021) profiled over 2021/22 and 2022/23. In focussing on the detail proposals, Councillor McLennan highlighted that aside from the usual updating and adjustments to various technical assumptions the key features within the budget for 2022/23 included:

- a proposed Council Tax rise of 2.99% for the Brent element, which included a 1% ring fenced for Adult Social Care. The proposed increase had been designed to reflect rising inflationary pressures on the Council, alongside the wider financial, funding and economic position and outcome of the budget consultation process and was felt to be the minimum required to ensure the Council was able to continue providing the level of services required given the ongoing nature of demand. It was noted that the final level would also need to include the precept agreed by the Greater London Authority (GLA);
- reconfirmation of the budget saving proposals (as originally agreed by Council in February 2021), as detailed in Appendix C(i) of the report with no new proposals having been identified for consideration on the basis this would deliver a balanced budget and was in the final year of the current Administration.

The report also provided a summary of the forecast position against the current (2021/22) revenue budgets as well as updates in relation to the capital programme and pipeline and ring fenced budgets including the Housing Revenue Account and Dedicated Schools Grant. In summing up Councillor McLennan advised that the proposals as set out in the report and agreed under the original two year programme would enable the Council to set a balanced budget in 2022/23 in accordance with its statutory obligations and key objectives and priorities within the Borough Plan. In addition to the proposals identified in the report, reference was also made to the recent government announcement regarding the introduction of a Council Tax Energy Rebate Scheme. Whilst further detailed guidance was awaited on administration of the scheme, it was noted this would be considered separately to the Council Tax setting process.

In supporting the budget proposals, Councillor Tatler, Lead Member for Regeneration, Property and Planning thanked officers for their work in preparing the budget during such challenging times, along with the work of the Regeneration Team in relation to the development and delivery of the capital programme and pipeline (including the collection of s106 and CIL receipts). As specific examples of the impact of the various projects and schemes she referred to the Council's

continued support for affordable housing initiatives, town centres and local businesses as well as improvements in South Kilburn.

Councillor Stephens, Lead Member for Schools, Employment and Skills praised the budget proposals and in welcoming the inclusion of works to the buildings in Barham Park as part of the capital pipeline felt this demonstrated the Council's commitment to supporting its residents. He also highlighted the continued support within the budget for local schools and Special Educational Needs provision, with specific reference to inclusion of the capital investment programme for SEND provision which, despite the pressures on the Dedicated Schools Grant and High Needs Block, had been designed to increase local in borough provision by 50%.

Councillor Southwood, Lead Member for Housing and Welfare Reform, in supporting the budget proposals felt it important to recognise the ambitious nature of the ongoing New Council House Building programme and schemes within the capital pipeline combing together as a means of seeking to reduce the number of households within Temporary Accommodation and improve the overall quality and supply of affordable housing across the borough (including the support of private sector landlords). Taken together Councillor Southwood highlighted how the proposals once again had been designed to support and protect the most vulnerable residents and thanked officers for their efforts.

Councillor Nerva, Lead Member for Public Health, Culture and Leisure also endorsed the budget proposals and thanked all officers for their work in building on the support and services being provided for local residents and communities in view of what he felt was an absence of a long term funding strategy for local government by the government given the significantly challenging financial position and constraints local authorities (including Brent) were having to work within. He was pleased that despite ongoing budget pressures, the Council had continued to invest in libraries and culture but remained concerned at the governments approach towards funding for public health and had therefore particularly welcomed the focus of the Budget Scrutiny Task Group in relation to the impact on health inequalities work and support for continued lobbying to ensure a joined up approach and fair allocation of funding to level up the provision of local services in partnership with the NHS, including a focus on mental health.

Councillor Krupa Sheth, Lead Member for Environment expressed her gratitude for the hard work of the Environment Team over the past year despite the challenging circumstances brought about by the pandemic. A number of initiatives were highlighted, including the work to deliver the Covid Recovery Programme and enhance the allocation of resources across town centres along with the proposed level of investment included within the capital pipeline focussed on highways, public realm and parks.

Councillor Knight, Lead Member for Community Safety and Engagement also expressed her support for the budget proposals and thanked officers for their hard work in bringing them forward. She felt that the proposals mitigated against any perceived risks in terms of the work being undertaken by the Community Protection and Enforcement Teams and was pleased, given the ongoing importance of the work being undertaken in relation to community safety and anti-social behaviour, that no reductions had been proposed across key services areas which would enable key areas of support to continue being commissioned.

Councillor Farah, Lead Member for Adult Social Care, also expressed support for the budget proposals highlighting the challenging nature of the demand led spending pressures in relation to Adult Social Care and thanking all staff and carers in Brent for their efforts and support in the ongoing delivery of services for some of the most vulnerable residents in the borough.

In summing up, Councillor Muhammed Butt highlighted the challenging nature of the budget setting process given the ongoing impact of the pandemic and continued uncertainty in relation to central government's funding of local authorities. He felt it was important to recognise that members and officers had looked at every aspect of their services to ensure budgets could be managed whilst delivering key strategic priorities and protecting the most vulnerable residents in the borough with the budget proposals delivering a balanced and proportionate approach. It was felt this had been made even more difficult given the difficulties in being able to forecast over the medium term as a result of the ongoing uncertainty over the Government's funding reforms (on which lobbying continued) and the continued impact of the pandemic and BREXIT on residents and businesses. Despite recognising the significance of the financial challenge, cumulative level of savings already delivered by the Council and that were likely to be required looking forward to 2023/24 and 2024/25 the measures outlined for 2022/23 had been designed to ensure the Council was able to operate in a financially sustainable and resilient way that would enable the Council to look forward and continue delivering key services and support. In concluding, Councillor Muhammed Butt once again thanked members and officers for their hard work in preparing the budget and ensuring the best possible level of service was provided to residents over the forthcoming year.

Having noted the comments provided, and welcomed and supported the approach outlined within the report, Cabinet **RESOLVED**:

(1) To recommend to full Council an overall 2.99% increase in the Council's element of Council Tax for 2022/23, with 1% as a precept for Adult Social Care and a 1.99% general increase.

(2) To recommend to full Council the General Fund revenue budget for 2022/23, as summarised in Appendices A & B of the report.

(3) To recommend to full Council the savings proposals for 2022/23 as detailed in Appendix C of the report.

(4) To note the report from the Budget Scrutiny Panel, as set out in Appendix D of the report.

(5) To recommend to full Council the HRA budget for 2022/23, as set out in section 7 of the report.

(6) To agree the HRA rents for council dwellings, tenant service charges and garages, as set out in section 7 of the report.

(7) To agree the rents set under the Housing General Fund for Brent Housing PFI and traveller's site pitches and to note the rents for Hillside dwellings as set out in section 7 of the report.

(8) To note the Dedicated Schools Grant as set out in section 8 of the report.

(9) To agree to recommend to full Council the changes to the existing Capital Programme in relation to additions of new schemes and reprofiling, as set out in section 10 and Appendix E of the report and to note the Capital Pipeline Schemes in Appendix F of the report

(10) To agree to recommend to full Council the Capital Strategy, the Investment Strategy, the Treasury Management Strategy and the Minimum Revenue Provision Statement as set out in Appendices G, H, I and J of the report.

(11) To agree to recommend to full Council the Reserves Strategy and schedule of reserves, as set out in Appendix K of the report.

(12) To agree the action plan to implement CIPFA's Financial Management Code, as set out in Appendix L of the report.

(13) To agree, and where relevant agree to recommend to full Council, the schedule of fees and charges for 2022/23 as set out at in Appendix M of the report.

(14) To note the results of the budget consultation as set out in section 6 and detailed in Appendix N of the report.

(15) To note the advice of the Director of Legal, HR, Audit and Investigations as set out in Appendix O of the report.

(16) To note and approve the specific recommendations identified for consideration by Full Council as detailed in section 2.16 – 2.35 of the report.

8. **Six Month Update on Supply of New Affordable Homes**

Councillor Southwood (Lead Member for Housing & Welfare Reform) introduced the report providing a six monthly update on progress towards delivery of the Council's housing target for new affordable homes over the five year period 2019-2024.

Members noted the updated housing demand analysis and forecasts, as detailed within section 6 of the report, along with the progress in delivery of the New Council Homes Programme, pipeline of developments and delivery of other large scale development schemes. As a result of the ambitious nature of the programme Cabinet noted that by 31 March 2022 it was anticipated 660 new affordable rented homes would have been delivered with 332 homes also having been given planning consent and in the process of procuring a contractor (with associated risks recognised in terms of current construction costs) and a further 198 submitted for planning permission. In addition, since the previous update Cabinet was advised of the award of a further allocation of £111m under the Greater London Authority (GLA) Affordable Housing Programme grant scheme for 2021-26. This had been awarded following a successful bidding process with the objective of delivering an additional 701 homes in addition to the existing programme by 2028, with details on the initial key activity areas set out in section 5 of the report. In considering the report, members were also advised of the way in which the approach towards the

programme had been developed to ensure that it was not only delivering affordable homes but was also seeking to widen other sources of supply, including maximising use of existing stock.

In commending all teams involved in the design and development of the programme for the progress being made, members felt it was important to recognise the ambitious nature of future targets being set and the Council's ongoing commitment towards meeting the housing needs and improving the quality of life for Brent's residents through the provision of affordable, safe and secure high quality housing.

Having considered the report Cabinet **RESOLVED**:

(1) To note the contents of the report and progress to date on delivering both the New Council Homes Programme (NCHP) and other programmes and projects to deliver 5,000 new affordable homes in the borough by 2024.

(2) To note the demand forecasts and that the current programme would continue to reduce the demand for permanent Council homes.

(3) To note and support approval of a capital investment of £135.1m to progress the delivery of the New Council Homes Programme as referred to in within the Financial Implications in sections 11.3 and 11.6 of the report.

(4) To delegate authority to the Strategic Director, Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to award a construction contract in respect of the Watling Garden site for the reasons set out in in section 7.8 - 7.10 of the report.

9. **Future Governance Arrangements London Housing Consortium**

Councillor Southwood (Lead Member for Housing and Welfare Reform) introduced a report seeking approval for Brent to withdraw from the London Housing Consortium (LHC) Joint Committee.

In considering the report, Cabinet noted the background to the establishment and role of the LHC and review of its governance arrangements designed to provide what was felt to be a more appropriate approach to both the current and future operations of the organisation. Having considered the report it was **RESOLVED**:

(1) To agree that Brent Council, as one of the ten Constituent Authorities of the London Housing Consortium Joint Committee ("LHC Joint Committee"), withdraw from the LHC Joint Committee and notify the London Housing Consortium of this decision by 25 February 2022.

(2) To note that the current plan was for the LHC Joint Committee to be disbanded in December 2022 at the earliest and for a new London Housing Corporation corporate entity to take its place.

(3) To note that participation in a new London Housing Consortium corporate entity would be considered and discussed in meetings of the LHC Joint Committee before its disbandment and any decisions regarding Brent Council

participating in such a new London Housing Consortium corporate entity would be submitted to Brent's Cabinet for consideration and approval.

10. **Brent Long Term Transport Strategy Review - Draft for consultation**

Councillor Tatler (Lead Member for Regeneration, Property and Planning) introduced a report providing an update on the review and development of Brent's Long Term Transport Strategy (LTTS) 2015-2035 and seeking approval to the updated draft strategy proceeding to wider public consultation and stakeholder engagement.

In considering the report Cabinet noted the background to development of the LTTS in terms of providing a strategic focus for investment in transport within Brent aimed at not only improving transport options but also reducing the negative impact of travel on the borough. In recognising the progress made since publication of the original strategy in 2015, particularly in relation to increasing levels of sustainable travel, reducing the level of casualties on the road network, delivery of the school streets initiative and increased installation of on-street electric vehicle charging points, the need had also been identified for further review, particularly in relation to encouraging more active modes of travel. Members were advised that this further review had been focussed around an aim to reduce the environmental and health impacts of traffic in the borough as well as making the transport system safer and more inclusive and reflecting the ongoing impacts of the pandemic and emergence of new national, regional and local policies and priorities, with the revised draft strategy having been detailed in Appendix A of the report.

In terms of comments, members welcomed the approach outlined and way in which development of the strategy had been aligned to not only the London Plan and Mayor of London's Transport Strategy but also the Borough Plan, emerging Local Plan, Inclusive Growth Strategy along with the Climate and Ecological Emergency Strategy and Air Quality Action Plan. The approach towards encouraging more active forms of travel was also supported along with the particular focus identified within town centres and outside schools and wider lobbying to secure transport improvements, particularly in relation to local rail services such as Chiltern Rail and delivery of the West London Orbital Rail scheme. Whilst noting the challenges identified in relation to future funding of TfL and securing improvements in the provision and operation of public transport services not directly within the control of the Council, members were keen to recognise the ambition within the strategy and to highlight the importance of the community and stakeholder engagement process in seeking to secure and deliver the improvements identified in terms of access to the borough and it's transport systems.

Having considered the report Cabinet **RESOLVED**:

(1) To approve the approach contained within the Draft Brent Long Term Transport Strategy (as set out in Appendix A of the report) for delivering improvements to the transport system in the borough to 2041.

(2) That the draft strategy undergo a period of public consultation and wider stakeholder engagement during spring 2022. The consultation to be for a minimum six week period.

(3) That following comments received during public consultation a revised, final Brent Long Term Transport Strategy be brought back to Cabinet for approval to adopt in summer 2022.

11. **Final Redefining Local Services Delivery Model and Authority to Tender Contract for Highways Maintenance Services**

Councillor Krupa Sheth (Lead Member for Environment) introduced a report setting out the final proposed level of insourcing within the Redefined Local Services (RLS) Delivery Model relating to the Highways Reactive Maintenance function and presenting the detailed procurement strategy and timetable for the Highways Maintenance Services contracts (Highways Services).

In considering the report Cabinet noted the scope, aims, objectives and improvement priorities of the RLS programme along with the Highway Services procurement strategy, which for the reasons outlined in section 3 of the report, would also include the Highways Reactive Maintenance arrangements. Cabinet was advised this would include one tender with two separate Lots and the highways consultancy service to be tendered separately. The scope of the two Lots would cover reactive highways maintenance; cyclical and reactive gully cleansing; planned highways maintenance and highway schemes. The intention would be to appoint different contractors to the two work Lots for planned maintenance and scheme work, with the borough split geographically into two areas allowing one contractor to take on each area.

In welcoming the approach outlined, Cabinet noted this had been designed to provide greater flexibility in terms of service delivery along with a “back up” contractor facility from one area to another in order to enhance service outcomes and the responsive nature of the service.

Having considered the report Cabinet **RESOLVED**, having also noted the information contained within the exempt appendix of the report:

(1) To approve the “Specialist Contracts with Low Level Insourcing” model as the final delivery model for RLS, with the full highways reactive maintenance service continuing to be outsourced.

(2) To approve Inviting tenders for Highways Maintenance Contracts consisting of one tender for Works, separated into two Lots, and one tender for Consultancy Services as detailed at sections 4.3 – 4.8 of the report.

(3) To approve Inviting tenders for the Highways Maintenance Contracts on the basis of the pre-tender considerations set out in section 4.17 of the report.

(4) To approve officers evaluating the tenders for the Highways Maintenance Contracts on the basis of the evaluation criteria set out in section 4.17 of the report.

12. **Authority to Tender: Contract for Parking and Traffic Enforcement Services**

Councillor Krupa Sheth (Lead Member for Environment) introduced a report setting out the procurement strategy and timetable for the Parking and Traffic Civil

Enforcement (PCE) Services contract and the Cashless Parking Contract (the Parking Services Contracts).

In considering the report Cabinet noted the aims and objectives of the RLS programme along with the service improvement priorities and intention to procure the PCE services as a standalone service contract giving specialist parking providers the opportunity to bid directly for the separate services on the basis of the benefits, improvements and opportunities identified within section 4 of the report.

In supporting the approach outlined within the report, Cabinet recognised the links identified in relation to Brent's Long Term Transport Strategy and Climate Emergency Strategy and as part of the Council's overall objective and vision to be able to manage in a balanced way parking and traffic flows for the benefit and safety of residents, businesses and visitors across the borough.

Having considered the report, Cabinet **RESOLVED** having also noted the exempt information contained in the appendix to the report:

(1) To approve the invitation of tenders for the Parking Services contracts on the basis of the pre - tender considerations set out in sections 4.17 and 4.18 of the report.

(2) To approve officer evaluation of the tenders for the Parking Services contracts on the basis of the evaluation criteria set out in section 4.17 (vi) and 4.18 (vi) of the report.

13. **NNDR Rate Relief 2022-23**

Councillor McLennan (Deputy Leader, Lead Member for Resources and Interim Lead on Children's Safeguarding, Early Help and Social Care) introduced a report detailing a discretionary scheme for 2022/23 Retail, Hospitality and Leisure Relief and the 2022/23 Extension of Transitional Relief and Supporting Small Business Relief for small and medium properties.

In considering the report Cabinet noted that the proposals relating to the 2022/23 scheme for Retail, Hospitality and Leisure had been based on guidance issued by the government in December 2021 who had indicated this would be a temporary measure to cover the 2022/23 financial year. The scheme had been designed to provide eligible, occupied retail, hospitality and leisure properties with a 50% relief up to a cash limit of £110k per business. The proposals relating to the extension of the transitional rate relief scheme had also followed guidance issued by government as another temporary measure in response to the ongoing impact of the pandemic, with details on its operation set out in section 3.5 – 3.6 of the report.

Whilst noting the limited number of eligible properties that would be covered under the extension of the transitional rate relief scheme, Cabinet welcomed the measures which had been introduced as a means of providing further support for those businesses and residents who were continuing to be impacted as a result of the pandemic.

Having considered the report Cabinet **RESOLVED**:

(1) To approve the National Non Domestic Rates (NNDR) Discretionary Scheme: 2022/23 Retail, Hospitality and Leisure Relief Scheme as set out in Appendix 1 of the report and pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 as amended.

(2) To approve the 2022/23 Extension of Transitional Relief and Supporting Small Business Relief Scheme as set out in Appendix 2 of the report and pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 as amended.

(3) To delegate authority to the Director of Finance and Strategic Director of Customer and Digital Services to implement the schemes as detailed in Appendix 1 and Appendix 2 of the report.

14. **Exclusion of Press and Public**

There were no items that required the exclusion of the press and public at the meeting.

15. **Any other urgent business**

None.

The meeting ended at 11.20 am

COUNCILLOR MUHAMMED BUTT
Chair

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Brent	**Cabinet** 7 March 2022
	Report from the Strategic Director, Children and Young People

Approval to Establish a New Special School at Secondary Level

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	N/A
Background Papers:	Cabinet Report School Place Planning Strategy 2019-23 (November 2021 Refresh) Cabinet Report: Investment Programme for School Place Sufficiency for Children and Young People with SEND (January 2022)
Contact Officer(s): (Name, Title, Contact Details)	Nigel Chapman Operational Director, Integration and Improved Outcomes 020 8937 4456 Nigel.chapman@brent.gov.uk Sharon Buckby Head of Inclusion and Virtual School Headteacher Sharon.buckby@brent.gov.uk

1.0 Purpose of the Report

1.1 The 2019-23 School Place Planning Strategy (November 2021 refresh), approved by Cabinet in November 2021, and the Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND approved by Cabinet on 17 January 2022 identified the need for an additional Special School in the borough at secondary level that would offer a curriculum for pupils whose special educational needs cannot be met within mainstream schools. Subject to the Department for Education (DfE)

presumption process, the intention is that the new Special School would open in September 2024. This paper details that process and requests approval from Cabinet to proceed.

2.0 Recommendation(s)

That Cabinet:

2.1 Approves the establishment of a Special School at secondary level on the site known as London Road.

2.2 Approves use of the DfE (Free School) Presumption process to establish the school, as set out in paragraph 3.7, noting that the final decision on the selected provider will be taken by the Secretary of State for Education.

2.3 Delegates authority to the Strategic Director for Children and Young People, in consultation with the Statutory Lead Member for Children's Safeguarding, Early Help and Social Care and the Cabinet Member for Schools, Employment and Skills to ratify the full business case and to identify and thereafter recommend to the Secretary of State for Education the Local Authority's preferred provider.

3.0 Detail

3.1 Local Authorities have a responsibility under section 507b of the Education Act 1996 (as amended by Education and Inspections Act 2006) to secure, so far as reasonably practicable, sufficient educational and recreational activities which are for the improvement of young people's well-being, personal and social development, and sufficient facilities for such activities for young people aged 13 – 19, (or up to 25 for young people with additional needs).

3.2 The School Place Planning Strategy Refresh, approved by Cabinet in November 2021, evidences the growing demand for places that meet the needs of children and young people with SEND. In order to meet this growing need and to tackle increasing pressures on the High Needs Block of the DSG, creating additional local school places for children with SEND is identified as a key part of the School Place Planning Strategy November 2021 refresh and the new SEND Strategy (2021-25). A range of options regarding school places were approved by Cabinet on 17 January 2022, including the potential to build a new SEND school in the borough.

3.3 The proposed new school will be a 150 place specialist school for children with Autism Spectrum Disorder. The school will be a new build school on the site known as London Road with the intention of opening in September 2024.

3.4 It is not possible for the Council to open new community schools (Education Act 2011). There are two routes to establishing new schools once the council has identified need:

a) The (Free School) presumption route whereby the council would advertise a proposal to establish a new school and invite DfE approved academy

sponsors to apply to run the school. The council is responsible for providing a site and buildings.

b) The (Free School) application process run by DfE, which would provide capital investment for approved projects.

3.5 As there is not currently an (Free School) application window open for Special School Provision proposals and given that the Council already has a site identified, it is proposed that the Local Authority triggers the (Free School) Presumption process for a Special School at secondary level.

3.6 This involves notifying the DfE of the intention to invite proposals for the development of a Special Free School and working with the DfE via the presumption process to identify a suitable provider. Through the presumption process, the Local Authority evaluates proposals and identifies a preferred provider that is notified to the Secretary of State for approval. The Regional Schools Commissioner acts on behalf of the Secretary of State in this regard.

3.7 In accordance with the Department for Education's guidance for Local Authorities regarding new school proposals, as updated in May 2018, an indicative timeline for the presumption process is outlined below:

Action	Date
Report to Cabinet triggering the presumption process	7 March 2022
Publish the specification for the school on the local authority's website, and provide a copy to the DfE for publication	Week beginning 21 March 2022
Competition period (minimum of 6 weeks)	March to June 2022
Assessment of proposals, including due diligence (DfE requirement: at least 4 weeks) and preferred provider identified by the local authority	By August 2022
Regional Schools Commissioner approval (decision on behalf of Secretary of State)	By September 2022

3.8 The Local Authority is required to develop a specification and criteria for applicants to follow in making a bid to run the provision. The specification includes detail on the School, Vision, Education Plan, Capacity and Capability, Funding and Costs and Equalities Assessments.

4.0 Financial implications

4.1 A budget of £20 million has been identified to support the development of the Special Free School as detailed in the Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND that was agreed by Cabinet in January 2022. A full business case will be provided with a detailed financial breakdown as the project progresses.

4.2 The LA will be responsible for all pre-opening and post-opening revenue costs associated with establishing the new school. The capital budget allocation has factored in costings for fixtures and fittings, but there will be additional revenue pre and post-opening set up costs that prospective providers will be expected to outline as part of the procurement process. Once open, places will be funded through the High Needs Block of the Dedicated Schools Grant. The procurement process should consider the SEND banding expectation of the provider in order to support the deficit management plan of the High Needs Block.

5.0 Legal implications

5.1 Section 6A of the Education and Inspections Act 2006 (the 'free school presumption') requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish a free school.

5.2 The DfE has issued guidance regarding the free school presumption stating that under the presumption route the local authority is responsible for providing the site for the new school, with the DfE's expectation that the site be made available free or on a peppercorn basis by the local authority to the trust. The local authority is also responsible for meeting the associated capital and pre/post-opening revenue costs. The legal basis for the provision of the school site is highlighted in section 6.4 of the *Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND January 2022 and the Department of Education Free School Presumption advice.*

5.3 The decision on all new (free school) proposals lies with the Secretary of State. His approval is required as it is the Secretary of State who will enter into a funding agreement with the sponsor chosen to run the new school. The Secretary of State will consider any recommendation on the choice of a proposer made by the local authority.

6.0 Equality implications

6.1 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.

6.2 Under the Public Sector Equality Duty, having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

6.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.4 There is no prescribed manner in which the Council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. The proposals set out in this report aim to ensure that there are sufficient and suitable school places for all Brent children and that their diverse and special educational needs are met.

6.5 The equality implications associated with the School Place Planning Strategy 2019-23 were set out in the report to Cabinet to approve the same (November 2018). This report considers more specifically the demographics around the demand for SEND school places and the options for meeting that demand.

7.0 Consultation with Ward Members and Stakeholders

7.1 The Lead Member for Children's Safeguarding, Early Help and Social Care, the Cabinet Member for Education, Employment and Skills, the Cabinet Member for Environment and the Cabinet Member for Regeneration, Property and Planning have been consulted in relation to the School Place Planning Strategy 2019-23 and Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND January 2022. They will be briefed on the overall programme and proposed location of the proposed school. Individual ward members will be provided with information about projects within ward areas once approval has been given to proceed with project activity.

7.2 In accordance with the Department for Education, the chosen provider will also conduct a statutory 6-week consultation period in the pre-opening phase.

7.3 Schools have been consulted on proposed expansions and new SEND provision as part of the development of the Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND January 2022.

8.0 Property Implications

8.1 These have been detailed in the Capital Investment Programme for School Place Sufficiency for Children and Young People with SEND approved by Cabinet in January 2022. A budget of £20 million has been identified for the capital development.

8.2 In 2020 as part of ongoing discussions with the DfE regarding section 77 land release for the Wembley Housing Zone at Cecil Avenue, the Council was asked by the DfE to look at the viability of providing a SEND school on either London Road or Cecil Avenue. The outcome of the viability studies showed that the London Road site was a better suited site for a proposed SEND school due to the size and topography of the plot. Subsequently, in March 2021 Capital Programme Board approved a concept paper for officers to complete a RIBA 1 Feasibility Study. Further, in the summer of 2021, the Secretary of State for Education approved the release of education land at Cecil Avenue under section 77 subject to the provision of a new SEND school at London Road. This then formed part of the approved Cabinet report on the Wembley Housing Zone in August 2021. This was further referred to in the January 2022 Cabinet report regarding Capital Investment Programme for School Sufficiency for Children and Young People with SEND. The intention would be to grant a 125 year lease of the London Road Site to the selected provider on a peppercorn rent.

8.3 As part of the planning and development of the London Road site, consultation will be undertaken with a voluntary sector provider currently utilising a property on that site, in order to secure an appropriate alternative location, either on a permanent or temporary basis.

8.4 A full business case will be put forward for approval under the delegated authority for Strategic Director for Children and Young People, in consultation with the Statutory Lead Member for Children's Safeguarding, Early Help and Social Care and the Cabinet Member for Schools, Employment and Skills to ratify the full business case and to nominate the Local Authority's preferred provider to the Secretary of State for approval.

9.0 HR implications

9.1 No implications

Related Documents:

Cabinet Report School Place Planning Strategy 2019-23 (November 2021 Refresh)

Cabinet Report: Investment Programme for School Place Sufficiency for Children and Young People with SEND (January 2022)

Report sign off:

Gail Tolley
Strategic Director, Children and Young People

Brent	**Cabinet** 7 March 2022
	Report from the Chief Executive

i4B Holdings Ltd Business Plan 2022/23

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 of the Business Plan (Financial Appendices i – iii) are exempt as they contain the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)
No. of Appendices:	Five Appendix 1 i4B 2022/23 Company Business Plan Appendix 2 Company Risk Register Appendix 3 2021/22 Key Tasks – Progress Update Appendix 4: 2022/23 Draft Key Tasks Appendix 5: Housing Companies' Development Strategy
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Sadie East Operational Director of Transformation Tel: 020 8937 1507 Sadie.East@brent.gov.uk

1.0 Purpose of the Report

1.1 This report provides Cabinet with a final draft of the i4B Holdings Ltd (i4B) 2022/23 Business Plan. Cabinet is asked to approve the Business Plan on behalf of the Shareholder.

2.0 Recommendations

2.1 Cabinet approve i4B's 2022/23 Business Plan.

2.2 Cabinet approves the content and proposed strategic priorities of i4B's 2022/23 Business Plan.

2.3 Cabinet approves the updated financial model contained within the 2022/23 Business Plan.

2.4 Cabinet approve the Housing Companies' Development Strategy.

3.0 Background

3.1 In November 2016, Cabinet agreed to establish a wholly owned investment company – i4B Holdings Limited. The Company was set up to own and manage private rented sector (PRS) properties, in order to support the Council's homelessness agenda.

3.2 i4B's Shareholder Agreement states that the Company should produce an annual Business Plan for Shareholder approval.

3.3 This report provides a final draft version of i4B's Business Plan for 2022/23. This version incorporates feedback from CMT at its 3 February 2022 meeting as well as the i4B Board meeting on 27 January 2022 and Shareholder meeting on 28 January 2022.

4.0 Update on Operational Performance

4.1 Table One below gives a summary of operational performance at December 2021. The two main operational issues are void times and rent collection. Minor void re-let times are within target, however major void re-let times remain out of target. A voids improvement action plan is in place; progress will be closely monitored and reported to the Company Board during 2022-23. Officers are investigating the reasons for the drop in rent collection rates and drivers of arrears, and in 2022-23 will review current rent collection processes to identify improvements.

Table One – Key Performance Indicators

Indicator	Target	Performance at December 2020	Performance at December 2021
Number of units	378 PRS by April 2022	PRS: 302	PRS: 354 Key Worker: 153
Average cost per property	£363,000	£363,484	£366,778
Net yield of whole portfolio	1.22%	1.25%	1.30%
Net yield of year to date purchases	1.22%	1.88%	1.58%
Instruction to Legal to Purchase	120 days	132 days	132 days
Minor void re-let times	35 days	93 days *NB: In Dec 20 void times were not split into major/minor therefore, there is only an overall figure*	19 days
Major void re-let times	75 days	93 days *NB: In Dec 20 void times were not split into major/minor therefore, there is only an overall figure*	151 days
Rent collection	98.50%	93.50%	88.5%
Landlord Gas safety Record	100%	BHM – 95% Mears – 97%	BHM – 99.57% Mears – 92.42%

5.0 Progress in Implementing 2021/22 Business Plan

5.1 In February 2021, the 2021/22 i4B Business Plan was approved.

5.2 The 2021/22 Business Plan outlined the following as the Company's medium-to long-term objectives:

- Increasing the supply of affordable housing in the borough;
- Running a viable business;
- Delivering safe and sustainable homes; and
- Providing a consistently good housing service.

5.3 The following summarises each of the objectives and reports on progress against these.

5.4 Increasing the supply of affordable housing in the borough

5.4.1 The 2021-2022 Business Plan outlined that i4B's primary aim is to improve the Council's affordable housing offer through the acquisition and letting of properties in Brent and neighbouring boroughs. The Company has maintained its street property purchase programme throughout 2021-22, and is on track to purchase circa 45-50 across the year against a target of 60. Purchasing rates have been slower than target due to a lack of properties meeting i4B's viability criteria, as a result of a surge in market demand and an ensuing rise in house prices.

5.4.2 Despite the reduced rate of purchases, the Company has continued to purchase higher yielding properties, which has strengthened the Company's future financial position. The average net yield of the portfolio continues to increase from 1.27% in July 2021 to 1.30% in December 2021. The average net yield of the 35 properties purchased this financial year so far is 1.58%.

5.4.3 A Development Strategy has been produced for both of the Council's housing companies. The aim of the Strategy is to support i4B's priority of utilising remaining and potential future funding to develop a portfolio of affordable new build accommodation which:

- Supports the Council's Housing Strategy and relieves housing need;
- Supports the financial viability of the Company; and
- Is feasible and realistic.

5.5 Running a viable business

5.5.1. The i4B Business Plan monitors and assures the ongoing financial viability of the Company. The current key operational issues for i4B are high void times and levels of arrears. In the 2021-22 Business Plan i4B aimed to improve void times and thereby reduce void rent loss. While issues with high void times remain, a new interim voids and lettings manager has been appointed and the voids process has been reviewed. As a result, an improvement action plan is in place, and performance will be reported to the Company Board and closely monitored over the coming financial year.

5.5.2. Rent collection rates dropped following the Covid-19 pandemic and as a result arrears remain high. Rent collection rates are below target, likely due to a combination of the increased number of tenants on Universal Credit, the potential unaffordability of rents for some i4B properties, and the ongoing impact of Covid-19 including the closure of the courts. Affected residents are being supported to access assistance via the Brent Resident Support Fund and Homelessness Prevention Grant. An arrears and affordability analysis was carried out for the Company's development stakeholder session, and the Board has agreed to monitor arrears as a priority for the coming financial year.

5.5.3. During 2021-22, i4B's sister company First Wave Housing carried out a benchmarking exercise on its operational and financial performance. This provided useful insights for i4B, including repairs performance being strong and costs being generally in line with sectoral averages. However, i4B has a low capital spend currently. During 2022-23, therefore, an asset management strategy and value for money strategy will be developed.

5.6 Delivering safe and sustainable homes

5.6.1 During 2021-22, i4B set out to review its compliance arrangements with the Head of Housing Property Services. While existing policies have been reviewed, further work is required to put in place an effective set of policies and performance metrics. This will therefore be carried over into the 2022-23 Business Plan.

5.7 Providing a consistently good housing service

5.7.1. i4B aims to ensure tenant satisfaction and therefore monitors this regularly through monthly reports to the Board and biennial STAR surveys. The next STAR survey is due in 2022.

5.7.2. A customer satisfaction improvement plan has been implemented. Some of the key actions from the customer satisfaction improvement plan are:

- Brent Housing Management restructure and monthly service improvement board meetings
- Communication plan and appointment of a dedicated housing officer for i4B
- Introduction of compliance reporting and improved performance reporting
- Improved grip on voids management process and inspection of external communal areas

6.0 2022/23 Business Plan

6.1 Appendix 1 contains a final draft of the Company's 2022/23 Business Plan. The i4B Board met on the 27th January 2022 to discuss the business plan. Officers have used the feedback provided and developed the Business Plan further. Cabinet is asked to approve the Business Plan.

6.2 The 2022/23 Business Plan outlines the Company's strategic priorities for the year. Priorities for 2022/23 are set out within the framework of the medium to long-term objectives of Brent's Housing Companies. These objectives are:

- Increasing the supply of affordable housing in the borough;
- Running a viable business;
- Delivering safe and sustainable homes; and
- Providing a consistently good housing service.

6.3 Cabinet should note that the business plans were reviewed by the i4B Shareholder on 28th January 2022 and CMT on 3rd February 2022. Feedback

was that further information should be included on how i4B plans to progress decarbonisation work in 2022/23. This has been incorporated into the 2022/23 business plan.

6.4 Increasing the supply of affordable housing in the borough

6.4.1 i4B's primary aim is to improve the Council's affordable housing offer through the acquisition and letting of properties in Brent and neighbouring boroughs. In October 2019, Cabinet agreed loan facilities of up to £110.5m be made available to i4B and First Wave Housing Limited. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 1: Purchase 48 street properties in 2022-23
- Priority 2: Take on 25 properties from First Wave Housing as part of the transfer of Granville New Homes
- Priority 3: Review new build market opportunities in the borough
- Priority 4: Review feasibility of setting up a new purchasing stream for adapted accommodation
- Priority 5: Review feasibility of purchasing larger properties with four or more bedrooms

6.5 Running a viable business

6.5.1 This objective relates to improving the operational and financial performance of i4B. In order to continue to provide affordable housing and bring benefits to the Council, i4B must remain financially viable. It is thus imperative that operational services run smoothly and planning, monitoring and reporting are as accurate and effective as possible. i4B will maintain an effective system of financial control, as well as benchmark and understand costs to ensure that the Company delivers value for money. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 6: Reduce void times
- Priority 7: Develop an Asset Management Strategy for i4B
- Priority 8: Commence the disposal of company properties in the Home Counties that do not meet demand
- Priority 9: Review void and repair costs
- Priority 10: Develop and implement a value for money strategy for i4B
- Priority 11: Review approach to former tenant arrears
- Priority 12: Improve rent collection and arrears management

6.6 Delivering safe and sustainable homes

6.6.1 This objective involves ensuring that i4B's homes are of a good quality, safe, compliant, and environmentally sustainable. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 13: Establish a suite of compliance policies and standards to ensure legal compliance

- Priority 14: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels
- Priority 15: Carry out an audit of the new compliance suite
- Priority 16: Commission review of energy performance data for current stock
- Priority 17: Commission review to understand what work is required to bring stock up to an average of EPC B
- Priority 18: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme

6.7 Providing a consistently good housing service

6.7.1 This objective relates to improving tenant satisfaction. i4B will do this by ensuring it has clear service standards and procedures that enable complaints and anti-social behaviour issues to be resolved quickly and effectively. i4B will also effectively monitor and manage the performance of our contractors, provide a responsive repairs service, and provide effective cleaning, caretaking and grounds maintenance. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 19: Monitor tenant satisfaction

7.0 Financial Implications

7.1 The financial implications are set out in the business plan itself. The key changes from the previous plan are a slowing of the purchase rate of new properties from 60 to 48 per year plus the addition of 25 units transferred from First Wave Housing. Higher inflation has been factored into the plan whilst rent levels have been frozen for the first 4 years on a prudent assumption that LHA rates will not increase.

7.2 The plan shows i4B moving into surplus with surpluses increasing substantially once rents start to increase again from 2025/26 onwards.

7.3 The business plan demonstrates that i4B is able to operate as a going concern.

8.0 Legal Implications

8.1 The adoption of the proposed Business Plan is a matter reserved to the Council as the sole shareholder in i4B Holdings Limited and the intention is to seek Cabinet approval on 7 March 2022.

8.2 i4B is a wholly-owned local authority company, controlled by the Council, which was established to own and manage private rented sector (PRS) properties, in order to support the Council's homelessness agenda. Though i4B owns the out-of-Borough properties referred to in the Report, they ultimately serve the Council's housing purposes. The Council exercises a degree of control over disposal of these properties given the requirements of the Shareholder Agreement as to Council consent for disposal. In exercise of that control, the

Council ought to ensure that, the spirit and purpose of section 123 Local Government Act 1972, is complied with, so that any sale of i4B's out-of-Borough land is for best consideration reasonably achievable by i4B.

8.3 In the context of the various delivery routes referred to in the report and Business Plan, it should be noted that companies such as i4B, established and solely owned by a council parent, are regarded as "contracting authorities" in their own right for the purposes of the Public Contracts Regulations 2015 ("PCR"). As a result, services or works over the relevant PCR financial threshold that i4B commissions from another organisation, even those commissioned from its own parent, or any other partnership arrangements as referred to in this report with the Council or other Registered Providers, potentially have to be competitively tendered, unless relevant exemptions available under the PCR apply.

9.0 Equality Implications

9.1 N/A

10.0 Consultation with Ward Members and Stakeholders

10.1 N/A

11.0 Human Resources/Property Implications (if appropriate)

11.1 N/A

Report sign off:

Carolyn Downs
Chief Executive

i4B Holdings Limited
2022/23 Business Plan

i4B Holdings Ltd 2022-23 Business Plan

1. Introduction

1.1. i4B Holdings Ltd (i4B; the Company) was established to reduce homelessness, provide affordable, good quality homes, and invest to deliver regeneration and financial benefits for its sole shareholder, Brent Council (the Council).

1.2. The following document is i4B's 2022-23 Business Plan. The Business Plan outlines how the Company will grow and diversify its products and increase its contribution to the Council's ambition of creating a borough with "a future built for everyone, an economy fit for all".

1.3. The Business Plan takes the following format:

2.0 Purpose of the Company
3.0 Performance against Overall Purpose
4.0 Progress against the Company's 2021-22 Business Plan
5.0 Context for 2022-23 Business Plan
6.0 Strategic Priorities for 2022-23
7.0 Appendices
- A1 Closed Financial Appendix – Financial Implications of Proposals
- A1a 30 Year Profit and Loss Account
- A1b 30 Year Balance Sheet
- A2 Risk Register
- A3 Progress on 2021-2022 Key Tasks
- A4 2022-23 Key Tasks
- A5 Key Performance Indicators

2. Purpose of the Company

2.1. Between 2010 and 2015, homelessness doubled in Brent. This growth in homelessness was driven by the loss of private rented sector (PRS) tenancies due to affordability issues.

2.2. As a response to this challenge, on 14 March 2016, Brent Council's Cabinet approved the Council's Temporary Accommodation (TA) Reform Plan. The plan proposed that the Council set up a private company to acquire a large portfolio of affordable PRS accommodation for letting to homeless households.

2.3. In November 2016, Cabinet agreed to establish its wholly owned investment company, i4B Holdings Ltd. The Company was set up with the purpose of acquiring, letting, and managing a portfolio of affordable, good quality PRS properties. Properties would be let to homeless families at Local Housing Allowance (LHA) levels. This would enable the Council to either prevent or discharge its homelessness duty and therefore reduce TA costs.

2.4. The Company was allocated an initial PRS phase one loan of £109m to purchase 300 units of private rented sector accommodation by September 2019. The 2018-19 business plan increased this target to 600 units and allocated additional PRS phase two funding of £110.5m. The Company's core business plan anticipates a financial breakeven position over 30 years.

2.5. The Company is set up with the following requirements:

- The Company has discretion over the individual properties it acquires provided that:
    - They are in a suitable location for the Council to comply with its duty under the Homelessness Suitability of Accommodation Order of 2011;
    - They are within the affordability criteria set out in the Company investment plan and Capital financing agreement with the Council; and
    - The rental income will be broadly equivalent to the relevant Local Housing Allowance.
- The Board of i4B has limited discretion to let properties at discounted market rents, higher than LHA rates, where this is affordable for the tenant household and provides additional funding stability for the Company. The total mix of properties that may be let at greater than LHA rates is 25% of the portfolio, which may be flexed by prior agreement with the shareholder.

3. Performance against Overall Purpose

3.1. Since 2016, i4B has performed well against its purpose. i4B has purchased PRS accommodation and let it to families in TA. i4B has also brought financial savings to the Council.

3.2. As of December 2021, i4B has purchased 354 private sector homes and switched the tenure to an affordable PRS product. All properties have been refurbished to a high standard. Table One provides a breakdown of i4B's portfolio and pipeline as of December 2021.

Table One – i4B portfolio as of December 2021

	1b	2b	3b	4b+	All
Purchased properties	45	142	119	48	354

3.3. i4B has housed 364 families and 871 children. The majority of these families were previously housed in stage one TA. The number of families housed is higher than i4B's PRS portfolio due to certain properties being re-let.

Table Two – Breakdown of families accommodated by i4B as of December 2021

Previous Accommodation	no. of families	no. of children
Direct to i4B	85	188
Women's Refuge	2	15
TA Stage one – B&B	241	559
TA Stage two – Leased	36	109
Total	**364**	**871**

3.4. i4B also owns a 153-unit block which is let to public sector key workers. The first tenants moved in in March 2021 and 128 of the 153 units are currently let.

3.5. The Council receives financial benefits from i4B, mainly through reducing the use of TA. i4B brings a gross annual benefit of £1.784 million to the Council. This saving will increase as purchases increase.

3.6. The Council has also received the following one-off financial benefits:

- PRS phase one loan: loan arrangement fee of £872k and non-utilisation charge of £330k
- PRS phase two loan: loan arrangement fee of £884k and non-utilisation charge of £408k

4. Progress against the Company's 2021-22 Business Plan

4.1. As outlined in the 2021-22 i4B Business Plan, the medium- to long-term objectives of Brent's Housing Companies are:

- Increasing the supply of affordable housing in the borough;
- Running a viable business;
- Delivering safe and sustainable homes; and
- Providing a consistently good housing service.

4.2. This section outlines performance in 2021-22 against each of the Company's strategic objectives.

4.3. Summary of performance

4.3.1. During 2021-22 i4B's street property purchase programme has continued, and the Company is forecast to purchase between 45 and 50 properties in the financial year, against its target of 60; this is due to a reduction during the year of properties on the market i4B is able to purchase. However, i4B continues to purchase higher yielding properties, and the average net yield of the portfolio has increased during 2021-22 to 1.30%. The volume of property acquisitions must be balanced against the Company's need to remain financially viable; therefore all purchases are subject to meeting specific financial criteria, which include service charges, works costs and lease costs as well as property price. This is a steady and established supply stream for the Company, and is expected to remain so in the future.

4.3.2. In addition, i4B took ownership of its 153-unit key worker block in Wembley Park, the Lexington Building, in February 2021. As of January 2022, 128 of the units have been let to public sector key workers. The pace of lets has been faster than business plan assumptions.

4.3.3. During 2021-22, work has been carried out to produce a Development Strategy for both of the Council's housing companies. The strategy is presented alongside the 2022-23 business plan. The strategy outlines how i4B plans to grow a new build development portfolio in a way which best supports housing need and the viability of the Company. The strategy outlines criteria that future i4B development schemes must meet, as well as actions the Company will carry out to ensure these are feasible, viable, and realistic. A focus for the Company in 2022-23 will be determining whether i4B's current resourcing and financing arrangements allow it to deliver accommodation that best meet the Council's housing need.

4.3.4. Table Three below provides a summary of operational performance at December 2021:

Indicator	Target	Performance at December 2020	Performance at December 2021
Number of units	378 by April 2022	302	PRS: 354 Key Worker: 153

Average cost per property	£363,000	£363,484	£366,778
Net yield of whole portfolio	1.22%	1.25%	1.30%
Net yield of year to date purchases	1.22%	1.88%	1.58%
Instruction to Legal to Purchase	120 days	132 days	132 days
Minor void re-let times	35 days	93 days *NB: In Dec 20 void times were not split into major/minor therefore, there is only an overall figure*	19 days
Major void re-let times	72 days	93 days *NB: In Dec 20 void times were not split into major/minor therefore, there is only an overall figure*	151 days
Rent collection	98.50%	93.50%	88.5%
Landlord Gas safety Record	100%	BHM – 95% Mears – 97%	BHM – 99.57% Mears – 92.42%

4.3.5. The two main operational issues are void times and rent collection. Minor void re-let times are within target, however major void re-let times remain out of target. A voids improvement action plan is in place; progress will be closely monitored and reported to the Company Board during 2022-23. Officers are investigating the reasons for the drop in rent collection rates and drivers of arrears, and in 2022-23 will review current rent collection processes to identify improvements.

4.3.6. Developing a Company asset management strategy and a robust set of compliance policies and metrics will also be a focus for i4B during 2022-23.

4.3.7. The following paragraphs provide a more detailed update on progress against the sub objectives for each Housing Company objective in the 2021-22 Business Plan.

4.4. <u>Performance against strategic objectives</u>

4.5. *Increasing the supply of affordable housing in the borough*

4.5.1. The 2021-2022 Business Plan outlined that i4B's primary aim is to improve the Council's affordable housing offer through the acquisition and letting of properties in Brent and neighbouring boroughs. The Company has maintained its street property purchase programme throughout 2021-22, and is on track to purchase circa 45-50

across the year against a target of 60. Purchasing rates have been slower than target due to a lack of properties meeting i4B's viability criteria, as a result of a surge in market demand and an ensuing rise in house prices.

4.5.2. The volume of property acquisitions must be balanced against the Company's need to remain financially viable; therefore all purchases are subject to meeting specific financial criteria, which include service charges, works costs and lease costs as well as property price. New financial viability criteria and a new appraisal model were developed and implemented during 2021-22, which increased the amount that i4B can spend on a property while continuing to ensure viability. Throughout 2021-22, i4B continued to purchase higher yielding properties.

4.5.3. A Development Strategy has been produced for both of the Council's housing companies. The aim of the Strategy is to support i4B's priority of utilising remaining and potential future funding to develop a portfolio of affordable new build accommodation which:

- Supports the Council's Housing Strategy and relieves housing need;
- Supports the financial viability of the Company; and
- Is feasible and realistic.

4.5.4. Throughout 2021-22, work has been carried out to review future housing demand in the borough, review market supply and affordability of PRS street properties to i4B, implement a new acquisitions appraisal model, and to analyse arrears and tenant affordability. This work has allowed i4B to produce a list of criteria that i4B new build developments must meet.

4.5.5. The strategy outlines actions the Company will carry out in 2022-23 to ensure criteria are realistic, feasible, and viable. Work will also allow a degree of prioritisation to take place on criteria. This work will give i4B a better understanding of the properties it can acquire/develop that are financially viable and technically feasible. This will enable discussions with the Council on whether i4B's current resourcing and financing arrangements allow it to deliver accommodation that best meet the Council's housing need.

4.5.6. In addition as of February 2021, i4B took ownership of a block of 153 units to be used for key worker accommodation and let at 65% of market rent. As of January 2022, 128 tenants have moved into the Lexington Building, exceeding the expectation of the 2021-2022 business plan.

4.6. *Running a viable business*

4.6.1. The i4B Business Plan monitors and assures the ongoing financial viability of the Company. The current key operational issues for i4B are high void times and levels of arrears. In the 2021-22 Business Plan i4B aimed to improve void times and thereby reduce void rent loss. While issues with high void times remain, a new interim voids and lettings manager has been appointed and the voids process has been reviewed. As a result, an improvement action plan is in place, and performance will be reported to the Company Board and closely monitored over the coming financial year.

4.6.2. Regarding arrears, rent collection rates dropped following the Covid-19 pandemic and as a result arrears remain high. Rent collection rates remain below target, likely due to a combination of the increased number of tenants on Universal Credit, the potential unaffordability of rents for some i4B properties, and the ongoing impact of Covid-19 including the closure of the courts. Affected residents are being supported to access assistance via the Brent Resident Support Fund and Homelessness Prevention Grant. An arrears and affordability analysis was carried out for the Company's development stakeholder session, and the Board has agreed to monitor arrears as a priority for the coming financial year.

4.6.3. During 2021-22, First Wave Housing, the Council's other housing company, carried out a benchmarking exercise on its operational and financial performance. This provided useful insights for i4B, including repairs times being strong and costs being generally in line with sectoral averages. However, i4B has a low capital spend currently. During 2022-23, therefore, an asset management strategy and value for money strategy will be developed.

4.7. *Delivering safe and sustainable homes*

4.7.1. During 2021-22, i4B set out to review its compliance arrangements with the Head of Housing Property Services. While existing policies have been reviewed, further work is required to put in place an effective set of policies and performance metrics. This will therefore be carried over into the 2022-23 Business Plan.

4.8. *Providing a consistently good housing service*

4.8.1. i4B aims to ensure tenant satisfaction and therefore monitors this regularly through monthly reports to the Board and biennial STAR surveys. The next STAR survey is due in 2022.

4.8.2. A customer satisfaction improvement plan has been implemented for i4B. Some of the key actions from the customer satisfaction improvement plan are:

- Brent Housing Management restructure and monthly service improvement board meetings
- Communication plan and appointment of a dedicated housing officer for i4B
- Introduction of compliance reporting and improved performance reporting
- Improved grip on voids management process and inspection of external communal areas

5. Context for 2022-23 Business Plan

5.1. This section outlines the various contextual factors that have influenced the i4B Business Plan and how they influence i4B. These include, but are not limited to:

- The state of the housing market;
- The impact of Covid-19;
- Current demand and housing need within Brent; and
- The key risks the Company currently faces.

5.2. These factors have influenced the proposals outlined in Section 6.

5.3. The housing market

5.3.1. During this financial year, property prices have risen and remain high, and this has led to a lack of properties on the market that meet i4B's financial criteria. In addition, demand in the borough is high, which also impacts the number of properties i4B can consider.

5.3.2. It is therefore expected that purchasing will continue to be difficult in 2022-23, and accordingly i4B has lowered the number of properties it expects to buy in the coming financial year from 60 to 48.

5.3.3. Development in Brent is concentrated in the north of the borough, where land and property prices and rent levels are generally lower than in the south of the borough; this will impact the location of any future i4B development.

5.4. Economic context

5.4.1. In last year's business plan, it was anticipated that Covid-19 might reduce demand for housing within London with more people working from home and choosing to live outside of London. This has not occurred in the last year, and supply is currently limited with a corresponding rise in prices. It is too early to establish what the longer term impact on the London economy and property market of Covid 19, Brexit and changing working patterns will be. This is a key area of the business plan to monitor going forward.

5.4.2. Inflation in the UK is at its highest for 20 years and this is a pattern being experienced more widely in the global economy. The key question is whether this is a short term phenomenon, or whether higher inflation is here to stay. The risk to this assumption is if rent levels are frozen, for example by capping off local housing allowance (LHA) increases, whilst cost inflation rises. Again, this will be monitored closely.

5.4.3. Rent collection rates dropped following the Covid-19 pandemic, and with the end of the eviction ban on 31 May 2021, there are now severe court backlogs. This has had an ongoing impact on arrears for i4B.

5.5. Demand and housing need within Brent

5.5.1. Since 2016, i4B has been housing Council homelessness nominees. Demand from the Housing Needs Service has been primarily for two- and three-bedroom properties in Brent. However, demand from Housing Needs is changing and there is now a greater need to accommodate families who require adapted properties due to mobility issues or disabilities. As of November 2021, there are circa 50 households living in unsuitable accommodation who require access to accommodation that has been adapted. There is also an ongoing demand due to new applications from families who are threatened with homelessness. The bespoke nature of i4B properties is one of the main benefits of the Company; therefore, i4B will carry out a pilot scheme in 2022-23 to purchase properties suitable to be used as adapted accommodation.

5.6. Net Zero and Climate Change Works

5.6.1. Brent Council declared a climate and ecological emergency in 2019 and committed to do all reasonable in its gift to aim for carbon neutrality for 2030, and to work with government to achieve the national 2050 target. The target for Brent's housing in its Climate & Ecological Emergency Strategy (2021-2030) is to achieve an average EPC rating of B by 2030, in line with the London Councils target. Brent Council's housing companies' environmental sustainability targets are aligned with the Council's own environmental sustainability targets.

5.7. Risk context

5.7.1. The Company currently faces a number of risks. Key risks include:

- High Capital Programme costs, including future climate change obligations, undermine the viability of the business plan.
- Tenant non-payment of rent increases due to unaffordability of rent.
- Poor data quality on asset management systems means compliance with H&S standards cannot be effectively monitored, resulting in i4B being non-complaint with its statutory obligations.
- Poor contractor performance and information control results in i4B properties being non-compliant with statutory Health and Safety objectives.
- High void rent loss due to long void turnaround times.
- Company cash flow (capital and revenue) is insufficient to manage expenditure.

5.7.2. Mitigating measures are in place to help to minimise the impact of all risks. A copy of the full Company risk register has been included in Appendix 2.

6. Strategic Priorities for 2022-23

6.1. This section outlines the Company's strategic priorities for 2022-23. Priorities for 2022-23 are set out within the framework of the medium- to long-term objectives of Brent's Housing Companies. These objectives are:

- Increasing the supply of affordable housing in the borough;
- Running a viable business;
- Delivering safe and sustainable homes; and
- Providing a consistently good housing service.

6.2. Increasing the supply of affordable housing in the borough

6.2.1. i4B's primary aim is to improve the Council's affordable housing offer through the acquisition and letting of properties in Brent and neighbouring boroughs using its agreed loan facilities of up to £110.5m. For 2022-23 this will include the continuation of the Company's street property purchase programme and work related to the Development Strategy that will determine the future direction and financing arrangements of the Company. The strategic priorities are as follows:

6.2.2. Priority 1: Purchase 48 street properties in 2022-23

6.2.3. The Company has an ongoing programme of acquiring single street properties; this programme continues to meet demand from homeless nominees and will therefore continue into 2022-23. Despite the new financial viability criteria introduced in 2021-22, acquisition rates have slowed recently due to an increase in housing demand and property prices. As a result, the purchasing target for 2022-23 has been reduced from five to four per month.

6.2.4. Priority 2: Take on 25 properties from First Wave Housing as part of the transfer of Granville New Homes

6.2.5. It was identified that blocks owned by First Wave Housing in South Kilburn require remediation works to address fire safety and water penetration issues. As part of the solution to make these works affordable and enable them to be carried out as effectively and quickly as possible, it was agreed by the First Wave Housing Board, Brent Council's Cabinet and the i4B Board that the 25 intermediate rented properties at the blocks would be transferred to i4B.

6.2.6. The transfer will take place on 1 April 2022, on which date these properties will be incorporated into the i4B portfolio. A project group and plan has been set up to ensure the smooth handover of the properties, and the managing agent for the properties, Brent Housing Management, will remain the same.

6.2.7. Priority 3: Review new build market opportunities in the borough

6.2.8. As part of its Development Strategy, i4B has developed a strong understanding of housing need, the supply of PRS street properties, and the Company's financial viability. It is unknown how competitive i4B's price caps will be in the new build market. During the financial year, i4B will review the availability and feasibility of market opportunities in Brent to see if they are viable for i4B. This will include a

review of direct development purchases in the borough, and a pilot to model the affordability of a land-led new-build scheme, which would potentially include adapted properties. This review work will be followed by an analysis of the financing required for the Company to deliver an affordable new-build programme that best meets the Council's housing need.

6.2.9. Priority 4: Review feasibility of setting up a new purchasing stream for adapted accommodation

6.2.10. In addition to other development work outlined above, the Council is seeing greater demand from homeless nominees with specific needs for adapted units. Therefore, i4B will work in 2022-23 to pilot a scheme for purchasing street properties with adaptations in order to review the feasibility, affordability and financial requirements of such a scheme.

6.2.11. Priority 5: Review feasibility of purchasing larger properties with four or more bedrooms

6.2.12. In 2022/23, i4B will carry out a pilot exercise looking at the cost of acquiring larger units. Like the adapted properties pilot, this will outline costs and whether purchasing larger units is affordable to the company, and if not, what additional finance is required.

6.3. Running a viable business

6.3.1. This objective relates to improving the operational and financial performance of i4B in order to remain financially viable and thus continue to bring benefits to the Council. The Company's focus for 2022-23 will be on improving void times and rent collection rates, as well as developing strategies for value for money and asset management to effectively forecast and reduce costs. The 2022-23 strategic priorities that relate to this objective are:

6.3.2. Priority 6: Reduce void times

6.3.3. In response to ongoing high void times for i4B, an improvement action plan was presented to the Company Board in December 2021. Given the majority of the issues lay with historic void properties, and the comprehensive action plan in place, performance is expected to improve over 2022-23. This will be closely monitored by officers and at Board meetings during the financial year.

6.3.4. Priority 7: Develop an Asset Management Strategy for i4B

6.3.5. In its 2021-22 Business Plan i4B committed to work with the Council's Asset Management team and external third party freeholders to develop a long-term asset management strategy. While i4B has reviewed its existing stock condition data and agreed to commission an updated stock condition survey in early 2022, further work is needed in 2022-23 to draft up a costed asset management strategy once this survey has been completed and i4B has engaged with third party freeholders.

6.3.6. Priority 8: Commence the disposal of company properties in the Home Counties that do not meet demand

6.3.7. During 2021-22, it was agreed by the i4B Board to dispose of properties in the Home Counties when they go void if they cannot meet immediate demand from Brent's Housing Needs teams; this was due to consistently high void times at these properties.

6.3.8. In 2022-23, i4B officers will work with Housing Needs to assess demand in the event of a Home Counties property becoming void. Where a property cannot be used to meet demand, i4B will work with the Property Team to begin the disposal process.

6.3.9. Priority 9: Review void and repair costs

6.3.10. Void and repair costs are a large cost driver for i4B. The Company will commission a value for money review of these costs and implement actions from the resulting report. The review will look at current specifications, costs and contract pricing against sectoral performance.

6.3.11. Priority 10: Develop and implement a value for money strategy for i4B

6.3.12. Following the results of First Wave Housing's benchmarking exercise, i4B has identified areas of operational and financial underperformance. During 2022-23, i4B will produce a value for money (VfM) strategy. This will outline how i4B defines VfM, how it will achieve VfM, and plans for monitoring this. This process will involve setting specific VfM targets with service areas through the service level agreement (SLA) with the Council.

6.3.13. Priority 11: Review approach to former tenant arrears

6.3.14. The benchmarking exercise also demonstrated a high level of former tenant arrears (FTA) when compared against similar organisations. In order to reduce this i4B will carry out a review of its FTA levels, and work with the Council's Income team to recover these, or consider writing these off where unrecoverable.

6.3.15. Priority 12: Improve rent collection and arrears management

6.3.16. Alongside its FTA work, i4B will work with the Council's Income team to analyse the drivers of high arrears levels. Rent collection rates also remain below target, so i4B will review its current rent collection processes to identify any specific improvement actions where necessary.

6.4. Delivering safe and sustainable homes

6.4.1. This objective involves ensuring that i4B's homes are of a good quality, safe, legally compliant, and environmentally sustainable. In 2022-23, the Company's focus will be on its compliance policies and metrics; relevant strategic priorities have been carried over from 2021-22 and are as follows:

6.4.2. Priority 13: Establish a suite of compliance policies and standards to ensure legal compliance

6.4.3. This priority has been carried over from last year. While existing policies were reviewed during 2021-22, further work in 2022-23 is needed to establish a comprehensive suite of compliance policies, standards and metrics for i4B. Officers will work with the Head of Housing Property Services to progress this work.

6.4.4. Priority 14: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels

6.4.5. An accompanying set of metrics will be developed alongside these policies. This will enable officers to effectively report on compliance to the Board, providing reassurance that the Company remains compliant with all relevant law.

6.4.6. Priority 15: Carry out an audit of the new compliance suite

6.4.7. Once established, the new set of compliance policies, standards and metrics will be reviewed to ensure they enable the Company to effectively monitor performance and to remain compliant.

6.4.8. Priority 16: Commission review of energy performance data for current stock

6.4.9. i4B will commission a consultant to review its existing stock to understand current energy performance data. This will give i4B an indication of the current energy performance of its stock.

6.4.10. Priority 17: Commission review to understand what work is required to bring stock up to an average of EPC B

6.4.11. Once i4B has an understanding of existing stock condition, it will carry out an analysis to determine what work is required to bring the stock up to an average of EPC B. This work will highlight the stock component replacements and upgrades that would be required to improve energy performance.

6.4.12. Priority 18: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme

6.4.13. An analysis will be carried out using the modelling on works required to improve energy performance to understand financial implications and cost. This will give i4B a better understanding of the longer term costs of climate change works. i4B will also seek to identify capital and any funding available from internal and external carbon offset/energy grant schemes to finance programmes of works.

6.5. Providing a consistently good housing service

6.5.1. This objective relates to improving tenant satisfaction. i4B monitors tenant satisfaction regularly through monthly reporting to the Company Board as well as STAR surveys every two years. The 2022-23 strategic priority for this objective is:

6.5.2. Priority 19: Monitor tenant satisfaction

6.5.3. Following the 2020 STAR surveys, Brent Housing Management have implemented a tenant satisfaction improvement plan. Metrics from this plan are included in the Housing Management performance reports that are submitted to the Company Board every month, and will be monitored throughout 2022-23. A new STAR survey will be carried out during 2022 as part of the ongoing programme.

Appendix 1 – Closed Appendix – Financial Analysis

Please refer to the i4B Closed Financial Appendix document.

Appendix 2 – Risk Register

See Appendix 2 of accompanying cover report.

Appendix 3 – Progress on 2021-22 Key Tasks

See Appendix 3 of accompanying cover report.

Appendix 4- 2022-23 Key Tasks

See Appendix 4 of accompanying cover report.

Appendix 5 – Key Performance Indicators

KPI No	KPI	Measure	2021/22 Business Plan *Targets in weeks or calendar days*	Monitoring Period	KPI Owner	Performance at December 2020	Current Performance
1	Net Property Yield	Takes into account purchase price and LHA rate plus one off purchase costs and ongoing annual costs.	1.22%	Monthly	i4B	1.25%	1.30%
2	Average portfolio purchase price	The average cost of a portfolio property including works, SDLT, fees and VAT.	£363,000	Monthly	i4B	£363,484	£366,778
3	Maximum equity share held by LB Brent	The proportion of equity held by LB Brent in relation to the total loan provided to i4B.	23% (maximum)	Quarterly	LB Brent – Finance	22%	20%
4a	Property Negotiation – PRS panel to instructing legal	The average number of calendar days in the reporting period between PRS panel instruction to property instructing legal. Activity in this period includes the negotiation of property price and the vendor's acceptance of offer.	60 days	Monthly	LB Brent – Property	25 days	47 days
4b	Instructing Legal – Legal reporting to property	The average number of calendar days between property instructing legal to legal reporting to property. Activity included in this period includes legal due diligence and title reporting.	85 days	Monthly	LB Brent – Legal	107 days	109 days
4c	Instruction to keys	Period in calendar days between property instructing legal to the purchase of the property including the	130 days	Monthly	LB Brent – Property/Legal	210 days	155 days

		period taken to provide keys/handover pack to refurbishment.					
5a	PRS acquisitions	Number of PRS street properties purchased by the property team.	378 by April 2022	Monthly	LB Brent – Property	318 at April 2021	368 by April 2022 forecasted
6	Major void times	Period from tenancy end date/acquisition date to tenancy start date for major voids.	75 days	Monthly	LB Brent – Property	93 days (overall void time)	133 days
7	Minor void times	Period from tenancy end date/acquisition date to tenancy start date for minor voids.	35 days	Monthly	LB Brent – BHM	93 days (overall void time)	75 days
8	Number of lets in the period.	Number of new tenancy sign ups in the month.	In line with PRS Programme assumptions.	Monthly	LB Brent – Housing Needs	32 YTD	47 YTD
9	Number of Re-let Voids	Any property not occupied by a tenant. Snapshot as of the last day in the month.	Contextual	Monthly	i4B	7	13
10	Rent Collection	Rent collected as a % of rent due. This is measured on a 4 weekly cycle in line with BACs payments to i4B.	98.5%	Monthly	Housing Management Agents – Mears and BHM	93.5%	88.5%
11	Rent arrears action	Evictions	Contextual	Monthly	Housing Management Agents – Mears and BHM	2 in 2020/21	2 in 2021/22

12	Customer Satisfaction	Biennial Survey *NB: 2020 data*	80% satisfied with the condition of the property.	Annual	i4B	63%	63%
13	Customer Satisfaction	Biennial Survey *NB: 2020 data*	80% satisfied with the management of the property.	Annual	i4B	69%	69%
14	Customer Satisfaction	Biennial Survey *NB: 2020 data*	80% satisfied with the repairs service.	Annual	i4B	64%	64%
15	Customer Satisfaction	Survey Participation *NB: 2020 data*	1/3 of customers surveyed annually (minimum).	Annual	i4B	33%	33%
16	Ombudsman decisions upholding a complaint	A decision by a statutory body upholding a complaint made by a customer, contractor, employee or member of the public.	None	Quarterly	i4B	N/A	N/A
17	% of Portfolio properties home visited	One property visit is required every two years. % of property visits completed in relation to the properties under management.	100%	Annual	Housing Management Agents – Mears and BHM	N/A – home visits suspended in 2020/ 21 due to Covid-19	100%
18	% of Portfolio with valid CP12	Properties let with a valid CP12 gas certificate.	100%	Monthly	Housing Management Agents – Mears and BHM	95% (Tenants refusing to grant access)	BHM – 99.6% Mears – 92.4%

19	% of Emergency Repairs completed within 24 hours	The % of all emergency repairs resolved within 24 hours measured each quarter. Qualifying repairs are contained in the housing management contracts.	100%	Monthly	Housing Management Agents – Mears and BHM	100%	100%
20	% of Urgent Repairs completed within 7 days	The % of all urgent repairs resolved within 24 hours measured each quarter. Qualifying repairs are contained in the housing management contracts.	95%	Monthly	Housing Management Agents – Mears and BHM	90%	81%
21	% of Routine Repairs Completed within 28 days	The % of all routine repairs resolved within 24 hours measured each quarter. Qualifying repairs are contained in the housing management contracts.	95%	Monthly	Housing Management Agents – Mears and BHM	90%	91%
22	% of i4B portfolio let above LHA rate	Show as a % of i4B properties let at a weekly rental income higher than the LHA in the property locality.	Contextual/Max 25%	Quarterly	i4B	0%	0%

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Ref	Strategic	Risk	Business Plan Objective	Trigger	Likelihood	Impact	Score	Change	Mitigation	Post Mitigation Likelihood	Post Mitigatio nImpact	Post Mitigation Score	Owner	SLA Lead	Actions	Due Date	January Action Update
1	i4B does not meet H&S requirements	Poor data quality on asset management systems means compliance with H&S standards cannot be effectively monitored, resulting in i4B being non-compliant with its statutory obligations.	Safe and Sustainable Homes	Inadequate controls on record creation	4	5	20		Review asset records and the controls around creation and update. Produce a regular compliance report to Board covering all compliance requirements. Identify all assets that require monitoring - Test all assets in accordance with relevant testing policy - Identify and monitor all actions required as a result of tests	2	5	10	Head of Property Services	Strategic Support Officer	Gas safety process to be reviewed	Ongoing	Monthly gas safety reconciliations are being performed to provide assurance; work on issues with property creations is ongoing and in the meantime gas systems are closely monitored manually
														Strategic Support Officer	Regular compliance reporting to come to Board	Mar-23	i4B internal audit on health & safety compliance is in progress. New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
2	i4B does not meet H&S requirements	Poor contractor performance and information control results in i4B properties being non-compliant with statutory H&S obiectives.	Safe and Sustainable Homes	Lack of KPIs and monitoring processes	3	5	15		Set up effective monitoring processes on compliance.	2	5	10	Head of Property Services	Strategic Support Officer	Regular compliance reporting to come to Board	Mar-23	New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
3	i4B does not meet H&S requirements	There is no affordable or technical solution for i4B to meet enhanced building standards.	Safe and Sustainable Homes	Changing legal obligations	2	4	8		Understand areas of non-compliance and solutions for resolving them. - i4B is unable to directly control/ mitigate for this risk and therefore, can only monitor legal obligations in regards to building standards	2	4	8	Head of Property Services	Strategic Support Officer	Regular compliance reporting to come to Board	Mar-23	New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
4	i4B does not meet H&S requirements	i4B lacks the policies, knowledge and governance arrangements to effectively monitor regulatory and legal standards on compliance.	Safe and Sustainable Homes	Lack of reliable monitoring reports to Board	2	4	8		Review policies, controls and reporting arrangements.	2	4	8	Head of Property Services	Strategic Support Officer	Establish a list of required policies, identify gaps and agree review schedule.	Mar-23	List of required policies and gap analysis have been developed. New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
5	i4B cannot trade as a going concern	Changing Government policy on rents/benefits means i4B cannot increase rents at business plan assumptions.	Running a Viable Business	Change in Government policy	4	3	12		Regular modelling and business plan reviews. - i4B is unable to directly control/ mitigate for this risk and therefore, can only monitor changes in Government policy	4	3	12	Senior Finance Analyst		Re-test business plan once final account outturn is agreed.	Mar-22	Business plan re-test completed as part of business planning review for 2022-23. Housing Needs service carrying out review of 50 highest arrears cases for i4B - deadline changed from December 2021 to March 2022, when this review is scheduled for Board
															Stress test model as part of business plan.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
6	i4B cannot trade as a going concern	Reductions and changes in market demand mean i4B cannot increase rents at business plan assumptions.	Running a Viable Business	Change in market demand	4	3	12		Regular modelling and business plan reviews. - i4B is unable to directly control/ mitigate for this risk and therefore, can only monitor and carry out reviews of the business plan to ensure it can withstand drops in rental inflation	4	3	12	Senior Finance Analyst		Re-test business plan once final account outturn is agreed.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
															Stress test model as part of business plan.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
7	i4B cannot trade as a going concern	Tenant non-payment of rent increases due to unaffordability of rent.	Running a Viable Business	Change in market demand	5	4	20	↑	Regular modelling and business plan reviews, and effective recovery processes. - Review arrears cases and identify the main reasons for high arrears levels - Agree actions for the issues identified	3	4	12	Income and Sustainment Manager	Strategy Delivery Manager	Benchmark on rent collection rates.	Dec-22	Completed for 2022-23, annual exercise
														Senior Financial Analyst	Review highest arrears cases to determine drivers of arrears and mitigating actions	Mar-22	Risk likelihood increased from 4 to 5; risk impact increased from 3 to 4. Bad debt provision adjusted to 10%. Housing Needs review of highest arrears cases is underway, which will determine actions to reduce arrears, action updated, deadline updated to March 2022
8	i4B cannot trade as a going concern	High void rent loss due to long void turnaround times.	Running a Viable Business	Poor void management processes and reporting	5	3	15		Improved void management processes and reporting. - Identify reasons for high void rent loss at each stage of the process - Identify the management actions to improve performance in each team - Agree targets and timelines for improvements - Implement weekly monitoring of void performance	2	2	4	Voids Manager	Strategic Support Officer	Agree void turnaround targets as part of the business plan.	Completed	Completed: void turnaround targets agreed as part of SLA; void performance updates to come to Board in March and June 2022
															Review impacts of voids team restructure	Mar-22	Next voids update report to come to March 2022 Board, deadline changed accordingly
9	i4B cannot trade as a going concern	High Capital Programme costs, including future climate change obligations, undermine the viability of the business plan.	Running a Viable Business	Poor stock condition and high compliance costs	5	5	25	↑	Development of a costed asset management plan with viable options. - Carry out stock condition survey - Develop an asset management programme - Review the asset management programme in each business planning cycle	3	4	12	Head of Property Services	Strategy Delivery Manager	Develop long-term asset management and investment plan, incorporating the impact of the climate change agenda.	Mar-23	Previous risk on climate change obligations has been merged with this risk: action updated accordingly. Risk likelihood increased from 4 to 5; deadline updated to Mar-23
10	i4B cannot trade as a going concern	A lack of transparency around costs means i4B cannot effectively report on its costs.	Running a Viable Business	Poor financial billing	5	2	10	↑	Improved financial billing processes. - Fully set up Oracle for the companies - Transfer all suppliers to direct billing	2	2	4	Senior Finance Analyst		Set up full independent company finances as part of Oracle Cloud to allow direct payments.	Apr-22	There are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22. Risk likelihood increased from 4 to 5; risk impact reduced from 4 to 2, in line with FWH risk scoring. Deadline updated to April 2022
11	i4B cannot trade as a going concern	Company cash flow (capital and revenue) is insufficient to manage expenditure.	Running a Viable Business	The Company does not acquire properties quickly enough to generate a surplus	3	5	15		Guarantee from Council. Property acquisitions programme to turn the organisation into a profit-making one. - Review property market - Review financial viability criteria - Council to consider lower financing rates	2	5	10	Strategy Delivery Manager		Review the business plan on an annual basis.	Dec-22	Business plan review completed for 2021-22, this has highlighted some periods of negative cashflow that need to be managed due to investment in Granville New Homes properties and potential climate change works. Funding solution to be agreed by the Board and Council as Shareholder
12	i4B cannot trade as a going concern	Delays in processing utilities and other payments result in poor financial reporting, complaints and financial & reputational damage.	Running a Viable Business	The Company fails to set up suppliers and make payments in a timely manner	5	2	10		Improved financial billing processes. - Fully set up Oracle for the companies - Transfer all suppliers to direct billing	2	2	4	Senior Finance Analyst		Set up fully independent company finances as part of Oracle Cloud to allow direct payments.	Apr-22	There are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22; deadline updated to April 2022
13	i4B cannot increase affordable housing supply	There is an insufficient volume of properties on the market that meet i4B's financial criteria.	Increasing Supply of Affordable Housing	Change in market conditions	3	3	9		Regular review of market and financial viability model. - i4B is unable to control/ mitigate the volume of properties on the market that meet it's financial criteria	3	3	9	Strategy Delivery Manager		Carry out a strategic review of property demand and supply in the borough which will result in a property acquisition strategy.	Completed	Action completed as part of Development Strategy work. Purchase forecast numbers reduced from 60 to 48 for remaining three years of acquisition programme. Risk likelihood to be monitored going forward
14	i4B cannot increase affordable housing supply	There is an insufficient amount of development opportunities that meet i4B's development criteria.	Increasing Supply of Affordable Housing	Change in market conditions	3	3	9		Regular review of market and financial viability model. - i4B is unable to control/ mitigate the amount of development opportunities that meet it's financial criteria	3	3	9	Strategy Delivery Manager		Carry out a strategic review of property demand and supply in the borough which will result in a property acquisition strategy.	Completed	Action completed as part of Development Strategy work. Actions arising from this include a market review of new development pricing, and pilot test of new build costs by Property Team during 2022-23
15	i4B cannot increase affordable housing supply	A lack of affordable financing options means i4B cannot fund acquisitions.	Increasing Supply of Affordable Housing	Change in market interest rates	3	3	9		Monitoring of market rates and agreeing financing options with the Council. - i4B is unable to control/ mitigate financing rates	3	3	9	Senior Finance Analyst		Discussions to take place between i4B Board and Council around future investment in Company.	Apr-23	Interest rates are monitored on a regular basis. Action and deadline updated: decision required in 2022-23 on whether Council wishes to invest further in i4B
16	Financial and reputational damage	Fraud results in a loss of income and/or reputational damage to the company and the Council.	Running a Viable Business	Poor internal controls, or lack of compliance with these	2	3	6		Annual review of internal controls.	2	3	6	Strategic Support Officer		Carry out review of internal controls with SLA partners and agree resulting set of actions. Internal controls review to be presented to a future Board meeting.	Apr-22	Meeting held with Internal Audit on setting up an internal controls review; further discussions to be held internally before new financial year
17	Financial and reputational damage	i4B is deemed to have failed a statutory requirement in its corporate role following developments in the regulatory environment such as the Hacklit Review.	Running a Viable Business	Policies and procedures fail to meet regulatory requirements or are not complied with	2	3	6		Annual review of regulatory requirements and compliance with these.	2	3	6	Strategic Support Officer		Implement actions from compliance project plan presented at June Board meeting	Feb-22	Actions largely completed/on track, with actions on Board self-review and internal controls requiring further work
18	Drop in customer satisfaction and damage to reputation	Contractor performance is not effectively managed and monitored, leading to poor customer service.	Providing an Excellent Housing Service	The supply chain is not effectively managed	2	3	6		Clear service standards, regular performance management and engagement with supply chain.	2	3	6	Strategy Delivery Manager		None - monthly SLA monitoring meetings reinstated and reporting of customer satisfaction to Board.	N/A	
19	Drop in customer satisfaction and damage to reputation	Poor service delivery results and complaints management procedures give rise to low tenant satisfaction.	Providing an Excellent Housing Service	A lack of clear service standards and complaints management procedures means complaints are not effectively dealt with	2	3	6		Clear service standards and monitoring of complaints performance.	2	3	6	Strategic Support Officer		None - complaints policy in place.	N/A	

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i4B Key Tasks 2021-22 - January 2022 Progress Update

Housing Company objective	Priority for 2021/22	Key tasks for 2021/22	Task owner	Due date	January 2022 Update	RAG
Increasing the supply of affordable housing in the borough	1: Purchase 60 street properties in 2021/22	Continue programme of street property purchases	Strategy and Delivery Lead	Ongoing	Action ongoing: i4B's programme of street property purchases has been maintained throughout 2021/22. In the first 9 months of 2021/22, 36 properties were purchased, which is below target. There are currently 9 properties in conveyancing, 7 in DA approval, and 10 in contract exchange. If all properties complete this financial year, i4B will meet its target of 60. Therefore, issues with the speed of conveyancing are being picked up with the Legal and Property teams	
		Work with the Council's Property team to regularly review the market and new opportunities	Strategy and Delivery Lead	Nov-21	Action ongoing: monthly SLA meetings with the Property Team are now being held. Board stakeholder session on development strategy was held in November, and the development strategy will be written for the start of the 2022/23 financial year. Once the development strategy is in place, the Property Team will report regularly to the Board on the market and new opportunities	
Increasing the supply of affordable housing in the borough	2: Work with the Council, Registered Providers and private developers to identify new build development opportunities	Hold a programme of meetings with local RPs and developers	Operational Director of Property and Assets	Oct-21	Action ongoing: Board stakeholder session on development strategy was held in November, and the development strategy will be in place for the start of the 2022/23 financial year	
		Bring monthly updates to Board on new build opportunities	Operational Director of Property and Assets	Ongoing	Action ongoing: Board stakeholder session on development strategy was held in November, and the development strategy will be in place for the start of the 2022/23 financial year	
		Bring 6 viable opportunities to Board in 2021/22	Operational Director of Property and Assets	Apr-22	Action ongoing: Board stakeholder session on development strategy was held in November, and the development strategy will be in place for the start of the 2022/23 financial year	
Increasing the supply of affordable housing in the borough	3: Negotiate additional sources of finance for the Company	Develop options appraisal for the future of i4B	Strategy and Delivery Lead	Oct-21	Action carried over: this work and future funding arrangements with the Council as Shareholder will be informed by the development strategy, and will include planned i4B pilots on purchasing adapted properties to meet demand within Brent - carried over into 2022/23 Business Plan	
		Work with the Council as the Shareholder to agree future financing options for the Company	Strategy and Delivery Lead	Oct-21	Action carried over: see above	
Running a viable business	1: Review the Company's Investment Appraisal Criteria	Develop and implement new financial viability criteria and new appraisal model	Senior Financial Analyst	Jun-21	Action completed: new model in place. Model will be reviewed in light of development strategy	
Running a viable business	2: Review the viability of Home Counties properties	Review viability of Home Counties properties	Strategy and Delivery Lead	Jun-21	Action completed: report presented to June Board meeting	
		Develop a strategy to improve this viability, including considering disposals	Strategy and Delivery Lead	Oct-21	Action completed: future approach for Home Counties properties agreed by Board	
Running a viable business	3: Carry out a benchmarking exercise	Benchmark costs against other housing providers, particularly void costs	Strategy and Delivery Lead	Jun-21	Action completed: First Wave Housing has completed its benchmarking exercise, and HouseMark presented to the Company Board; this exercise for FWH is also relevant to i4B. Improvement actions from this exercise are reflected in the key tasks for 2022-23	
		Benchmark operational performance against other housing providers	Strategy and Delivery Lead	Jun-21	Action completed: see above	
		Identify areas of underperformance	Strategy and Delivery Lead	Jul-21	Action completed: value for money, rent collection and voids performance have been identified as areas of underperformance, and relevant key tasks have been added to the list of key tasks for 2022-23	
		Implement a programme of improvements	Strategy and Delivery Lead	Oct-21	Action ongoing as above: void improvement and rent collection action is ongoing, and a value for money strategy & asset management strategy will be developed in the coming financial year. Officers will carry out an annual benchmarking exercise with HouseMark going forward	
		Review void processes	Head of Housing Property Services	Jul-21	Action completed: void processes have been reviewed, and a report was presented to the November Board meeting identifying the steps that will be taken to drive performance improvements	

Running a viable business	4: Reduce void times	Implement a programme of improvements	Head of Housing Property Services	Oct-21	Action ongoing: the actions from the November Board report will be implemented over the coming months, and a progress update will be brought to the March 2022 Board. Void performance targets to be agreed for 2022-23 Business Plan
Running a viable business	5: Develop an Asset Management Strategy for i4B	Work with the Council's Asset Management Team to develop long-term asset management strategy	Head of Housing Property Services	Mar-22	Action not on track: a review of existing stock condition data for i4B has been carried out. It has been agreed with Housing Property Services that an updated stock condition survey will be commissioned for i4B in early 2022. Carried over into 2022-23 Business Plan; date to be agreed with Property Services
		Work with external third party freeholders to develop long-term asset management strategy	Head of Housing Property Services	Mar-22	Action not on track: contact details for third party freeholders have been collated. Freeholders will be contacted in the coming financial year to determine future asset management plans. Carried over into 2022/23 Business Plan; date to be agreed with Property Services
Running a viable business	6: Implement an Oracle Cloud finance system for i4B	Implement Oracle Cloud solution for i4B as a separate company	Oracle Cloud Programme Manager	Mar-22	Action ongoing: Oracle Cloud has now been formally implemented, but there are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22
Delivering safe and sustainable homes	1: Establish a suite of compliance policies and standards to ensure legal compliance	Review existing policies and standards	Strategic Support Officer/Head of Housing Property Services	Aug-21	Action overdue: existing policies have been reviewed, but further work is needed to develop an effective set of policies and performance monitoring metrics. Head of Housing Property Services to consider commissioning work on this - tasks carried over into 2022-23 Business Plan
		Redraft or create new policies and standards as necessary	Strategic Support Officer/Head of Housing Property Services	Oct-21	Action overdue: see above
		Implement and monitor set of policies and standards	Strategic Support Officer/Head of Housing Property Services	Mar-22	Action overdue: see above
Delivering safe and sustainable homes	2: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels	Review existing performance monitoring metrics	Strategic Support Officer/Head of Housing Property Services	Aug-21	Action overdue: existing policies have been reviewed, but further work is needed to develop an effective set of policies and performance monitoring metrics. Head of Housing Property Services to consider commissioning work on this - tasks carried over into 2022-23 Business Plan
		Map these to compliance policies and standards, and identify new metrics as necessary	Strategic Support Officer/Head of Housing Property Services	Oct-21	Action overdue: see above
		Monitor performance against this set of metrics	Strategic Support Officer/Head of Housing Property Services	Mar-22	Action overdue: see above
Delivering safe and sustainable homes	3: Carry out an audit of the new compliance suite	Review policies, standards and metrics at an appropriate time to ensure their effectiveness	Strategic Support Officer/Head of Housing Property Services	Ongoing	Action overdue: see above
Providing a consistently good housing service	1: Review our approach to assessing customer satisfaction	Work with housing management agents to establish a customer satisfaction baseline	Strategic Support Officer	Jun-21	Action completed: STAR surveys have been carried out
		Monitor customer satisfaction to identify any issues	Strategic Support Officer	Ongoing	Action ongoing: monthly reporting is in place; any issues will be identified through this
		Implement a suite of robust customer satisfaction metrics	Strategic Support Officer	Mar-22	Action completed: customer satisfaction metrics now in place and included in monthly Housing Management performance reports
Providing a consistently good housing service	2: Review the sustainability and affordability of rent levels	Review rent levels to ensure they are affordable and sustainable for tenants	Strategy and Delivery Lead	Dec-21	Action completed: review of rent levels has been presented to i4B Board - decision made to monitor rental affordability going forward

i4B 2022-23 Draft Key Tasks

Housing Company objective	Priority for 2022/23	Key tasks for 2022/23	KPI (where relevant)	Task owner	Due date
Increasing the supply of affordable housing in the borough	1: Purchase 48 street properties in 2022/23	Continue programme of street property purchases	Properties purchased	Strategy and Delivery Manager	Ongoing
Increasing the supply of affordable housing in the borough	2: Take on 25 properties from First Wave Housing as part of the transfer of Granville New Homes	Transfer the 25 intermediate properties at Granville New Homes into the i4B portfolio		Strategy and Delivery Manager	Apr-22
Increasing the supply of affordable housing in the borough	3: Review new build market opportunities in the borough	Review new build off-plan purchases in the borough		Operational Director of Property and Assets/Strategy and Delivery Manager	Jul-22
		Carry out a pilot to model the affordability of a land-led new build scheme, including potential adapted properties		Operational Director of Property and Assets/Strategy and Delivery Manager	Aug-22
		Review financing required to deliver an affordable new build programme		Operational Director of Property and Assets/Strategy and Delivery Manager	Oct-22
Increasing the supply of affordable housing in the borough	4: Review feasibility of setting up a new purchasing stream for adapted accommodation	Pilot a scheme for properties with adaptations to meet demand from clients with specific needs		Operational Director of Property and Assets/Strategy and Delivery Manager	Jul-22
		Review financing required to deliver scheme		Operational Director of Property and Assets/Strategy and Delivery Manager	Oct-22
Increasing the supply of affordable housing in the borough	5: Review feasibility of purchasing larger properties with four or more bedrooms	Pilot a scheme for purchasing larger properties with four or more bedrooms to meet demand from clients with larger families		Operational Director of Property and Assets/Strategy and Delivery Manager	Jul-22
		Review financing required to deliver scheme		Operational Director of Property and Assets/Strategy and Delivery Manager	Oct-22
Running a viable business	6: Reduce void times	Implement voids improvement plan and monitor performance	Void times; void rent loss	Head of Housing Property Services	Jun-22
Running a viable business	7: Develop an Asset Management Strategy for i4B	Work with the Council's Asset Management Team to develop long-term asset management strategy		Head of Housing Property Services	Mar-23
		Work with external third party freeholders to develop longer-term asset management plans		Head of Housing Property Services	Mar-23
Running a viable business	8: Commence the disposal of company properties in the Home Counties that do not meet demand	Work with Housing Needs and Property teams to assess demand and consider disposal when a property goes void		Strategic Support Officer	Ongoing
Running a viable business	9: Review void and repair costs	Carry out review of void and repair costs	Void costs; repairs costs	Head of Housing Property Services	Jul-22

Running a viable business	9: Review void and repair costs	Agree a programme of improvements based on findings	Void costs; repairs costs	Head of Housing Property Services	Sep-22
Running a viable business	10: Develop and implement a value for money strategy for i4B	Review current performance with regard to value for money	Void costs; repairs costs	Strategy and Delivery Manager/Senior Finance Analyst	Jun-22
		Agree value for money targets		Strategy and Delivery Manager/Senior Finance Analyst	Jun-22
		Draft and agree value for money strategy		Strategy and Delivery Manager/Senior Finance Analyst	Sep-22
		Implement value for money strategy		Strategy and Delivery Manager/Senior Finance Analyst	Mar-23
Running a viable business	11: Review approach to former tenant arrears	Review FTA levels	Former tenant arrears	Head of Housing & Neighbourhoods	May-22
		Recover or write off FTAs where possible		Head of Housing & Neighbourhoods	May-22 / Ongoing
Running a viable business	12: Improve rent collection and arrears management	Carry out review of what drives arrears	Rent collection	Head of Housing & Neighbourhoods	Jun-22
		Perform health check review of current processes, and develop and implement improvement actions where required		Head of Housing & Neighbourhoods	Jun-22
Delivering safe and sustainable homes	13: Establish a suite of compliance policies and standards to ensure legal compliance	Develop a comprehensive set of compliance policies and standards		Strategic Support Officer/Head of Housing Property Services	Mar-23
		Implement and monitor set of policies and standards		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	14: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels	Map performance monitoring metrics to policies and standards, and identify new metrics as necessary		Strategic Support Officer/Head of Housing Property Services	Mar-23
		Monitor performance against this set of metrics		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	15: Carry out an audit of the new compliance suite	Review policies, standards and metrics at an appropriate time to ensure their effectiveness		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	16: Commission review of energy performance data for current stock	Commission a consultant to review existing stock to understand current energy performance data		Head of Housing Property Services	Oct-22
Delivering safe and sustainable homes	17: Commission review to understand what work is required to bring stock up to an average of EPC B	Carry out an analysis to determine what work will be required to bring the stock up to an average of EPC B		Head of Housing Property Services	Jan-23

Delivering safe and sustainable homes	18: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme	Carry out an analysis to understand the financial implications and cost of improving energy performance and explore options for potential funding		Head of Housing Property Services	Mar-23
Providing a consistently good housing service	19: Monitor tenant satisfaction	Carry out biennial STAR survey to monitor tenant satisfaction	Tenant satisfaction	Head of Housing & Neighbourhoods	Dec-22

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Brent Housing Companies Development Strategy

January 2022

Document Master Sheet

Amendments to this document detailed below:

Version	Date	Review Date	Comments/amendments	Approved by
1	Jan 22	Jan 23	Final	I4B & FWH Board

1.0 Introduction

1.1 Introduction to Brent Housing Companies

1.1.1 Brent Council has two wholly owned housing companies, i4B Holdings Limited (i4B) and First Wave Housing Limited (FWH). Both Companies look to support the Council's overall Housing Strategy by providing good quality accommodation to Brent families at affordable rates.

1.2 Introduction to i4B

1.1.1 i4B Holdings Ltd was established to reduce homelessness, provide affordable, good quality homes, and invest to deliver regeneration and financial benefits for its sole shareholder, Brent Council (the Council). i4B will do this whilst also ensuring the business is financially viable and costs are sustainable.

1.1.2 i4B was set up with the purpose of acquiring, letting, and managing a portfolio of affordable, good quality private rented sector (PRS) properties. Properties are let to homeless families at Local Housing Allowance (LHA) levels. This enables the Council to either prevent or discharge its homelessness duty and therefore reduce temporary accommodation costs whilst also ensuring families have a secure and responsible landlord.

1.1.3 i4B is actively growing its portfolio and purchasing circa 48 PRS street properties a year.

1.3 Introduction to FWH

1.3.1 FWH is a registered provider of social housing (RP). FWH's primary purpose is to provide good quality, affordable, secure, and well managed homes to Brent residents and to contribute to Brent's Housing Strategy. It does this by managing, maintaining and improving its stock of 217 rental properties.

1.3.2 Whilst in recent years FWH has not increased the size of its portfolio, it is one of several funding and delivery routes the Council has to increase the amount of affordable housing in the borough. Unlike i4B, as an RP FWH can attract grant funding.

1.3.3 FWH remains available, as an RP, to support the Council's affordable housing aspirations

1.4 Development Strategy

1.4.1 In February 2021, Cabinet agreed the Business Plans for both companies. The Business Plans outlined the company's medium to long term objectives.

1.4.2 Both Companies have growth ambitions. i4B's principal strategic objective is to increase the supply of affordable housing in the borough and therefore increase i4B's contribution towards the Council's strategic theme of 'a future built for everyone, an economy fit for all'. In addition, FWH's business plan outlined how the company is a delivery option available to the Council if required.

1.4.3 In order to increase the supply of affordable housing in the borough, both companies would look to work with the Council, Registered Providers and private developers to identify new build development opportunities and develop a portfolio of affordable new build accommodation.

1.4.4 This document is the housing Companies' joint Development Strategy. The Strategy aims to ensure that future development by the Housing Companies:

- Supports the Council's Housing Strategy and relieves housing need;
- Supports the financial viability of the companies; and
- Is feasible and realistic.

1.4.5 The Strategy does this by outlining:

- The Strategic context for development including housing need, rental affordability, market supply, and the financial viability of the Company.
- The type of development schemes i4B and FWH will look to target, including the viability criteria schemes must meet; and
- Future actions the Company will take to support feasibility and viability.

1.4.6 The strategy is predominately focused on i4B as it is actively acquiring properties but the strategy is also applicable to FWH.

2.0 Background

2.1 Background i4B

2.1.1 As of November 2021, i4B has purchased 340 PRS street properties. This portfolio has been let to Council homeless nominees. To date, i4B's acquisition strategy has focused on properties in the South of Brent. Over 55% of i4B's PRS portfolio is in the South of Brent in the Inner North London Broad Market Rental Area (BRMA).

Table 1 – i4B portfolio as of November 2021

Area	**No. Properties**
Brent (North)	37
Brent (South)	185
Home Counties	74
Greater London	44
Total	**340**

2.1.2 The reason for this is that the higher LHA rates in the Inner North London BRMA increase the amount of financially viable properties that are available to i4B.

2.1.3 i4B has expanded its portfolio beyond street property accommodation. i4B has purchased a 153 unit block of accommodation that is being let to key workers. In the past, i4B has previously explored purchasing shared ownership units. i4B also has the ability to let 25% of its portfolio at market/higher than LHA rates.

2.2 Background FWH

2.2.1 As the transfer of Granville New Homes has now been agreed, as of 1st April 2022, FWH will have 217 residential properties. The vast majority of FWH's portfolio is concentrated in Brent. A small number of properties are located in neighbouring boroughs. A breakdown of which is below:

Table 2 – FWH Portfolio as of 1st April 2022

Product Type	No. Properties
General Needs	**5**
3 bed	5
Market Rented	**45**
1 bed	45
Settled Housing	**167**
1 bed	10
2 bed	135
3 bed	22
Grand Total	**217**

2.2.2 General Needs properties are let at social housing rates. Settled Housing is a form of affordable accommodation where properties are let at 80% of market rate. Market rented accommodation is let at LHA levels.

2.3 i4B and FWH's ambition is for targeted block purchases to drive future growth. The reason for this is that compared to the purchase of PRS street properties. Block purchases bring a number of benefits to the Company and the Council:

- Street property purchases have been slower than envisaged, block purchases would allow i4B to quickly increase the size of its portfolio, allowing the companies to spread their fixed costs over a larger number of units;
- i4B and FWH would be able to increase its volume of properties at a greater rate, and therefore increase the rate of lets to homeless Brent families, thus increasing the financial savings the companies brings to the Council; and
- Blocks are easier to manage than sporadic street properties. This is because the respective company is the freeholder and therefore has greater control of management and maintenance costs.

2.4 This document outlines how i4B and FWH plan to grow their new build portfolios in a manner that supports the Council's homelessness objectives, supports financial viability, and is feasible and realistic.

3.0 Strategic Context – Housing Demand

3.1 The following section outlines what demand for affordable housing is in the borough. This section has been developed in collaboration with the Council's Housing Needs service.

3.2 The information in this section informs the purchasing/development criteria outlined in section 8.

3.3 Housing Demand

3.3.1 Accommodation acquired by i4B is used to end the main homelessness duty for households in Temporary Accommodation, who were accepted post the implementation of the Localism Act 2011. This is also the case for FWH re-let properties.

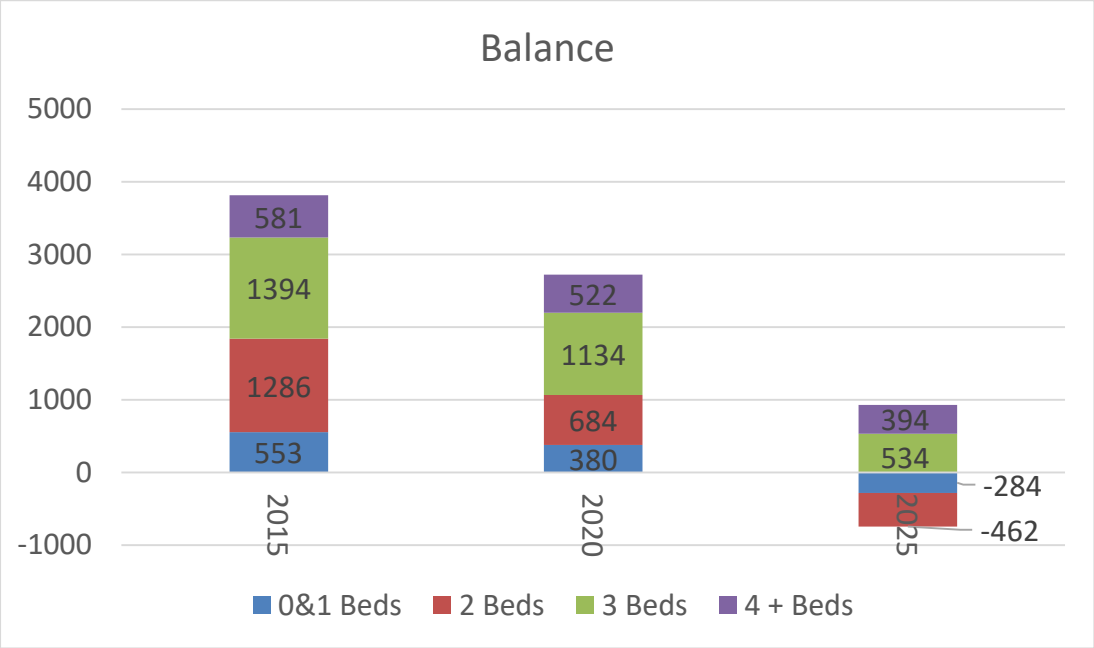
3.3.2 Since the introduction of the Homelessness Reduction Act in 2018, the volume of homelessness demand is broadly stable. Properties acquired by i4B have been primarily used to end the main housing duty, however, in practice i4B properties have also been used to prevent homelessness.

3.3.3 The Council's Housing Needs Service and Performance Insight, and Improvement Service have carried out a detailed assessment into the likely demand for homes in the future, based upon past performance. The purpose of this approach is to build a five year forecast (to 2025) to predict future demand for housing, and assess how much of this demand will be met with future supply.

3.3.4 The results of the modelling demonstrate that there is likely to be a fall in homelessness demand from 2015 to 2025. This is due to the progress the Council has made in reducing the number of families in Temporary Accommodation.

3.3.5 Graph 1 below shows the estimated change in demand profile over the 10 year period. Existing unmet demand in 2015 is 3,814, remaining unmet demand is forecast to reduce to 182 by 2025.

Graph 1 – Households on waiting list from 2015 to 2025



3.3.6 Forecasted demand does not reduce equally for different bed sizes. Demand for accommodation with more than three bedroom makes up all of forecasted demand in 2025. There is expected to be a surplus of one and two bedroom units. This is in

large part due to the amount of one and two bedroom new build accommodation being delivered.

3.3.7 The modelling should be heavily caveated. The figures are influenced by a number of factors and can be skewed when assumptions change. For example, if the Council's stock maximisation programme is a success, and Council tenants are able to be moved from three and four bed Council homes to one and two bed Council Homes, it is likely that there will still be a demand for one and two bed accommodation.

3.3.8 Furthermore, the modelling is dependent on the success of the delivery of new build accommodation across the borough. A 20% reduction in the supply of new build accommodation increases unmet demand to 844 units in 2025.

3.4 Adapted Units

3.4.1 The Council has a specific demand for adapted units. The Council is not easily able to secure ground floor or lifted level access properties in the PRS that have been adapted, either for wheelchair use or having access to a wet room. Therefore, families who require these type of properties tend to have the main rehousing duty accepted, as it is not possible to prevent their homelessness through securing alternative suitable PRS accommodation.

3.4.2 As of November 2021, there are circa 50 households living in unsuitable accommodation who require access to accommodation that has been adapted. There is also an ongoing demand from new applications received from families who are threatened with homelessness.

3.4.3 Landlords in the private rented sector are typically unwilling to have their properties adapted. Therefore the only housing option for this cohort is social housing (where stock is limited) or an i4B/FWH property.

4.0 Strategic Context – Rental Affordability

4.1 This section is more applicable to i4B as it rents are higher than FWH's rent. i4B properties are let at local housing allowance levels (LHA). i4B typically purchases properties in South Brent where LHA rates are higher. This increases financial viability of accommodation for i4B. The table below provides a breakdown of rents.

Table 3 – i4B rents in comparison to other products

Accommodation Type	LHA (South Brent)	Social Cap*[1]	London Living Rent*[2]
One bed	£295	£145	£180
Two bed	£366	£158	£200
Three bed	£442	£166	£219
Four Bed	£594	£175	£239

*[1]This is the social housing rent cap – the maximum rent RPs can charge for social housing.
*[2] London Living Rent is a type of intermediate affordable housing for middle-income households who want to build up savings to buy a home. Rents are set by ward. Rent levels are derived from average local incomes and ward-level house prices. This is the South Brent ward average.

4.2 Approximately 50% of households where the Council accepts the main housing duty are affected by the overall benefit cap. By letting at LHA levels and affordable rent levels there are affordability issues when letting i4B properties to families affected by the OBC. Since the implementation of the Government's welfare reforms, the total amount of welfare benefits received by a lone parent or couple with children has been capped at £23,000 (£442 p/w) in London and £20,000 (£385 p/w) outside of London. The Council has recently seen an increase in the number of families affected by the cap, due to having recently lost their employment because of the pandemic.

4.3 The current weekly Local Housing Allowance (LHA) caps for the North and South of Brent and their comparison with the overall benefit cap (OBC) are listed in Table 4 below:

Table 4 – LHA Rates and the Overall Benefit Cap

Bedrooms	OBC	South Brent LHA	South Brent LHA Diff with OBC	North Brent LHA	North Brent Diff with OBC
Shared Room	£442	£147	£295	£113	£329
1 Bed		£295	£147	£230	£212
2 Bed		£366	£76	£288	£154
3 Bed		£442	£0	£357	£85
4 Bed		£594	-£152	£426	£16

4.4 Families affected by the OBC will be unable to afford South of Brent LHA rates. For example, a family with a four bed need would have an income of £442 (the OBC) their rent would be £594 (the south Brent four bed LHA rate), they would therefore have an income shortfall of £152).

4.5 In the North of Brent, only two bedroom properties will be affordable. A family with a two bed need would have a weekly surplus income of £152. Any less than this, and the family would not have enough income to live on.

4.6 Ultimately, if a family is affected by the OBC it will be difficult for i4B to house these families. i4B also cannot afford to reduce rents to a sufficient level to make rents affordable. These families are better suited to social housing rents.

5.0 Strategic Context – Supply

5.1 The following section gives a summary of current market prices in relation to the housing companies' price caps, and a summary of development in Brent.

5.2 Price Caps and market value

5.2.1 Both companies' financial viability models generate price caps. These price caps are the maximum the companies can pay for a unit in order for it to be financially viable for the company.

5.2.2 The below analysis is focused on i4B and its experience of acquiring street properties since 2017. i4B is generally restricted in what they can pay, and generally targets properties in the bottom 10th percentile of the market by price. This makes the purchase of street properties difficult. i4B acquisitions are typically focused in areas like Harlesden and Stonebridge. These are areas in the Inner North London BRMA, where property prices are lower but LHA rates are high.

5.2.3 The table below shows i4B's price caps against market prices in the Inner North London BRMA. i4B is restricted to the bottom 10th percentile of the market.

Table 5 – Price caps and market prices in the Inner North London BRMA

# bedrooms	Price Cap	10th	25th	50th	75th	90th	Total # listings	# listings within price cap	% listings within price cap
2	**£389k**	£450k	£520k	£650k	£800k	£1.020m	6,573	**272**	**4%**
3	**£495k**	£525k	£675k	£880k	£1.200m	£1.795m	3,359	**216**	**6%**
4	**£702k**	£750k	£1.00m	£1.425m	£1.950m	£2.950m	1,510	**118**	**8%**

*Note the price cap for FWH acquisitions will vary by acquisition. This is because acquisitions will likely be at social and affordable rates. This will vary from scheme to scheme.

5.2.4 i4B's price caps also mean it is limited to the bottom 10th percentile of the market in the North West BRMA. However, there are a smaller number of total listings within price caps in this area.

Table 6 – Price caps and market prices in the North West BRMA

# bedrooms	Price Cap	10th	25th	50th	75th	90th	Total # listings	# listings within price cap	% listings within price cap
2	**£297k**	£310k	£350k	£400k	£475k	£550k	3,405	**233**	**7%**
3	**£375k**	£450k	£500k	£575k	£650k	£775k	3,748	**120**	**3%**
4	**£469k**	£575k	£650k	£750k	£895k	£1,128m	1,754	**31**	**2%**

5.3 Development Pipeline in Brent

5.3.1 There is a healthy pipeline of development in Brent. As of November 2021, there are 7,697 private residential units in the planning pipeline within the Borough of Brent in schemes with at least 100 private units. Of this, 1,115 are at the application stage, 5,592 have consent but have yet to start on site, and 990 are under construction. Of the 990 units under construction, circa 431 (44%) have been sold off plan.

5.3.2 Development in the borough is concentrated in North Brent in the North West BRMA. Land is generally cheaper here than in South Brent. The development pipeline in Brent is largely concentrated in a limited number of schemes in Wembley Park, Alperton, and Northwick Park. Table 7 shows that of schemes in Brent with at least 100 private units over 95% of units delivered are in the North of the Borough. As a result, any future new build acquisition would likely be in the North of the Borough.

Table 7 – Units in planning pipeline in schemes over 100 units by BRMA

BRMA	**No. of units**
Inner North	230
North West	6319
Total	**6549**

6.0 Strategic Context – Finance

6.1 The following section sets out i4B and FWH's financing arrangements and their viability criteria.

6.2 Financing Arrangements

6.2.1 i4B and FWH acquisitions are financed via a shared loan from Brent Council which borrows funds and then on lends this to the companies. Funding is provided through cross-subsidisation. To date, all loan funding has been used to fund i4B acquisitions. Brent Council has borrowed £230 million and then on-lent this to at a higher interest rate. The intention of the loan is for i4B to deliver affordable housing in the borough.

6.2.2 i4B has committed £158m of the loan funding, and is on track to have used up its total loan funding of £230m by the end of the 2023/24 financial year. The intention is that this funding will primarily be used to acquire new build schemes.

6.3 Viability Criteria

6.3.1 All development schemes are appraised using an appraisal model. The appraisal model enables investment returns to be calculated over any given time period and can account for inflation on rents, management costs, asset prices and capital costs. The key cost drivers in the model are the purchase price, the financing rate and the rent levels. Schemes will be appraised using a 50 year appraisal period as this improves the range of viable investment options.

6.3.2 The key elements for financial viability of the business are the impact that an investment has on the company's cash flow and its ability to finance the debt incurred

when purchasing an asset. The key variables that influence the cash flow and the ability to finance the debt are:

- The purchase price of the asset
- The potential build/development costs
- The rental income available from the property
- The financing rate used to fund the debt

6.3.3 One factor that has not yet, but needs to be factored into the viability model is potential climate change works. The Government has set requirement of achieving net zero by 2050. Therefore, there is a need to drastically reduce emissions in the affordable housing sector. It is likely that i4B/FWH, will need to carryout decarbonisation works in the next 10 to 15 years. These costs need to be factored into the appraisal model, this is particularly relevant for the acquisition of PRS street properties. More information on this is detailed in section 8.

6.3.4 The key tests of how these variables interact can be measured in:

- the length of time it takes to repay the debt
- how long it takes for an investment to generate a positive cash surplus
- the year in which it the first debt repayment can be made

6.3.5 The i4B and FWH Boards have adopted the following financial viability criteria. This is the minimum criteria that schemes must meet in order to be deemed financially viable.

- Be able to repay debt within 50 years
- Make a positive cash flow from year 2 onwards
- Start repaying debt by year 10

6.3.6 These criteria are not a determination of value for money. A property may be affordable but represent poor value for money if it is above the prevailing market value.

6.4 Risks

6.4.1 Key risks related to the Development Strategy are:

Table 8 – Key risks

Risk	Comment
Inflation	Cost inflation without rent inflation increases costs, thus reducing the number of schemes that are affordable to i4B and FWH.
Build costs	Increased build costs reduce the viability of new build schemes
Finance Rates	Increased interest rates mean i4B and FWH cannot fund acquisitions

Arrears	Arrears level are higher than assumptions.
Climate Change Works	The scale of capital investment for decarbonisation works is currently unknown.

7.0 Criteria for Future New Build Developments and Acquisitions

7.1 This section outlines the type of new build schemes i4B and FWH will look to acquire and develop with the objective of ensuring potential schemes meet Council demand, are financially viable, and are feasible. The section is informed by the Strategic context sections and will outline:

- Who i4B and FWH will house
- Where i4B and FWH will target acquisitions
- What units i4B and FWH will target
- How schemes will be procured
- Viability criteria schemes must meet.

7.2 It should be noted that it is unlikely that future acquisitions and developments will meet all the criteria listed below. Therefore, key actions to further develop the strategy is to carry out work on prioritisation, viability, and feasibility. These actions are outlined in section 8. When actions in section 8 have been carried out, the criteria listed below will be reassessed.

7.3 Who i4B and FWH will house

7.3.1 Future new build schemes will still be based on the objective of housing homeless Brent families where the Council has accepted the main duty.

7.3.2 Due to the affordability concerns outlined in section 4.0. The companies will not be able to house those affected by the overall benefit cap. The rents i4B charges are not affordable to families affected by the overall benefit cap. By housing these families, i4B would risk pushing families into arrears. Furthermore, i4B is unable to afford the rent reductions needed to make rents affordable.

7.3.3 In addition, unless FWH can acquire schemes for social rent, it is unlikely that it will be able to house families.

7.3.4 i4B and FWH recognise that they are one of the few avenues the Council has to house the cohort of families requiring adapted accommodation. The companies therefore, have an ambition to purchase a bespoke portfolio of adapted accommodation. However, there are concerns about the feasibility of developing a portfolio of adapted accommodation. This is namely due to:

- A lack of adapted new build and PRS properties on the market;
- Properties that are adaptable often exceed price caps.

7.3.5 The companies will therefore carry out a pilot purchasing adapted properties. Further information on this is outlined in section 8.

7.3.6 i4B and FWH will also explore the possibility of letting properties at market rates in order to cross subsidise schemes and deliver affordable units.

7.4 Where i4B and FWH will target acquisitions

7.4.1 The companies will primarily look to acquire/develop schemes in Brent. It will target properties in the following post codes. This is based on an analysis of local market prices and where price caps are more competitive.

South Brent	North Brent
NW2 2	HA3 5
NW2 3	HA3 7
NW2 6	HA8 0
NW6 5	HA8 7
NW10 1	HA9 9
NW10 3	NW10 0
NW10 4	NW9 6
NW10 6	NW9 8
NW10 9	

7.4.2 There is a preference is to purchase properties in the north of the borough. The reason for this is that the lower LHA rate in this area makes rents more affordable to tenants. Furthermore, whilst there is a steady pipe line of PRS street properties in the South of the Borough, it is envisaged that larger new build schemes will be acquired/developed in the North of the Borough. This is because the future development pipeline in Brent is largely concentrated in the North of the Borough

7.4.3 The companies will continue to review new build opportunities in the South of the Borough. When reviewing these opportunities i4B and FWH will explore options for reducing rents at properties.

7.4.4 If Brent supply is limited, the companies will also look to purchase schemes in neighbouring boroughs, as long as they are within a 45 minute radius of Brent.

7.4.5 Current price caps mean the companies are restricted in what they can pay in the North of the Borough. Therefore, a key action to further develop the strategy will be assessing whether price caps are viable for acquisitions in the North of the Borough. Further detail on this is contained in section 8.0.

7.5 What units i4B and FWH will target

7.5.1 i4B and FWH's preference is to acquire larger schemes comprising of 50 units or more. The reason for this is preference for larger schemes is it will enable the companies to increase their portfolio of properties at a greater rate, and therefore increase the rate of lets to homeless Brent families, thus increasing the financial savings to the Council.

7.5.2 The companies will target schemes with a larger proportion of three and four bed units. The reason for this is that future Brent demand is forecast to be for larger units.

7.5.3 i4B and FWH will also look to target larger five and six bedroom units. These will likely need to be large houses.

7.6 How housing will be procured

7.6.1 It is envisaged that growth will be driven by developments and acquisitions from the private market through off-plan purchases. By adopting this approach, i4B and FWH can pivot units from market levels of rent to affordable tenures and therefore increase the number of affordable units delivered in the Borough.

7.6.2 i4B and FWH will also not actively look to purchase section 106 schemes. These units will be purchased by registered providers operating in Brent and the companies would therefore not be adding to the net supply of affordable accommodation in the Borough. For similar reasons, the companies will not look to acquire stock from the Council's development pipeline.

7.6.3 However, when instructed by the Shareholder/Guarantor, the companies will look to purchase s106 schemes or Council developments that meet viability criteria. It may be that an acquisition is more viable under the i4B and/or FWH business model as opposed to the Council's.

7.6.4 When acquiring schemes, it is likely that i4B and FWH would purchase fully designed and specified dwelling (either through off-plan purchases, or turnkey schemes). By adopting this approach, i4B and FWH are less exposed to risks around the build and construction of schemes. At present, i4B and FWH are not development companies and have limited experience of development. However, by adopting this approach, i4B and FWH would have limited control over design. Design choices would likely be limited to choices over fittings and finishes.

7.6.5 In cases where there is scope for i4B and FWH to have design input, i4B and FWH would look to increase the amount of units that meet the Council's demand requirements, this will typically be increasing the amount of larger units in a scheme as well as increasing the amount of adapted accommodation.

7.6.6 i4B and FWH will not look to undertake large scale land-led development schemes, where it would purchase and develop land itself. Due to the companies' small portfolio, the risks associated with undertaking a large land-led scheme are not in line with i4B and FWH's risk profile. In 2022/23, i4B and FWH will review whether carrying out smaller land-led schemes is viable and within the Companies' risk profile.

7.6.7 As mentioned, one of the drawbacks of acquiring developments directly is that there will be limited design input. The result is that properties may not be in line with the Council's demand requirements (i.e. larger units and adapted properties). A key action for 2022/23 is reviewing whether purchasing schemes directly would compromise the company's ability to deliver accommodation that best meets the Council's Housing Need.

7.7 Viability criteria schemes must meet

7.7.1 Any potential future acquisition would have to be in line with price caps and viability criteria. Therefore, schemes must:

- Be able to repay debt within 50 years
- Make a positive cash flow from year 2 onwards
- Start repaying debt by year 10

7.7.2 There are mechanisms available to i4B to increase the financial viability of a potential acquisition. This includes:

- Utilising profits
- Working with the Council to review financing rates and financing assumptions
- Potential capital/equity injections into i4B
- FWH also has capacity to bid for and utilise grant

7.7.3 i4B and FWH will review the viability of price caps in 2022/23 to ensure they are viable and feasible.

8.0 Development Strategy Feasibility Actions

8.1 The Companies recognises that it is unlikely that they are going to be able to acquire/develop schemes that meet all of the criteria listed above. For example, it may be not be feasible for the company to purchase units that best meet Council demand via off-plan purchases. Alternatively, price caps may prove restrictive for purchasing in the North West BRMA.

8.2 Therefore, further work is needed to ensure the criteria outlined above is feasible and realistic. Work is also needed on prioritisation; if a scheme does not meet all criteria what characteristics should be prioritised.

8.3 Below are actions intended to support feasibility, viability, and prioritisation. These actions will put the Companies in a position where it is clear in what schemes they can and cannot deliver and what deals it will prioritise.

Table 9 – Development Strategy Actions

Ref	Action
1	Review of new build schemes in the Borough
2	Review of feasibility of land-led schemes
3	Pilot of adapted properties
4	Pilot of larger acquisitions
5	Review of arrears
6	Review of climate change capital investment requirements
7	Potential review of options for increasing affordability

8.4 Review of new build schemes in the borough

8.4.1 The combination of current market conditions and the current viability criteria means the companies are restricted in what they can purchase. i4B and FWH will therefore carry out a review of new build schemes over 10 units that were purchased in the borough over the past three years to see:

- Whether they meet current price caps

- Whether they meet housing need.

8.4.2 The work will allow the companies to assess:
- Can direct scheme purchases from the market meet housing need?
- Are price caps prohibitive in the purchases?
- Enable work to be undertaken on reviewing options for increasing the affordability of new build schemes.
- Enable Board and Council decisions to be taken on the prioritisation of schemes.

8.5 Review of feasibility of land-led schemes

8.5.1 It is envisaged that there may be difficulties in procuring a large amount of adapted properties, and three and four bedroom properties from the market. This project would involve looking at a current council scheme with adapted units. An assessment would be carried out to see whether the companies could viably deliver a scheme and assessing it against risk appetite.

8.5.2 This work will enable:

- A decision to be made on whether the companies can viably self-deliver smaller land-led schemes with a high concentration of properties that meet the Council's housing need.

8.6 Pilot of adapted properties

8.6.1 In 2022/23, the companies will carry out a pilot exercise looking at the cost of acquiring properties that are suitable for adaptions as well as schemes with a large number of adapted units.

8.6.2 This will outline the costs of developing a portfolio of adapted accommodation, whether this is affordable to the Companies, and if not what additional finance is required to support the Companies to do this.

8.6.3 This work will enable the companies to understand:

- Whether they can be delivered through PRS street property purchases or is better suited to new build developments.
- Whether a large portfolio of adapted accommodation can be realistically delivered within current price caps;
- If not, what financing would be required.

8.7 Pilot of larger acquisitions

8.7.1 There is a demand for larger properties with four plus bedroom. i4B has typically struggled to afford properties with more than four bedrooms. The reason for this is that the LHA rates are capped at four bedrooms. Therefore, it is difficult to find properties with more than four bedrooms that meet viability requirements.

8.7.2 In 2022/23, a pilot exercise will be carried out looking at the cost of acquiring larger units. Like the adapted properties pilot, this will outline costs and whether purchasing larger units is affordable to the companies and if not, what additional finance is required.

8.7.3 This work will enable the companies to understand:

- Whether it can purchase larger units with more than four bedrooms
- If not, what financing would be required to do this?

8.8 Arrears Pilot

8.8.1 This action is only applicable to i4B as it has higher rents. There is concern that i4B rents are too high and unaffordable for tenants. In addition to this, it means that bad debt levels are high. This impacts financial modelling and price caps. i4B will work with the Council's Income team to analyse the drivers of high arrears levels and implement any specific improvement actions where necessary.

8.8.2 This work will enable i4B to:

- Increase the accuracy of bad debt assumptions.

8.9 Review of climate change capital investment requirements

8.9.1 The Government has set a requirement of achieving net zero by 2050. Therefore, there is a need to drastically reduce emissions in the affordable housing sector. It is likely that i4B/FWH, will need to carryout decarbonisation works in the next 10 to 15 years. For the acquisitions of street properties (and potentially new build schemes), the companies need to factor into viability modelling future capital investment requirements for decarbonisation works. Therefore, in 2022/23, the companies will commission a review to understand what the level of investment required to upgrade stock to EPC B. This will then be factored into future modelling.

8.9.2 This will enable the companies to:

- Understand the cost of future decarbonisation works;
- Factor these costs into future viability modelling.

8.10 Potential review of options for increasing affordability

8.10.1 The above actions will give the companies a better understanding of the properties they can acquire/develop that are financially viable and technically feasible. The criteria outlined in section 7 can then be reassessed to see if they are feasible.

8.10.2 If the companies are not able to deliver accommodation that best meets the Council's housing demand, they will work with the Council to review options for increasing viability. This will be with a view to being clear on the type of accommodation they can feasibly deliver, and what accommodation will need to be delivered by the Council via alternative routes.

8.10.3 This will work will review the below options:

- Utilising profits
- Working with the Council to review financing rates and financing assumptions
- Potential capital/equity injections into i4B.
- FWH also has capacity to bid for and utilise grant

Brent	**Cabinet** 7 March 2022
	Report from the Chief Executive

First Wave Housing Ltd Business Plan 2022/23

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 of the Business Plan (Financial Appendices i-ii) are exempt as they contain the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)
No. of Appendices:	Five Appendix 1 First Wave Housing 2022/23 Company Business Plan Appendix 2 Company Risk Register Appendix 3 2021/22 Key Tasks – Progress Update Appendix 4: 2022/23 Key Tasks Appendix 5 Housing Companies' Development Strategy
Background Papers:	N/A
Contact Officer(s): (Name, Title, Contact Details)	Sadie East Operational Director of Transformation Tel: 020 8937 1507 Sadie.East@brent.gov.uk

1.0 Purpose of the Report

1.1 This report provides Cabinet with a final draft of the First Wave Housing Ltd (FWH) 2022/23 Business Plan. Cabinet is asked to approve the Business Plan on behalf of the Guarantor.

2.0 Recommendations

2.1 Cabinet approve FWH's 2022/23 Business Plan.

2.2 Cabinet approves the content and proposed strategic priorities of FWH's 2022/23 Business Plan.

2.3 Cabinet approves the updated financial model contained within the 2022/23 Business Plan.

2.4 Cabinet approve the Housing Companies' Development Strategy.

3.0 Background

3.1 FWH is a housing company wholly owned by the London Borough of Brent. FWH is limited by guarantee.

3.2 As a registered provider of social housing, FWH is required to produce an annual business plan. The company is currently drafting its 2022/23 Business Plan.

3.3 This report provides a final draft version of FWH's Business Plan for 2022/23. This version was presented to the FWH Board on the 27th January 2022, the Company Guarantor on the 28th January 2022 and CMT on the 3rd February 2022. Feedback from the Board and Guarantor as well as CMT has been incorporated into the final draft presented to Cabinet.

3.4 *Stock Breakdown*

3.5 FWH currently manages 326 rented properties and one leasehold property, a total of 327 properties. As the transfer of 110 properties at Granville New Homes has now been agreed, by 1 April 2022 84 social housing units, 1 leasehold unit, and the freehold for the site (including the Tabot Centre) will be transferred to the Council's HRA, and 25 intermediate units will be transferred to i4B Holdings Ltd (i4B).

3.6 Tables One and Two below show a breakdown of FWH's stock and rent levels pre- and post-transfer of Granville New Homes.

Table One – FWH Stock Breakdown Pre-Transfer

Product Type	No. Properties	Average Weekly Rent	Sum of Weekly Rent
General Needs	**89**	**£119**	**£10,584**
1 bed	24	£106	£2,541
2 bed	32	£116	£3,718
3 bed	23	£130	£2,985
4 bed	10	£134	£1,340
Intermediate Rent	**25**	**£322**	**£8,058**
1 bed	12	£304	£3,646
2 bed	13	£339	£4,412
Market Rented	**45**	**£302**	**£13,606**
1 bed	45	£302	£13,606
Settled Housing	**167**	**£302**	**£50,453**
1 bed	10	£275	£2,748
2 bed	135	£303	£40,856
3 bed	22	£311	£6,849
Grand Total	**326**	**£254**	**£82,701**

Table Two – FWH Stock Breakdown Post-Transfer

Product Type	No. Properties	Average Weekly Rent	Sum of Weekly Rent
General Needs	**5**	**£141**	**£705**
3 bed	5	£141	£705
Market Rented	**45**	**£302**	**£13,606**
1 bed	45	£302	£13,606
Settled Housing	**167**	**£302**	**£50,453**
1 bed	10	£275	£2,748
2 bed	135	£303	£40,856
3 bed	22	£311	£6,849
Grand Total	**217**	**£298**	**£64,764**

4.0 Update on Operational Performance

4.1 Table Three below gives a summary of operational performance at December 2021. FWH has not purchased any new properties, therefore performance is based on housing management. FWH's overall performance is reasonable, although there are some areas where performance has deteriorated in 2021-22 and requires improvement. The Company continues to provide a good housing service to residents.

Table Three – Key Performance Indicators

Indicator	Target	Performance at December 2020	Performance at December 2021
Minor void re-let times	35 days	62 days	78 days
Major void re-let times	72 days	122 days	85 days
Rent collection	98.50%	96.77%	100.35%
Void rent loss	1.50%	4%	6.5%
Emergency repairs completed within 24 hours	100%	98%	99%
Urgent and routine repairs completed within 14 days (not included Excluded or communal work programme)	95%	83%	85%
% of portfolio with valid CP12 gas certificate	100%	100%	99%

4.2 Voids

4.2.1 Void times for FWH remain significantly outside of target, with year-to-date minor voids at 78 days against a target of 35 days, and major voids at 85 days against a target of 72 days. A review of the voids process was carried out and has shown that the poor performance is largely due to historic void cases. Delays are principally in the nomination and letting stage, although there remain some issues with works, largely due to labour shortages or material delays.

4.2.2 In order to ensure good performance going forward, a number of improvement actions have been outlined. These actions are currently being implemented with an update to be provided to the Board in March 2022. Some of these include: appointment of a new interim voids and lettings manager; more robust performance management for voids and lettings officers; and new policy positions to reduce delays in the process.

4.3 Rent Collection

4.3.1 Rent collection is above the target of 98.5% and performance has improved since December 2020. The service still offers support to tenants in financial hardship by promoting the Resident Support Fund.

4.4 Repairs

4.4.1 The vast majority of emergency repairs in the year have been responded to within 24 hours. Performance for urgent and routine repairs are below target, and all out-of-target cases are investigated as part of contract monitoring.

5.0 Update on Granville New Homes

5.1 It was identified that FWH's blocks in South Kilburn (known as Granville New Homes) require remediation works to address fire safety and water penetration issues. Consultants were commissioned by FWH to investigate the issues, identify remediation works required, and to estimate the costs of remediation works. The estimated costs to remediate the issues made the FWH business plan unaffordable.

5.2 Work was carried out to identify a solution that allowed works to be carried out as effectively and quickly as possible, whilst also maintaining the viability of FWH. The agreed approach by the FWH Board and Brent Council Cabinet was to transfer 84 social housing units, one leasehold unit, and the freehold for the site (including the Tabot Centre) to the Council's HRA, and 25 intermediate units to i4B. It was also agreed that FWH's debt would be refinanced.

5.3 All FWH tenants living in Granville New Homes were invited to take part in a consultation on the proposal to change their landlord with 84 social rented units going to the HRA and the 25 intermediate rented units to i4B. The consultation was positive and no objections were received from any of the residents on the proposed changes

5.4 A report outlining the positive outcome of the consultation, and recommending that the Strategic Director of Community Wellbeing approve the transfer of Granville New Homes to the HRA and i4B was approved on 8th December. The decision was added to the Council's Forward Plan as a key decision and has not been called in. As a result, the decision has been approved, and all parties can now proceed with the transfer.

5.5 A Project Group has been set up to ensure the smooth handover of the blocks from First Wave Housing to the HRA and i4B. The Group has representatives from Legal, Finance, FWH, i4B, and Housing Management and is meeting on a fortnightly basis. A transfer project plan has been created and the transfer is due to occur on 1 April 2022 to coincide with the new financial year.

5.6 In addition, a project plan has been drafted for the remediation work. As the Council's HRA will be carrying out the works the Council's Housing Property Service are leading on this as opposed to FWH. At present, it is anticipated that works commence in February 2023.

6.0 Progress in Implementing 2021/22 Business Plan

6.1 In February 2021, the 2021/22 FWH Business Plan was approved. The plan outlined the following as the Company's medium- to long-term objectives:

- Delivering safe and sustainable homes
- Increasing the supply of affordable housing in the borough
- Running a viable business
- Providing a consistently good housing service

6.2 The following summarises each of the strategic objectives and reports on progress against these.

6.3 Delivering safe and sustainable homes

6.3.1 As outlined in Section 5, the Granville New Homes will be transferred on the 1st of April 2022 and remediation works are set to be carried out in 2023.

6.3.5 Separately to this, FWH, in partnership with Brent Housing Management, has carried out a review of its compliance arrangements and policies. Existing policies have been reviewed and further work is required to put in place an effective set of policies and performance metrics. This will therefore be carried over into the 2022-23 Business Plan.

6.4 Increasing the supply of affordable housing in the borough

6.4.1 FWH is one of several funding and delivery routes the Council has to increase the amount of affordable housing in the borough. FWH remains available as an RP to support the Council's affordable housing aspirations.

6.4.2 A Development Strategy has been drafted for the Council's two housing companies. This will be in place for the start of 2022-23 and will outline the work the Company will carry out to enable it to deliver new build schemes in the future, including necessary financing arrangements. The outcomes of the Development Strategy will also be applicable when assessing the future developments.

6.4.3 While no new build opportunities for FWH have been progressed in 2021-22, in July 2021 the Mayor of London announced the Right to Buy Back Fund, a grant opportunity designated to boroughs to buy former council homes that were sold on the private market through the Government's Right to Buy programme. This is being explored as a potential opportunity for FWH.

6.5 Running a viable business

6.5.1 In the 2021-22 Business Plan FWH aimed to improve void times and thereby reduce void rent loss. While issues with high void times remain, a new interim voids and lettings manager has been appointed and the voids process has been reviewed. As a result, an improvement action plan is in place, and performance will be reported to the Company Board and closely monitored over the coming financial year.

6.5.2 During 2021-22, the Company carried out a benchmarking exercise on its operational and financial performance. This provided useful insights, including repairs performance being strong and costs being generally in line with sectoral averages. However, FWH's capital spend is currently low. During 2022-23, therefore, an asset management strategy and value for money (VfM) strategy will be developed.

6.6 Providing a consistently good housing service

6.6.1 FWH aims to ensure tenant satisfaction and therefore monitors this regularly through monthly reports to the Board and biennial STAR surveys. The next STAR survey is due in 2022 and will occur after the transfer of Granville New Homes.

6.6.2. A customer satisfaction improvement plan has been implemented. Some of the key actions from the customer satisfaction improvement plan are:

- Brent Housing Management restructure and monthly service improvement board meetings
- Communication plan and appointment of a dedicated housing officer for FWH
- Introduction of compliance reporting and improved performance reporting
- Improved grip on voids management process and inspection of external communal areas

7.0 2022/23 Business Plan

7.1 Appendix 1 contains a final draft of the Company's 2022/23 Business Plan. The FWH Board met on the 27th January 2022 to discuss the Business Plan. Officers have used the feedback provided and developed the Business Plan further. Cabinet is asked approve the Business Plan.

7.2 The 2022/23 Business Plan outlines the Company's strategic priorities for the year. Priorities for 2022/23 are set out within the framework of the medium to long-term objectives of Brent's Housing Companies. These objectives are:

- Delivering safe and sustainable homes;
- Increasing the supply of affordable housing in the borough;
- Running a viable business; and
- Providing a consistently good housing service.

7.3 Cabinet should note that the business plans were reviewed by the FWH Board, Guarantor on the 28th January and CMT on the 3rd February 2022. Feedback was that further information should be included on how FWH plans to progress decarbonisation work in 2022/23. This information has been incorporated into the 2022/23 business plan.

7.4 Delivering safe and sustainable homes

7.4.1 This objective involves ensuring that FWH's homes are of a good quality, safe, compliant, and environmentally sustainable. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 1: Implement the transfer of the Granville New Homes properties to i4B and the HRA

- Priority 2: Establish a suite of compliance policies and standards to ensure legal compliance
- Priority 3: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels
- Priority 4: Carry out an audit of the new compliance suite
- Priority 5: Commission review of energy performance data for current stock
- Priority 6: Commission review to understand what work is required to bring stock up to an average of EPC B
- Priority 7: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme

7.5 Increasing the supply of affordable housing in the borough

7.5.1 This objective relates to increasing the supply of affordable housing in the borough. The Council aims to deliver 1,000 new units of affordable housing per year in Brent, through the various delivery routes. Alongside direct delivery by the Council, funded by the Housing Revenue Account, and the sale or granting of land for development to Registered Providers, FWH is one of several funding and delivery routes to achieve this target.

7.5.2 In October 2019, Cabinet agreed loan facilities of up to £110.5m be made available to i4B and FWH. A large proportion of this will be made available for the purchase of affordable new build homes. The strategic priority for this objective in 2022/23 is:

- Priority 8: Remain available as an RP to support the Council's affordable housing aspirations

7.6 Running a viable business

7.6.1 This objective relates to improving the operational and financial performance of FWH. In order to continue to provide affordable housing and bring benefits to the Council, FWH must remain financially viable. It is thus imperative that operational services run smoothly and planning, monitoring and reporting are as accurate and effective as possible. FWH will maintain an effective system of financial control, as well as benchmark and understand costs to ensure that the Company delivers value for money. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 9: Reduce void times
- Priority 10: Develop an Asset Management Strategy for FWH
- Priority 11: Review void and repair costs
- Priority 12: Develop and implement a value for money strategy for FWH
- Priority 13: Review approach to former tenant arrears

7.7 Providing a consistently good housing service

7.7.1 This objective relates to improving tenant satisfaction. FWH will do this by ensuring it has clear service standards and procedures that enable complaints and anti-social behaviour issues to be resolved quickly and effectively. FWH will also effectively monitor and manage the performance of our contractors, provide a responsive repairs service, and provide effective cleaning, caretaking and grounds maintenance. Strategic priorities for 2022/23 that relate to this objective are:

- Priority 14: Monitor tenant satisfaction

8.0 Financial Implications

8.1 The financial implications for the Business Plan are set out in the plan itself. The key factors are that the plan has now been adjusted for the transfer of the Granville New Homes units to the HRA and i4B. The outstanding debt has been remodelled with a 2% financing rate over 50 years. Key assumptions have been reviewed with higher inflation rates assumed and a higher per unit repairs costs modelled into the plan.

8.2 The Business Plan demonstrates that First Wave Housing can operate as a going concern following the transfer out of the Granville New Homes units and the refinancing of the FWH debt.

9.0 Legal Implications

9.1 The adoption of the proposed Business Plan is a matter reserved to the Council as the sole Guarantor in FWH and the intention is to seek Cabinet approval on 7 March 2022. In addition to being a local authority company, FWH is a registered provider subject to regulation by the Social Housing Regulator.

9.2 Local Housing Allowance rates (LHA) apply to private rented sector rather than to the social housing sector. FWH needs to ensure that the levels of “eligible rent” charged by FWH do not fall outside the scope of the statutory Rent Standard set by the Social Housing Regulator, for property let from April 2020. This is not necessary if the relevant property is exempt from the Rent Standard.

9.3 FWH is a wholly-owned local authority company, controlled by the Council, established in order to support the Council’s homelessness agenda, by owning and managing housing stock previously held by Brent Housing Partnership. Whilst FWH will continue to own various properties, the intention is to transfer the Granville New Homes properties on 1 April 2022 to the Council and to i4B. The legal implications of such transfer and the refinancing of FWH debt with the Council as detailed in paragraph 5.2 are set out in section 13 in paragraphs 13.1 to 13.16 of the report to Cabinet on 11 October 2021 and in the Legal Implications section of the report to the Strategic Director Community Wellbeing dated 6 December 2021.

9.4 Wholly-owned local authority companies such as FWH, established and solely owned by a Council Parent, will be regarded as “contracting authorities” in their own right, for the purposes of the Procurement Regulations 2015 (“PCR”). This

means that unless relevant PCR exemptions apply any services or works that FWH commissions from another organisation will have to be competitively tendered on the open market, if the total value is above the relevant PCR threshold.

10.0 Equality Implications

10.1 N/A

11.0 Consultation with Ward Members and Stakeholders

11.1 N/A

12.0 Human Resources/Property Implications (if appropriate)

12.1 N/A

Report sign off:

Carolyn Downs
Chief Executive

First Wave Housing Limited

2022/23 Business Plan

First Wave Housing Ltd 2022-23 Business Plan

1. Introduction

1.1. First Wave Housing Limited (FWH; the Company), formerly Brent Housing Partnership (BHP), is a local authority owned company of the London Borough of Brent (the Council), and is limited by guarantee.

1.2. FWH is a registered provider of social housing (RP). The Regulatory Framework for Social Housing in England governs registered social housing providers. The Framework includes a code of practice, guidelines for rent levels, accounting practices and disposals. There are a number of benefits associated with being an RP.

1.3. The following document is FWH's 2022-23 Business Plan. The Business Plan outlines how the Company plans to improve the quality of its stock, grow, and increase its contribution to the Council's ambition of creating a borough with "a future built for everyone, an economy fit for all".

1.4. The Business Plan takes the following format:

- 2.0 Purpose of the Company
- 3.0 Progress against the Company's 2021-22 Business Plan
- 4.0 Context for 2022-23 Business Plan
- 5.0 Strategic Priorities for 2022-23
- 6.0 Appendices
  - A1 Closed Financial Appendix – Financial Implications of Proposals
  - A1a 30 Year Profit and Loss Account
  - A2 Risk Register
  - A3 Progress on the 2021-22 Key Tasks
  - A4 2022-23 Key Tasks

2. Purpose of the Company

2.1. Purpose of the Company

2.2. FWH's primary purpose is to provide good quality, affordable, secure, and well managed homes to Brent residents and to contribute to Brent's Housing Strategy. It does this by managing, maintaining and improving its stock of 326 rental properties.

2.3. As a registered social landlord, FWH will aim to increase the size of its portfolio if this is appropriate to the Council's housing aspirations; for example, where this supports the Council's social housing strategy and expands the Council's affordable housing offer.

2.4. Stock Breakdown

2.5. FWH currently manages 326 rented properties and one leasehold property, a total of 327 properties. Of the 326 rented properties, 167 are settled homes, 89 are at social rent rate, 25 are at intermediate rent, and 45 are at market/PRS rent. The annual rent roll is £4.2 million. There are also two commercial properties within the portfolio.

2.6. As the transfer of 110 properties at Granville New Homes has now been agreed, by 1 April 2022 84 social housing units, 1 leasehold unit, and the freehold for the site (including the Tabot Centre) will be transferred to the Council's HRA, and 25 intermediate units will be transferred to i4B Holdings Ltd (i4B).

2.7. Tables One and Two below show a breakdown of FWH's stock and rent levels pre- and post-transfer of Granville New Homes.

Table One – FWH Stock Breakdown Pre-Transfer

Product Type	No. Properties	Average Weekly Rent	Sum of Weekly Rent
General Needs	**89**	**£119**	**£10,584**
1 bed	24	£106	£2,541
2 bed	32	£116	£3,718
3 bed	23	£130	£2,985
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1 bed	45	£302	£13,606
Settled Housing	**167**	**£302**	**£50,453**
1 bed	10	£275	£2,748
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Grand Total	**326**	**£254**	**£82,701**

Table Two – FWH Stock Breakdown Post-Transfer

Product Type	No. Properties	Average Weekly Rent	Sum of Weekly Rent
General Needs	**5**	**£141**	**£705**
3 bed	5	£141	£705
Market Rented	**45**	**£302**	**£13,606**
1 bed	45	£302	£13,606
Settled Housing	**167**	**£302**	**£50,453**
1 bed	10	£275	£2,748
2 bed	135	£303	£40,856
3 bed	22	£311	£6,849
Grand Total	**217**	**£298**	**£64,764**

NB: Due to rounding figures may not total correctly

2.8. General Needs – These tenancies are Assured Shorthold Tenancy Agreements with rents protected at social rent levels which are below 50% of market rent. FWH has 89 of these properties from one bed to four bed and they include five new build houses.

2.9. Settled Homes – These properties were purchased with a grant providing the tenants with protected rights including the right to buy their home. Settled homes are a form of long-term temporary accommodation. They are let on assured shorthold tenancies. When business plan surpluses are sufficient, properties will be converted, on an incremental basis, to affordable rents on assured tenancies.

2.10. Market rents – When market rented properties become void, they are let at LHA levels to households through a nomination agreement between the Council and FWH. This helps assist the Council's homelessness reduction agenda. FWH has 45 one bedroom market rent properties.

3. Progress against the Company's 2021-22 Business Plan

3.1. As outlined in the 2021-22 FWH Business Plan, the medium- to long-term objectives of Brent's Housing Companies are:

- Delivering safe and sustainable homes;
- Increasing the supply of affordable housing in the borough;
- Running a viable business; and
- Providing a consistently good housing service.

3.2. This section outlines performance against each of the Company's strategic objectives.

3.3. Summary of performance

3.3.1. As referenced in the Company's 2021/22 Business Plan, the main objective for the Company in 2021/22 was finding a safe, quick, and affordable way to remedy deficiencies with the external wall system at four of its blocks in South Kilburn. Throughout 2021/22 the Company has worked towards this objective.

3.3.2. FWH has worked with Brent Housing Management and external consultants to determine the extent of work required to remediate issues with the external wall system. This work determined that the cost of remediation works would make the FWH business plan unaffordable.

3.3.3. As a result, FWH, in partnership with the Council, carried out an analysis on options to carry out remediation works as quickly as possible, whilst also retaining the viability of FWH. The proposed solution sees FWH dispose of four blocks to the Council and the Council's wholly owned housing company, i4B. FWH will also refinance its loan with the Council.

3.3.4. This solution ensures the viability of the FWH business plan. The solution also maintains the rights of tenants and does not lead to a loss of social housing.

3.3.5. This approach was agreed by Brent Cabinet, the FWH Board, and i4B Board in October 2021. A positive consultation was held with residents on the proposed change in landlord in November 2021. The transfer is set to be finalised at the start of April 2022.

3.3.6. In regards to operational performance, FWH has not purchased any new properties, therefore performance is based on housing management. FWH's overall performance is reasonable, although there are some areas where performance has deteriorated in 2021-22 and requires improvement. The Company continues to provide a good housing service to residents.

3.3.7. Table Three below provides a summary of operational performance at December 2021:

Table Three – Summary of Performance

Indicator	Target	Performance at December 2020	Performance at December 2021
Minor void re-let times	35 days	62 days	78 days
Major void re-let times	72 days	122 days	85 days
Rent collection	98.50%	96.77%	100.35%
Void rent loss	1.50%	4%	6.5%
Emergency repairs completed within 24 hours	100%	98%	99%
Urgent and routine repairs completed within 14 days (not included Excluded or communal work programme)	95%	83%	85%
% of portfolio with valid CP12 gas certificate	100%	100%	99%

3.3.8. Rent collection remains strong despite issues related to Covid-19 such as the ban on evictions and backlog of court cases. Repairs performance is generally at or slightly below target.

3.3.9. The main operational issue is high void times. The FWH Board monitor this on a monthly basis. A Voids Improvement Action Plan is in place and will be reported on throughout 2022/23.

3.3.10. The following paragraphs provide a more detailed update on progress against the sub objectives for each Housing Company objective in the 2021-22 Business Plan.

3.4. Performance against strategic objectives

3.5. Delivering safe and sustainable homes

3.5.1. As mentioned above, in 2021/22 the full extent of the remediation works required to address fire safety and water penetration issues at FWH's blocks in South Kilburn (known as Granville New Homes) was identified.

3.5.2. This work determined that the estimated costs to remediate the issues would make the FWH business plan unaffordable. A solution has been identified that will allow works to be carried out as effectively and quickly as possible, whilst also maintaining the viability of FWH. The approach, agreed by the FWH Board and Brent Council Cabinet, was to transfer 84 social housing units, 1 leasehold unit, and the freehold for the site (including the Tabot Centre) to the Council's HRA, and 25 intermediate units to i4B Holdings Ltd. It was also agreed that FWH's debt with the Council would be refinanced.

3.5.3. The solution ensures that works can be carried out as quickly as possible, whilst also ensuring the viability of FWH.

3.5.4. FWH and the Council held a positive consultation with residents in November 2021 and the transfer is due to occur on 1 April 2022 to coincide with the start of the new financial year.

3.5.5. Separately to this, FWH, in partnership with Brent Housing Management, has carried out a review of its compliance arrangements and policies. Existing policies have been reviewed and further work is required to put in place an effective set of policies and performance metrics. This will therefore be carried over into the 2022-23 Business Plan.

3.6. Increasing the supply of affordable housing in the borough

3.6.1. FWH is one of several funding and delivery routes the Council has to increase the amount of affordable housing in the borough. FWH remains available as an RP to support the Council's affordable housing aspirations

3.6.2. A Development Strategy has been drafted for both of the Council's housing companies. This will be in place for the start of 2022-23 and will outline the work the Company will carry out to enable it to deliver new build schemes in the future, including necessary financing arrangements. The outcomes of the Development Strategy will also be applicable when assessing the future developments.

3.6.3. While no new build opportunities for FWH have been progressed in 2021-22, in July 2021 the Mayor of London announced the Right to Buy Back Fund, a grant opportunity designated to boroughs to buy former council homes that were sold on the private market through the Government's Right to Buy programme. This is being explored as a potential opportunity for FWH.

3.7. Running a viable business

3.7.1. In the 2021-22 Business Plan FWH aimed to improve void times and thereby reduce void rent loss. While issues with high void times remain, a new interim voids and lettings manager has been appointed and the voids process has been reviewed. As a result, an improvement action plan is in place, and performance will be reported to the Company Board and closely monitored over the coming financial year.

3.7.2. During 2021-22, the Company carried out a benchmarking exercise on its operational and financial performance. This provided useful insights, including repairs times being strong and costs being generally in line with sectoral averages. However, FWH's capital spend is currently low. During 2022-23, therefore, an asset management strategy and value for money (VfM) strategy will be developed.

3.8. Providing a consistently good housing service

3.8.1. FWH aims to ensure tenant satisfaction and therefore monitors this regularly through monthly reports to the Board and biennial STAR surveys. The next STAR survey is due in 2022.

3.8.2 A customer satisfaction improvement plan has been implemented. Some of the key actions from the customer satisfaction improvement plan are:

- Brent Housing Management restructure and monthly service improvement board meetings
- Communication plan and appointment of a dedicated housing officer for FWH
- Introduction of compliance reporting and improved performance reporting
- Improved grip on voids management process and inspection of external communal areas

4. Context for 2022-23 Business Plan

4.1. This section outlines the various contextual factors that have influenced the FWH Business Plan and how they influence FWH. These include, but are not limited to:

- The state of the housing market;
- The impact of Covid-19; and
- The key risks the Company currently faces.

4.2. These factors have influenced the proposals outlined in Section 5.

4.3. The housing market

4.3.1. During 2022-23, property prices within Brent have risen and remain high, while demand has also increased. As purchasing in Brent remains difficult, the work FWH does in providing affordable rented housing will remain beneficial to the Council.

4.4. Economic Context

4.4.1. In last year's business plan, it was anticipated that Covid-19 might reduce demand for housing within London with more people working from home and choosing to live outside of London. This has not occurred in the last year, and supply is currently limited with a corresponding rise in prices. It is too early to establish what the longer term impact on the London economy and property market of Covid 19, Brexit and changing working patterns will be. This is a key area of the business plan to monitor going forward.

4.4.2. Inflation in the UK is at its highest for 20 years and this is a pattern being experienced more widely in the global economy. The key question is whether this is a short term phenomenon, or whether higher inflation is here to stay. Again, this will be monitored closely.

4.5. Net Zero and Climate Change works

4.5.1. Brent Council declared a climate and ecological emergency in 2019 and committed to do all reasonable in its gift to aim for carbon neutrality for 2030, and to work with government to achieve the national 2050 target. The target for Brent's housing in its Climate & Ecological Emergency Strategy (2021-2030) is to achieve an average EPC rating of B by 2030, in line with the London Councils target. Brent Council's housing companies' environmental sustainability targets are aligned with the Council's own environmental sustainability targets.

4.6. Risk context

4.6.1. The Company currently faces a number of risks. Key risks include:

- High Capital Programme costs, including future climate change obligations, undermine the viability of the business plan.

- Poor data quality on asset management systems means compliance with Health and Safety standards cannot be effectively monitored, resulting in FWH being non-compliant with its statutory obligations.
- Poor contractor performance and information control results in FWH properties being non-compliant with statutory Health and Safety objectives.
- High void rent loss due to long void turnaround times.

4.6.2. Mitigating measures are in place to help to minimise the impact of all risks. A copy of the full Company risk register has been included in Appendix 2.

5. Strategic Priorities for 2022-23

5.1. The following section outlines the Company's strategic priorities for 2022-23. Priorities for 2022-23 are set out within the framework of the medium- to long-term objectives of Brent's Housing Companies. These objectives are:

- Delivering safe and sustainable homes;
- Increasing the supply of affordable housing in the borough;
- Running a viable business; and
- Providing a consistently good housing service.

5.2. Delivering safe and sustainable homes

5.2.1. This objective involves ensuring that FWH's homes are of a good quality, safe, compliant, and environmentally sustainable. In 2022-23, the Company's focus will be on its compliance policies and metrics, and relevant strategic priorities are as follows:

5.2.2. Priority 1: Implement the transfer of the Granville New Homes properties to i4B and the HRA

5.2.3. It was identified that FWH's blocks in South Kilburn (known as Granville New Homes) require remediation works to address fire safety and water penetration issues. During 2021-22, work was carried out to identify a solution that allowed works to be carried out as effectively and quickly as possible, whilst also maintaining the viability of FWH. It was agreed by the FWH Board and Brent Council's Cabinet to transfer 84 social housing units, one leasehold unit, and the freehold for the site (including the Tabot Centre) to the Council's HRA, and 25 intermediate units to i4B Holdings Ltd.

5.2.4. While the transfer of the block will take place on 1 April 2022, it will be a focus for 2022/23 to ensure the transfer has been completed successfully and to address any further actions arising.

5.2.5. Priority 2: Establish a suite of compliance policies and standards to ensure legal compliance

5.2.6. The remaining priorities for this year have been carried over from 2021-22. While existing policies were reviewed during 2021-22, further work in 2022-23 is needed to establish a comprehensive suite of compliance policies, standards and metrics for FWH. Officers will work with the Head of Housing Property Services to progress this work.

5.2.7. Priority 3: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels

5.2.8. An accompanying set of metrics will be developed alongside these policies. This will enable officers to effectively report on compliance to the Board, providing reassurance that the Company remains compliant with all relevant law.

5.2.9. Priority 4: Carry out an audit of the new compliance suite

5.2.10. Once established, the new set of compliance policies, standards and metrics will be reviewed to ensure they enable the Company to effectively monitor performance and to remain compliant.

5.2.11. Priority 5: Commission review of energy performance data for current stock

5.2.12. FWH will commission a consultant to review its existing stock to understand current energy performance data. This will give FWH an indication of the current energy performance of its stock.

5.2.13. Priority 6: Commission review to understand what work is required to bring stock up to an average of EPC B

5.2.14. Once FWH has an understanding of existing stock condition, it will carry out an analysis to determine what work is required to bring the stock up to an average of EPC B. This work will highlight the stock component replacements and upgrades that would be required to improve energy performance.

5.2.15. Priority 7: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme

5.2.16. An analysis will be carried out using the modelling on works required to improve energy performance to understand financial implications and cost. This will give FWH a better understanding of the longer term costs of climate change works. FWH will also seek to identify capital and any funding available from internal and external carbon offset/energy grant schemes to finance programmes of works.

5.3. Increasing the supply of affordable housing in the borough

5.3.1. FWH is one of the delivery routes available for the Council's target of 1,000 new units of affordable housing in Brent per year. Given its status as a registered provider (RP), the Company remains available for any relevant funding opportunities which could contribute to this target, using the agreed loan facilities of up to £110.5m for i4B and FWH. The strategic priority for this objective in 2022-23 is:

5.3.2. Priority 8: Remain available as an RP to support the Council's affordable housing aspirations

5.3.3. As a registered provider, there will be scope for FWH to use grant funding when purchasing properties. Therefore, in 2022-23 the Company will work with the Council and private sector partners to identify any relevant affordable new build housing opportunities in the borough, using the findings of the Development Strategy work to best meet housing need in the borough. This could include the Mayor of London's Right to Buy Back Fund, which FWH is exploring. As these opportunities develop, FWH will review its financial model and potential grant funding opportunities to ensure schemes remain affordable and in keeping with the Council's requirement of 65% of market rents.

5.4. Running a viable business

5.4.1. This objective relates to improving the operational and financial performance of FWH in order to remain financially viable and thus continue to bring benefits to the Council. The Company's focus for 2022-23 will be on improving void times, as well as developing strategies for value for money and asset management to effectively forecast and reduce costs. The 2022-23 strategic priorities that relate to this objective are:

5.4.2. Priority 9: Reduce void times

5.4.3. In response to ongoing high void times for FWH, an improvement action plan was presented to the Company Board in December 2021. Given the majority of the issues lay with historic void properties, and the comprehensive action plan in place, performance is expected to improve over 2022-23. This will be closely monitored by officers and at Board meetings during the financial year.

5.4.4. Priority 10: Develop an Asset Management Strategy for FWH

5.4.5. In its 2021-22 Business Plan FWH committed to work with the Council's Asset Management team and external third party freeholders to develop a long-term asset management strategy. While FWH has reviewed its existing stock condition data and confirmed this is accurate, further work is needed in 2022-23 to engage with third party freeholders and draft up a costed asset management strategy.

5.4.6. Priority 11: Review void and repair costs

5.4.7. Void and repair costs are a large cost driver for FWH. The Company will commission a value for money review of these costs and implement actions from the resulting report. The review will look at current specifications, costs and contract pricing against sectoral performance.

5.4.8. Priority 12: Develop and implement a value for money strategy for FWH

5.4.9. Following the Company's benchmarking exercise, FWH has identified areas of operational and financial underperformance. During 2022-23, FWH will produce a value for money strategy. This will outline how FWH defines VfM, how it will achieve VfM, and plans for monitoring this. This process will involve setting specific VfM targets with service areas through the SLA with the Council.

5.4.10. Priority 13: Review approach to former tenant arrears

5.4.11. FWH's benchmarking exercise also demonstrated a high level of former tenant arrears (FTA) when compared against similar organisations. In order to reduce this the Company will carry out a review of its FTA levels, and work with the Council's Income team to recover these, or consider writing these off where unrecoverable.

5.5. Providing a consistently good housing service

5.5.1. This objective relates to improving tenant satisfaction. FWH monitors tenant satisfaction regularly through monthly reporting to the Company Board as well as STAR surveys every two years. The 2022-23 strategic priority for this objective is:

5.5.2. Priority 14: Monitor tenant satisfaction

5.5.3. Following the 2020 STAR surveys, Brent Housing Management have implemented a tenant satisfaction improvement plan. Metrics from this plan are included in the Housing Management performance reports that are submitted to the Company Board every month, and will be monitored throughout 2022-23. A new STAR survey will be carried out during 2022 as part of the ongoing programme.

Appendix 1 – Closed Appendix – Financial Analysis

Please refer to the First Wave Housing Closed Financial Appendix document.

Appendix 2 – Risk Register

See Appendix 2 of accompanying cover report.

Appendix 3 – Progress on the 2021-22 Key Tasks

See Appendix 3 of accompanying cover report.

Appendix 4 – 2022-23 Key Tasks

See Appendix 4 of accompanying cover report.

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Ref	Strategic Risk	Risk	Business Plan Objective	Trigger	Likelihood	Impact	Score	Change	Mitigation	Post Mitigation Likelihood	Post Mitigation Impact	Post Mitigation Score	Owner	SLA Lead	Actions	Due Date	January Action Update
1	FWH does not meet H&S requirements	Poor data quality on asset management systems means compliance with H&S standards cannot be effectively monitored, resulting in FWH being non-compliant with its statutory obligations.	Safe and Sustainable Homes	Inadequate controls on record creation	4	5	20		Review asset records and the controls around creation and update. Produce a regular compliance report to Board covering all compliance requirements. - Identify all assets that require monitoring - Test all assets in accordance with relevant testing policy - Identify and monitor all actions required as a result of tests	2	5	10	Head of Property Services	Strategic Support Officer	Gas safety process to be reviewed	Ongoing	Monthly gas safety reconciliations are being performed to provide assurance; work on issues with property creations is ongoing and in the meantime gas systems are closely monitored manually.
															Regular compliance reporting to come to Board	Mar-23	FWH internal audit on health & safety compliance is in progress. New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
2	FWH does not meet H&S requirements	Poor contractor performance and information control results in FWH properties being non-compliant with statutory H&S objectives.	Safe and Sustainable Homes	Lack of KPIs and monitoring processes	3	5	15		Set up effective monitoring processes on compliance.	2	5	10	Head of Property Services	Strategic Support Officer	Regular compliance reporting to come to Board	Mar-23	New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
3	FWH does not meet H&S requirements	There is no affordable or technical solution for FWH properties to meet enhanced legal standards.	Safe and Sustainable Homes	Changing legal obligations	2	5	10		Annual review to monitor changes in regulatory requirements and our compliance with them. - FWH is unable to directly control/ mitigate for this risk and therefore, can only monitor legal standards	2	5	10	Head of Property Services	Strategic Support Officer	Regular compliance reporting to come to Board	Mar-23	New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
4	FWH does not meet H&S requirements	FWH lacks the policies, knowledge and governance arrangements to effectively monitor regulatory and legal standards on compliance.	Safe and Sustainable Homes	Lack of reliable monitoring reports to Board	2	4	8		Annual review of policies and reporting.	2	4	8	Strategic Support Officer	Strategic Support Officer	Establish list of required policies, identify gaps and agree review schedule.	Mar-23	List of required policies and gap analysis have been developed. New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
5	FWH does not meet H&S requirements	FWH policies and procedures specific to non-social housing tenures, e.g. market rent and intermediate rent, are not applied appropriately.	Safe and Sustainable Homes	Inappropriate policies relating to non-social housing tenures	2	3	6		Review of policies and reporting.	2	3	6	Strategic Support Officer	Strategic Support Officer	Establish list of required policies, identify gaps and agree review schedule.	Mar-23	List of required policies and gap analysis have been developed. New deadline agreed with Head of Property Services; BHM considering implementing new compliance system during 2022-23
6	FWH cannot trade as a going concern	Changing Government policy on rents/benefits means FWH cannot increase rents at business plan assumptions.	Running a Viable Business	Change in Government policy	4	3	12		Regular modelling and business plan reviews. - FWH is unable to directly control/ mitigate for this risk and therefore, can only monitor changes in Government policy	4	3	12	Senior Financial Analyst		Re-test business plan once final account outturn is agreed.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
															Stress test model as part of business plan.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
7	FWH cannot trade as a going concern	Reductions and changes in market demand mean FWH cannot increase rents at business plan assumptions.	Running a Viable Business	Change in market demand	3	2	6		Regular modelling and business plan reviews. - FWH is unable to directly control/ mitigate for this risk and therefore, can only monitor and carry out reviews of the business plan to ensure it can withstand drops in rental inflation	3	2	6	Senior Financial Analyst		Re-test business plan once final account outturn is agreed.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
															Stress test model as part of business plan.	Dec-22	Completed as part of business planning review for 2022-23, annual exercise
8	FWH cannot trade as a going concern	Tenant non-payment of rent increases due to unaffordability of rent.	Running a Viable Business	Change in market demand	4	3	12		Regular modelling and business plan reviews, and effective recovery processes. - Review arrears cases and identify the main reasons for high arrears levels - Agree actions for the issues identified	3	3	9	Income and Sustainment Manager	Strategy and Delivery Manager	Benchmark on rent collection rates.	Dec-22	Completed for 2022-23, annual exercise
														Senior Financial Analyst	Review collection rates and adjust bad debt percentages as part of business plan.	Completed	Completed as part of business planning review for 2022-23 - rent collection rates are regularly monitored as part of performance and financial reports to Board
9	FWH cannot trade as a going concern	High void rent loss due to long void turnaround times.	Running a Viable Business	Poor void management processes and reporting	5	3	15		Improved void management processes and reporting. - Identify reasons for high void rent loss at each stage of the process - Identify the management actions to improve performance in each team - Agree targets and timelines for improvements - Implement weekly monitoring of void performance	2	2	4	Voids Manager	Strategic Support Officer	Agree void turnaround targets as part of the business plan.	Completed	Completed: void turnaround targets agreed as part of SLA; void performance updates to come to Board in March and June 2022
															Review impacts of voids team restructure	Mar-22	Next voids update report to come to March 2022 Board, deadline changed accordingly
10	FWH cannot trade as a going concern	High Capital Programme costs, including future climate change obligations, undermine the viability of the business plan.	Running a Viable Business	Uncertainty on investment requirements in stock	5	5	25	↑	Development of a costed asset management plan with viable options. - Carry out stock condition survey - Develop an asset management programme - Review the asset management programme in each business planning cycle	3	4	12	Head of Property Services	Strategy Delivery Manager	Develop long-term asset management and investment plan, incorporating the impact of the climate change agenda.	Mar-23	Previous risk on climate change obligations has been merged with this risk: action updated accordingly. Risk likelihood increased from 4 to 5; deadline updated to Mar-23
11	FWH cannot trade as a going concern	The costs of remediation to the Granville and Princess Road blocks threaten the financial viability of FWH.	Running a Viable Business	Estimates for works are unaffordable; works require decanting of residents	1	5	5	↓	An option which restores FWH's financial viability has been approved by the Council's Cabinet, subject to consultation.	1	5	5	Head of Property Services	Strategy Delivery Manager	Work with Brent Council to carry out resident consultation, agree timescales and implement agreed solution.	Completed	Action completed - transfer to take place on 1 April 2022. Risk likelihood reduced from 2 to 1. Risk to be removed following transfer
12	FWH cannot trade as a going concern	A lack of transparency around costs means FWH cannot effectively manage its costs.	Running a Viable Business	Delay in invoicing transactions to FWH	5	2	10		Improved financial billing processes. - Fully set up Oracle for the companies - Transfer all suppliers to direct billing	2	2	4	Senior Financial Analyst		Set up fully independent company finances as part of Oracle Cloud to allow direct payments.	Apr-22	There are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22. Deadline updated to April 2022
13	FWH cannot trade as a going concern	Delays in processing utilities and other payments result in poor financial reporting, complaints and financial & reputational damage.	Running a Viable Business	The Company fails to set up suppliers and make payments in a timely manner	5	2	10		Improved financial billing processes. - Fully set up Oracle for the companies - Transfer all suppliers to direct billing	2	2	4	Senior Financial Analyst		Set up fully independent company finances as part of Oracle Cloud to allow direct payments.	Apr-22	There are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22; deadline updated to April 2022
14	Financial and reputational damage	Fraud results in a loss of income and/or reputational damage to the company and the Council.	Running a Viable Business	Poor internal controls, or lack of compliance with these	2	3	6		Annual review of internal controls.	2	3	6	Strategic Support Officer		Carry out review of internal controls with SLA leads and agree resulting set of actions. Internal controls review to be presented to a future Board meeting.	Apr-22	Meeting held with Internal Audit on setting up an internal controls review, further discussions to be held internally before new financial year
15	Financial and reputational damage	FWH is deemed to have failed a regulatory requirement in its corporate role.	Running a Viable Business	Policies and procedures fail to meet regulatory requirements or are not complied with	2	3	6		Annual review of economic regulatory requirements and compliance with these.	2	3	6	Strategic Support Officer		Implement actions from compliance project plan presented at June Board meeting.	Feb-22	Actions largely completed/on track, with actions on Board self-review and internal controls requiring further work
16	Financial and reputational damage	FWH is deemed to have failed a statutory requirement in its corporate role following developments in the regulatory environment such as the Hackitt Review.	Running a Viable Business	Policies and procedures fail to meet regulatory requirements or are not complied with	2	3	6		Annual review of consumer regulatory requirements and compliance with these.	2	3	6	Strategic Support Officer		Implement actions from compliance project plan presented at June Board meeting.	Feb-22	Actions largely completed/on track, with actions on Board self-review and internal controls requiring further work
17	Drop in customer satisfaction and damage to reputation	Contractor performance is not effectively managed and monitored, leading to poor customer service.	Providing an Excellent Housing Service	The supply chain is not effectively managed	2	3	6		Clear service standards, regular performance management and engagement with supply chain.	2	3	6	Strategy Delivery Manager		None - monthly SLA monitoring meetings reinstated and reporting of customer satisfaction to Board.	N/A	
18	Drop in customer satisfaction and damage to reputation	Poor service delivery and complaints management procedures give rise to low tenant satisfaction.	Providing an Excellent Housing Service	A lack of clear service standards and complaints management procedures means complaints are not effectively dealt with	2	3	6		Clear service standards and monitoring of complaints performance.	2	3	6	Strategic Support Officer		None - complaints policy in place.	N/A	

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FWH Key Tasks 2021-22 - January 2022 Progress Update

Housing Company objective	Priority for 2021/22	Key tasks for 2021/22	Task owner	Due date	January 2022 Update	RAG
Delivering safe and sustainable homes	1: Carry out a programme to improve the condition and sustainability of blocks in South Kilburn	Undertake investigations, and a stock condition survey, to determine the scope and cost of required capital works	Head of Housing Property Services	Jun-21	Action completed: Ridge report presented to June Board estimated the scope and cost of remediation works	
		Review the viability and affordability of these works	Head of Housing Property Services	Aug-21	Action completed: options were taken to the Audit & Standards Advisory Committee and Guarantor meetings in September, and a proposed approach to proceed with the works was agreed	
		Board decision on future approach	FWH Board	Aug-21	Action completed: a Board and Cabinet decision has been taken on the remediation works at Granville, and a resident consultation was carried out. The outcome of the consultation was positive, and authority was delegated to the Strategic Director of Community Wellbeing to agree the transfer of properties to Brent Council and i4B. This decision has now been approved, and the transfer is due to take place on 1 April 2022	
Delivering safe and sustainable homes	2: Establish a suite of compliance policies and standards to ensure legal compliance	Review existing policies and standards	Strategic Support Officer/Head of Housing Property Services	Aug-21	Action overdue: existing policies have been reviewed, but further work is needed to develop an effective set of policies and performance monitoring metrics. Head of Housing Property Services to consider commissioning work on this - tasks carried over into 2022-23 Business Plan	
		Redraft or create new policies and standards as necessary	Strategic Support Officer/Head of Housing Property Services	Oct-21	Action overdue: see above	
		Implement and monitor set of policies and standards	Strategic Support Officer/Head of Housing Property Services	Mar-22	Action overdue: see above	
Delivering safe and sustainable homes	3: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels	Review existing performance monitoring metrics	Strategic Support Officer/Head of Housing Property Services	Aug-21	Action overdue: existing policies have been reviewed, but further work is needed to develop an effective set of policies and performance monitoring metrics. Head of Housing Property Services to consider commissioning work on this - tasks carried over into 2022-23 Business Plan	
		Map these to compliance policies and standards, and identify new metrics as necessary	Strategic Support Officer/Head of Housing Property Services	Oct-21	Action overdue: see above	
		Monitor performance against this set of metrics	Strategic Support Officer/Head of Housing Property Services	Mar-22	Action overdue: see above	
Delivering safe and sustainable homes	4: Carry out an audit of the new compliance suite	Review policies, standards and metrics at an appropriate time to ensure their effectiveness	Strategic Support Officer/Head of Housing Property Services	Ongoing	Action overdue: see above	
Increasing the supply of affordable housing in the borough	1: Remain available as an RP to support the Council's affordable housing aspirations	Work with the Council and private sector partners to identify affordable new build housing opportunities	Strategy and Delivery Lead	Ongoing	Action ongoing: a future development strategy and framework for i4B is in the process of being developed; this will also be applicable to First Wave Housing	
		Review financial model and potential grant funding opportunities as schemes materialise	Senior Financial Analyst	Ongoing	Action ongoing: a future development strategy and framework for i4B is in the process of being developed; this will also be applicable to First Wave Housing. The Right to Buy Back Fund grant opportunity is also being explored	
Running a viable business	1: Carry out a benchmarking exercise	Benchmark costs against other housing providers, particularly void costs	Strategic Support Officer	Jun-21	Action completed: First Wave Housing has completed its benchmarking exercise, and HouseMark presented to the Company Board, and improvement actions from this are reflected in the key tasks for 2022-23	
		Benchmark operational performance against other housing providers	Strategic Support Officer	Jun-21	Action completed: see above	
		Identify areas of underperformance	Strategic Support Officer	Jul-21	Action completed: value for money and voids performance have been identified as areas of underperformance, and relevant key tasks have been added to the list of key tasks for 2022-23	

		Implement a programme of improvements	Strategic Support Officer	Oct-21	Action ongoing as above: void improvement work is ongoing, and a value for money strategy & asset management strategy will be developed in the coming financial year. Officers will carry out an annual benchmarking exercise with HouseMark going forward	
Running a viable business	2: Reduce void times	Review void processes	Head of Housing Property Services	Jul-21	Action completed: void processes have been reviewed, and a report was presented to the November Board meeting identifying the steps that will be taken to drive performance improvements	
		Implement a programme of improvements	Head of Housing Property Services	Oct-21	Action ongoing: the actions from the November Board report will be implemented over the coming months, and a progress update will be brought to the March 2022 Board. Void performance targets to be agreed for 2022-23 Business Plan	
Running a viable business	3: Develop an Asset Management Strategy for FWH	Work with the Council's Asset Management Team to develop long-term asset management strategy	Head of Housing Property Services	Mar-22	Action not on track: review of existing stock condition data for FWH has been carried out. It has been agreed that FWH's stock condition data is accurate. However, further work is needed to confirm costs. This will be addressed in 2022/23 and has therefore been carried over into the draft Business Plan; date to be agreed with Property Services	
		Work with external third party freeholders to develop long-term asset management strategy	Head of Housing Property Services	Mar-22	Action not on track: contact details for third party freeholders have been collated. Freeholders will be contacted in the coming financial year to determine future asset management plans. Carried over into 2022/23 Business Plan; date to be agreed with Property Services	
Running a viable business	4: Implement an Oracle Cloud finance system for FWH	Implement Oracle Cloud solution for FWH as a separate company	Oracle Cloud Programme Manager	Aug-21	Action ongoing: Oracle Cloud has now been formally implemented, but there are multiple issues with Oracle setup which require resolution, the aim is for this to be resolved by the end of the financial year 2021-22	
Running a viable business	5: Review utilities charging processes to ensure timeliness and accuracy	Work with the Commercial Energy Team to review FWH utility processes, including identifying meters and bills	Strategic Support Officer	Jun-21	Action ongoing: The bulk of FWH's utilities costs will be transferred to the Council as part of the Granville New Homes transfer. FWH will have three blocks remaining, where utilities will have to be managed	
		Work with the Commercial Energy Team and Income Team to ensure all eligible bills are recharged	Strategic Support Officer	Oct-21	Action ongoing: see above	
Running a viable business	6: Review void and repair costs	Carry out a value for money review and benchmarking of void and repair processes	Head of Housing Property Services	Jun-21	Action overdue: a VfM review of repairs and void costs will be commissioned in early 2022.	
		Implement a programme of improvements	Head of Housing Property Services	Oct-21	Action overdue: dependent on the above.	
Providing a consistently good housing service	1: Review our approach to assessing customer satisfaction	Work with housing management agents to establish a customer satisfaction baseline	Strategic Support Officer	Jun-21	Action completed: STAR surveys have been carried out	
		Monitor customer satisfaction to identify any issues	Strategic Support Officer	Ongoing	Action ongoing: monthly reporting is in place; any issues will be identified through this	
		Implement a suite of robust customer satisfaction metrics	Strategic Support Officer	Mar-22	Action completed: customer satisfaction metrics now in place and included in monthly Housing Management performance reports	
Providing a consistently good housing service	2: Review the sustainability and affordability of rent levels	Review rent levels to ensure they are affordable and sustainable for tenants	Strategy and Delivery Lead	Dec-21	Action completed: review of rent levels has been presented to FWH Board - decision made to monitor rental affordability going forward	

FWH 2022-23 Draft Key Tasks

Housing Company objective	Priority for 2022/23	Key tasks for 2022/23	KPI (where relevant)	Task owner	Due date
Delivering safe and sustainable homes	1: Implement the transfer of the Granville New Homes properties to i4B and the HRA	Transfer 25 properties to i4B		Strategy and Delivery Manager	Apr-22
		Transfer 84 properties and one leaseholder to Brent Council		Strategy and Delivery Manager	Apr-22
Delivering safe and sustainable homes	2: Establish a suite of compliance policies and standards to ensure legal compliance	Develop a comprehensive set of compliance policies and standards		Strategic Support Officer/Head of Housing Property Services	Mar-23
		Implement and monitor set of policies and standards		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	3: Establish a suite of performance monitoring metrics to give the Board assurance on compliance levels	Map performance monitoring metrics to policies and standards, and identify new metrics as necessary		Strategic Support Officer/Head of Housing Property Services	Mar-23
		Monitor performance against this set of metrics		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	4: Carry out an audit of the new compliance suite	Review policies, standards and metrics at an appropriate time to ensure their effectiveness		Strategic Support Officer/Head of Housing Property Services	Mar-23
Delivering safe and sustainable homes	5: Commission review of energy performance data for current stock	Commission a consultant to review existing stock to understand current energy performance data		Head of Housing Property Services	Oct-22
Delivering safe and sustainable homes	6: Commission review to understand what work is required to bring stock up to an average of EPC B	Carry out an analysis to determine what work will be required to bring the stock up to an average of EPC B		Head of Housing Property Services	Jan-23
Delivering safe and sustainable homes	7: Model cost implications of bringing stock up to an average EPC B rating and develop a funding strategy for financing a carbon reduction works programme	Carry out an analysis to understand the financial implications and cost of improving energy performance and explore options for potential funding		Head of Housing Property Services	Mar-23
Increasing the supply of affordable housing in the borough	8: Remain available as an RP to support the Council's affordable housing aspirations	Work with the Council and private sector partners to identify affordable new build housing opportunities		Strategy and Delivery Manager	Ongoing
		Review financial model and potential grant funding opportunities as schemes materialise		Senior Finance Analyst	Ongoing
Running a viable business	9: Reduce void times	Implement voids improvement plan and monitor performance	Void times; void rent loss	Head of Housing Property Services	Jun-22
Running a viable business	10: Develop an Asset Management Strategy for FWH	Work with the Council's Asset Management Team to develop long-term asset management strategy		Head of Housing Property Services	Mar-23
		Work with external third party freeholders to develop longer-term asset management plans		Head of Housing Property Services	Mar-23
Running a viable business	11: Review void and repair costs	Commission review of void and repair costs	Void costs; repairs costs	Head of Housing Property Services	Jul-22
		Agree a programme of improvements based on findings		Head of Housing Property Services	Sep-22
		Review current performance with regard to value for money		Strategy and Delivery Manager/Senior Finance Analyst	Jun-22

Running a viable business	12: Develop and implement a value for money strategy for FWH	Agree value for money targets	Void costs; repairs costs	Strategy and Delivery Manager/Senior Finance Analyst	Jun-22
		Draft and agree value for money strategy		Strategy and Delivery Manager/Senior Finance Analyst	Sep-22
		Implement value for money strategy		Strategy and Delivery Manager/Senior Finance Analyst	Mar-23
Running a viable business	13: Review approach to former tenant arrears	Review FTA levels	Former tenant arrears	Head of Housing & Neighbourhoods	May-22
		Recover or write off FTAs where possible		Head of Housing & Neighbourhoods	May-22 / Ongoing
Providing a consistently good housing service	14: Monitor tenant satisfaction	Carry out biennial STAR survey to monitor tenant satisfaction	Tenant satisfaction	Head of Housing & Neighbourhoods	Dec-22

Brent Housing Companies Development Strategy

January 2022

Document Master Sheet

Amendments to this document detailed below:

Version	Date	Review Date	Comments/amendments	Approved by
1	Jan 22	Jan 23	Final	I4B & FWH Board

1.0 Introduction

1.1 Introduction to Brent Housing Companies

1.1.1 Brent Council has two wholly owned housing companies, i4B Holdings Limited (i4B) and First Wave Housing Limited (FWH). Both Companies look to support the Council's overall Housing Strategy by providing good quality accommodation to Brent families at affordable rates.

1.2 Introduction to i4B

1.1.1 i4B Holdings Ltd was established to reduce homelessness, provide affordable, good quality homes, and invest to deliver regeneration and financial benefits for its sole shareholder, Brent Council (the Council). i4B will do this whilst also ensuring the business is financially viable and costs are sustainable.

1.1.2 i4B was set up with the purpose of acquiring, letting, and managing a portfolio of affordable, good quality private rented sector (PRS) properties. Properties are let to homeless families at Local Housing Allowance (LHA) levels. This enables the Council to either prevent or discharge its homelessness duty and therefore reduce temporary accommodation costs whilst also ensuring families have a secure and responsible landlord.

1.1.3 i4B is actively growing its portfolio and purchasing circa 48 PRS street properties a year.

1.3 Introduction to FWH

1.3.1 FWH is a registered provider of social housing (RP). FWH's primary purpose is to provide good quality, affordable, secure, and well managed homes to Brent residents and to contribute to Brent's Housing Strategy. It does this by managing, maintaining and improving its stock of 217 rental properties.

1.3.2 Whilst in recent years FWH has not increased the size of its portfolio, it is one of several funding and delivery routes the Council has to increase the amount of affordable housing in the borough. Unlike i4B, as an RP FWH can attract grant funding.

1.3.3 FWH remains available, as an RP, to support the Council's affordable housing aspirations

1.4 Development Strategy

1.4.1 In February 2021, Cabinet agreed the Business Plans for both companies. The Business Plans outlined the company's medium to long term objectives.

1.4.2 Both Companies have growth ambitions. i4B's principal strategic objective is to increase the supply of affordable housing in the borough and therefore increase i4B's contribution towards the Council's strategic theme of 'a future built for everyone, an economy fit for all'. In addition, FWH's business plan outlined how the company is a delivery option available to the Council if required.

1.4.3 In order to increase the supply of affordable housing in the borough, both companies would look to work with the Council, Registered Providers and private developers to identify new build development opportunities and develop a portfolio of affordable new build accommodation.

1.4.4 This document is the housing Companies' joint Development Strategy. The Strategy aims to ensure that future development by the Housing Companies:

- Supports the Council's Housing Strategy and relieves housing need;
- Supports the financial viability of the companies; and
- Is feasible and realistic.

1.4.5 The Strategy does this by outlining:

- The Strategic context for development including housing need, rental affordability, market supply, and the financial viability of the Company.
- The type of development schemes i4B and FWH will look to target, including the viability criteria schemes must meet; and
- Future actions the Company will take to support feasibility and viability.

1.4.6 The strategy is predominately focused on i4B as it is actively acquiring properties but the strategy is also applicable to FWH.

2.0 Background

2.1 Background i4B

2.1.1 As of November 2021, i4B has purchased 340 PRS street properties. This portfolio has been let to Council homeless nominees. To date, i4B's acquisition strategy has focused on properties in the South of Brent. Over 55% of i4B's PRS portfolio is in the South of Brent in the Inner North London Broad Market Rental Area (BRMA).

Table 1 – i4B portfolio as of November 2021

Area	**No. Properties**
Brent (North)	37
Brent (South)	185
Home Counties	74
Greater London	44
Total	**340**

2.1.2 The reason for this is that the higher LHA rates in the Inner North London BRMA increase the amount of financially viable properties that are available to i4B.

2.1.3 i4B has expanded its portfolio beyond street property accommodation. i4B has purchased a 153 unit block of accommodation that is being let to key workers. In the past, i4B has previously explored purchasing shared ownership units. i4B also has the ability to let 25% of its portfolio at market/higher than LHA rates.

2.2 Background FWH

2.2.1 As the transfer of Granville New Homes has now been agreed, as of 1st April 2022, FWH will have 217 residential properties. The vast majority of FWH's portfolio is concentrated in Brent. A small number of properties are located in neighbouring boroughs. A breakdown of which is below:

Table 2 – FWH Portfolio as of 1st April 2022

Product Type	No. Properties
General Needs	**5**
3 bed	5
Market Rented	**45**
1 bed	45
Settled Housing	**167**
1 bed	10
2 bed	135
3 bed	22
Grand Total	**217**

2.2.2 General Needs properties are let at social housing rates. Settled Housing is a form of affordable accommodation where properties are let at 80% of market rate. Market rented accommodation is let at LHA levels.

2.3 i4B and FWH's ambition is for targeted block purchases to drive future growth. The reason for this is that compared to the purchase of PRS street properties. Block purchases bring a number of benefits to the Company and the Council:

- Street property purchases have been slower than envisaged, block purchases would allow i4B to quickly increase the size of its portfolio, allowing the companies to spread their fixed costs over a larger number of units;
- i4B and FWH would be able to increase its volume of properties at a greater rate, and therefore increase the rate of lets to homeless Brent families, thus increasing the financial savings the companies brings to the Council; and
- Blocks are easier to manage than sporadic street properties. This is because the respective company is the freeholder and therefore has greater control of management and maintenance costs.

2.4 This document outlines how i4B and FWH plan to grow their new build portfolios in a manner that supports the Council's homelessness objectives, supports financial viability, and is feasible and realistic.

3.0 Strategic Context – Housing Demand

3.1 The following section outlines what demand for affordable housing is in the borough. This section has been developed in collaboration with the Council's Housing Needs service.

3.2 The information in this section informs the purchasing/development criteria outlined in section 8.

3.3 Housing Demand

3.3.1 Accommodation acquired by i4B is used to end the main homelessness duty for households in Temporary Accommodation, who were accepted post the implementation of the Localism Act 2011. This is also the case for FWH re-let properties.

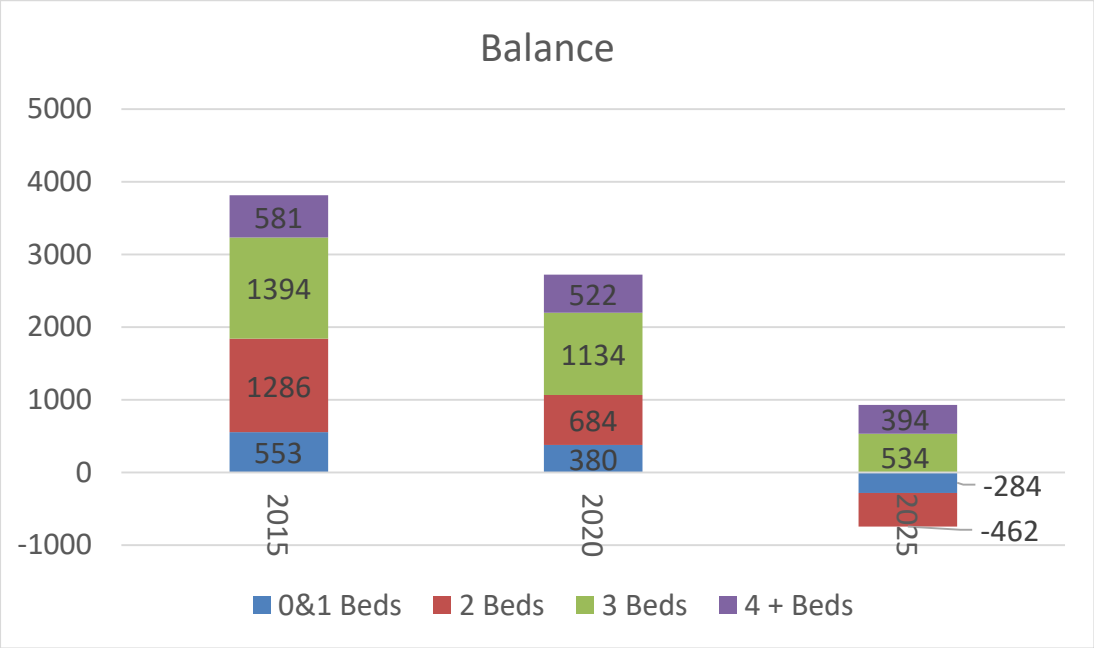
3.3.2 Since the introduction of the Homelessness Reduction Act in 2018, the volume of homelessness demand is broadly stable. Properties acquired by i4B have been primarily used to end the main housing duty, however, in practice i4B properties have also been used to prevent homelessness.

3.3.3 The Council's Housing Needs Service and Performance Insight, and Improvement Service have carried out a detailed assessment into the likely demand for homes in the future, based upon past performance. The purpose of this approach is to build a five year forecast (to 2025) to predict future demand for housing, and assess how much of this demand will be met with future supply.

3.3.4 The results of the modelling demonstrate that there is likely to be a fall in homelessness demand from 2015 to 2025. This is due to the progress the Council has made in reducing the number of families in Temporary Accommodation.

3.3.5 Graph 1 below shows the estimated change in demand profile over the 10 year period. Existing unmet demand in 2015 is 3,814, remaining unmet demand is forecast to reduce to 182 by 2025.

Graph 1 – Households on waiting list from 2015 to 2025



3.3.6 Forecasted demand does not reduce equally for different bed sizes. Demand for accommodation with more than three bedroom makes up all of forecasted demand in 2025. There is expected to be a surplus of one and two bedroom units. This is in

large part due to the amount of one and two bedroom new build accommodation being delivered.

3.3.7 The modelling should be heavily caveated. The figures are influenced by a number of factors and can be skewed when assumptions change. For example, if the Council's stock maximisation programme is a success, and Council tenants are able to be moved from three and four bed Council homes to one and two bed Council Homes, it is likely that there will still be a demand for one and two bed accommodation.

3.3.8 Furthermore, the modelling is dependent on the success of the delivery of new build accommodation across the borough. A 20% reduction in the supply of new build accommodation increases unmet demand to 844 units in 2025.

3.4 Adapted Units

3.4.1 The Council has a specific demand for adapted units. The Council is not easily able to secure ground floor or lifted level access properties in the PRS that have been adapted, either for wheelchair use or having access to a wet room. Therefore, families who require these type of properties tend to have the main rehousing duty accepted, as it is not possible to prevent their homelessness through securing alternative suitable PRS accommodation.

3.4.2 As of November 2021, there are circa 50 households living in unsuitable accommodation who require access to accommodation that has been adapted. There is also an ongoing demand from new applications received from families who are threatened with homelessness.

3.4.3 Landlords in the private rented sector are typically unwilling to have their properties adapted. Therefore the only housing option for this cohort is social housing (where stock is limited) or an i4B/FWH property.

4.0 Strategic Context – Rental Affordability

4.1 This section is more applicable to i4B as it rents are higher than FWH's rent. i4B properties are let at local housing allowance levels (LHA). i4B typically purchases properties in South Brent where LHA rates are higher. This increases financial viability of accommodation for i4B. The table below provides a breakdown of rents.

Table 3 – i4B rents in comparison to other products

Accommodation Type	LHA (South Brent)	Social Cap*[1]	London Living Rent*[2]
One bed	£295	£145	£180
Two bed	£366	£158	£200
Three bed	£442	£166	£219
Four Bed	£594	£175	£239

*[1]This is the social housing rent cap – the maximum rent RPs can charge for social housing.
*[2] London Living Rent is a type of intermediate affordable housing for middle-income households who want to build up savings to buy a home. Rents are set by ward. Rent levels are derived from average local incomes and ward-level house prices. This is the South Brent ward average.

4.2 Approximately 50% of households where the Council accepts the main housing duty are affected by the overall benefit cap. By letting at LHA levels and affordable rent levels there are affordability issues when letting i4B properties to families affected by the OBC. Since the implementation of the Government's welfare reforms, the total amount of welfare benefits received by a lone parent or couple with children has been capped at £23,000 (£442 p/w) in London and £20,000 (£385 p/w) outside of London. The Council has recently seen an increase in the number of families affected by the cap, due to having recently lost their employment because of the pandemic.

4.3 The current weekly Local Housing Allowance (LHA) caps for the North and South of Brent and their comparison with the overall benefit cap (OBC) are listed in Table 4 below:

Table 4 – LHA Rates and the Overall Benefit Cap

Bedrooms	OBC	South Brent LHA	South Brent LHA Diff with OBC	North Brent LHA	North Brent Diff with OBC
Shared Room	£442	£147	£295	£113	£329
1 Bed		£295	£147	£230	£212
2 Bed		£366	£76	£288	£154
3 Bed		£442	£0	£357	£85
4 Bed		£594	-£152	£426	£16

4.4 Families affected by the OBC will be unable to afford South of Brent LHA rates. For example, a family with a four bed need would have an income of £442 (the OBC) their rent would be £594 (the south Brent four bed LHA rate), they would therefore have an income shortfall of £152).

4.5 In the North of Brent, only two bedroom properties will be affordable. A family with a two bed need would have a weekly surplus income of £152. Any less than this, and the family would not have enough income to live on.

4.6 Ultimately, if a family is affected by the OBC it will be difficult for i4B to house these families. i4B also cannot afford to reduce rents to a sufficient level to make rents affordable. These families are better suited to social housing rents.

5.0 Strategic Context – Supply

5.1 The following section gives a summary of current market prices in relation to the housing companies' price caps, and a summary of development in Brent.

5.2 Price Caps and market value

5.2.1 Both companies' financial viability models generate price caps. These price caps are the maximum the companies can pay for a unit in order for it to be financially viable for the company.

5.2.2 The below analysis is focused on i4B and its experience of acquiring street properties since 2017. i4B is generally restricted in what they can pay, and generally targets properties in the bottom 10th percentile of the market by price. This makes the purchase of street properties difficult. i4B acquisitions are typically focused in areas like Harlesden and Stonebridge. These are areas in the Inner North London BRMA, where property prices are lower but LHA rates are high.

5.2.3 The table below shows i4B's price caps against market prices in the Inner North London BRMA. i4B is restricted to the bottom 10th percentile of the market.

Table 5 – Price caps and market prices in the Inner North London BRMA

# bedrooms	Price Cap	10th	25th	50th	75th	90th	Total # listings	# listings within price cap	% listings within price cap
2	**£389k**	£450k	£520k	£650k	£800k	£1.020m	6,573	**272**	**4%**
3	**£495k**	£525k	£675k	£880k	£1.200m	£1.795m	3,359	**216**	**6%**
4	**£702k**	£750k	£1.00m	£1.425m	£1.950m	£2.950m	1,510	**118**	**8%**

*Note the price cap for FWH acquisitions will vary by acquisition. This is because acquisitions will likely be at social and affordable rates. This will vary from scheme to scheme.

5.2.4 i4B's price caps also mean it is limited to the bottom 10th percentile of the market in the North West BRMA. However, there are a smaller number of total listings within price caps in this area.

Table 6 – Price caps and market prices in the North West BRMA

# bedrooms	Price Cap	10th	25th	50th	75th	90th	Total # listings	# listings within price cap	% listings within price cap
2	**£297k**	£310k	£350k	£400k	£475k	£550k	3,405	**233**	**7%**
3	**£375k**	£450k	£500k	£575k	£650k	£775k	3,748	**120**	**3%**
4	**£469k**	£575k	£650k	£750k	£895k	£1,128m	1,754	**31**	**2%**

5.3 Development Pipeline in Brent

5.3.1 There is a healthy pipeline of development in Brent. As of November 2021, there are 7,697 private residential units in the planning pipeline within the Borough of Brent in schemes with at least 100 private units. Of this, 1,115 are at the application stage, 5,592 have consent but have yet to start on site, and 990 are under construction. Of the 990 units under construction, circa 431 (44%) have been sold off plan.

5.3.2 Development in the borough is concentrated in North Brent in the North West BRMA. Land is generally cheaper here than in South Brent. The development pipeline in Brent is largely concentrated in a limited number of schemes in Wembley Park, Alperton, and Northwick Park. Table 7 shows that of schemes in Brent with at least 100 private units over 95% of units delivered are in the North of the Borough. As a result, any future new build acquisition would likely be in the North of the Borough.

Table 7 – Units in planning pipeline in schemes over 100 units by BRMA

BRMA	**No. of units**
Inner North	230
North West	6319
Total	**6549**

6.0 Strategic Context – Finance

6.1 The following section sets out i4B and FWH's financing arrangements and their viability criteria.

6.2 Financing Arrangements

6.2.1 i4B and FWH acquisitions are financed via a shared loan from Brent Council which borrows funds and then on lends this to the companies. Funding is provided through cross-subsidisation. To date, all loan funding has been used to fund i4B acquisitions. Brent Council has borrowed £230 million and then on-lent this to at a higher interest rate. The intention of the loan is for i4B to deliver affordable housing in the borough.

6.2.2 i4B has committed £158m of the loan funding, and is on track to have used up its total loan funding of £230m by the end of the 2023/24 financial year. The intention is that this funding will primarily be used to acquire new build schemes.

6.3 Viability Criteria

6.3.1 All development schemes are appraised using an appraisal model. The appraisal model enables investment returns to be calculated over any given time period and can account for inflation on rents, management costs, asset prices and capital costs. The key cost drivers in the model are the purchase price, the financing rate and the rent levels. Schemes will be appraised using a 50 year appraisal period as this improves the range of viable investment options.

6.3.2 The key elements for financial viability of the business are the impact that an investment has on the company's cash flow and its ability to finance the debt incurred

when purchasing an asset. The key variables that influence the cash flow and the ability to finance the debt are:

- The purchase price of the asset
- The potential build/development costs
- The rental income available from the property
- The financing rate used to fund the debt

6.3.3 One factor that has not yet, but needs to be factored into the viability model is potential climate change works. The Government has set requirement of achieving net zero by 2050. Therefore, there is a need to drastically reduce emissions in the affordable housing sector. It is likely that i4B/FWH, will need to carryout decarbonisation works in the next 10 to 15 years. These costs need to be factored into the appraisal model, this is particularly relevant for the acquisition of PRS street properties. More information on this is detailed in section 8.

6.3.4 The key tests of how these variables interact can be measured in:

- the length of time it takes to repay the debt
- how long it takes for an investment to generate a positive cash surplus
- the year in which it the first debt repayment can be made

6.3.5 The i4B and FWH Boards have adopted the following financial viability criteria. This is the minimum criteria that schemes must meet in order to be deemed financially viable.

- Be able to repay debt within 50 years
- Make a positive cash flow from year 2 onwards
- Start repaying debt by year 10

6.3.6 These criteria are not a determination of value for money. A property may be affordable but represent poor value for money if it is above the prevailing market value.

6.4 Risks

6.4.1 Key risks related to the Development Strategy are:

Table 8 – Key risks

Risk	Comment
Inflation	Cost inflation without rent inflation increases costs, thus reducing the number of schemes that are affordable to i4B and FWH.
Build costs	Increased build costs reduce the viability of new build schemes
Finance Rates	Increased interest rates mean i4B and FWH cannot fund acquisitions

Arrears	Arrears level are higher than assumptions.
Climate Change Works	The scale of capital investment for decarbonisation works is currently unknown.

7.0 Criteria for Future New Build Developments and Acquisitions

7.1 This section outlines the type of new build schemes i4B and FWH will look to acquire and develop with the objective of ensuring potential schemes meet Council demand, are financially viable, and are feasible. The section is informed by the Strategic context sections and will outline:

- Who i4B and FWH will house
- Where i4B and FWH will target acquisitions
- What units i4B and FWH will target
- How schemes will be procured
- Viability criteria schemes must meet.

7.2 It should be noted that it is unlikely that future acquisitions and developments will meet all the criteria listed below. Therefore, key actions to further develop the strategy is to carry out work on prioritisation, viability, and feasibility. These actions are outlined in section 8. When actions in section 8 have been carried out, the criteria listed below will be reassessed.

7.3 Who i4B and FWH will house

7.3.1 Future new build schemes will still be based on the objective of housing homeless Brent families where the Council has accepted the main duty.

7.3.2 Due to the affordability concerns outlined in section 4.0. The companies will not be able to house those affected by the overall benefit cap. The rents i4B charges are not affordable to families affected by the overall benefit cap. By housing these families, i4B would risk pushing families into arrears. Furthermore, i4B is unable to afford the rent reductions needed to make rents affordable.

7.3.3 In addition, unless FWH can acquire schemes for social rent, it is unlikely that it will be able to house families.

7.3.4 i4B and FWH recognise that they are one of the few avenues the Council has to house the cohort of families requiring adapted accommodation. The companies therefore, have an ambition to purchase a bespoke portfolio of adapted accommodation. However, there are concerns about the feasibility of developing a portfolio of adapted accommodation. This is namely due to:

- A lack of adapted new build and PRS properties on the market;
- Properties that are adaptable often exceed price caps.

7.3.5 The companies will therefore carry out a pilot purchasing adapted properties. Further information on this is outlined in section 8.

7.3.6 i4B and FWH will also explore the possibility of letting properties at market rates in order to cross subsidise schemes and deliver affordable units.

7.4 Where i4B and FWH will target acquisitions

7.4.1 The companies will primarily look to acquire/develop schemes in Brent. It will target properties in the following post codes. This is based on an analysis of local market prices and where price caps are more competitive.

South Brent	North Brent
NW2 2	HA3 5
NW2 3	HA3 7
NW2 6	HA8 0
NW6 5	HA8 7
NW10 1	HA9 9
NW10 3	NW10 0
NW10 4	NW9 6
NW10 6	NW9 8
NW10 9	

7.4.2 There is a preference is to purchase properties in the north of the borough. The reason for this is that the lower LHA rate in this area makes rents more affordable to tenants. Furthermore, whilst there is a steady pipe line of PRS street properties in the South of the Borough, it is envisaged that larger new build schemes will be acquired/developed in the North of the Borough. This is because the future development pipeline in Brent is largely concentrated in the North of the Borough

7.4.3 The companies will continue to review new build opportunities in the South of the Borough. When reviewing these opportunities i4B and FWH will explore options for reducing rents at properties.

7.4.4 If Brent supply is limited, the companies will also look to purchase schemes in neighbouring boroughs, as long as they are within a 45 minute radius of Brent.

7.4.5 Current price caps mean the companies are restricted in what they can pay in the North of the Borough. Therefore, a key action to further develop the strategy will be assessing whether price caps are viable for acquisitions in the North of the Borough. Further detail on this is contained in section 8.0.

7.5 What units i4B and FWH will target

7.5.1 i4B and FWH's preference is to acquire larger schemes comprising of 50 units or more. The reason for this is preference for larger schemes is it will enable the companies to increase their portfolio of properties at a greater rate, and therefore increase the rate of lets to homeless Brent families, thus increasing the financial savings to the Council.

7.5.2 The companies will target schemes with a larger proportion of three and four bed units. The reason for this is that future Brent demand is forecast to be for larger units.

7.5.3 i4B and FWH will also look to target larger five and six bedroom units. These will likely need to be large houses.

7.6 How housing will be procured

7.6.1 It is envisaged that growth will be driven by developments and acquisitions from the private market through off-plan purchases. By adopting this approach, i4B and FWH can pivot units from market levels of rent to affordable tenures and therefore increase the number of affordable units delivered in the Borough.

7.6.2 i4B and FWH will also not actively look to purchase section 106 schemes. These units will be purchased by registered providers operating in Brent and the companies would therefore not be adding to the net supply of affordable accommodation in the Borough. For similar reasons, the companies will not look to acquire stock from the Council's development pipeline.

7.6.3 However, when instructed by the Shareholder/Guarantor, the companies will look to purchase s106 schemes or Council developments that meet viability criteria. It may be that an acquisition is more viable under the i4B and/or FWH business model as opposed to the Council's.

7.6.4 When acquiring schemes, it is likely that i4B and FWH would purchase fully designed and specified dwelling (either through off-plan purchases, or turnkey schemes). By adopting this approach, i4B and FWH are less exposed to risks around the build and construction of schemes. At present, i4B and FWH are not development companies and have limited experience of development. However, by adopting this approach, i4B and FWH would have limited control over design. Design choices would likely be limited to choices over fittings and finishes.

7.6.5 In cases where there is scope for i4B and FWH to have design input, i4B and FWH would look to increase the amount of units that meet the Council's demand requirements, this will typically be increasing the amount of larger units in a scheme as well as increasing the amount of adapted accommodation.

7.6.6 i4B and FWH will not look to undertake large scale land-led development schemes, where it would purchase and develop land itself. Due to the companies' small portfolio, the risks associated with undertaking a large land-led scheme are not in line with i4B and FWH's risk profile. In 2022/23, i4B and FWH will review whether carrying out smaller land-led schemes is viable and within the Companies' risk profile.

7.6.7 As mentioned, one of the drawbacks of acquiring developments directly is that there will be limited design input. The result is that properties may not be in line with the Council's demand requirements (i.e. larger units and adapted properties). A key action for 2022/23 is reviewing whether purchasing schemes directly would compromise the company's ability to deliver accommodation that best meets the Council's Housing Need.

7.7 Viability criteria schemes must meet

7.7.1 Any potential future acquisition would have to be in line with price caps and viability criteria. Therefore, schemes must:

- Be able to repay debt within 50 years
- Make a positive cash flow from year 2 onwards
- Start repaying debt by year 10

7.7.2 There are mechanisms available to i4B to increase the financial viability of a potential acquisition. This includes:

- Utilising profits
- Working with the Council to review financing rates and financing assumptions
- Potential capital/equity injections into i4B
- FWH also has capacity to bid for and utilise grant

7.7.3 i4B and FWH will review the viability of price caps in 2022/23 to ensure they are viable and feasible.

8.0 Development Strategy Feasibility Actions

8.1 The Companies recognises that it is unlikely that they are going to be able to acquire/develop schemes that meet all of the criteria listed above. For example, it may be not be feasible for the company to purchase units that best meet Council demand via off-plan purchases. Alternatively, price caps may prove restrictive for purchasing in the North West BRMA.

8.2 Therefore, further work is needed to ensure the criteria outlined above is feasible and realistic. Work is also needed on prioritisation; if a scheme does not meet all criteria what characteristics should be prioritised.

8.3 Below are actions intended to support feasibility, viability, and prioritisation. These actions will put the Companies in a position where it is clear in what schemes they can and cannot deliver and what deals it will prioritise.

Table 9 – Development Strategy Actions

Ref	Action
1	Review of new build schemes in the Borough
2	Review of feasibility of land-led schemes
3	Pilot of adapted properties
4	Pilot of larger acquisitions
5	Review of arrears
6	Review of climate change capital investment requirements
7	Potential review of options for increasing affordability

8.4 Review of new build schemes in the borough

8.4.1 The combination of current market conditions and the current viability criteria means the companies are restricted in what they can purchase. i4B and FWH will therefore carry out a review of new build schemes over 10 units that were purchased in the borough over the past three years to see:

- Whether they meet current price caps

- Whether they meet housing need.

8.4.2 The work will allow the companies to assess:
- Can direct scheme purchases from the market meet housing need?
- Are price caps prohibitive in the purchases?
- Enable work to be undertaken on reviewing options for increasing the affordability of new build schemes.
- Enable Board and Council decisions to be taken on the prioritisation of schemes.

8.5 Review of feasibility of land-led schemes

8.5.1 It is envisaged that there may be difficulties in procuring a large amount of adapted properties, and three and four bedroom properties from the market. This project would involve looking at a current council scheme with adapted units. An assessment would be carried out to see whether the companies could viably deliver a scheme and assessing it against risk appetite.

8.5.2 This work will enable:

- A decision to be made on whether the companies can viably self-deliver smaller land-led schemes with a high concentration of properties that meet the Council's housing need.

8.6 Pilot of adapted properties

8.6.1 In 2022/23, the companies will carry out a pilot exercise looking at the cost of acquiring properties that are suitable for adaptions as well as schemes with a large number of adapted units.

8.6.2 This will outline the costs of developing a portfolio of adapted accommodation, whether this is affordable to the Companies, and if not what additional finance is required to support the Companies to do this.

8.6.3 This work will enable the companies to understand:

- Whether they can be delivered through PRS street property purchases or is better suited to new build developments.
- Whether a large portfolio of adapted accommodation can be realistically delivered within current price caps;
- If not, what financing would be required.

8.7 Pilot of larger acquisitions

8.7.1 There is a demand for larger properties with four plus bedroom. i4B has typically struggled to afford properties with more than four bedrooms. The reason for this is that the LHA rates are capped at four bedrooms. Therefore, it is difficult to find properties with more than four bedrooms that meet viability requirements.

8.7.2 In 2022/23, a pilot exercise will be carried out looking at the cost of acquiring larger units. Like the adapted properties pilot, this will outline costs and whether purchasing larger units is affordable to the companies and if not, what additional finance is required.

8.7.3 This work will enable the companies to understand:

- Whether it can purchase larger units with more than four bedrooms
- If not, what financing would be required to do this?

8.8 Arrears Pilot

8.8.1 This action is only applicable to i4B as it has higher rents. There is concern that i4B rents are too high and unaffordable for tenants. In addition to this, it means that bad debt levels are high. This impacts financial modelling and price caps. i4B will work with the Council's Income team to analyse the drivers of high arrears levels and implement any specific improvement actions where necessary.

8.8.2 This work will enable i4B to:

- Increase the accuracy of bad debt assumptions.

8.9 Review of climate change capital investment requirements

8.9.1 The Government has set a requirement of achieving net zero by 2050. Therefore, there is a need to drastically reduce emissions in the affordable housing sector. It is likely that i4B/FWH, will need to carryout decarbonisation works in the next 10 to 15 years. For the acquisitions of street properties (and potentially new build schemes), the companies need to factor into viability modelling future capital investment requirements for decarbonisation works. Therefore, in 2022/23, the companies will commission a review to understand what the level of investment required to upgrade stock to EPC B. This will then be factored into future modelling.

8.9.2 This will enable the companies to:

- Understand the cost of future decarbonisation works;
- Factor these costs into future viability modelling.

8.10 Potential review of options for increasing affordability

8.10.1 The above actions will give the companies a better understanding of the properties they can acquire/develop that are financially viable and technically feasible. The criteria outlined in section 7 can then be reassessed to see if they are feasible.

8.10.2 If the companies are not able to deliver accommodation that best meets the Council's housing demand, they will work with the Council to review options for increasing viability. This will be with a view to being clear on the type of accommodation they can feasibly deliver, and what accommodation will need to be delivered by the Council via alternative routes.

8.10.3 This will work will review the below options:

- Utilising profits
- Working with the Council to review financing rates and financing assumptions
- Potential capital/equity injections into i4B.
- FWH also has capacity to bid for and utilise grant

	Cabinet 7 March 2022
	Report from the Assistant Chief Executive

Complaints Annual Report 2020 – 2021

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Two Appendix A Adult Social Care Complaints Appendix B Children's Social Care Complaints
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Katie Smith Head of Executive and Member Services Brent Council 0208 937 1399 katie.smith@brent.gov.uk Mariza Barros Complaints and Casework Manager Brent Council 0208 937 1381 mariza.barros@brent.gov.uk

1.0 Purpose of the Report

1.1 This annual report sets out complaints performance in Brent Council for the period 1 April 2020 to 31 March 2021 and focuses on the nature of complaints and the learning they provide to inform Brent's future approach to service improvement.

1.2 Complaints concerning Adult Social Care (ASC) and Children's Social Care are governed by separate statutory complaint procedures and individual summary reports have been provided for these services in **Appendices A and B** respectively.

Recommendation(s)

1.3 Cabinet is asked to note Brent's performance in managing and resolving complaints.

2.0 Summary

2.1 The Council has three different processes for managing complaints:

- a two stage corporate complaints process;
- a two part Adult statutory complaints process; and
- a three stage Children's statutory complaints process.

2.2 The complaints data and information provided in this report is based on information recorded on iCasework and CRM – Microsoft Dynamics. The latter is the Council's new complaints management system, which was introduced in November 2019, and then updated in November 2020.

2.3 Brent Council has a clear, corporate commitment to customer experience. The organisation is committed to a 'customer promise' which sets out what Brent residents should expect from staff, including service standards in relation to complaints. The aim is for the organisation to be sensitive to customer needs, prioritise communication and provide clear and current information.

2.4 In this context, the Council prioritises customer complaints to ensure that these are dealt with appropriately and efficiently. The central Complaints team monitors the numbers of complaints received as well as the quality and timeliness of responses. The team works closely with service areas to ensure that corrective actions are put in place and learning from complaints is built into service design. There is a strong commitment to improve responses and reduce the number of Complaints.

2.5 Nevertheless, the Council faces a number of challenges in dealing with complaints, not least the rising complexity in cases, where responses may need input from multiple departments or partner organisations; and the impact of the pandemic. In summary, the performance of Brent relating to complaints dipped during the Covid-19 pandemic. While the number of complaints decreased, the capacity of the Council to respond was also reduced as a result of staff sickness and re-allocating resources to assist with the crisis. During this period, the new complaints management system was also implemented and this had an effect on the capacity of the organisation to respond to complaints while a major change programme was undertaken to train staff in the new system and move data across.

2.6 This transition has also made reporting on the complaints data difficult. The intention is for the next annual report to be produced much nearer the end of the financial year and to be combined with the LGSCO's annual report which is usually issued in July.

2.7 The key headlines from complaints performance in 2020/21 are as follows:

- Housing repairs, housing customer experience and neighbourhood management, (for example anti-social behaviour and cleaning and maintenance of public areas and housing estates) are the top three concerns for customers.
- The number of Brent Stage 1 complaints (corporate & statutory) have decreased by 6% (114 complaints) (↓).
- The number of Brent Stage 2 complaints (corporate & statutory) have also decreased by 19% (49 cases) (↓).

- There were 12 Local Government & Social Care Ombudsman (LGSCO) cases upheld against Brent in 2020/21, compared with 19 cases in 2019/20 (↓).
- The total number of cases where compensation was awarded has decreased slightly compared to last year, however, the total amount of compensation paid by Brent increased significantly by 73% in 2020/21 compared with the previous year – c£42k (↑). This was mainly due to improvements in the way the Council reported compensation and reflects the few cases receiving particularly high compensation awards.
- Statutory and corporate performance across all stages has dropped in 2020/21, mainly as a result of the pandemic. Stage 1 statutory complaints timeliness dropped by 17 percentage points and Stage 2 corporate performance dropped by 12 percentage points(↓).

3.0 Detail

Volume of Complaints received

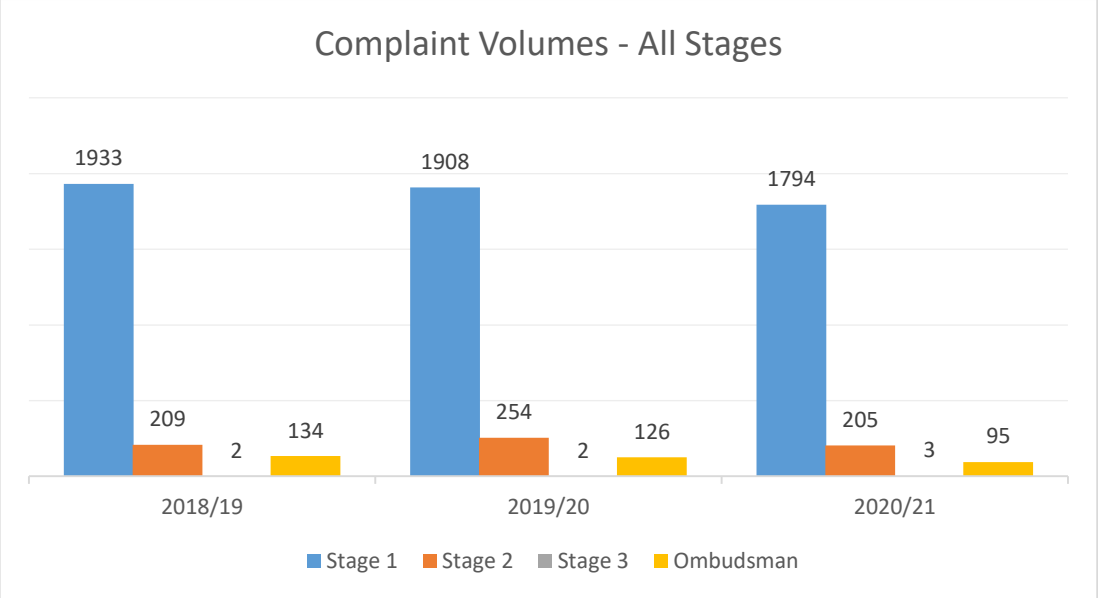
3.1 The chart below shows the volume of corporate and statutory complaints received at Stage 1, Stage 2 and Stage 3 over the past 3 years. The key points to note are that:

- In 2020/21 Brent received 1,794 Stage 1 complaints (corporate and statutory). This is a decrease of 114 complaints compared to the previous year.
- Stage 2 complaints (corporate & statutory) have decreased from 254 cases in 2019/20 to 205 cases during 2020/21.
- There were three Stage 3 Review Panels convened during 2020/21, which is one more than the previous year 2019/20.

3.2 The decrease in complaints can be attributed to the Covid 19 pandemic. Residents tended to desist from complaining during the height of the pandemic. Since lockdown ceased, however, the Council has seen an increase in numbers/number of complex cases reflecting a build-up of issues which may have otherwise been reported earlier. The largest number of complaints for 2020/21 relates to the housing service. Of the 1,794 Stage 1 complaints received in 2020/21, 821 complaints concerned the Housing department. The escalation of Housing complaints also accounted for over half the total Stage 2 escalations received by the Council (105 out of 205 escalations received). Although Housing have the highest number of complaints, the number of Stage 1 complaints received and the number of escalations to Stage 2, have both reduced against the previous year. The second highest number of complaints received related to Environmental Services (Parking and Neighbourhood Management), followed by Customer Access (Revenue and Debt and Customer Service Operations). Statutory complaints accounted for 5% (97 complaints) of all the Stage 1 complaints received. Detailed information in relation to those complaints have been provided in appendices A and B.

3.3 The corporate complaints team has been working closely with the housing teams to both reduce complaints received by that service and to improve the Council's response on such complaints. This included a quality assurance project initiated by the Operational Director, Housing, which checked a sample of 374 Housing Stage 1 complaint responses against ten criteria. As a result of the project, Housing focused training was provided to managers and Heads

of Service in the department to improve complaints handling and there is now increased monitoring of Stage 1 responses.



Timeliness of Complaints

3.4 The table below shows the percentage of complaints closed on time. The overall timeliness of complaints has dropped, and this is likely due to the Covid 19 pandemic. While the pandemic resulted in reduced numbers of complaints for the Council, it also reduced the number of staff available corporately and within service areas to deal with complaints. This is common across London boroughs. Nevertheless, Stage 1 corporate complaints performance held up well, only dipping by 2 percentage points since 2019/20, although statutory complaints saw a 17 percentage point reduction in complaints responded to on time. Stage 2 corporate complaints performance has dropped 12 percentage points and statutory Stage 2 performance by 9 percentage points compared with last year's performance. During the pandemic, some ASC statutory cases were put on hold so that the service could allocate resources to assisting the crisis. The Complaints Service team is continuing to work with departments to improve complaints performance and improve the Stage 2 statutory process, which involves appointing an Independent Person and Investigating Officer to carry out an independent investigation.

Year	Brent - % of Cases Closed on Time			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2018-19	94%	90%	87%	47%
2019-20	91%	84%	87%	59%
2020-21	89%	67%	75%	50%

Complaints Outcomes

3.5 The percentage of cases upheld or partly upheld at Stage 1 of the corporate complaints procedure has increased by 4 percentage points. The percentage of complaints that the Council upheld or partly upheld at Stage 2 have also increased from 51% to 62% in 2020/21. The proportion of statutory cases

upheld/partly upheld has risen by 12 percentage points at Stage 1 and decreased by 1 percentage point at Stage 2.

Year	Brent - % of Cases Upheld or Partly Upheld			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2018-19	47%	46%	39%	60%
2019-20	44%	47%	51%	59%
2020-21	48%	59%	62%	58%

Compensation

3.6 The table below shows the total amount of compensation paid in Brent at all stages of the corporate and statutory process, including Ombudsmen cases. The total number of cases where compensation was awarded has decreased slightly compared to last year, however the amount of compensation awarded for each case has increased. And overall, there was a significant increase in the total amount of compensation paid by Brent in 2020/21: this increased significantly by 73% compared to last year. This is mainly due to improved reporting of compensation by service areas at Stage 1 on the new complaints and casework management system, and a number of cases which had a significantly high compensation award.

3.7 Compensation can be awarded due to time and trouble, distress, as goodwill or in the form of a refund, reimbursement, or the offset/waving of arrears. The increase in the compensation awarded shows that the Council is proactively offering remedies including compensation where it is warranted. Offering remedies earlier on in the process prevents the need to offer higher levels of compensation at a later stage. There is no specific correlation between the amount of compensation awarded one year compared to compensation awarded in another as each complaint is unique and compensation is awarded under different circumstances.

3.8 The majority of compensation in 2020/21 was awarded at Stage 2 of the Council's complaints process with £69,970 awarded in total. At Stage 1, £22,410 was awarded, £2,700 at Stage 3, and £5,950 at the Ombudsman stage. Compensation was awarded in 167 cases, which is 9 cases less than the previous year but almost double the average per case.

3.9 The Housing service accounted for 79% of all the compensation paid (£79,906), followed by the CYP department with 13% (£13,305) of the overall compensation awarded in 2020/21.

Year	All Brent		
	Cases	Total Comp.	Avg / Case
2018-19	141	£61,257	£434
2019-20	176	£58,553	£333
2020-21	167	£101,030	£605

Root Cause of complaints

3.10 As a result of transitioning to a new complaints management system, complaints data for 2020/21 is held on three different Council systems, and meaningful data in relation to root causes has not been available. However, it is clear that housing repairs, housing customer experience and neighbourhood management are the top three concerns for customers. The Housing Management service carry out on average 36,000 repairs per annum, therefore there will always be a correlation between the number of repairs carried out and the number of complaints received.

3.11 This year a high number of complaints received related to the management of anti-social behaviour by Council tenants and across the borough, as well as the cleaning and maintenance of public areas and housing estates. These issues were linked to the impact of the pandemic. Three cases in relation to anti-social behaviour were escalated through the complaints procedure and to the LGSCO and Housing Ombudsman, and subsequently upheld.

Local Government & Social Care Ombudsman (LGSCO) Decisions and Learning Points

3.12 A report on the Local Government & Social Care Ombudsman: Annual Review 2020/2021 was considered in CMT in September. This included detailed analysis of the Council's performance and comparison with other London boroughs. In summary:

- Fewer referrals were made to the Ombudsman for Brent – the reduction (from 126 in 2019/20, to 95 in 2020/21) largely reflects the 3 month pause that the LGSCO implemented in its investigations due to Covid. The borough with the highest number of referrals in that year was Ealing with 144, and the lowest was City of London with 11.
- The LGSCO decided to do a detailed investigation into a significantly lower proportion of referred complaints at Brent – both compared with previous years, and in relation to other London boroughs. Only 13 cases were investigated out of the 95 referred. Thirteen boroughs had more than 24 detailed investigations undertaken.
- However, despite having a small number of cases investigated by the Ombudsman, our uphold rate this year was poor. Brent had the highest upheld rate of 92%, along with Barking & Dagenham and Harrow. However, this was from a lower base (Harrow had 23 cases upheld compared with our 12) and the trends are positive. Twenty-three complaints were upheld in Brent in 2018/19, 19 upheld in 2019/20 and 12 in 2020/21.
- Of the 13 investigations completed:
  - one complaint was not upheld;
  - eight were upheld with further recommendations; and
  - the remaining four were upheld, but the Council had already implemented its own recommendations which had been accepted by the LGSCO as a suitable remedy. Brent is the second best performing London borough on this measure.
- Our compliance with the Ombudsman's recommendations is good at 100%.

LGSCO Volumes & Outcomes

3.13 There were 95 enquiries and complaints referred to the Ombudsman in 2020/21. The LGSCO made decisions on 77 cases received, however only 13 cases required a detailed investigation, 12 of these were upheld and 1 case not upheld.

3.14 Categories of cases not taken up for investigation include: 'advice given' 'referred back for local resolution'; 'incomplete or invalid'; and 'closed after initial enquiries'.

3.15 The number of complaints referred to the Ombudsman has decreased year on year, as have the number of detailed investigations undertaken by the Ombudsman. For this year however this is likely due to the pandemic and the Ombudsman stopping investigations between March and June 2020. The uphold rate has increased significantly, from 68% to 92%. However, this needs to be considered in the context of a significant reduction in the number investigations the Ombudsman decided to investigate, indicating that the Council has managed to resolve a number of complaints preventing escalation to the LGSCO. The table below shows a 3-year comparison of LGSCO outcomes of Brent Council cases:

Year	LGSCO Outcomes						
	Not upheld	Upheld	Advice given	Referred back for local resolution	Invalid or incomplete	Closed after initial enquiries	Total
2018- 19	6	**23**	8	53	7	37	**134**
2019- 20	9	**19**	6	55	5	44	**126**
2020- 21	1	**12**	3	35	1	25	**77**

3.16 Brent in 2020/21 compared to the other 33 London boroughs:

- 2nd highest at providing a satisfactory remedy before the complaint reached the Ombudsman
- 7th lowest in number of detailed investigations undertaken
- 12th lowest in number of LGO upheld cases
- 12th highest in number of referrals to the LGSCO
- 1st joint highest LGSCO uphold rate (92%) in 2020/21.

LGSCO Upheld Cases

3.17 There were 12 cases upheld against Brent in 2020/21 in the following services:

- Housing - 3
- Benefits and Tax – 3
- Highways and Transport – 2
- Environmental Services & Public Protection & Regulation - 2
- Adult Care Services – 1
- Education & Children Services – 1

3.18 Brent came 2nd 'place' out of all London councils for upheld cases where a satisfactory remedy had already been provided before the complaint reached

the Ombudsman. Of the 12 cases which were upheld for 2020/21, the Council had already offered a satisfactory resolution to the complaint before it reached the Ombudsman on four occasions. This equates to 33% of our total upheld cases and is significantly above the London average of 12%. This suggests that when issues are identified through the complaints process, corrective actions are effectively carried out to rectify issues or compensate where necessary. For these four cases, the Ombudsman confirmed no further action was required.

3.19 The Ombudsman recommended a specific remedy to the Council in relation to 7 upheld cases. The Ombudsman was satisfied that the Council had successfully implemented its recommendations to remedy the complaints, achieving a 100% compliance rate.

3.20 This is an encouraging outcome and shows that the Council is complying with remedies set by the Ombudsman.

3.21 A brief summary of the cases upheld by the LGSCO for each area has been provided below.

Adult Care Services

3.22 This was a multi-faceted complaint regarding the service a complainant and his mother received from the Council's Adult Social Care Team (ASC) including complaints about the attitudes of staff members at various care providers and within ASC. A restriction was placed on the complainant's contact with the Council, however the Ombudsman found that the documentation was hard to follow and a review period for the restriction was not set as designated in the Council's policies.

Housing

3.23 Complaints concerning Council Housing are referred to the Housing Ombudsman. Upheld complaints to the LGSCO focused on issues with Housing Needs. Two of the cases related to the suitability of accommodation. The recommendations regarding these complaints were:

- to remind officers who conduct homelessness reviews of the requirement to ask for the applicant's consent to an extension if they cannot complete the review and issue the decision letter within the relevant timescale; and
- to carry out a new s202 review of the suitability of the accommodation.

The other Housing complaint which was upheld related to accommodation provided by the Council under the "Everyone In" initiative. The Ombudsman found various issues relating to the initiative and that there was a delay and a lack of communication in this case.

Highways and Transport

3.24 Both cases reported under "Highways and Transport" concerned parking related issues. The Ombudsman did not investigate one of these cases because a suitable remedy had already been provided before the complaint reached the Ombudsman, this was in the form of a PCN refund. The other case concerned enforcement agents who removed the customer's vehicle without waiting for him to return with proof of purchase for the vehicle.

Education and Children's

3.25 One complaint was upheld about the Council's actions in relation to the complainant's son's special educational needs. There was a delay in the Council naming a special school in her son's education, health and care (EHC) plan.

Environmental Services & Public Protection & Regulation

3.26 Both cases concerned noise nuisance. The first complainant complained about the way the Council responded to their concerns about their neighbour's loud music. The Council accepted it could have done more to prevent the noise complaint continuing so long, such as offering a priority caller number. It also accepted the Nuisance Control Team had not responded to the complainant within expected timeframes on several occasions. The second complainant complained about their neighbour testing loudspeakers which were stored in a lean-to structure which the complainant thought was a fire risk. The Council failed to take appropriate action in relation to the noise and investigate the fire risk posed by the neighbour's lean-to shed.

Benefits and Tax

3.27 Three Benefits and Tax complaints were upheld. One related to a Council Tax bill that was wrongly sent to the complainant for a property they did not own. The other two were regarding bill errors where the complainants were not informed about their right of appeal.

LGSCO Compensation

3.28 In 2020/21, the LGSCO asked the Council to pay an additional £5,450 in compensation across five cases. Most of this compensation related to a single case where £4,750 was offered, as a result of a recommendation at Stage 2 to carry out a new section 202 review (a review of the decision made by the Council on a homeless application). Following the new section 202 review, the LGSCO recommended that the compensation be paid due to the outcome which deemed the accommodation unsuitable. The remaining compensation was spread across cases relating to Housing Needs, Special Educational Needs, Noise Nuisance and a Council Tax error. In these cases, an average of £200 or £300 was offered additionally by the Ombudsman.

Housing Ombudsman (HO) Decision & Learning Points

3.29 The Housing Ombudsman does not normally provide annual reports and data in the same way the LGSCO does. However, they are now producing the reports for 2020-21 which will be published before the end of the financial year. The data provided in the table below on HO cases is taken from the information recorded on Brent's complaints system and cross-checked with the Housing Ombudsman's data.

Year	Total Cases Decided	Upheld	Not Upheld	Uphold Rate
2018- 19	13	6	7	46%
2019- 20	9	3	6	33%
2020- 21	**14**	**6**	**8**	**43%**

3.30 The Housing Ombudsman decided on fifteen cases, of these, seven cases were upheld in 2020/21, an uphold rate of 43%. This is higher than the proportion of cases upheld in 2019/20.

3.31 The table below provides a breakdown of the areas of complaints which were upheld and the decision by the Housing Ombudsman.

Complaint Decision	Leasehold Services	PHS Grants	Repairs	Tenancy	Total
Maladministration	0	1	3	1	5
Partial Maladministration	1	0	0	0	1
TOTAL	**1**	**1**	**3**	**1**	**6**

3.32 The key areas for improvement identified in these cases related to: communication, complaints handling, record keeping, better handling of ASB, management of adaptation/repairs work and to ensure the repairs policy is reviewed and made available.

Compliments

3.33 In 2020/21 there were 115 compliments logged on the system for the Council. Customers can send feedback to the Complaints Team or to service areas directly. Some of these compliments have been provided below:

Housing Customer Experience
"I just wanted to pass along that I have been dealing with xxxx on a matter that I thought the council could help me with. It turned out that the property that I was complaining about and needing help with isn't owned by Brent but nevertheless, employee, xxxx couldn't have been more friendly, helpful and went over and beyond to answer all of my questions and follow up. Even though the outcome wasn't what I'd hoped for, he was super informative and seemed to actually care. It was so refreshing as my dealings with Brent are usually less than desirable."

Neighbourhood Management
"I have recently moved to this address and was impressed with the professional and courteous attitude of the collection team. We are too quick to criticise and not quick enough to compliment. Please pass on a thank you on my behalf!"

Housing Needs
"This email is to thank you for your support as I signed my Tenancy Agreement and picked the keys for the house.
I honestly appreciate for your help. The journal has been stressful and was not easy seeing my sons thrown out.
Because of your hard work, we are off the streets been homeless for more than three years but at last I have a home with my boys."

Housing Property Services
"I would like to take this time, to thank you and your colleagues with regards to the above [wet room refurbishment], I`m very much indeed happy with the completed refurbishment.
Effectable Contractor, (xxxx) was professional in his manner detailed all in what he was going to do, which was very helpful,

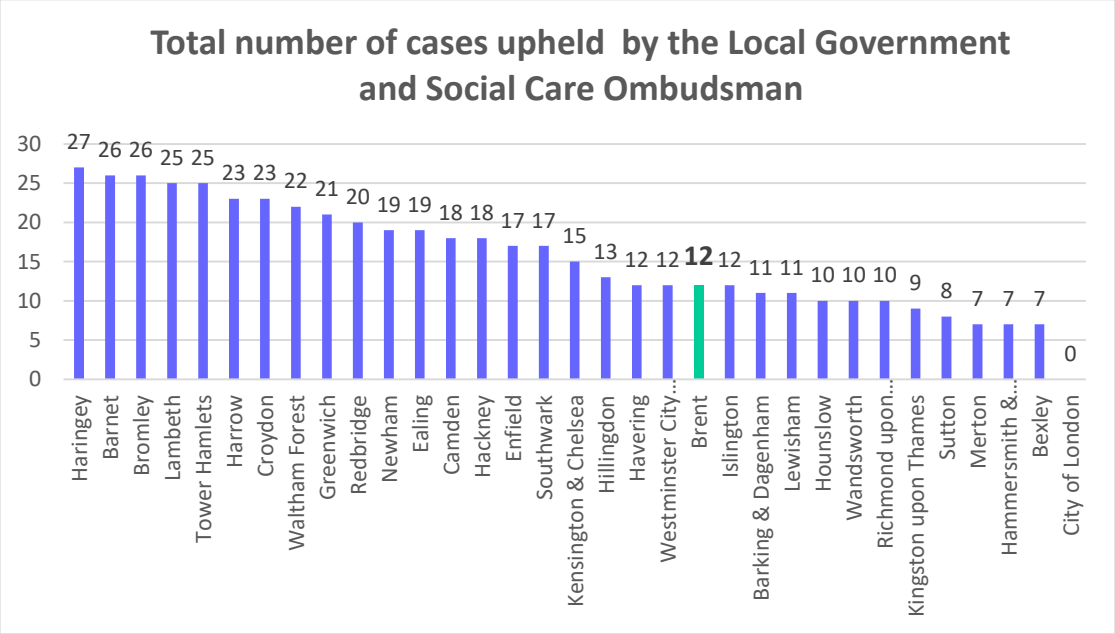
very satisfied with his work."

3.34 Compliments relating to Adult Social Care and Children and Young People can be found in appendices A and B.

Benchmarking

3.35 Benchmarking data has been provided by the Local Government and Social Care Ombudsman in relation to complaints. The table below shows the number of complaints that were upheld by the Ombudsman in 2020/21 compared with all London boroughs. Of the detailed investigations undertaken by the LGSCO, twelve cases were upheld for Brent. This compares favourably with other London boroughs, and when comparing to previous years, shows a year on year decrease.

3.36 The number of cases referred to the LGSCO has decreased significantly from 134 in 2018/19, to 126 in 2019/20 and 95 referred in 2020/21. Of the 95 complaints referred, the LGSCO decided to do a detailed investigation into a significantly lower proportion of referred complaints at Brent – both compared with previous years, and in relation to other London boroughs. Only 13 cases were investigated.



4.0 Financial Implications

4.1 The details provided on compensation payments in section 3.6 and throughout this report reflects the monetary impact of not getting things right the first time as an organisation and the need to improve the customer experience thus minimising the financial penalties incurred by the Council.

4.2 The total number of cases where compensation was awarded decreased by 5% compared to 2019/20 whilst the amount of compensation awarded for each case has increased.

4.3 The total compensation awarded and paid in 2020/21 was £101,030 (167 cases), an increase of 73% on the previous year due to the average cost

per case rising substantially. The costs implication to the Council will continue to be monitored.

5.0 Legal Implications

5.1 Complaints concerning Adult Social Care and Children's Social Care fall under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are included in appendices A and B with reference to the statutory frameworks for the management of these statutory complaints.

5.2 The LGSCO is the final stage in the complaints process, where an individual has complained to the council and remains dissatisfied with the outcome. The LGSCO can investigate allegations of maladministration in connection with the exercise of a local authorities' administrative function, allegations regarding a failure in a service which it is the local authorities function to provide, an allegation or an apparent failure to provide such a service pursuant to the Local Government Act 1974 as amended.

6.0 Equality Implications

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

(a) to 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.

7.2 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.

7.3 Although there have been no equality implications identified as a result of this report, the Council is improving the complaints system so that equalities data is captured and data analysis can be used to identify issues that may disproportionally affect different equality groups.

8.0 Consultation with Ward Members and Stakeholders

8.1 None

9.0 Human Resources/Property Implications

9.1 None

Report sign off:

Shazia Hussain
Assistant Chief Executive

Complaints Annual Report 2020 – 2021

Appendix A – Adult Social Care Statutory Complaints

1. Summary

1.1 This report provides an overview of complaints made about Brent Adult Social Care (ASC) services during 2020–2021, as required under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, the Health and Social Care Community Health & Standards Act 2003 and the Local Authority Social Services Complaints (England) Regulations 2006.

2. Statutory Complaints Process

2.1 The Department of Health defines a complaint as, *"an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a Council's adult social care provision which requires a response".*

2.2 Anyone who has received a service, is currently receiving a service or is seeking a service from the Council can make a complaint. This includes anyone affected by decisions the Council makes about social care, including a service provided by an external provider acting on behalf of the Council. In such a case, they can complain directly to the provider or to the Council. External providers are required to have their own complaints procedures and must comply with them. They are also required to share information on complaints and outcomes with the Council.

2.3 There is only one stage in this statutory process, which the Council has interpreted as a provisional response and a final decision. All complaints made to the Council are logged and acknowledged on our complaint database. The Council will try to resolve the provisional complaint as soon as possible, and within 25 working days. If delays are anticipated, the complainant is consulted and informed appropriately. All responses, whether or not a timescale has been agreed with the complainant, must be completed within six months of receiving the complaint.

2.4 The Head of Service should sign all provisional complaint responses and if complainants are still unhappy, they will be given the opportunity to have their complaint reviewed by the Strategic Director, Community Wellbeing or the Operational Director, Adult Social Care. In some cases, some complaints may need to be passed to the Safeguarding leads as appropriate, where the complaints process may be suspended in order to allow the safeguarding process to be completed. In cases where the complaint relates to several organisations, one organisation will act as the lead and co-ordinate a joint response to the complainant. The final complaint response must set out the Council's standard paragraph advising of the complainant's right to approach the Local Government & Social Care Ombudsman (LGSCO) should they remain dissatisfied.

3. Headlines

3.1 The main headlines from ASC complaints performance are:

- 40 complaints received at the initial stage in 2020/21, a decrease of 49% on 2019/20.
- Highest volume service areas for first stage complaints – Complex Care (40%), Urgent Care (32.5%), Commissioning, Contracting and Market Management (20%)
- 55% of provisional responses were upheld or partly upheld
- 55% of Stage 2 cases were upheld or partially upheld
- 81% of Stage 1 complaints were responded to on time.

4. ASC Service Users

4.1 In order to provide some context in relation to complaints submitted, ASC received 2,968 contacts from individuals including contacts made through Brent Customer Services (BCS) and the Duty Team in 2020/21. This excludes any Covid-19 related support requests. ASC assessed 816 service users for homecare services and 103 service users were assessed for residential / nursing services. There were 3,740 individuals, who received section 5 hospital discharge assessments. This means that 0.5% of ASC service users or someone acting on their behalf raised a statutory complaint about a service that they had received in 2020/21.

5. Complaints Received

5.1 In the early part of 2020/21, the country was in the first lockdown for the Covid-19 pandemic. ASC services prioritised ensuring that all vulnerable Brent residents and service users both at home and in residential homes were receiving support This included the provision of food supplies, personal protection equipment or the maintenance of services. Brent was one of the first Councils in the country to supply Personal Protection Equipment to residential homes, home care providers and service users sourcing their own care. Because of this urgent demand on staff in ASC, the Operational Director ASC, decided to place a hold on complaint handling from April 2020 to the middle of June 2020. During this period, complainants were advised, that their complaint would be logged and placed on hold, until the pressure of work on staff eased. This was consistent with the approach adopted by other councils and the Local Government and Social Care Ombudsman. If the Brent Complaint Service team deemed a complaint needed to be urgently investigated then this was logged and passed to the relevant manager to investigate and respond. All complaints placed on hold had been responded to by the end of July 2020.

5.2 ASC received 40 (81 in 2019/20) statutory complaints in 2020/21. This figure shows a decrease of 49% in the number of complaints received from the previous year. An analysis of the data for the previous five years shows the average number of complaints received was 81. The lockdowns throughout the year due to the Covid-19 pandemic did appear to have had an impact on the number of complaints received by ASC.

5.3 A new version of the CRM Dynamics complaint database went live on the 23 November 2020, and as a result, it has been difficult to extract statistics from the three complaint management systems that were being used.

Statutory complaints largely relate to a service users' care needs assessment or the provision of social care needs through either homecare services or residential care. Anyone can approach the Council and is entitled to receive a care needs assessment. The three main areas where ASC receive complaints are Complex Care, Urgent Care and Commissioning, Contracting and Market Management. The Council received significantly fewer complaints across all these areas:

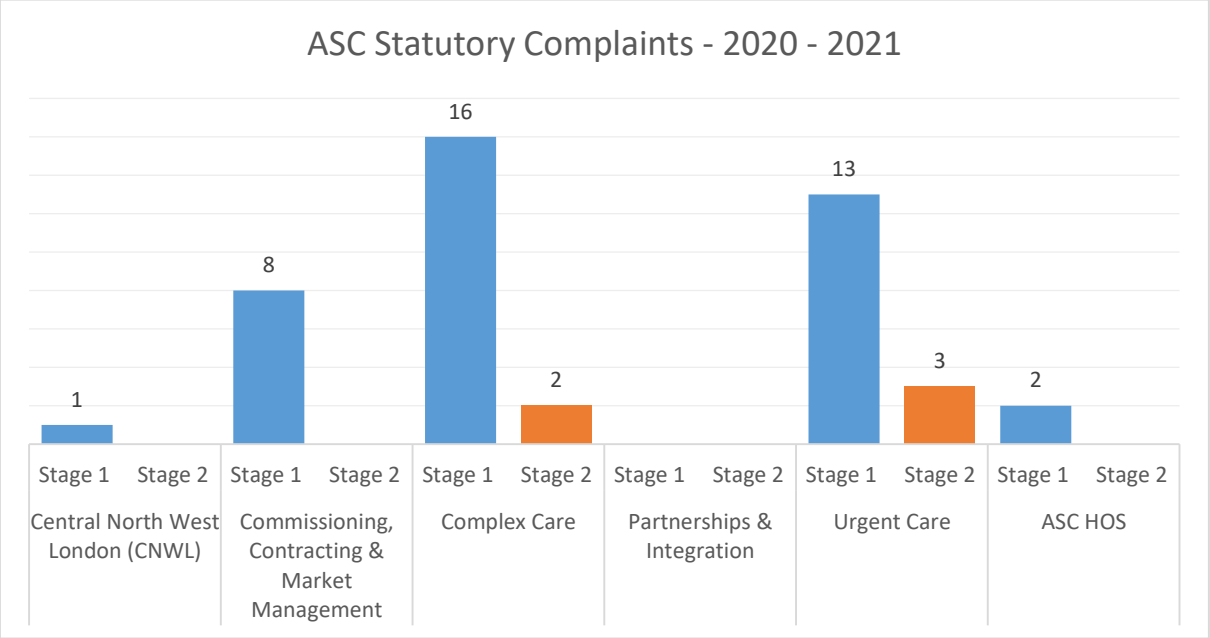
- ***Complex Care:*** received 40% of all statutory complaints made to ASC, an increase on last year. This team handles the more complex support cases as well as annual reviews and Occupational Therapy assessments. They have to manage service users' and families' expectations about the package of care they are entitled to. The 16 complaints received for the year is five down on the previous year. This compares to an active case load of approximately 600 cases. The complaints that are received by the team relate to disagreements with the decisions around care packages / assessments, delays in receiving an assessment or Occupational Therapy assessments and complaints concerning communication from social workers. The service users and their families will often have a higher expectation of the services they should receive than the Council can provide. The Council has to consider value for money, as well as the needs of the service user when it is providing services. These are complex and sensitive matters and can lead to disputes between the parties. There has been a concerted effort to improve case and complaint handling throughout the service and closer working with the Complaint Service team to reduce the number of complaints.

- ***Commissioning Contracting and Market Management:*** this team manages the services / contracts for residential nursing homes, homecare providers direct payments and supported living. Complaints relating to these services accounted for 20% of all complaints received by ASC, which is similar to the preceding year. The overall numbers are small: only 8 complaints relating to this area were received in 2020/21, an increase of 1 from the previous year. There is a perception that the Council receives a high level of complaints about its home care providers, however, this is not borne out in the data. The majority of complaints are resolved at the first point of contact and the Council does a lot of work with its home care providers to resolve problems at this stage. Concerns can also be raised directly with the commissioning team who will resolve such matters with the provider, but service users are also made aware of the Council's complaints process if they wish for their concerns to be investigated by the Council. There has been an increase in complaints concerning placements in supported living accommodation.

- ***Urgent Care:*** includes the Duty team, Hospital Discharge team and Adult Safeguarding and accounted for 32.5% of all complaints received by ASC. This is an increase in share of 6 percentage points on the preceding year 2019/20. These complaints related to communication / feedback, disagreement / delays in packages of care being put in place (home care) and delays in being assessed for home discharge or placing patients in a residential setting, and co-ordination with the NHS.

5.4 When complaints are received they are directed to the Complaint Service team for triaging. The team will receive complaints by email, self- service on line, telephone and by letter. Brent Customer Services will also pass on complainants to the Complaint Service team. The ASC complaint legislation is explicit that the Council must receive complaints by any means, and in discussions with various disability groups, they have highlighted that access to the ASC complaints process should be easy for all and that not everyone has or is capable of accessing the complaint form on the web-site. The team have provided a telephone number on the web site especially for ASC clients. Staff within the Complaints Service team will assist complainants and if required will help them in obtaining an advocate.

5.5 The chart below shows the number of ASC statutory complaints received in 2020/21. Of the 40 statutory complaints received, 5 were escalated to the final review stage.



5.6 The escalation rate for statutory complaints is 12.5% compared to 21% in 2019/20. This is a decrease of 8.5 percentage points and reflects the work being carried out to resolve any concerns at the provisional stage. Outcomes from these cases are discussed later in the report. ASC actively try to resolve problems or concerns; however, the more complex cases do escalate, hence the reason the majority of the Stage 2 requests were received from the Urgent Care and Complex Care teams. The Complaints team continues to work with the ASC Operational Director and their management team to ensure complaints are proactively dealt with. The Complaints Service team held three complaint training sessions for ASC managers and staff throughout the year and also attended team meetings to explain the complaint process and present complaint data and feedback.

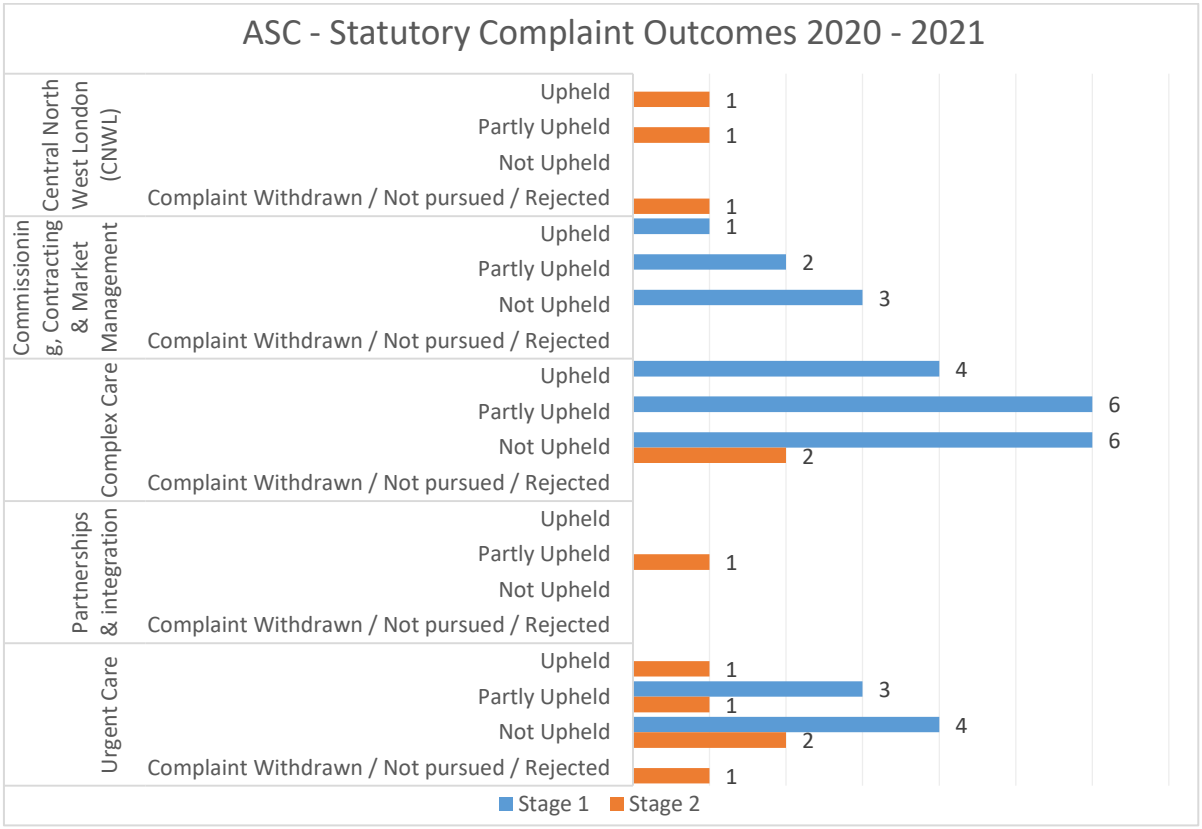
6. Nature / Reasons for Complaints

6.1 The root cause of complaints has been recorded for 30 out of the 39 complaints closed at Stage 1 during 2020/21. Complaints about communication accounted for 47% of those complaints, of which some fault was found in 50% of cases (7 out of 14). The other main area was service failure accounting for 43% in which fault was found in

46% of cases. The other 10% of cases related to policy or procedure, where one of the three cases identified some fault.

7. Complaint Outcomes

7.1 The chart below shows the outcome of statutory complaints at Stage 1 and final review stage:



7.2 Complaints received at the first / provisional stage shows that some fault (upheld or partly upheld) by the Council was found in 55% of cases; this compares to 38% in 2019/20. The Council welcomes complaints from service users, and outcomes from complaints feed into service improvements and the transformation of services.

7.3 At the final review stage, some fault was found in 55% of cases, which is up from 50% in the previous year 2019/20. The number of final review complaints decreased from 16 in 2019/20 to 9 in 2020/21.

7.4 Where complaints are complex and involve a number of teams, they tend to escalate to the final review stage. The complaint service team continues to work with ASC to review the accuracy and quality of the Stage 1 responses, where they have escalated to the final stage, and will be reporting the findings to the ASC management team in order to implement strategies to reduce the number of escalations.

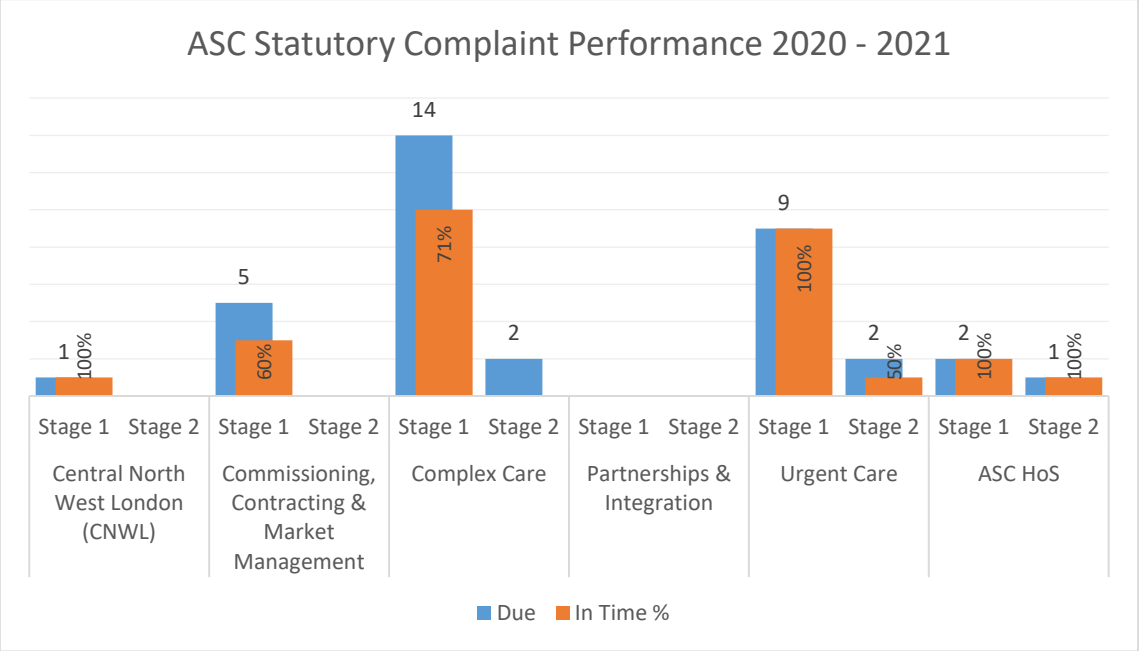
7.5 The Complaints team continues to work with managers in ASC to ensure the quality of complaint investigations and responses provided to the complainant address all issues raised. The Complaints team are also working to ensure that the different teams within ASC work together when dealing with complaints about services that crossover the

various teams. The very nature of some of the complaints are complex and service users and their families will take their complaint through to the final stage.

7.6 Some service improvements identified at the final review stage have been included in point 14 - Learning from Complaints.

8. Timeliness of Responses

8.1 The chart below shows Stage 1 complaint response times across the various ASC service areas in 2020/21:



8.2 ASC responded to 81% of all complaints within timescales, this is a decrease of 11 percentage points on the same period for the preceding year. There is a considerable drop in the number of complaints responded to, in comparison to the preceding year. Of 31 complaints replied to, 6 were slightly overdue. Some cases were put on hold due to the pandemic and then reinstated with new response due dates. Response times are affected by the complexity of cases being investigated, with some cases requiring consultation with the Council's external partners, i.e. the Patient Advice and Liaison Service (PALS), the Clinical Commissioning Group (CCG), and homecare companies. The transition to a new complaints management system has also had an impact, with managers finding it difficult to close cases on the system.

9. Compensation

ASC	Amount
Stage 1 / Provisional	£200
Stage 2 / Final	£850
Ombudsman	£0
Total	£1050

9.1 ASC paid a total of £1,050 in compensation for the year 2020/21, which comprised three cases and is £250 higher than the preceding year. In two of the cases compensation was paid at Stage 2 of the complaints process and in one case, compensation was paid at Stage1. ASC has not been instructed to pay any compensation by the Local Government and Social Care Ombudsman (LGSCO). The compensation at Stage 1 was awarded in recognition of the time taken to resolve some incorrect billing on the social care account. At Stage 2, the first case concerned errors made in the discharge of a resident to their home and the failure to inspect the cleanliness of the home prior to their discharge. In the second instance, compensation was paid for the delay in completing an investigation into a complex case.

9.2 All compensation is awarded in accordance with the Local Government and Social Care Ombudsman, Remedies Guidance.

10. Local Government and Social Care Ombudsman Decisions in 2020/21

10.1 The Local Government and Social Care Ombudsman received 15 complaints and enquiries regarding Adult Social Care. This is a decrease of one compared to last year 2019/20. Of the 15 enquiries received in 2020/21, the LGSCO made decisions on 11 ASC cases. The LGSCO's decisions included referring four cases back to the Council for local resolution as they had not completed the Council's complaints process. Five cases were closed by the Ombudsman after initial enquiries, with no further action to be taken, and one case was closed as invalid/incomplete due to insufficient information being provided. One complaint was upheld by the LGSCO in 2020/21, which is one fewer than in 2019/2020 where two complaints were upheld and continues to decline from 2018/19, where 10 complaints were upheld.

10.2 A summary of the complaint upheld by the LGSCO has been provided below:

- The LGSCO upheld the complaint, but stated that there was no maladministration. The complaint was previously investigated under the Council's complaints procedure. The complainant complained that the Council had not provided their mother with respite services and raised problems with the homecare provider. No fault was found with this aspect of the complaint, however due to the excessive contacts from the complainant to the Council, we had placed contact restrictions on the complainant. The LGSCO found that we were entitled to place restrictions on contact but that a review date should have been provided in writing to the complainant.

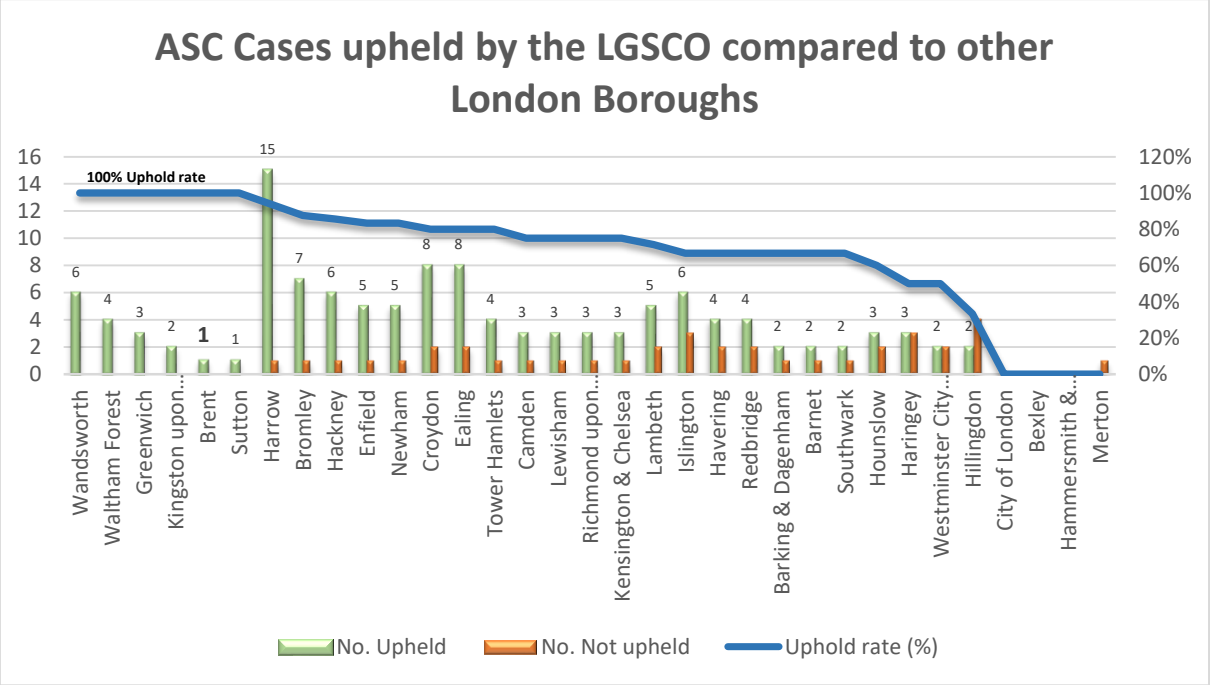
11. Benchmarking Data

11.1 Brent Council belongs to the North West London Social Care Complaint managers group. Unfortunately, due to the current pandemic it has been difficult to gather benchmarking data. Many Councils have not yet completed their Complaints Annual Report and therefore the data is not available. Data from the Local Government and Social Care Ombudsman has been provided in regards to Adult Social Care services complaints. The number of complaints will include corporate and statutory complaints for the department.

11.3 The overall uphold rate to the LGSCO has gone up, however in Brent the upheld cases for ASC has actually gone down, with only one detailed investigation being taken

forward which was upheld (although this means the uphold rate is very high at 100%). There were 15 ASC cases referred to the LGSCO and 11 cases decided in 2020/21 of which 1 was investigated and the remaining 10 were either referred back for local resolution by the Council or closed after initial enquiries. This compares to 2019/20, where 16 ASC cases were referred and the Ombudsman made 21 decisions during the same period. Of these, 4 cases were upheld and 3 cases not upheld, with the rest referred back for local resolution or closed after initial enquiries.

11.4 Therefore in comparison with what is happening nationally, ASC in Brent has a favourable comparison. The graph below shows how Brent fares against other London Boroughs.



12. Customer Feedback and Engagement

12.1 The majority of customer contact with the Complaints Service team is reactive in that the team responds to direct contact from customers and their representatives when they report a problem with a service. Through the initial contact, the team has managed, with ASC managers, to resolve a number of complaints at the first point of contact e.g. delayed OT assessments / care assessments. Finding early resolutions to invoicing / billing queries that could have turned into more formal complaints. The team have conducted presentations to the Disability Forum and have also attended meetings to introduce the ASC complaints procedure and provide advice on the ASC complaint processes.

13. Compliments

13.1 Customers and their representatives are encouraged to tell the Council if they are satisfied with their care or to highlight good service. People can send feedback to the Complaints Service team or ASC directly. In 2020/21, ASC and the Complaints Service team received 41 compliments about ASC. The Complaints Service team is working with ASC to ensure they capture all the compliments received by the service.

A number of compliments have been received from Care Providers regarding the support provided by ASC during the pandemic. Below are examples of compliments that staff in ASC have received:

- *Learning Disability Team*

  "Thank You. Wow

  It was just two months yesterday that Mummy left us. Look what you have done for her children in eight weeks. Thank You."

- *Commissioning Contracting & Market Management*

  From the manager at Voyage Care "All of us would like to thank Brent Commissioning team for the outstanding work you are doing to keep us all supplied with PPE and the daily updates and calls you are fantastic and when this is over would like to meet you in person to say thank you"

- *Commissioning Contracting & Market Management*

  From the property manager at MHA Homes "Our Regional Director commented today on how helpful you have been in helping supply our homes in Brent with PPE. Times are extremely difficult in the care sector at the moment, as they are in many other areas of society as well, and the support you have given to our amazing colleagues and residents in the homes is very much appreciated. Take care and a big thank you for helping us keep our residents and colleagues safe."

- *Urgent Care - Reablement*

  "I just wanted to drop you a note to say what a star xxxx has been, my mum was taken ill with Covid and once she was discharged from hospital with no care package in place I contacted Brent Adult Social Services and was put in touch with xxxx. She has been fantastic from the first phone call until the care package was removed last week. She was caring kind and beyond professional in every way. You hear some bad press about local authorities but from my experience dealing with xxxx it has been nothing but great and I know you are all under great pressure especially during these current circumstances."

- *Complex Care Team*

  This was a compliment concerning the council's visibility assessment officer "The major breakthrough came when she was introduced to her sensory support worker, whose involvement has been the prime driver in transforming xxxxx life. xxxxxx would particularly like to pay tribute to xxxxxx, whose unique role as a blind person herself, with exceptional caring qualities, extensive knowledge and experience of sensory training requirements and numerous useful contacts in the world of the visually impaired have been critical to this process. These qualities have been fundamental to transforming xxxxxxxx life from that of a desperate deaf and blind mother to a person of confidence collaborating with The Vision

Foundation (formally the Greater London Fund for the Blind) on fundraising and arranging awareness events at the children's school."

- *Complex Care Team*

  "I wanted to let you know how wonderful xxxx has been in supporting me through the process of applying to Brent Council to fund ongoing care home fees as the savings approached the threshold. xxxx has been patient and painstaking throughout, and the outcome they will receive full funding from the council for the care home fees, is a huge weight off my mind.

  My husband and I agreed to accept LPA, and it has worried me greatly what would happen once the funds ran out. xxxxx has helped me manage the transition needed to secure the future, and ensure that at 92, blind and with advanced Alzheimers, they are able to remain for the rest of their life in the excellent care home where they have lived since 2018."

14. Learning from Complaints

14.1 Learning from complaints provides opportunities for services to be improved and shaped by customer experience.

14.2 ASC have introduced the practice of reflecting on their work on a monthly basis. ASC has also implemented a skills academy for staff and pathway training. In conjunction to this there has been a drive to use fewer agency staff and employ more permanent staff which has improved the skills level and responsibility to our service users.

14.3 ASC managers are encouraged not only to respond to complaints fully but to identify learning points that can help improve services. Here are some examples of how complaints have changed and improved service delivery:

Problem Identified	Service Improvement
• You told us that we needed to ensure that before service users are discharged from hospital, the property is suitable for occupation	• All staff in HDT were reminded to ensure homes are inspected prior to any discharge if there are any concerns highlighted
• To Improve the flow of work at the front door	• Review of the processes at the start of the customer journey and the interface between Duty and Brent Customer Services.
• Improve working practice within ASC	• Project to develop operational guidance
• Waiting times	• To review everyone on the waiting list, to improve communication with service users

• Lack of guidance and information for staff in order to advise residents.	• Resource directory commenced to improve understanding of the wealth of services that can keep people safe and well outside of statutory interventions.
• To improve pathway for access to identify and liaise with GP's when there are concerns about an adult	• Agreement reached with CCG to establish pathway to quickly enable GP details

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Complaints Annual Report 2020 – 2021

Appendix B – Children's Social Care Statutory Complaints

1. Purpose of report

1.1 This report provides an overview of complaints made about Brent Council Children's Social Care Services during 2020/21 as required under The Children Act 1989 Representation Procedure (England) Regulations 2006.

This report provides information about all statutory complaints made during the twelve months between 1 April 2020 and 31 March 2021 under the complaints and representations procedures.

2. Statutory Complaints Process

2.1 The purpose of the Children's Act 1989 Representation Procedure (England) Regulations 2006 is to ensure local authorities have a formal complaints handling procedure in place for children and young people who wish to make a representation or complaint about social care.

2.2 It is helpful to be clear on what constitutes a complaint. The guidance "Getting the best from Complaints" produced by the Department for Education and Skills (DfES) provides advice for local authorities on implementing the Children Act 1989 complaints procedure for children and young people. It defines a complaint as: ***'A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.'***

2.3 ***Who Can Make a Complaint?***

Section 26(3) and section 24D of the Children Act, 1989 and section 3(1) of the Adoption and Children Act, 2002 require Councils to consider complaints made by:

- any child or young person (or their parent or someone who has parental responsibility for them) who is being looked after by the local authority or is not looked after by them but is in need
- any local authority foster carer (including those caring for children placed through independent fostering agencies)
- children leaving care
- special guardians
- a child or young person (or parent of his) to whom a Special Guardian order is in force
- any person who has applied for an assessment under section 14F (3) or (4)
- any child or young person who may be adopted, their parents and guardians
- persons wishing to adopt a child
- any other person whom arrangements for the provision of adoption services extend
- adopted persons, their parents, natural parents and former guardians

- such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant his representations being considered by them.

2.4 The Council will accept complaints in any format, through contact with the Complaint Service Team, phone, email, online complaint form, by post or in person.

2.5 The regulations set out three stages:

- ***Stage 1: Local Resolution*** – this is the most important stage of the complaint procedure. The department and external contractors provide services on behalf of the Council and are expected to resolve as many complaints as possible at this initial stage. The statutory social care complaints procedure requires complaints to be responded to within 10 working days; however, heads of service can apply to the Complaint Service Team for an extension of a further 10 working days where a complaint is considered complex or requires a number of external organisations to be consulted with.

- ***Stage 2: Independent Investigation*** – this stage is triggered when the complainant is dissatisfied with the findings at Stage 1. As a first step, the Complaint Service Team will consider mediation to resolve ongoing concerns at the end of the Stage 1 process, and before commencing the Stage 2 process. If a complaint does progress to Stage 2, this requires an investigation by an "Independent Officer", a person external to the service and usually independent of the Council. In addition, the Council is also required to appoint an "Independent Person" who is independent of the Council and not related to any member or officer of the Council. The purpose of the 'Independent Person' is to represent the complainant in the process. The Stage 2 investigation report is then considered by the Operational Director and an adjudication letter is provided to the complainant to confirm whether they agree with the report and the steps to be taken to address any recommendations. Stage 2 complaints falling within the statutory process must be dealt with in 25 working days. Where it is not possible to complete the investigation within 25 working days it can be extended to a maximum of 65 working days.

- ***Stage 3: Review Panel*** – where complainants are unsatisfied with the result of a Stage 2 investigation and wish to continue with their complaint about statutory social service functions, the Council is required to establish a Complaint Review Panel. The Panel consists of three independent panellists who have no connection to the Council. The Chair is appointed by the Complaint Service Team and is also separate from the Council. The Chair consults with the Complaint Service Team on the selection of the other two panel members. The Panel undertakes an investigation and makes recommendations through a panel report. This will then be adjudicated by the Strategic Director for Children and Young People (CYP) who makes the final decision on the complaint.

3. Headlines

3.1 The main headlines from Children's Social Care performance are:

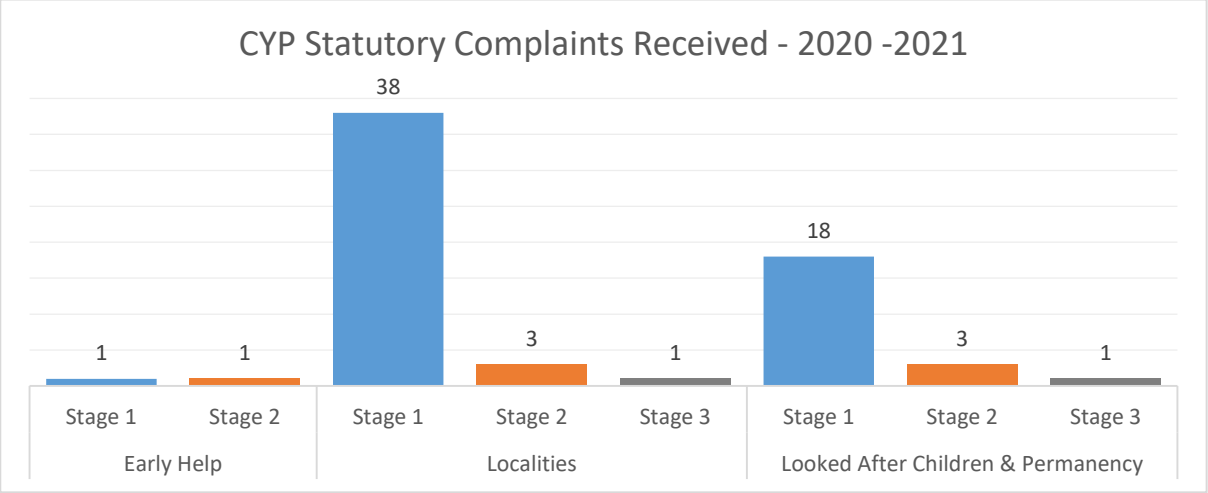
- Stage 1 statutory complaint numbers decreased by 51% in 2020-21
- the service received 57 statutory Stage 1 complaints in 2020/21
- there is a 12% escalation rate to Stage 2 for statutory complaints. This is consistent with previous years
- 60% of Stage 1 statutory complaints were responded to within target in 2020/21 (compared with 77% on time in 2019/20)
- £9,050 was paid in compensation for the period 2020/21 on eight cases, up from £8,150 paid in the previous year.

4. Children's Social Care Service Users

4.1 To put some context to the volume of complaints received in 2020/2021, Children's Social Care received 3,861 referrals and completed 3,304 Child & Family Assessments. As of 31 March 2021, the Council had 2,694 open children in need cases and 280 children were the subject of a child protection plan. There were 288 looked after children and the Council had 416 care leavers aged 18-25 in receipt of services.

5. Complaints Received

5.1 Brent Council CYP received a total of 57 Stage 1 statutory complaints in 2020/21, significant decrease of 51% from last year (117 complaints). There were seven Stage 2 requests received and two Stage 3 panels convened.



5.2 The number of complaints received at Stage 1 for Looked after Children and Permanency has decreased significantly by 64% (33 complaints) from 2019/20 and complaints received for Localities decreased by 32% (18 complaints). Early Help received one complaint which is comparable to last year.

5.3 The Localities service accounted for 38 complaints, 67% of the total number of Stage 1 complaints received. These are split between East Localities, West Localities, Children with Disabilities and Mash/Family Front door/NRPF. These complaints concerned communication and attitude of social workers, reports and records, and information contained within assessments. The amount of complaints received are split evenly between East Localities (13 complaints) and West localities (14 complaints). These teams are involved with public law child protection cases and

dealing with families where there is often parental conflict in private law proceedings and where one parent can be unhappy with decisions made by social workers. The Children with Disabilities team received 11 complaints in 2020/21. These cases commonly related to communication and information contained within records and reports.

5.4 Looked after Children accounted for 18 complaints, 32% of the total number of Stage 1 complaints received. This is a reduction of 15 percentage points when compared to the proportion of complaints that related to Looked after Children in 2019/20. The complaints received are spilt between Care Planning, Young People in Care, Fostering and Adoption and Kinship. The majority of complaints concerned children leaving care and were made by the young person. In these cases, the Complaint Service team will offer and provide an advocate to the complainant if they require. There is a better awareness of the complaint process amongst service users and this does need to be considered in the context of the work which is carried out by the team. There has been improved communication to care leavers about their rights and entitlements, supported by initiatives such as the introduction of a “Whatsapp” group for care leavers which has meant that there is greater discussion and sharing of information. Improved communication has led to some carers questioning and complaining about their rights and entitlements.

5.5 The Council received one Stage 1 complaint in relation to Early Help during 2020/21, this concerned dissatisfaction about the involvement of the keyworker and team manager with the family.

5.6 The Council received seven Stage 2 requests in 2020/21, compared to thirteen in 2019/20. This is a decrease of 46% on the previous year. However, the escalation rate to Stage 2 in 2020/21 is 12%, this is consistent with the amount of cases escalated when compared to the previous year and within our expectations.

5.7 Under the children’s statutory procedure, a complainant has a right for their complaint to be heard by an Independent Review Panel at Stage 3. In 2020/21 the Council received two requests for Stage 3 panels, and four panels were held during the year. A summary of the complaints that resulted in a Stage 3 Panel has been provided at point 9.4.

6. Profile of complainants and method of contact

6.1 When complaints are received they are directed to the Complaint Service team for triaging. Of all the statutory children’s Stage 1 complaints received, the team received 60% by self- service online, 35% by email, and 5% by telephone. The CYP complaint legislation is explicit that the Council must receive complaints by any means. The varied methods of contact shows that this is happening. The team have provided a telephone number on the web site especially for children’s social care complaints but self-service online seems to be the preferred option for complainants. There are three options to log complaints online: anonymously, unregistered or registered on the customer portal which allows complainants to log and monitor the progress of their complaints all in one place.

6.2 The Council has limited information about the ages of complainants. The majority of complaints received in relation to Localities are raised by parents regarding their

children, however the majority of complaints received by the Looked after Children service are raised by the young person themselves. Although the new system currently does not record equalities information, work is being done so the system can capture this data going forward. The Complaints team will continue to record equalities information where available.

7. Nature / Reasons for Complaints

7.1 The main reason for complaints received in 2020/21 related to communication. Complainants felt that they were not kept informed/updated on matters or decisions. The majority of complaints where comminication was identified as a root cause were “upheld” or “partially upheld”. This demonstrates the need for improvement in engaging with parents and young people to ensure good relationships are created and ensuring they are updated and kept informed where necessary.

7.2 A number of complaints also related to social workers and their behaviour or attitude. Children’s Social Care has a statutory duty to support and intervene in the best interests of the child, however families will not always agree with the action that the Council has taken. As a result, they may choose to complain, and this is often focused on individual social workers who often need to navigate a challenging path between parents in dispute. The most common reasons for complaints against staff members are therefore where parents disagree with a decision that has been made, and then blame the social worker for colluding with the other parent.

7.3 Complaints concerning parents who are in a conflict situation in regards to access and care of their children are rising. Usually this has been where the partners disagree about the care the child or children are receiving from the other parent. Some feel that the Child and Family Assessment or court reports are not completed in an impartial way and that the social worker had not communicated with them early enough. This has been a problem for social workers trying to find a balanced course through these relationships.

7.4 The majority of complaints where communication has been classified as a root cause, have been upheld. Many of the Stage 1 complaints reflect the unhappiness of parents and carers about some of the decisions made by staff including a perceived bias in the reports in favour of their partners. This also relates to changes in social worker disrupting the communication with the families.

7.5 Examples of the types of root causes of complaints that arise are listed below: -

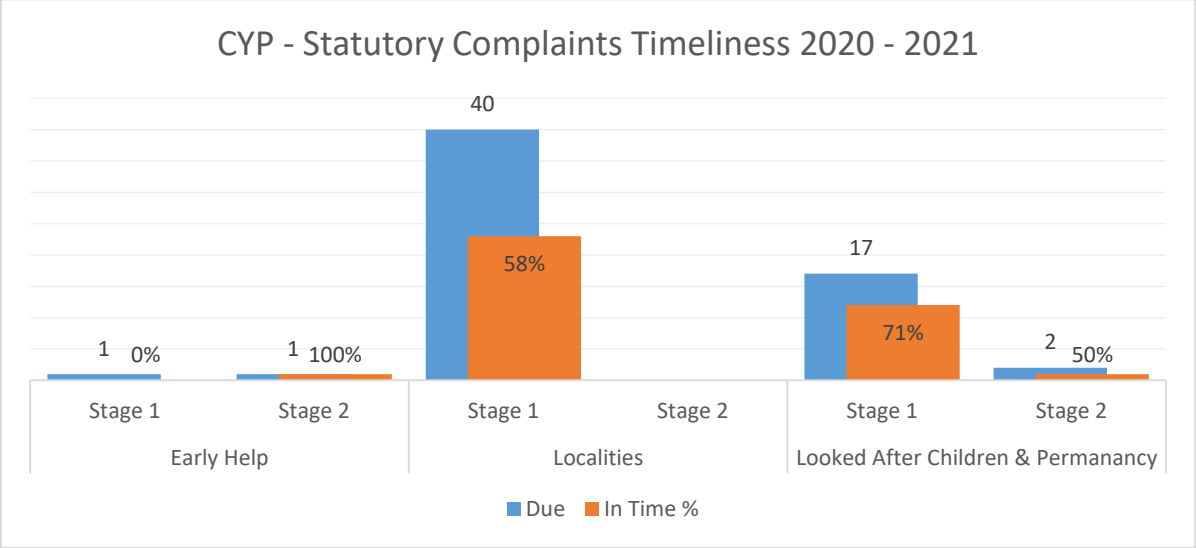
- ***Alleged poor staff attitude*** - much of the work of Localities staff involves them taking actions in connection with highly sensitive child protection or child in need issues, which parents or carers disagree with. There have been a number of comments about social workers where the family member perceives bias, leading to complaints concerning the alleged impartiality of assessments.

- ***Poor communication*** - upon completion of a Child and Family Assessment, or reports to the ICPC, social workers had not kept all the interested parties up to date with the completed assessment and reports.

- ***Care Leavers*** - the main area of complaints related to leaving care and in particular care leavers' entitlements and the support they had requested. This suggests growing awareness of what care leavers are eligible for, and a greater willingness to challenge decisions.

8. Timeliness of Responses

8.1 The Council responded to 61% of all children's statutory complaints within the appropriate timescales. This is a fall of 12 percentage points compared to the previous year, and is below the Council's target of 100%.



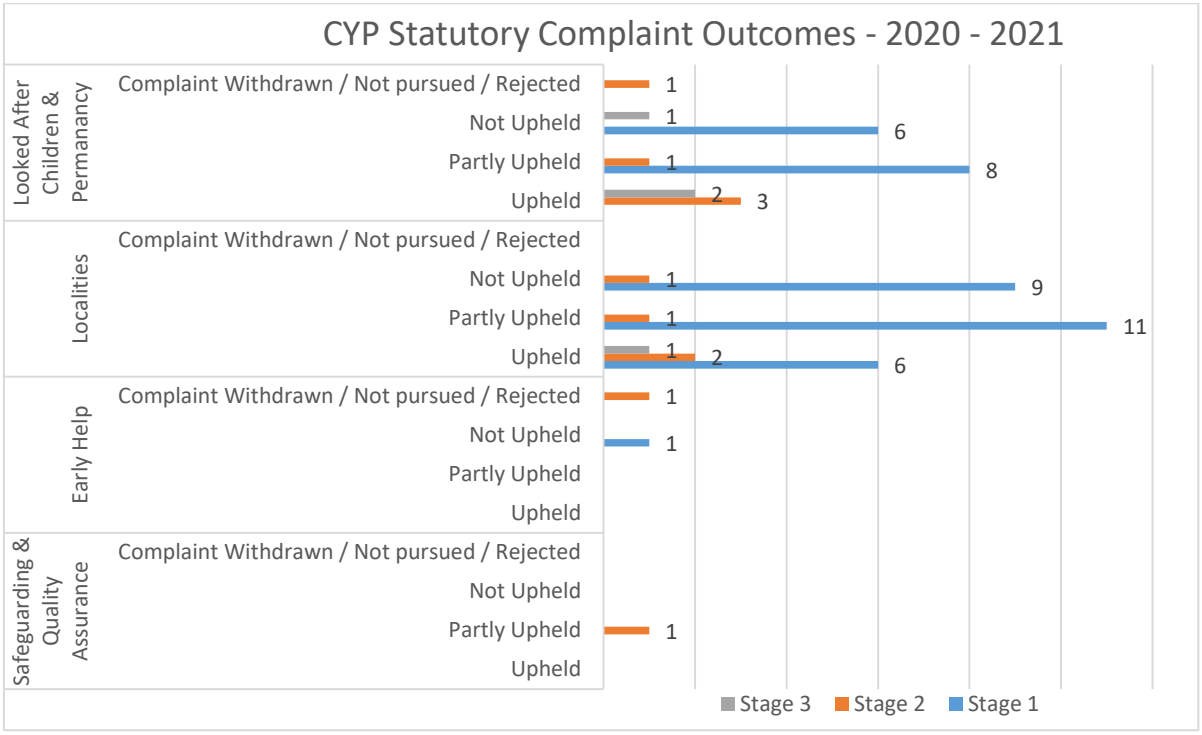
8.2 One of the reasons for the dip in responsiveness was due to the Covid-19 pandemic, where staff have had to adapt to new ways of working during the pandemic and there have been a number of absences in staff.

8.3 It is important to note that the statutory children's complaint legislation allows the Complaint Service Team to extend the target deadline by 10 working days in complex cases.

8.4 The performance rate at Stage 1 was 60%, with 35 out of 58 complaints responded to on time, whereas the performance rate for Stage 2 complaints was 67%, 2 out of 3 investigations completed on time.

9. Complaint Outcomes

9.1 There are four possible outcomes for complaints: withdrawn/resolved/Outside jurisdiction, not upheld, partly upheld and upheld. The chart below shows the outcomes of statutory complaints at Stage 1, Stage 2 and Stage 3 in 2020/21 that have been recorded on the Council's case management system.



9.2 The key findings are:

- Of the 41 cases at Stage 1 where outcome data was available, the Council found some merit in 64% of complaints, with 25 complaints either upheld or partly upheld. This is an 18 percentage point increase on the previous year, 2019/20. A 'Not Upheld' outcome was decided in 16 cases at Stage 1. Service areas continue to show a willingness to admit errors or mistakes and to remedy concerns raised.

- The Council closed 11 Stage 2 statutory complaints during 2020/21. Two complaints were either withdrawn, not pursued or rejected at this stage. Only one complaint was not upheld, which accounted for 9% of the overall complaints closed in 2020/21.The majority of complaints at Stage 2 were upheld or partly upheld (78% of complaints). This is 10 percentage points less than the amount of complaints upheld or partly upheld at Stage 2 last year.

- In 2020/21 four Stage 3 panels were completed, of which 3 were upheld and one was not upheld. The upheld cases account for 75% of all cases closed during this period.

<u>Stage 2 Complaint Analysis</u>

9.3 Detailed below is a summary of the cases that were escalated to Stage 2 and a detailed investigation was undertaken. There were some learning points and service improvements that were identified and these have been summarised at point 14 – Learning from complaints. The Council wishes to learn from its complaints and improve the service it provides.

- Case 1 – This concerned a family interacting with social workers in the Localities team, as there were concerns for the protection of their children.

There were 13 complaints in total, and in the majority of the complaints some fault was found. The issues in the complaint related to the complaints process and quality of practice. Recommendations included:

- Audit Programme to look at quality of social work practice
- Briefing around obtaining consent from parents and carers
- Staff to be reminded how to effectively communicate through electronic means

- Case 2 – This complaint concerned a Looked after Child (LAC), and whether they had been classified correctly as a LAC in 2010 and received relevant services since then. There were eleven complaints in total and some fault was found in one complaint. The fault related to the delay in dealing with the complaint, although we were trying to resolve the issues for the young person at the time.

- Case 3 – This concerned a care leaver and the support they had received from the Looked after Children's service. There were 21 complaints of which some fault was found in six complaints. The LAC service agreed to review the Pathway Plan; ensure savings are paid in full to all care leavers and further consultation with the virtual school.

- Case 4 – This complaint concerned a care leaver and the support they had received from the Looked after Children's service. There were twelve complaints of which fault was found in two complaints. The complainant believed he was owed further savings and there were differences around expenditure. The complainant was advised that they had received all savings and Personal Advisors were reminded to keep clear communications around expenditure and bills.

- Case 5 – This complaint concerned the completion of a child and family assessment and whether the children should be considered as children in need. There were fourteen complaints of which all were upheld. It was agreed that all factually incorrect information would be removed from the child and family assessment file, accurate records need to be maintained and minutes taken of meetings.

- Case 6 – This complaint concerned the Council sharing a test result with the service user. There were three complaints of which fault was found in all three complaints. The Council agreed that we should share reports and officers were reminded of this.

- Case 7 – There were two complaints received from the parents which concerned their son being placed with the Council under a section 20. There were over forty-three individual complaints. Two investigations were completed which concerned their son's placements, communication with the Council and the parent's expectations of the Council in looking after their son. The majority of the complaints were upheld and compensation was offered together with an apology.

- Case 8 – This complaint concerned a request for assistance for the family following the release of an abusive boyfriend from prison. The family requested

help to move out of the borough, away from the abusive boyfriend. There were eight complaints of which six complaints were upheld and two had no finding. There were delays in dealing with the request. The council apologised and offered compensation for the failures in service.

- Complaint 9 – This complaint concerned an acrimonious split in relationship in which the complainant was unhappy that the Localities service would not investigate his allegations against his partner. There were four complaints and none were upheld as satisfactory steps had been taken in this matter.

Stage 3 Complaint Analysis

9.4 There were four Stage 3 review panel adjudications during the year:

- Case 1: This concerned the placement of a young person and communication with the parents. There were 43 complaints considered in the investigation. The Panel amended a number of decisions from No finding to Not Upheld and Partially Upheld to Upheld. The adjudicating officer considered the findings of the Panel and agreed with their decision. Compensation was increased from £600 at Stage 2 to £1,300 at Stage 3.

- Case 2: This concerned the child protection process and the support for the family. There were 13 complaints investigated at Stage 2 and the Panel considered 3 complaints that had not been upheld. The Panel decided that one complaint would be amended to upheld whilst the remaining two would remain as not upheld. There were no further recommendations

- Case 3: This concerned a young care leaver who in 2007 had been accepted under section 17 of the Children Act 1989, but stated they should have been accepted under section 20. However, since engaging with the Council in 2015, the Council had been providing support. There were 8 complaints considered in the Stage 2 investigation of which only one complaint was upheld. The panel agreed that the young person should have been accepted under section 20 and amended a further three complaints to upheld and the remaining complaints were unchanged. As the complaint was so old there have been a number of changes in practice in the intervening years. The Council awarded £2000 compensation.

- Case 4: This concerned a care leaver who had complained about the support they had received. The Panel decided to change one decision to partially upheld in regards to how the complaint was dealt with initially and for a short period of time when the case had been closed. The remaining complaints were unchanged.

10. Local Government and Social Care Ombudsman (LGSCO) Decisions in 2020/21

10.1 There were fourteen complaints escalated, and nine decisions made by the LGSCO during the year, of which seven cases were referred back to the Council to process through our own complaint process. One case was “Not Upheld” and one case closed without any action.

10.2 There were no children's statutory complaints upheld in 2020/21. This is an improvement from last year, where one complaint was upheld by the LGSCO.

11. Compensation

11.1 Children's Social Care paid out £9,050 in compensation in 2020/21 on eight cases. This is a significant increase of £4,880 from 2019/20. This breaks down as follows:

- £500 was offered in one case at Stage 1 of the statutory complaint procedure.
- A total of £5,850 was paid out at Stage 2 in five cases which consisted of:
  - £500 awarded for time and trouble
  - £800 for delays in addressing complaints
  - £1,050 service failures
  - £2,000 for distress
- Compensation was awarded in two cases at Stage 3 of the statutory complaints process. In one case £2,000 was awarded, which took into account the Council's failure to consider the complainant under section 20 of the Children's Act 1989 as a Looked after Child for a period of time. In the other case £700 as an additional consideration of compensation that had already been awarded at Stage 2. This gives a total of £2,700 for Stage 3 compensation.

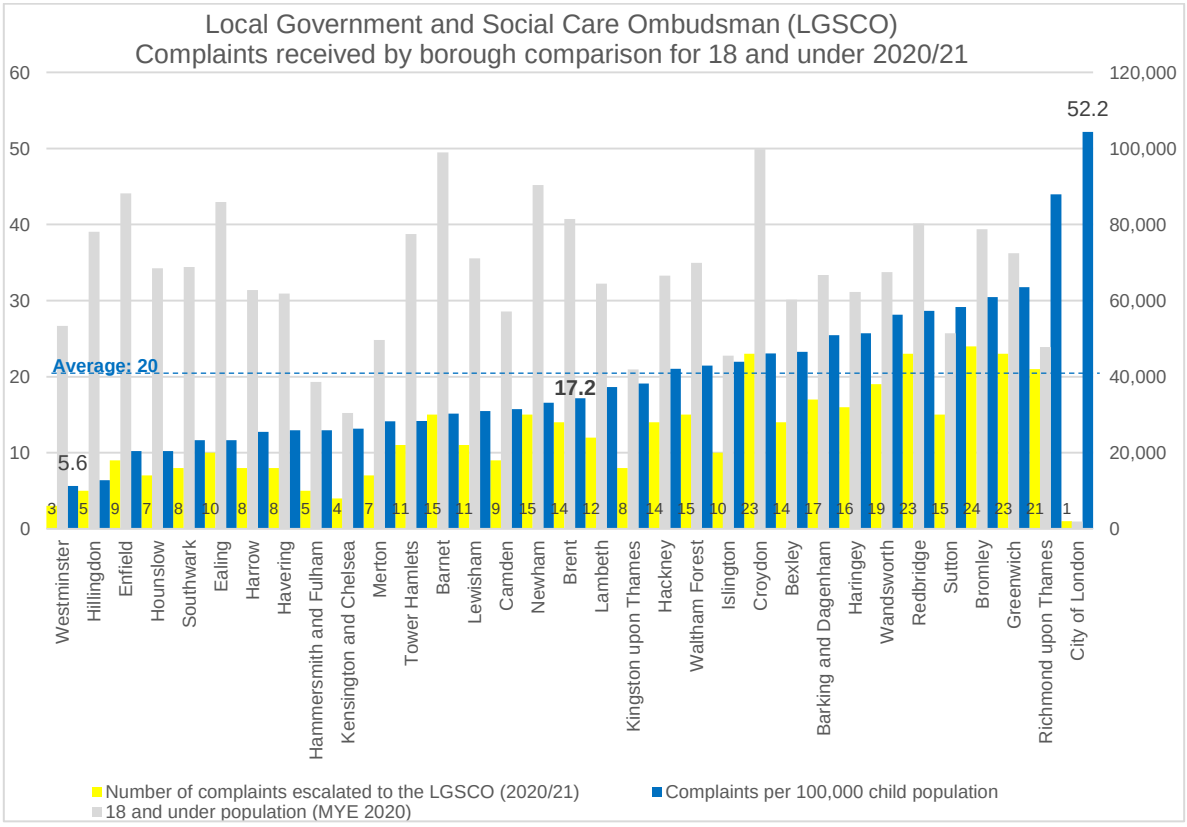
Children's Social Care	Amount
Stage 1	£500
Stage 2	£5,850
Stage 3	£2,700
Ombudsman	£0
Total	£9,050

12. Benchmarking

12.1 Brent Council belongs to the North West London Social Care Complaint managers group. The majority of London Councils have confirmed that the number of children's statutory complaints received have decreased, with the Covid-19 pandemic being the likely cause. During 2020/21 the Local Government and Social Care Ombudsman (LGSCO) stopped accepting new complaints from March to June 2020. However comparative data has been provided below on those cases that were received by the by the LGSCO during 2020/21 in relation to Children and Young People. Data has also been provided from the Office of National Statistics to illustrate the number of complaints received against size of population of children within each borough. The average for all London Councils is 20 per 100,000 population whereas Brent is at 17.2.

12.2 This means that Brent Council is performing slightly better than average for complaints received by the LGSCO when compared to its projected population in 2020 of children 18 and under. There were 14 complaints escalated to the LGSCO in relation to Education and Children's Services. The estimated population for children 18 and under within Brent for mid-year 2020 was 81,501. When factoring complaints

received per 100,000 children population this is relatively good and consistent with the previous year.



13. Compliments

13.1 The service learns from both complaints and positive feedback. Children's Social Care logged 31 compliments on the Council's complaints and compliments database. This is an increase of 20 compliments compared to last year, in which 11 compliments were recorded. Managers are encouraged to log any compliments they receive. Below are examples of some of the compliments received in 2020/21.

- ***Localities - East***

  "Firstly I would like to say many thanks to yourself for allocating xxx to my case after the traumatic time I had, I feel that your decision was the best that could of came out of that situation and I'm extremely thankful for all your part in my case and taking the time to understand me meant more than you will ever know.
  Secondly I would like to just tell you how wonderfully happy I am to say xxxx is not a child subject to child protection any more that gives me the most joy and again thank you for your part in this.
  Lastly I would like to say to you how wonderful xxx is, if the ss team had more people like yourself and xxx the world would be a better place and I can't thank her enough for everything literally everything and I never thought I would say this about a social worker but I will miss her eventually when she will have to go but on behalf of myself and xxxx many many thanks."

- ***Looked after children***

  “I thought you would like to know that as usual I was really impressed with the work xxxx has been undertaking on this case and the care she took to ensure that all relevant information was available prior to the Review. All Review participants were complimentary about xxxx's inclusive approach which they valued. She works very hard at keeping everyone updated with xxxxx's progress and developments affecting her. Her case recording reflects this. She has particularly worked at engaging xxxx's mother who has previously found it very difficult to work with Social Workers. xxxxx's mother explained that xxxx 'is the best Social Worker we've had-she's approachable and keeps me up to date. She involves me when making decisions about xxxx. Other Workers have not done this'

- ***Looked after children***

  “xxxxx you've made me cry, that letter I'll keep till the day I die u mean so much to me and I know I don't show it but I'm so grateful for you. Your the only person that has stuck by me and had so much faith in me that I was gonna make it. Look at where I am now thanks to you. If I never had you in my life xxxx I'll still be the same xxxx but you've made me realise how to be an adult even tho I grew up fast, I just needed to know the right way in life and u taught me. You've been a mother to me and I appreciate that so much coz you took me on like I was your own and I trust you with all my heart and I'll always care about u xxxx your the person that's made me who I am and even myself. I'm happy that now I'm 18 I get to start my new chapter of life and here I go into the big world. Thank you so much xxxx for everything I wouldn't make it without you, love you and I'll still contact you even when I'm 23 lol. Thank you xxxxx your the best Social worker ever the next person that's gonna have u they better be grateful lol keep well x”

- **Looked after Children**

  “I would like to bring to your attention the level of support my personal advisor has provided me over the past six years.

  I am a care leaver, currently studying at University. It is difficult to manage the feelings of isolation associated with this, since I do not have family to lean on. However, my PA has always been there for me, going above and beyond to ensure that I am comfortable, secure, and cared for. They have got me through difficult times with there words of wisdom and encouragement. Have fought for me to be able to have the opportunity to study a semester abroad at the University of xxxxx.

  More recently, they worked tirelessly to organise a semi-independent placement for me, allowing me to focus on my studies free from disruptions. My PA helped me move from a highly stressful environment in xxxxx to a safer and more peaceful one in London, and I cannot thank them enough for that; for sincerely keeping my needs and interests at heart. More importantly, they treat me like one of their own daughters, and that is an invaluable gift I cannot appreciate enough.”

- ***Localities - CWD***

  "When we approached in November 2019 we were in a desperate state as the behaviour had drastically changed since adolescence. There has been a change from a happy boy into someone who was not coping with the changes to his body, which also impacted on his learning difficulties and autism. His behaviour on a daily basis was unpredictable and his school, which, only recently had high hopes for him, felt they could no longer accommodate this behaviour.

  He started to destroy belongings and things around the house, which led eventually to breaking point, when he became violent towards us, which was something that had never happened before.

  We believe that without the constant communication and support from you, and xxxx our family would have completely broken down and we very much appreciate your concern for the situation and especially the detrimental effect it was having on xxxxx. Moreover, we very much appreciate the introduction of XXXX and his team in January to look after xxxx on a more regular basis, which quickly stabilized his erratic behaviours.

  Previously xxxxx was not happy with the constant change of his carers, as he does not deal well with change that the last council had put in place, which made him much more challenging. Thank you again for everything- we appreciate every bit of support you have given us! "

14. Learning from Complaints

14.1 Lessons learnt from complaints can help shape and improve services and the customer experience. There is a commitment in CYP for managers and staff to use this learning to improve outcomes for service users.

14.2 Examples of how the learning points from complaints helped to improve services are provided below:

Learning From Complaints	Service Improvements
The Council should consider how it deals with the standard of placements for children.	CYP are working closely with the West London Commissioning Alliance to improve and sustain standards around placements. A forum for semi-independent providers has been established to improve standards of provision within the borough.
Complaint responses should acknowledge the difficulties and show an understanding of how complainants are affected by the issues and that with any young person the Council should be looking at how we can resolve the complaint.	Complaint Service team have a programme of training sessions with managers and staff and addressing Stage 1 complaints is part of the ongoing work.

Learning From Complaints	Service Improvements
There have been complaints concerning communication with service users around emails and texts.	Staff have been briefed on how to effectively communicate with families using electronic means.
In cases where consent is required from someone with parental responsibility before initiating work, it is important to ensure sure both sides understand what actions are being taken and why.	The Safeguarding and Quality Assurance service to produce a briefing for staff on this area to make sure professionals apply the same standard consistently.
Complaint concerning the completion of child and family assessments and reports.	Ensure supervision occurs between social worker and team manager on a monthly basis. Regular performance reporting to senior managers enables oversight of this process.
Problems with identifying suitable placements for children	The Local Authority has recently updated its 'Sufficiency Strategy', a document that sets out how appropriate accommodation for children in care and care leavers is sourced and quality assured to ensure that, wherever possible, accommodation and placements meet all of the needs of the young person. A recent initiative with Barnardo's has established a quality assurance project that will work with semi-independent placement providers to help them improve the quality of their work with young people.

Brent	**Cabinet** 7 March 2022
	Report from the Strategic Director for Customer & Digital Services

Brent Cyber Security Strategy update

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1 Brent Cyber Security Strategy 2022-2026.
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Stephen Skeete, Information Governance Lead Customer & Digital Services Tel: 020 8937 1570 Email: Stephen.Skeete@brent.gov.uk Rehana Ramesh, Head of Digital Transformation Customer & Digital Services Tel: 020 8937 1935 Email: Rehana.Ramesh@brent.gov.uk Sadie East, Director of Transformation Customer and Digital Services Tel: 0208 937 1507 Email: Sadie.East@brent.gov.uk

1.0 Purpose of the Report

1.1 The purpose of this report is to present Cabinet with the draft Brent Cyber Security Strategy 2022-2026 for agreement. The draft strategy builds on the 2019-2023 strategy that was agreed in October 2019. The Cyber Security Implementation Plan provides an update on progress in implementing the Brent Cyber Security Strategy.

2.0 Recommendations

2.1 Cabinet agrees the Brent Cyber Security Strategy 2022-2026 as set out in Appendix 1.

3.0 Detail

Brent Cyber Security Strategy 2022-2026

3.1 A Cyber Security Strategy was first agreed by Cabinet in 2019 in response to high profile cyber-attacks on public and private organisations. The Brent Cyber Security Strategy 2022-2026 builds on this strategy, and incorporates learning from cyber-attacks experienced by other local authorities. The central aim of this strategy is to significantly fortify the council's services against cyber-attacks, in line with the governments Cyber Security Strategy 2022-2030.

Brent's strategy is also aligned with the Shared Technology Service (STS) Cyber Security strategy and the STS Technology Roadmap sets out plans for ensuring the infrastructure for Brent and the other Councils in the shared service are kept secure.

3.2 The Cyber Security Implementation Plan has been developed as a key framework for delivering the Brent Cyber Security Strategy. The Cyber Security Implementation Plan aims to comply with the principles of the government backed scheme - Cyber Essentials - and to follow the "10 Steps to Cyber Security" framework as published by the National Cyber Security Centre in 2012 and most recently updated in 2021.

3.3 The council achieved Cyber Essentials accreditation in in February 2022.

3.4 In addition to Cyber Essentials, STS has also implemented a cloud based corporate back-up solution by Rubrik to counter ransomware attacks such as the high profile attack on Hackney Council's IT Network in 2020.

3.5 Other achievements to date include:

- Multi factor authentication (MFA) has been implemented for all Office 365 access.
- Annual training is mandated for all staff and phishing simulations to both staff and elected members.
- Replacement of all end-of-life mobile phones to ensure that they continue to be in support from the vendor, thus receiving security updates.
- Monitoring of guidance released from the National Cyber Security Centre and implementing those recommendations where appropriate, such as a new password policy due to be communicated Q1 2022.
- Meeting compliance regimes, e.g. Public Services Network (PSN), Payment Card Industry (PCI) and the Health and Social Care Network.
- Incident management – Playbooks have been developed to test and measure our incident response and disaster recovery response capabilities.

3.6 Government Cyber Assessment Framework (CAF)

The Brent Cyber Security Strategy 2022-2026 is aligned with the Government's new Cyber Security Strategy and incorporates the Governments Cyber Assessment Framework (CAF) once developed. The CAF (developed by the National Cyber Security Centre) describes 14 principles and KPIs that organisations are expected to achieve during 2025-2030. The CAF is an assessment framework that provides a systematic and comprehensive approach to assessing the extent to which risks to essential functions are being managed by organisations. Aligning with this framework will enable the council to establish and maintain appropriate and proportionate cyber security, and embed security by design.

4.0 **Risk management and audit**

Risk management:

4.1 The risk of cyber-attack is monitored as a key risk on Brent Council's strategic risk register. The risk is owned by the Managing Director of the Shared Technology Service and mitigations include the new Rubrik backup solution.

4.2 There are a number of other activities which mitigate the risk which also include:

- Anti-Virus is in use across the STS estate and pattern files are updated regularly.
- Both web filtering and mail filtering are in place for all staff.
- As well as the yearly PCN/PCI, an in depth penetration test was carried out by Dionach, an external specialist.
- Continual work is being conducted in making sure that versions of Windows and the applications are supported and have the latest security updates.
- Significant investments have been made in purchasing the tools needed to keep our systems safe and a forward plan has been built to ensure that we are able to respond to the ever changing threat landscape.
- Brent and the partnering councils in STS have a 24x7 third party Security Operations Centre monitoring any unusual activity and will disable and remove any detected threats.
- A range of internal communications campaigns have taken place to raise awareness of the threat of phishing and other risks. This included a presentation at Brent Tech Week.

4.3 The number of improvements made has seen a reduction in cyber investigations. Progress is monitored in the quarterly Shared Service Joint Committee.

Internal audit:

4.4 On 3 November 2020, Brent Council held a cyber-security workshop facilitated by Internal Audit. This was a self-assessment review of the organisation's cyber security arrangements and the demands on its security functions managed by

the Shared Services and within the council. This was timed as the council aimed to advance its cyber security 'deter, defend, detect' strategy.

4.5 A review has been planned as part of the 2021/2022 audit plan, as agreed by the Council's Audit Committee, with the objective of evaluating the design of the council's security controls developed to prevent and detect security and data incidents given the increased reliance on technology by council staff when working from home and the potential for emerging opportunistic threats.

5.0 Financial Implications

5.1 The STS Technology Roadmap was agreed by Cabinet in June 2021. This included £10m infrastructure investment over 4 years for Brent including activities to support cyber security. Cyber Protection is one of five key themes of the roadmap.

6.0 Legal Implications

6.1 None

7.0 Equality Implications

7.1 None

8.0 Consultation with Ward Members and Stakeholders

8.1 The Lead Cabinet member with responsibility for ICT (the Deputy Leader) has been informed and consulted during the development of the current and updated Cyber Security Strategy 2022-2026.

9.0 Human Resources/Property Implications (if appropriate)

9.1 None

Report sign off:

Peter Gadsdon
Strategic Director, Customer and Digital Services



Brent Cyber Security Strategy

2022 to 2026

Brent

Contents

Foreward	**3**
Introduction	**4**
Purpose	**5**
Scope of the strategy	**6**
The challenge we face as a council	**7**
Threats	8
Vulnerabilities	10
Data	11
Risks	12
Our principles, goals and objectives	**13**
High level approach	**14**
Implementation plan	**15**
Critical success factors	**18**
Cyber security governance / roles and responsibilities	**19**
Appendix 1 - Standards	**21**
Appendix 2 - Ten steps to cyber security	**22**
Appendix 3 - Brent cyber security work program	**24**

Brent Cyber Security Strategy 2022 to 2026

Foreword

With an increasing reliance on information and digital solutions, Brent Council, like other public organisations, faces a higher risk from potential cyber threats. The council's Cyber Security Strategy works alongside its Digital Strategy 2022-26, to support the council, meet the borough's objectives and safeguard our residents' and stakeholders' information.

This Cyber Security Strategy 2022-26 demonstrates Brent's commitment to continually develop, improve and strengthen our digital technology and services.

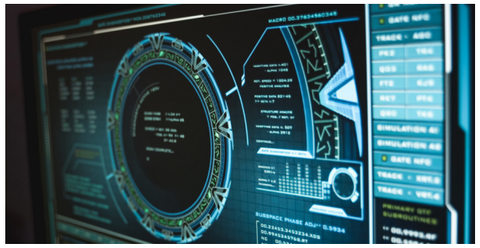
Our reputation for security has become even more significant in this growing digital age. With the increasing use of our online services during the pandemic and a sharp increase in remote working and use of devices, we have continued to plan, adapt and support our service users accordingly. As demand for digital services increases, we need to ensure that Brent continues to transform and adapt its services into ever more efficient, digital ways of working. This is a key aim of our new Digital Strategy.

This strategy sets out how Brent will mitigate against, and respond to, online risks including phishing, malware and ransomware. We know that cyber attacks will continue to evolve, which is why the public and private sectors must continue to work at pace to deliver real-world innovations and outcomes to reduce the threat to Brent's critical services and to deter would-be attackers.

We must ensure that our digital services to businesses and the public are as safe, secure and reliable as possible, and this strategy will help Brent to achieve this.



Councillor Margaret McLennan, Deputy Leader of the Council and Lead Member for Resources and interim lead for Children's Safeguarding, Early Help and Social Care



Introduction

This document sets out the council's strategy for cyber security, to significantly strengthen our services against cyber attack, in line with the Government Cyber Security Strategy 2022-2030.

Cyber security is the practice of ensuring the confidentiality, integrity and availability (CIA) of information.

Attacks on confidentiality: stealing, or rather copying personal information.

Attacks on integrity: seeks to corrupt, damage or destroy information or systems and the people who rely on them.

Attacks on availability: denial of services, seen in the form of ransomware.

Cyber security refers to the body of technologies, processes, and practices designed to protect networks, devices, programs, and data from attack, damage, or unauthorized access. Cyber security may also be referred to as information technology security.

Cyber security is important because Brent Council collects, processes, and stores significant amounts of data on computers and other devices. A significant portion of that data can be sensitive information, whether that be intellectual property, financial data, personal information, or other types of data for which unauthorised access or exposure could have negative consequences.

Brent Council transmits sensitive data across networks and to other devices in the course of doing businesses. This Cyber Security Strategy describes the discipline dedicated to protecting that information and the systems used to process or store it.

A robust cyber security strategy is crucial for ensuring services are kept up and running, and also for maintaining public trust in the council's ability to safeguard their information and provide them with the confidence to transact with the council online. A cyber attack could have very serious consequences for the council. This could include disruption to vital services (many of which serve the most vulnerable), and a significant financial impact, as well as damaging the council's reputation.

Brent Council's overarching vision in the Brent Borough Plan – Building a Better Brent 2019-2023 "is to make Brent a borough of culture, empathy, and shared prosperity." Achieving our vision will therefore require innovation, continued and deeper partnership, and careful planning based on sound evidence. This strategy complements this, as we are at the forefront of a digital revolution, which is transforming how people interact and their expectations for accessing information and services. With the increasing volumes of personal data being processed, there is a greater need to protect it. Therefore, this Cyber Security Strategy is key to the efficient and productive running of Brent Council.

Brent Cyber Security Strategy 2022 to 2026

Purpose

The council seeks to deliver its Digital Strategy through transforming Brent into a digital place and a digital council. The scale of transformation set out in the Digital Strategy represents an unprecedented culture shift for the council, residents, partners and businesses.

The new Cyber Security Strategy builds upon the work of the previous 2019-23 strategy and also incorporates lessons learnt from high profile cyber incidents experienced by other local authorities. The purpose of the updated strategy is to give assurance to residents, and other stakeholders, that the council is committed in delivering robust information security measures to protect residents' and stakeholders' data from misuse and cyber threats and to safeguard their privacy through increasingly secure and innovative information governance and data sharing arrangements both internally and with partners.

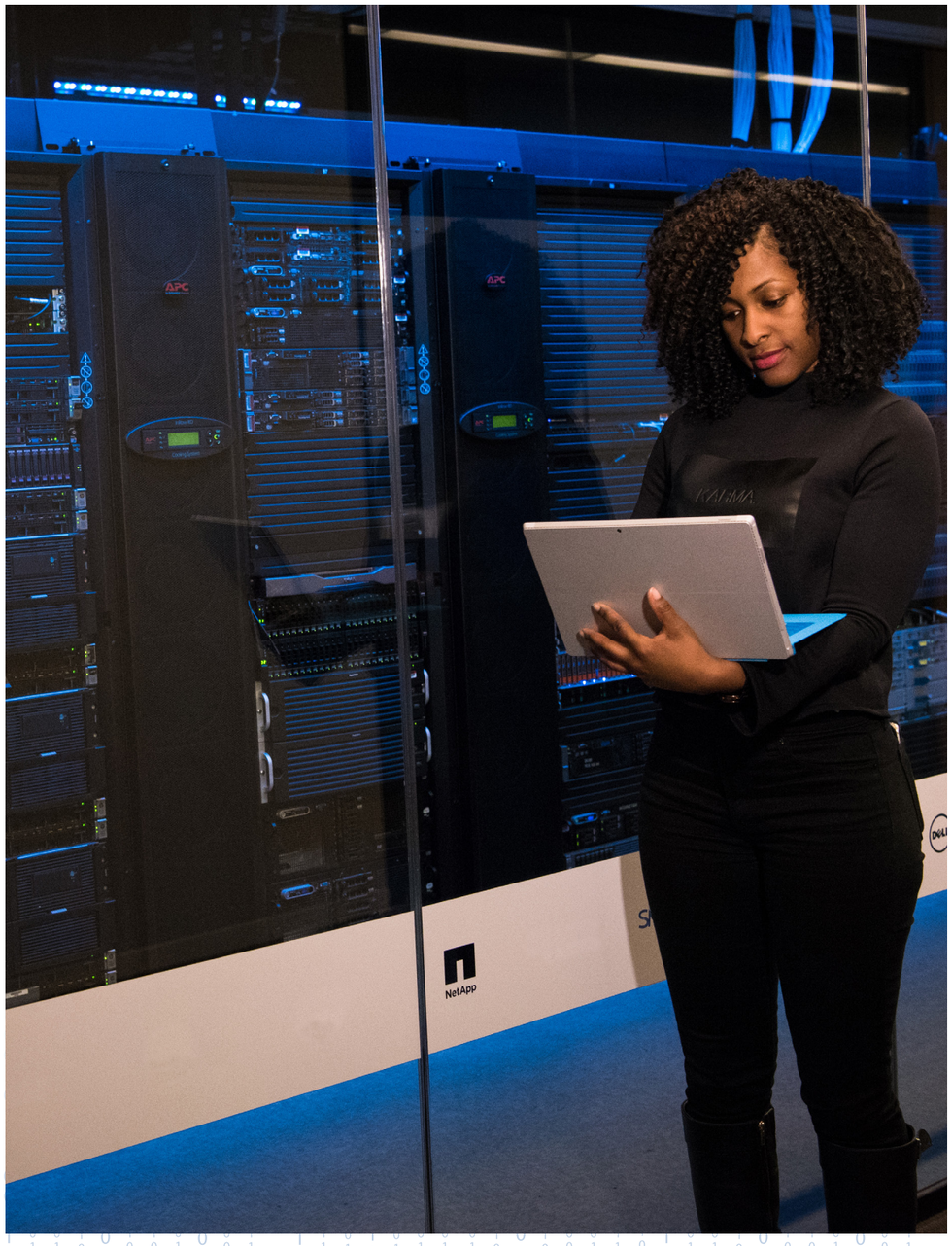
The Cyber Security Strategy sits alongside the Digital Strategy 2022-26, Shared Technology Services (STS) Roadmap, STS Cyber Security Strategy and Data Management Strategy, supported by a suite of operational policies (Information Security Policy, Information Risk Policy and Access to Information Rule Book).

Since the launch of the previous Cyber Security Strategy, the council has been working towards achieving compliance with the principles of the government backed scheme - Cyber Essentials. We achieved Cyber Essentials accreditation in February 2022.

It is the council's intention to follow the "10 Steps to Cyber Security" as published by the National Cyber Security Centre in 2012 and most recently updated in 2021 (set out within this document – see Appendix 2 - 10 Steps to Cyber Security). Brent's Cyber Security Strategy 2022-2026 is aligned with the Government's new Cyber Security Strategy and will incorporate the Government's Cyber Assessment Framework (CAF) once developed. The CAF (developed by the National Cyber Security Centre) describes 14 principles and KPI's that organisations are expected to achieve during 2025-2030. The CAF is an assessment framework that provides a systematic and comprehensive approach to assessing the extent to which risks to essential functions are being managed by organisations. Aligning with this framework will enable the council to establish and maintain appropriate and proportionate cyber security, and embed security by design.

Scope of the strategy

In order to protect council systems and information from internet based (cyber) threats, and crime.



Brent Cyber Security Strategy
2022 to 2026

The challenge we face as a council

Brent Council employs a wide range of technological and digital solutions, which have also been developed to incorporate learning from high-profile cyber attacks experienced by other local authorities, and taking into consideration potential cyber risks given the current globally challenging political landscape. As the number of applications and cloud based services used across the organisation increases, the potential vulnerabilities and risks also increase. These need to be managed effectively to mitigate and prevent potential cyber threats.



Threats

A threat if left unchecked, could disrupt the day-to-day operations of the council, the delivery of local public services and ultimately has the potential to compromise national security.

TYPES OF THREATS

- **Zero day threats**
  A zero day exploit is a cyber attack that occurs on the same day a weakness is discovered in software. At that point, it is exploited before a fix becomes available from its creator. It is an attack that exploits a previously unknown security vulnerability.

  This poses a risk to any computer or system that has not had the relevant patch applied, or updated its antivirus software.

- **Cybercriminals and cybercrime**
  Cybercriminals are generally working for financial gain. Most commonly, for the purposes of fraud: either selling illegally gained information to a third party, or using directly for criminal means.

Key tools and methods used by cybercriminals include:

  - **malware** – malicious software that includes viruses, Trojans, worms or any code or content that could have an adverse impact on organisations or individuals

  - **ransomware** – a kind of malware that locks victims out of their data or systems and only allows access once money is paid

  - **phishing** – emails purporting to come from a public agency to extract sensitive information from members of the public.

- **Hacktivism**
  Hacktivists will generally take over public websites or social media accounts to raise the profile of a particular cause.

  When targeted against local government websites and networks, these attacks can cause reputational damage locally. If online services are regularly disrupted by cyber-attacks this could lead to the erosion of public confidence in using such services.

  Hacktivist groups have successfully used distributed denial of service (DDoS – when a system, service or network is burdened to such an extent by an electronic attack that it becomes unavailable) attacks to disrupt the websites of a number of councils already.

- **Insiders**
  Staff may intentionally or unintentionally release sensitive information or data into the public domain. This may be for the purpose of sabotage or to sell to another party, but more often than not is due to simple human error or a lack of awareness about the particular risks involved.

- **Other threats include**:
  - **Physical threats**
    The increasing reliance on digital services brings with it an increased vulnerability in the event of a fire, flood, power cut or other disaster natural or otherwise that impact upon the council's IT systems.

  - **Terrorists**
    Some terrorist groups demonstrate intent to conduct cyber attacks, but fortunately have limited technical capability. Terrorist groups could obtain improved capability in a number of ways, namely through the sharing of expertise in online forums providing a significant opportunity for terrorists to escalate their capability.

  - **Espionage**
    Several of the most sophisticated and hostile foreign intelligence agencies target UK government and public sector networks to steal sensitive information. This could ultimately disadvantage the UK in diplomatic or trade negotiations, or militarily.



Vulnerabilities



Vulnerabilities are weaknesses or other conditions in an organisation that a threat actor, such as a hacker, nation-state, disgruntled employee, or other attacker, can exploit to adversely affect data security.

Cyber vulnerabilities typically include a subset of those weaknesses and focus on issues in the IT software, hardware, and systems an organisation uses.

- **System Maintenance**
  IT systems should be updated and checked regularly and effectively. It is essential that the systems are fully updated and appropriate fixes are applied. Poor setup, mismanagement, or other issues in the way an organisation installs and maintains its IT hardware and software components is a threat.

- **Legacy Software**
  To ensure that legacy systems have sufficient user and system authentication, data authenticity verification, or data integrity checking features that prevent uncontrolled access to systems.

- **Training and Skills**
  It is fundamental that all employees have a fundamental awareness of cyber security and to support this.



Brent
Cyber
Security
Strategy
2022
to
2026

Data

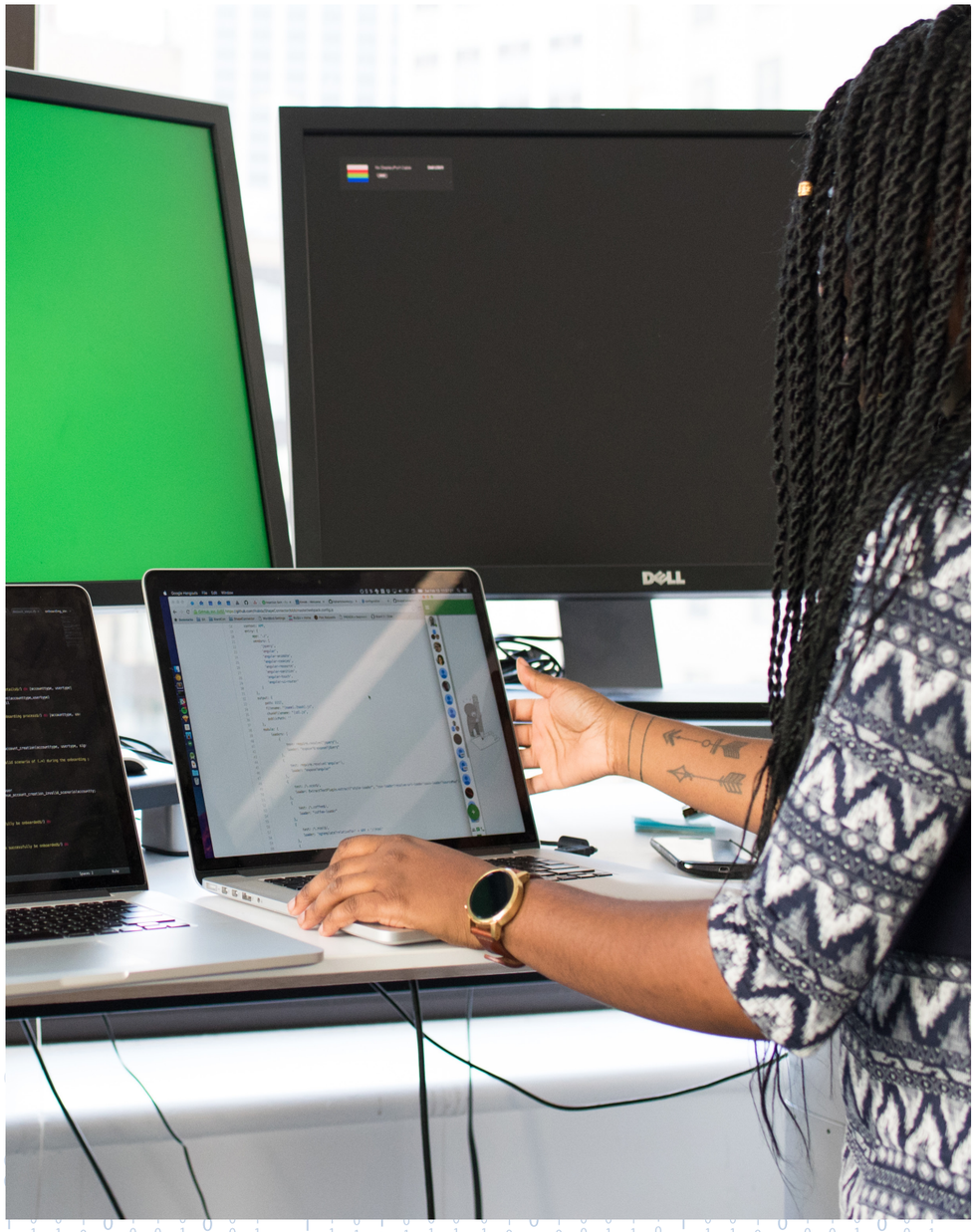
Data is a business's most valuable and most risky asset, but to secure it you must know what you have got, so it is imperative to be able to find and reveal both structured and unstructured data across the organisation's assets.

Once a business knows its data, it can protect and power the organisation and the people it serves by both mitigating the risks in the data and using it in positive and proactive ways to drive the business forward.



Risks

Cyber risk management is a fundamental part of the broader risk management to ensure cyber security challenges are fully identified across the council and appropriate action is carried out to mitigate the risk.



Brent
Cyber
Security
Strategy
2022
to
2026

Our principles, goals and objectives

To mitigate the multiple threats, we face and safeguard our interests in cyberspace, we need a strategic approach that underpins all our collective and individual actions in the digital domain over the next four years.

This section sets out our vision, high level objectives, principles and priorities that will guide Brent Council in addressing cyber security.

A council wide risk management framework is necessary for building a risk aware culture within the council, ensuring staff understand how to identify and manage risks.

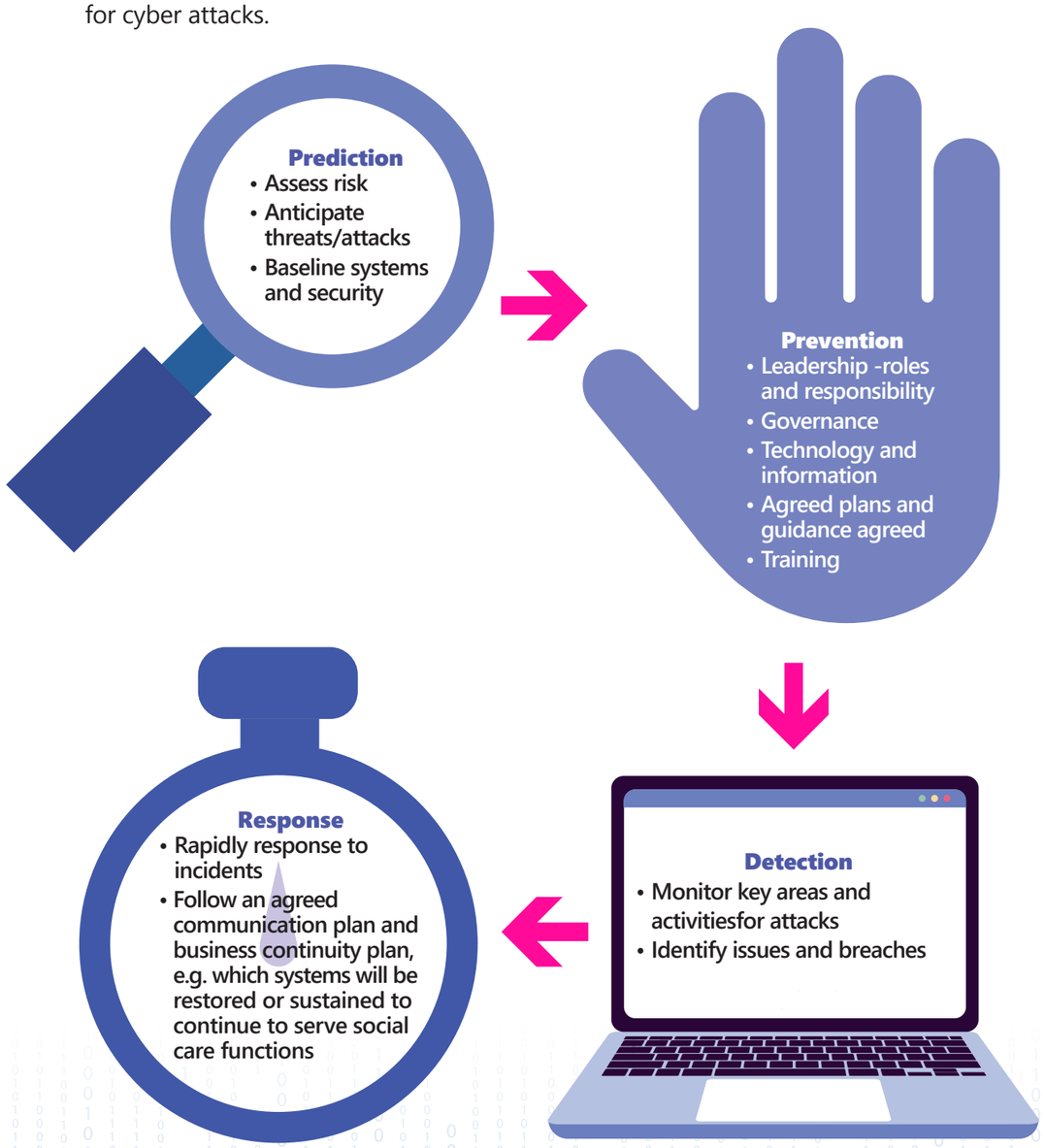
The council is working towards achieving compliance with the Cyber Essentials standards by April 2022. The Cyber Essentials standards were developed by the UK Government in partnership with information security industry experts to assist organisations to mitigate and reduce the risks of common cyber threats. The council will also align itself with other standards including the Government Cyber Security Strategy 2022-2030, common assessment framework and other standards including ISO 27001. This will enable the council to continue to predict, prevent, detect and respond to information security risks.

Cyber awareness training is vital, from mitigating against an insider threat, understanding the supply chain risks or ensuring executive management understand the issues and responsibilities.



High level approach

The diagram below shows the roadmap for preparing the council and its contractors for cyber attacks.



Brent Cyber Security Strategy 2022 to 2026

Implementation plan

To deal with the changing landscape and to achieve our vision we will align with the National Cyber Security Strategy's (NCSC's) approach to **defend** Brent Council and our residents' cyberspace, to **deter** our adversaries and to **develop** our capabilities.

1. Defend

To have the means to defend the council against evolving cyber threats, to respond effectively to incidents, to ensure networks, data and systems are protected and resilient. Citizens and businesses have the knowledge and ability to defend themselves.

Actions:

a) Implementing firewalls and scanning services.

b) Carrying out health checks, penetration test and cyber resilience exercises to test their systems and processes, e.g. Web Check – a website configuration and vulnerability scanning service, developed with a number of public sector organisations including councils. This is free to use and available to all public sector organisations.

c) Meet compliance regimes, Code of Connection (CoCo) which require good cyber hygiene, to connect to government private networks, e.g. Public Services Network (PSN) and the Health and Social Care Network.

d) Work with partners across the public sector through participation in Cyber Security Information Sharing Partnership (CiSP), Warning, Advice and Reporting.

2. Deter

The council will be a hard target for all forms of aggression in cyberspace. This will involve detecting, understanding, investigating and disrupting hostile action.

Actions:

a) Apply government's cyber security guidance, e.g. 10 Steps to Cyber Security and Cyber Essentials and when developed the Government's common assessment framework

b) Use multi - factor authentication where technically possible, such as where administrative consoles provide access to manage cloud based infrastructure, platforms or services. Multi - factor authentication shall be used for access to enterprise level social media accounts

c) Establish an incident response and disaster recovery capability. Test incident management plans

d) Develop a monitoring strategy and produce supporting policies. Continuously monitor all systems and networks

e) Apply security patches and ensure the secure configuration of all systems is maintained. Create a system inventory and define a baseline build for all devices



f) Train and or educate users to help detect, deter and defend against the cyber threats.

3. Develop

To have an innovative cyber security strategy to address the risks faced by residents, businesses and those in the voluntary sectors.

To develop a co-ordinated and tailored approach to risks and threats that we may encounter and mitigate potential vulnerabilities.

Actions:

a) Continue to develop and maintain risk management framework, internal control and governance for the prevention and detection of irregularities and fraud

b) Establish and implement process, procedures and controls to manage changes in cyber threat level and vulnerabilities

c) Operate the council's penetration testing programme; and cyber incident response

Brent Cyber Security Strategy
2022 to 2026



d) Ensure continued training for staff and elected members

e) Develop an incident response and management plan, with clearly defined actions, roles and responsibilities. Develop an approach towards effective information security that puts data at the heart of the strategy by following five key steps:

1) Documented data policies and processes: set out the intentions for how the organisation will deal with its data to lay the bedrock for successful data security and governance

2) Employee awareness, training and culture: support data security and governance being so ingrained in people's thinking that it sits front and centre in their minds every day

3) Information discovery and classification: identify what data lies within the estate so appropriate actions can be taken to secure it, extract value from it and manage its complexity

4) Adding enforcement technologies: document encryption, data loss prevention, access control, data remediation, content management – taking a blended approach to enforcement means opening up APIs and integrating systems

5) Operational process and record keeping: use KPIs to enable the business to monitor and better understand its data to identify areas for continuous improvement.

f) Develop a communication plan in the event of an incident which includes notifying (for example) the relevant supervisory body, senior accountable individuals, the National Cyber Security Centre (NCSC), Government Security Group (Cabinet Office), the Information Commissioner's Office (ICO) or law enforcement as applicable (not exhaustive).

Critical success factors

Throughout the period of challenging transformation, the council will deliver robust information security measures to protect residents and stakeholder data from misuse and cyber threats, and to safeguard their privacy through increasingly secure and modern information governance and data sharing arrangements both internally and with partners.

To continue to provide assurance on the effectiveness and robustness of the council's arrangements for IT security, the council will aim to:

- Build appropriate cyber security governance processes
- Maintain a council wide Cyber Risk Management Framework
- Maintain policies/procedures to review accesses on a regular basis.
- Create a cyber specific Business Continuity Management Plan and/or review Brent's Incident Plan to include emergency planning for cyber attacks
- Reconcile current systems in place and last times these were reviewed (build into Enterprise Architecture)
- Review vendor management – process of assessments of third parties
- Explore Active Cyber Defence tools and new technologies to ensure Brent has the best solutions to match to threats
- Continue to apply government's cyber security guidance – 10 Steps to Cyber Security
- Align with the Government's Cyber Assessment Framework once developed
- Provide relevant cyber security training for staff and elected members
- A regular schedule of cyber exercises, within the wider cycle of multi-agency incident response and recovery exercises
- Comply with the Government's Public Sector Network (PSN) Code of Connection and Payment Card Industry (PCI) standards; a minimum requirement for all systems used, audit trails, deletion of data etc
- Protect enterprise technology by working with specialist partners to develop model architecture and review audit logs to reduce chances of threats.

Brent Cyber Security Strategy 2022 to 2026

Cyber security governance / roles and responsibilities



An overview of the stakeholders tasked with improving cyber security and their respective roles and responsibilities.

Senior Information Risk Owner (SIRO)

The council's nominated Senior Information Risk Owner (SIRO) is the Director of Legal HR Audit and Investigations for Brent Council and who holds responsibility for the governance of cyber security and information risk within the council.

The SIRO is ultimately responsible for managing the risk to information and for ensuring that responsibility for information governance has been sufficiently organised to manage the risks, in accordance with the Data Protection Act 2018.

However, whilst the SIRO is the nominated officer, responsibility for safeguarding information and information systems is shared across the organisation with all staff having a role to play.

The Cabinet

The Cabinet is made up of the Leader of the Council and other senior councillors (Cabinet members). Cabinet will agree and receive updates on implementation of the Cyber Security Strategy.

Council Management Team (CMT)

CMT sponsors the Cyber Security Strategy



and will oversee the strategic framework through which the council governs its information resources.

Information Governance Group (IGG)
CMT sponsors the Cyber Security Strategy and will oversee the strategic framework through which the council governs its information resources.

Information Governance Team (IGT)
The Information Governance Team will oversee the council's compliance with The Data Protection Act 2018 and promote information governance (IG) best practice, including cyber security, across the organisation. The Information Governance Lead will work closely with the Senior Information Risk Owner (SIRO) and the Data Protection Officer to provide effective advice and oversight of information compliance across the council.

Technical Design Authority (TDA)
The Technical Design Authority (TDA) will make decisions regarding technical implementations for projects. This will include ensuring that cyber security considerations are properly considered.

Customer & Digital Board
The Customer and Digital Board oversees implementation of the council's Digital Strategy. The board will ensure that risks, issues and dependencies are proactively managed and make decisions in relation to any risks and issues that have been escalated in relation to the digital programme.

Shared Technology Services (STS)
Shared Technology Services oversees the delivery of the Shared IT Service for Brent, Lewisham and Southwark.

Information Asset Owners (IAO)
Information Asset Owners are responsible for all processing of personal data within their business area.

It is the responsibility of all staff to comply with the Standard.

Brent Cyber Security Strategy
2022 to 2026

Appendix 1-Standards

Information Security Management within Brent Council will comply with the British Standard: BS ISO/IEC 27001:2013

This standard specifies requirements for establishing, implementing, operating, monitoring, reviewing, maintaining and improving a documented information security management system (ISMS) within the context of the council's overall business risks. It specifies requirements for the implementation of security controls customised to the needs of the council. ISO27032 and The Government's Cyber Essentials provide security standards for the Internet (referred to as "Cyberspace" or "Cyber").

Currently, Brent has PSN, DSP toolkit and follows PCI.

Appendix 2 - Ten steps to cyber security

Risk management regime
Embed an appropriate risk management regime following the ISO27k standards, across the organisation. This should be supported by an empowered governance structure, which is actively supported by the board and senior managers. Clearly communicate your approach to risk management with the development of applicable policies and practices. These should aim to ensure that all employees, contractors and suppliers are aware of the approach, how decisions are made, and any applicable risk boundaries.

Secure configuration
Having an approach to identify baseline technology builds and processes for ensuring configuration management can greatly improve the security of systems. You should develop a strategy to remove or disable unnecessary functionality from systems, and to quickly fix known vulnerabilities, usually via patching. Failure to do so is likely to result in increased risk of compromise of systems and information.

Network security
The connections from your networks to the Internet, and other partner networks, expose your systems and technologies to attack. By creating and implementing some simple policies and appropriate architectural and technical responses, you can reduce the chances of these attacks succeeding (or causing harm to your organisation). Your organisation's networks almost certainly span many sites and the use of mobile or remote working, and cloud services, makes defining a fixed network boundary difficult. Rather than focusing purely on physical connections, think about where your data is stored and processed, and where an attacker would have the opportunity to interfere with it.

Managing user privileges
If users are provided with unnecessary system privileges or data access rights, then the impact of misuse or compromise of that users account will be more severe than it need be. All users should be provided with a reasonable (but minimal) level of system privileges and rights needed for their role. The granting of highly elevated system privileges should be carefully controlled and managed. This principle is sometimes referred to as 'least privilege'.

User education and awareness
Users have a critical role to play in their organisation's security and so it's important that security rules and the technology provided enable users to do their job as well as help keep the organisation secure. This can be supported by a systematic delivery of awareness programmes and training that deliver security expertise as well as helping to establish a security-conscious culture.

Incident management
All organisations will experience security incidents at some point. Investment in establishing effective incident management policies and processes will help to improve resilience, support business continuity, improve customer and stakeholder confidence and potentially reduce any impact. You should identify recognised sources (internal or external) of specialist incident management expertise.

Malware prevention
Malicious software, or malware is an umbrella term to cover any code or content that could have a malicious, undesirable impact on systems. Any exchange of information carries with it a degree of risk that malware might be exchanged, which could seriously impact your systems and services. The risk may be reduced by developing and implementing appropriate anti-malware policies as part of an overall 'defence in depth' approach.

Monitoring
System monitoring provides a capability that aims to detect actual or attempted attacks on systems and business services. Good monitoring is essential in order to effectively respond to attacks. In addition, monitoring allows you to ensure that systems are being used appropriately in accordance with organisational policies. Monitoring is often a key capability needed to comply with legal or regulatory requirements.

Removable media controls
Removable media provide a common route for the introduction of malware and the accidental or deliberate export of sensitive data. You should be clear about the business need to use removable media and apply appropriate security controls to its use.

Home and mobile working
Mobile working and remote system access offers great benefits, but exposes new risks that need to be managed. You should establish risk based policies and procedures that support mobile working or remote access to systems that are applicable to users, as well as service providers. Train users on the secure use of their mobile devices in the environments they are likely to be working in.

Brent Cyber Security Strategy 2022 to 2026

Appendix 3 - Brent's cyber security work program

Ref#	Priority	Action	Owner	Details	Due Date
1-a	DEFEND	Implementing firewalls and scanning services	Chief Security Officer	Firewalls are in place both externally and between zones. Work is on-going as part of Cyber Essentials to ensure all rules have a business case and are documented.	Apr-22
1-b	DEFEND	Carrying out health checks, penetration test and cyber resilience exercises to test their systems and processes	Chief Security Officer/ Information Governance Lead	Health checks are carried out annually as part of the submission for Public Sector Network (PSN) code of connection. Web check from the National Cyber Security Centre (NCSC) is configured and in use. We further use early warning from the NCSC, which allows us to receive notifications of malicious activity and help investigate attacks on network quickly.	Annually
1-c	DEFEND	Meeting compliance regimes, e.g. PSN, PSI and the Health and Social Care Network	Chief Security Officer/ Information Governance Lead	• PSN next submission due June 2022 • NHS Data Security Protection Toolkit (DSPT) next submission due June 2022 • Payment Card Industry (PCI) Compliance next quarterly scan due March 2022	Annually (June 2022)
1-d	DEFEND	Working with partners across the public sector through participation in Cyber Security Information Sharing Partnership (CiSP), Warning, Advice and Reporting	Chief Security Officer	STS is an active member of the local warning advice and reporting (WARP), Information security for London (ISfL) and Information Governance for London (IGFL). STS is currently engaging with the London Office of Technology and Innovation (LOTI) about the viability of a central security operations centre (SOC) that can be useful to all London councils, and is one of the first tranche of organisations to be involved in this initiative	Nov-22
2-a	DETER	Network Security - Protect the networks from attack, Defend the network perimeter, filter out unauthorised access and malicious content. Monitor and test security controls.	Chief Security Officer/ Information Governance Lead	• Applying Government's Cyber Security Guidance • 10 Steps to Cyber Security • Cyber Essentials	Apr-22
2-b	DETER	Multi - factor authentication shall be used where technically possible, such as where administrative consoles provide access to manage cloud based infrastructure, platforms or services. Multi - factor authentication shall be used for access to enterprise level social media accounts.	STS	Where VPN and Remote Desktop Proxy (RDP) are in use, Multi Factor Authentication (MFA) is also used. The majority of staff working from home do so from securely configured Windows 10 laptops using direct access technology. The windows image used is checked as part of the annual IT health check. Data A Protection Impact Assessmnt (DPIA) to be carried out on al new systems/tools.	Sep-22

Appendix 3 - Brent's cyber security work program continued

Ref#	Priority	Action	Owner	Details	Due Date
2-c	DETER	Incident management - Establish an incident response and disaster recovery capability. Test your incident management plans.	Chief Security Officer/ Information Governance Lead	Run books have been developed with more to be created to address cyber incidents. Cases are managed through the current ITSM system.	Sep-22
2-d	DETER	Monitoring - Establish a monitoring strategy and produce supporting policies. Continuously monitor all systems and networks.	Chief Security Officer	Various monitoring is used across the estate, STS are also engaging with LOTI which is in the initial stages of developing a centralised security operations centre (SOC) for all London councils similar to that in use by the NHS.	Sep-22
2-e	DETER	Secure configuration - Apply security patches and ensure the secure configuration of all systems is maintained. Create a system inventory and define a baseline build for all devices.	Chief Security Officer	Currently all server and end user compute builds are created using a standard format. Tools and techniques to ensure that configurations are maintained over time are being investigated. This could be a 3rd party tool or using Microsoft features to ensure secure configuration and minimising the attack surface.	Oct-22
2-f	DETER	User education and awareness - Produce user security policies covering acceptable and secure use of your systems. Include in staff training.	Chief Security Officer/ Information Governance Lead	User education has been enhanced by the use of phishing simulations. Guidance has been published on the intranet to not only guide staff at work, but also provide advice on technology at home - such as the NCSC guidance on smart devices, SMS and email fraud.	Annually
3-a	DEVELOP	Develop and maintain risk management framework, internal control and governance for the prevention and detection of irregularities and fraud	STS/Brent IG	Current STS digital risks fed through to Brent's corporate risk register	Annually
3-b	DEVELOP	Process, procedures and controls to manage changes in cyber threat level and vulnerabilities	Chief Security Officer	Vigilance is maintained by reading the weekly NCSC cyber threat reports, further evidence and advice is sought from NHS cyber alerts and through engagement with the local WARP.	Annually
3-c	DEVELOP	Operation of the council's penetration testing programme; and Cyber-incident response	Chief Security Officer/ Information Governance Lead	IT health checks are carried out every year as part of the PSN submission. This year a more in depth penetration test was carried out by Dionach with funding from the Local Government Association (LGA).	Annually
3-d	DEVELOP	Introducing training for staff and elected members	Chief Security Officer/ Information Governance Lead	As well as the yearly training mandated for staff, more work has taken place this year on providing phishing simulations to both staff and elected members. The phishing exercises and enhanced training were provided with funding through the LGA. Working with the Information Governance team, STS will extend the use of the phishing simulation and enhanced cyber training.	Annually

Brent Cyber Security Strategy 2022 to 2026

Appendix 3 - Brent's cyber security work program continued

Ref#	Priority	Action	Owner	Details	Due Date
3-e	DEVELOP	Develop an incident response and management plan, with clearly defined actions, roles and responsibilities	Chief Security Officer/ Information Governance Lead	Incident response playbooks have been developed and held for specific cyber events including unauthorised access, data breach, malicious code and Distributed Denial of Service (DDOS).	Sep-22
3-f	DEVELOP	Develop a communication plan in the event of an incident	Chief Security Officer/ Information Governance Lead	Relevant Internal roles and responsibilities have been identified. The Information Governance team are working with STS to develop the plan within the incident response playbook excercises.	Sep-22

Brent Cyber Security Strategy 2022 to 2026

Brent	**Cabinet** 7 March 2022
	Report from the Strategic Director of Customer and Digital Services

Energy Rebate – Non-Discretionary and Discretionary Scheme

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	Council tax Information Letter: 4/2022: Council Tax information letter - 15 February 2022 (publishing.service.gov.uk) Regulation:The Council Tax (Demand Notices and Reduction Schemes) (England) (Amendment) Regulations 2022 (legislation.gov.uk) Government Guidance: Support for energy bills - the council tax rebate 2022-23: billing authority guidance - GOV.UK (www.gov.uk) Funding allocation method: Council tax rebate: allocation methods - GOV.UK (www.gov.uk)
Contact Officer(s):	Peter Cosgrove, Head of Revenue and Debt 020 8937 2307 Email: peter.cosgrove@brent.gov.uk

1.0 Purpose of the Report

1.1 The government announcement of 3 February 2022 regarding Energy Bills Rebate included provision for most properties in council tax bands A to D to receive a £150 rebate payment. The announcement also made provision for local authorities to create a discretionary scheme to support some properties in bands E to H. The report provides information on the operation of the non-discretionary scheme and proposes a discretionary scheme. Government guidance was received on 23 February 2022. A required amendment to disregard Energy Rebate income in the Council's Council Tax Reduction scheme was approved by Full Council at its meeting on 24 February 2022.

2.0 Recommendation(s)

2.1 That Cabinet approves the Energy Rebate Discretionary Scheme as set out in paragraphs 3.17 to 3.20 of this report, which includes the arrangements for residents who live in a dwelling in Council Tax bands E, F, G and H in the borough of Brent.

2.2 That Cabinet notes that the Energy Rebate non-discretionary scheme will be administered in accordance with government guidance issued in February 2022.

2.3 That Cabinet notes the restrictions of the Energy Rebate Discretionary Scheme regarding payments and unspent funding that are set out in paragraph 3.21 of this report.

2.4 That Cabinet agrees to delegate authority to the Strategic Director of Customer and Digital Services, in consultation with the Lead Member for Housing and Welfare Reform, to make changes that may be required to the discretionary scheme, following a review of the discretionary scheme scheduled to immediately follow phase 2 of the said scheme, as described in paragraph 3.16 (ii) of this report.

3.0 Detail

Operation of Non-Discretionary Scheme

3.1 In the government guidance dated 23 February 2022 and entitled "*Support for energy bills – the council tax rebate 2022-23: billing authority guidance*" (hereafter referred to as "the February 2022 Government Guidance"), the government states that it recognises that many households will need support to deal with the rising cost of household bills in 2022-23. The government also state that while these rising costs will affect most households across the country, they are more likely to disproportionately affect those on lower incomes, who tend to spend a higher proportion of their income on utility bills. Nevertheless, the government scheme in providing blanket support for properties in bands A to D does not account for regional variations, for example Brent has 75% of properties in bands A to D compared to some northern cities with over 90%, the government scheme therefore supports many fewer households in Brent.

Qualifying Rules

3.2 The requirements placed on billing authorities such as Brent, is to provide a £150 one-off payment to a liable council taxpayer (or a person who would otherwise be liable where the property is exempt) for every household that occupies a property which meets all of the following criteria on 1 April 2022:

i. It is valued in council tax bands A – D. This includes property that is valued in band E but has an alternative valuation band of band D; as a result of the disabled band reduction scheme,

ii. It is someone's sole or main residence,

iii. It is a chargeable dwelling, or in exemption classes N (wholly occupied by students, S (occupants under 18, U (occupants severely mentally impaired) or W (granny annexe; and

iv. The person who is liable to pay the council tax (or would be were the property not exempt) is not a local authority, a corporate body or other body such as a housing association, the government or governmental body.

3.3 A property that meets all the criteria, but has a nil council tax liability because of local council tax support, will be eligible.

3.4 Those not eligible are:

i. A property that has no permanent resident and is someone's second home will not be eligible,

ii. An unoccupied property (for the purposes of calculating council tax) will not be eligible.

3.5 Where records relating to the taxpayer(s) circumstances in respect of 1 April 2022 are later updated, the Council should take reasonable steps to pay or clawback payments.

3.6 Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency ('VOA') that concluded after 1 April 2022, the Council is not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility should be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.

3.7 Any disputes about council tax banding are dealt with by the VOA's usual process for reviews, proposals and appeals.

Communication

3.8 Clear and timely information about the Energy Rebate will be provided. For the majority of tax payers this will include a message on bills in bands A to D.

3.9 A government provided leaflet about the Energy Rebate will be sent with every paper bill. For those on paperless billing they will be signposted to a digital version.

3.10 It is expected from 7 March 2022, there will be a web page dedicated to the Fuel Rebate scheme on the Council website.

Payments, where live direct debit details are held

3.11 Payments should be provided directly by the Council to eligible households. Only one £150 payment should be made per household, regardless of the number of occupants or liable council taxpayers.

3.12 For Direct Debit payers, the Energy Rebate will be paid as soon as practical in 2022/23:

i. Including to the account holder where there jointly and severally liable parties,

ii. As far as is possible, the Council will exclude any direct debits from automated payments where the name on the bank details do not match a liable party,

iii. Through the website it will be made clear to recipients that the grant is being provided on the assumption that they were a liable council tax payer (or would have been if the property were not exempt, as in 3.2 above) and that if this is not the case, the grant may be liable for recovery. It will also be stated that the that the grant is being provided to support all residents of the household,

iv. Payments will only be made after the first direct debit of 2022/23 has been taken. This means that some will not receive the payment until after 1 May 2022, and

v. Newly provided or amended direct debt mandates will be checked to reduce the risk of mandate fraud.

Where no bank details are held

3.13 The work to maximise take-up of the Energy Rebate will be a significant task that will require more resources. This is because a majority of tax payers in bands A to D do not pay by direct debit. Of the 97,000 properties likely to be eligible in bands A to D, 55,000 (59%) do not pay by direct debit. Given that the taxpayer is required by the the February 2022 Government Guidance to claim their Energy Rebate, the payment of these grants represents a significant effort. Although a taxpayer may opt to have the £150 simply credited to their account, the Council cannot automate this, as each taxpayer will need to inform the Council of their preference.

3.14 The government will provide new burdens funding for the administration but so far, the amount has not been disclosed.

3.15 The process for this category of council taxpayer will be to encourage them to make a claim to receive their Energy Rebate. This will involve completing an online form and self-certifying that they are eligible. This will be done in 3 phases, based on the need to complete all payments by 30 September 2022, and maximising the use of a self-service online form in the first two phases. In addition, it will be made clear to anyone who provides false information or makes false representation in order to benefit from the Energy Rebate or Discretionary Fund may be guilty of fraud under the Fraud Act 2006. Where a claim is made this will be made clear.

3.16 Pre-payment checks will be made before a grant to anyone who is not a live direct debit holder. Records will be kept of any evidence provided and of all pre-payment checks completed.

i. Phase 1: to the end of June 2022

a. Making residents aware of the scheme through a press release and the establishment of a dedicated web page
b. A campaign to contact them by email and text.
c. Residents landing on the webpage will be encouraged to provide their bank details so that payment can be made to them direct, or to choose that their council tax account be credited.

ii. Phase 2: July and 19 August 2022
a. Sending follow up text and emails to promote use of online self-service
b. Issue a leaflet to households detailing the support that is available
c. Follow up media story

iii. Phase 3: 20 August to 20 September 2022
a. Sending hard copy letters to encourage taxpayers to come forward, which will include how to receive in-person support from customer services at the Civic Centre or from the Council's HUB network where guided support can be provided for the digitally excluded.
b. To make outbound calling that will include guided support
c. To permit taxpayers to make their claim over the telephone with the form being completed by the Council.

Energy Rebate Discretionary Scheme

3.17 The government have provided funding of £1,933,800 allowing the Council to establish a scheme to support bill payers not eligible under the main scheme for properties in bands A to D. The February 2022 Government Guidance states that the discretionary scheme should not be paying more than £150 per household. There are currently 31,912 occupied properties in bands E to H.

3.18 The Council's Energy Rebate Discretionary Scheme will:

i. Provide £150 Energy Grant to all those in properties E to H who are also in receipt of Council Tax Support (CTS) during April 2022 as long as they have not received a grant elsewhere. This is currently 3,591 properties,

ii. Provide £150 to those on other income related state benefits during April 2022 but are not in receipt of CTS,

iii. Those applying for welfare support from the Council where fuel poverty is proven, access will be provided to an Energy Rebate, this may be standalone or alongside a welfare support payment (Resident Support Fund),

iv. Promote applications from tax payers in bands E to H who have accumulated arrears in council tax over the last two years,

v. Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the non-discretionary or discretionary rebate they will be eligible for the discretionary scheme, and

vi. Following completion of phase two (as described above in paragraph 3.16(ii) of this report), a review will be carried out to ensure that support to residents is being maximised.

3.19 The scheme will be publicised online and elsewhere in a similar way to the non-discretionary scheme, see 3.8 to 3.10 above. In addition, following phase 2 a

review will carried out to ensure that the discretionary scheme is delivering the expected expenditure and if required, amendments to the discretionary scheme may be made before 20 September 2022 to increase take-up. If this is required, the Strategic Director will give necessary due consideration and where appropriate, exercise hise delegated authority to approve the required changes in consultation with the Lead Member for Housing and Welfare Reform, if the recommendation in paragraph 2.4 of this report is approved by the Cabinet.

3.20 The checking and payment process will mirror that for the Non-Discretionary Scheme with those applying required to claim via an on-line form, except where CTS recipients pay by direct debit, of which there are currently 1,092 or 32%.

3.21 The last payment of the Energy Rebate under the non-discretionary scheme must be made by 30 September 2022 and following a reconciliation process, under-funding for the non-discretionary scheme will be settled by the government. For the discretionary scheme, any funding unspent by 30 November 2022 will be repaid to the government and in the event of an overspend, no additional funding will be provided. Therefore, expenditure is to be limited to the funding provided by government.

4.0 Financial Implications

4.1 The government will provide a grant to Brent to cover the £150 Energy Grants paid to Band A-D households under the non-discretionary scheme as long as they are paid by 30th September 2022 and meet the qualifying rules. It is estimated that the total amount paid could be up to £14.5m at full take-up. An additional New Burdens Grant will also be paid for the administration costs if conditions are met. The amount available to Brent has not been notified.

4.2 The Council is proposing to pay Band E–H households in receipt of CTS, or on welfare support, a £150 Energy Grant under a discretionary scheme which will also be funded by a government grant, up to a limit of £1.9m, if paid before 30 September 2022.

4.3 Checks will be carried out prior to payments being made, on both schemes, to reduce the possibility of fraud.

5.0 Legal Implications

5.1 This report seeks the Cabinet's approval of the Council's Energy Rebate Discretionary Scheme as set out in paragraphs 3.17 to 3.20 of this report. Government has provided guidance entitled "*Support for energy bills – the council tax rebate 2022-23: billing authority guidance*" (hereafter referred to as the "February 2022 Government Guidance") which was issued on 23 February 2022 and that February 2022 Government Guidance covers, amongst other things, the operation and delivery of the Discretionary Fund, which consists of financial support which will be provided by central government to local billing authorities to support households who are in need but are not eligible for the Council Tax Rebate. Paragraph 38 of the February 2022 Government Guidance states that once the discretionary scheme is determined and approved where

considered appropriate by elected members, councils should publish their agreed guidelines setting out the eligibility criteria for the their scheme to deal with the money it receives from government to operate and deliver the Discretionary Fund.

5.2 The Council Tax (Demand Notices and Reduction Schemes) (England) (Amendment) Regulations 2022, which came into force on 12 February 2022, set out what additonal information must be set out in Council Tax demand notices and set out additional prescribed requirements for Council Tax Reduction schemes. Council tax demand notices issued respect of 1 April 2022 to households in bands A-D will be required to include the following statement on the face of the bill "*The Government is providing a £150 one-off Energy Bills Rebate for most households in council tax bands A-D*". The above-mentioned regulations also require that from 1 April 2022 all local council tax reduction schemes (including those for persons of working age as well as those of pension age) must disregard Energy Bills Rebate payments in determining a person's eligibility for a council tax reduction and the amount of any such reduction. The Council's Council Tax Reduction was amended by Full Council at its meeting on 24 February 2022 to cover this requirement.

5.3 The remaining legal implications are covered in the main body of the report.

6.0 Equality Implications

6.1 The public sector equality duty requires public bodies to pay due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not

6.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

6.3 The implementation here is of a scheme designed by government that the Council is required to implement. The government scheme is not universal and excludes properties in the bands E to H, which are the larger properties. Government have provided funding for the Council to establish a discretionary scheme, described above, that seeks to provide support of the same value to the least well off households in bands E to H.

7.0 Consultation with Ward Members and Stakeholders

7.1 The changes required by this report have not been subject to consultation due to the short timescale, the short notice given by central government and the statutory nature of the requirements and changes made by central government.

8.0 Human Resources/Property Implications (if appropriate)

8.1 Additional temporary human resources will be required.

Report sign off:

Peter Gadsdon
Strategic Director of Customer and Digital Services.

Brent	**Cabinet** 7 March 2022
	Report from the Strategic Director of Customer and Digital Services

Covid Additional Restrictions Fund – Rate Relief Scheme

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1 Covid Additional Restrictions Fund – Rate Relier Scheme Appendix 2 Local Authority Guidance: CARF Guidance.docx (publishing.service.gov.uk)
Background Papers:	None
Contact Officer(s):	Peter Cosgrove, Head of Revenue and Debt 020 8937 2307 Email: peter.cosgrove@brent.gov.uk

1.0 Purpose of the Report

1.1 The powers to grant local discounts in respect of non-domestic rates are contained within section 47 of the Local Government Finance 1988 as amended by section 69 of the Localism Act 2011. To award discounts and reliefs under this provision any discount scheme requires Cabinet approval.

1.2 This report sets out a discretionary scheme for Covid Additional Restrictions Fund 2022 – Rate Relief Scheme which will last until the end of September 2022, coming into force once approved.

1.3 On 25 March 2021 the Government announced a new COVID-19 Additional Relief Fund (CARF) of £1.5 billion. The fund was confirmed in December 2021 following the royal ascent of the Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Act 2021 alongside publication of detailed Government advice. Since the publication of the guidance by government, Council officers have used this time to develop the scheme and to consult internally in advance of presenting the scheme to Cabinet on 7 March.

1.4 The fund is available to support those businesses affected by the pandemic but so far ineligible for support linked to business rates.

1.5 The Government guidance requires that the Council puts in place a discretionary scheme to administer the support for eligible businesses.

2.0 Recommendation(s)

2.1 That Cabinet approves the Covid Additional Restrictions Fund – Rate Relief Scheme as outlined in paragraphs 3.7 to 3.16 of this report and as set out in Appendix 1 of this report pursuant to the Council's powers under section 47 of the Local Government Finance Act 1988 as amended.

2.2 That Cabinet delegates authority to the Director of Finance and Strategic Director of Customer and Digital Services to implement the scheme as detailed in Appendix 1 and in accordance with the government's guidance in Appendix 2 of this report.

3.0 Detail

3.1 On 25 March 2021 the Government announced a new COVID-19 Additional Relief Fund (CARF) of £1.5 billion. The fund will be available to support those businesses affected by the pandemic but that are ineligible for existing support linked to business rates.

3.2 The delay from 25 March 2021, before the guidance and funding allocation, was due to the government deciding to not create CARF without first seeking to limit appeals against rating valuations on the grounds of Covid. It is the case that a business may appeal its rateable value on the basis of a material change of circumstance. The government's Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Act 2021 prevents appeals on the basis of changes due to Covid with the Act stating:

"1 (4) In making a relevant determination, no account is to be taken of any matter (whether arising before or after the passing of this Act) that is directly or indirectly attributable to coronavirus."

3.3 The amount allocated to the Council is £7,645,144.

3.4 CARF has not included any changes to the legislative rules around business rates. Instead the CARF guidance provided by government requires the Council to provide discretionary relief powers under section 47 of the Local Government Finance Act 1988 ("the LGFA 1988"). The guidance states that it is for individual billing authorities to adopt a local scheme and determine in each individual case whether, having regard to this guidance and their own local scheme, to grant relief under section 47 of the LGFA 1988. The relief is available to reduce chargeable amounts in respect of 2021/22.

3.5 Under the terms of section 47 of the LGFA 1988, the payment of reliefs must end no more than 6 months after the end of the financial year in which the relief applies. As the relief is to apply to 2021/22 no relief will be applied after 30 September 2022.

3.6 The detailed guidance from the Government regarding this scheme is set out in Appendix 2.

3.7 In accordance with guidance the Council's scheme must:

a. not award relief to ratepayers who for the same period of the relief either are or would have been eligible for the Extended Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);
b. not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of this relief);
c. direct their support towards ratepayers who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact; and
d. not grant the discount to themselves, certain precepting authorities (e.g. a parish or county council) or a functional body, within the meaning of the Greater London Authority Act 1999.

3.8 The amount of relief to be provided is at the discretion of the Council, with any relief being provided after mandatory reliefs and other discretionary reliefs funded by section 31 (Local Government Act 2003) grants.

3.9 The amount of relief awarded may need to be recalculated in the event of a change of circumstances.

3.10 Any relief provided by the Council under the CARF Scheme will need to comply with the UK's domestic and international subsidy control obligations, as set out in the guidance.

3.11 Where authorities are delivering CARF via applications then this declaration can be requested as part of the application. As part of awarding the relief, local authorities should ask businesses to keep necessary documentation to evidence this.

3.12 Billing authorities should ensure that they are able to monitor and report the take-up of the scheme at Parliamentary constituency level and local authority level, and by the Special Category code of the hereditaments.

3.13 It is at the discretion of the Council to use an application in awading relief under the scheme.

3.14 The government guidance provides details on how the allocations were calculated for each billing authority. The information also includes details regarding the Standard Industrial Classification (SIC) using SIC Code held

within the rating lists as well as Special Category Description which is recorded using a Special Category Code (SCat Code). The information from the SIC Code and SCat Code can be used to analyse the rating list to establish the local scheme.

The Council Scheme

3.15 The basis of the Council's scheme is to provide rate relief for businesses that have so far received no other relief in relation to COVID-19. In order to do this the Council's Scheme will:

i. Use an analysis of the data to establish which SICs and SCat codes will identify businesses that will qualify.

ii. Additionally use local knowledge of businesses operating in the borough to achieve this.

iii. Award relief on the basis of businesses meeting the criteria in v. below. Any potential award will require a return from the business which will include an option to opt out of receiving relief and to self certify that they qualify and that they comply with the subsidy requirements.

iv. All qualifying businesses will receive relief at a set percentage of their liability for 2021/22. The exact percentage will be determined upon analysis of the qualifying businesses to ensure the council's grant allocation is not exceeded.

v. The businesses in Brent to be targeted for this relief will be those that have not been eligible for Covid related rate relief but have nevertheless been affected by the pandemic:
   a. manufacturing, factories, workshops and warehouses (Incl bakeries and dairies) and food processing centres;
   b. information and communication, recording studios; rehearsal studios
   c. stores and distribution, stores and storage depots - non-retail;

vi. The estimated amount payable after other discounts for the businesses identified above is £34.3 m.

vii. Given the Council's allocation of £7.46m the scheme will expect to provide relief of approximately 22% of the amount charged after other reliefs. The final amount will depend on completion of the award process and businesses deciding to opt out. Prior to awarding any reliefs the take-up will be estimated to ensure the Council's funding is provided to as many qualifying businesses as possible.

viii. Any businesses that feel they have been wrongly excluded from being awarded relief under the scheme will be able to request that their case is reviewed. The decision of the Head of Revenue and Debt will be final in any such review.

3.16 The proposed scheme is set out in Appendix 1.

4.0 Financial Implications

4.1 The financial implications are set out throughout this report, however in summary all discretionary reliefs provided, within the collection fund, to eligible businesses will be reimbursed by Government, via a section 31 grant paid to the general fund, up to the maximum amount allocated to Brent of £7.46m.

4.2 The grant will then be used, after the end of the year, to repay the deficit in the collection fund caused by the additional reliefs. The net effect to the council and collection fund will be zero.

5.0 Legal Implications

5.1 Local authorities have powers to grant local discounts in respect of non-domestic rates pursuant to section 47 of the Local Government Finance 1988 as amended by section 69 of the Localism Act 2011.

5.2 A billing local authority in England, when making a decision under section 47(3) of the Local Government Finance Act 1988 (as amended) above, must have regard to any relevant guidance issued by the Secretary of State. The decision maker is referred to the Guidance document that has been provided by the Secretary of State which are referred and appendixed to this report.

5.3 The Government has confirmed in its guidance as set out in Appendix 2 of this report that it will fully reimburse local authorities for discretionary relief awards which comply with the government's guidance up to the maximum level of the allocations.

5.4 Providing discretionary relief to ratepayers is likely to amount to a subsidy. Any relief provided by local authorities under the CARF Scheme will need to comply with the UK's domestic and international subsidy control obligations. The CARF scheme is subject to the subsidies chapter within the UK-EU Trade and Cooperation Agreement (TCA). However, for CARF there is an exemption for subsidies under the value of approximately £2,243,000 per economic actor (broadly speaking, for example, a holding company and its subsidiaries). This allowance comprises 325,000 Special Drawing Rights (at current exchange rates about £343,000) for Small Amounts of Financial Assistance and a further £1,900,000 for COVID-19 related subsidy.

5.5 Therefore, to be awarded CARF, the applicant must not have claimed over the period 2019/20 to 2021/22 more than £2,243,000 from schemes which fell within the Small Amounts of Financial Assistance or COVID-19 related allowances. COVID-19 business grants which the applicant has received from local government and the 2019/20 Retail Relief should count towards this limit, but the applicant should not count any Extended Retail Discount which they have received since 1 April 2020.

5.6 If the applicant has already exceeded the £2,243,000 allowance, the local authority will still consider applications for support under the CARF scheme if the applicant has reached this limit provided they can provide evidence that they:

(i) intend to use the support to fund uncovered fixed costs (costs not covered by profits for insurance etc) during the period of COVID-19. Economic actors may claim for up to 70% of their uncovered costs (although this

70% limit does not apply to small businesses with less than 50 employees and less than £9 million turnover where the limit is instead 90%); and

(ii) have shown a decline in turnover of at least 30% within the April 2020 to March 2021 period, compared to the same 2019 to 2020 period.

5.7 The applicant may claim up to a further £10 million of additional allowance (on top of the £2,243,000) if the applicant meets the above tests and has not claimed any other support from the additional allowance up to an aggregate £10 million limit (such as from the COVID-19 business grants).

6.0 Equality Implications

6.1 The public sector equality duty requires public bodies to pay due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

6.2 The Equality Act 2010 and the Public Sector Equality Duty (outlined above) cover the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

6.3 There are not thought to be any direct equalities implications arising from the report at this stage. Indeed the schemes will provide help to small businesses with needed financial support. Those who are likely to be entitled to these grants will have their grants awarded dependent declartions they make regarding their eligibility. Those businesses awarded grants will be asked to advise us if they fail to meet any of the specified crirteria via an on-line form.

7.0 Consultation with Ward Members and Stakeholders

7.1 The Scheme referred to in this report have comes as part of the Government's urgent response to the Covid-19 pandemic. As such there has been no consultation as guidance has been issued by the Government on how this scheme should be operated, and the Government expects local authorities to implement it using its section 47 powers.

8.0 Human Resources/Property Implications (if appropriate)

8.1 8.1 None

Report sign off:

Peter Gadsdon
Strategic Director of Customer and Digital Services

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Appendix One

Covid Additional Restrictions Fund – Rate Relief Scheme

Government Guidance

The Covid Additional Restrictions Fund provides funding that allows the Council to provide rate relief to businesses that have so far not received such relief.

The Scheme

The Council shall:

i. not award relief to ratepayers who for the same period of the relief either are or would have been eligible for the Extended Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS),

ii. not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of this relief), and

iii. direct their support towards ratepayers who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact.

iv. Use an analysis of the data to establish which SICs and SCat codes will identify businesses that will qualify.

v. Additionally use knowledge of businesses operating in the borough to achieve this

vi. The categories of business identified locally to be prioritised for relief are:

Special Category Code	Description	SIC Code	SIC Descruption
96	Factories Workshops and Warehouses (Incl Bakeries and Dairies)	C	Manufacturing
105	Food Processing Centres	C	Manufacturing
232	Recording Studios	J	Information and Communication
267	Storage Depots	Z	Storage and Distribution
268	Stores	Z	Storage and Distribution
270	Studios	R	Arts, Entertainment and Recreation

vii. Not all manufacturing has been included. The other manufacturing featuring in Brent has been excluded, i.e. Concrete Batching Plants, Large Industrials (Over 20 000m2) and Concrete Batching Plants.

viii. Any businesses that feel they have been wrongly excluded from being awarded relief unde the scheme will be able to request that their case is reviewed. For example offices in general are excluded but this does not preclude individual businesses from applying where the have been unable to adapt to the effects of the pandemic. The decision of the Head of Revenue and Debt will be final in any such review based on the government guidance (CARF Guidance.docx (publishing.service.gov.uk)) and the funding available to the Council.

ix. Relief on the basis of businesses meeting the above criteria will be achieved by inviting them to confirm the required details via an online process. Emails and letters will be used to communicate with businesses alongside information on the Council's website.

x. Businesses will be required to self certify that they qualify and that they comply with all legal and subsidy requirements.

xi. All qualifying businesses will receive relief at a set percentage of their liability for 2021/22. The exact percentage will be determined upon analysis of the qualifying businesses to ensure the council's grant allocation is not exceeded.

xii. The Council will check the declaration made by businesses and use all resources available to do so.

xiii. The Council will monitor reliefs awarded to ensure the grant allocation provided to it by government is not exceeded. Therefore prior to any reliefs being awarded, take-up will be estimated to ensure the funding is spread as far as possible between qualifying businesses.

xiv. The Council will keep the scheme under review and may amend it from time to time.

Scheme Administration

Given the limited funding available to the Council the scheme will operate on a first come first service basis backed, where feasible, by clear and consistent promotion of the scheme by inviting identified businesses to confirm their elligibility through an online form and by publishing details of the scheme on its website. No payments will be made after 30 September 2022. Where there are changes to entitlement retrospective ameendents may be made.

Communication

Clear communication around the scheme and its criteria will be crucial to demonstrate transparency around how decisions are to be made. The online information will make clear the requirement to share data, including with central government.

Assessment of applications

Internal Audit will take a sample of the awads made and review each step of the process for accuracy and completeness. Audit will not be part of the approval process for each application.

Any award will be at the absolute discretion of the following:

i. Head of Revenue and Debt

ii. Head of Finance

Any representation regarding the appropriate administration of the Council's covid Additional restrictions Fund Scheme that cannot be resolved by the above will be referred to the Strategic Director of Customer and Digital Services or Director of Finance for determination.

There is no appeal mechanism but applicants can ask for their case to be reviewed either where they were not invited to apply or their application is declined. Additionally ratepayers may utilise the Council's complaint process if required.

Combatting fraud

In order to ensure that the CARF Scheme is not subject to potential abuse, all submitted applications will require a statutory declaration of truth, a statement regarding data processing and a recovery of funds statement. This declaration allows the Council, through the corporate Anti-Fraud team, to carry out pre-payment checks in order to give greater assurance that the funds are being claimed and paid correctly. Furthermore, the declaration carries warnings which further allow the council to consider taking criminal action against persons who have been found to have deliberately made false applications for the funding. It also allows for the recovery of funds which have been paid which should not have been.

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Brent	**Cabinet** 7 March 2022
	Report from the Strategic Director Regeneration and Environment

Authority to enter into a Partnership and Funding Agreement with Uber to expand the Brent Electric Vehicle Charging Point (EVCP) Network and to appointment a Charging Point Operator to install and maintain the EVCPs on behalf of Brent

Wards Affected:	All wards
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt- Appendix A is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	Four Appendix A (exempt) Draft Infrastructure Funding Agreement Appendix B Draft EVCP Locations Appendix C Finance Director Approval of Infrastructure Funding Agreement with Uber Appendix D Equality Analysis
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Annekatrin Dennemann, Principal Transport Planner Spatial Planning 020 8937 3553 Annekatrin.dennemann@brent.gov.uk

1 Purpose of the Report

1.1 This report provides an update on the work to expand electric vehicle charging provision in Brent. It asks Cabinet to approve the Council entering into a partnership and funding agreement with the mobility provider, Uber, to further expand the charge point network in the borough.

1.2 This report also requests approval to invite tenders in respect of supplying, fitting and maintaining vehicle electric charge points as required by Contract Standing Orders 88 and 89.

2. Recommendations for Cabinet

For Cabinet to approve:

(i) Brent Council entering into an Infrastructure Funding Agreement with Uber to receive grant funding for the procurement, installation, operation and maintenance of additional on-street electric vehicle charging points in various locations within Brent.

(ii) Inviting tenders for the supply, installation, operation and maintenance of charge points on the basis of the pre-tender considerations set out in paragraph 8.2 of the report and as required by Contract Standing Orders 88 and 89.

(iii) To delegate authority to the Strategic Director Regeneration and Environment, in consultation with the Lead Member for Environment and the Lead Member for Regeneration, Highways and Planning, to award a contract(s) to the successful bidder(s) of the project to provide on-street electric vehicle charge points in residential locations for the term of ten years, as specified in the IFA.

3. Background

3.1 The borough experiences a range of transport and related challenges, including long-standing issues around congestion, air quality and road safety, as well as growing problems around public health inequalities and climate change. A key priority for the council is to enable greener and more active and sustainable travel choices, with a particular emphasis on enabling an increase in journeys by walking, cycling and public transport whilst reducing the number of journeys made by private vehicles – particularly the most polluting ones. Facilitating the take-up of zero/low-emission vehicles through expanding the infrastructure for electric vehicles to provide more charging points and address concerns about range, is central to achieving this.

3.2 At the same time, the move to electric vehicles by car hire drivers resident in the Borough requires the availability of more charging infrastructure to enable drivers to continue in their work.

3.3 In partnership with TfL, London Councils, charge point manufacturers/ operators and developers, the council has been working to implement an electric vehicle charge point (EVCP) infrastructure across the borough in recent years. However, as the number of residents using/purchasing electric vehicles increases, there is a growing need to provide more charge points and supporting infrastructure, at the same time as minimising the impact on the ever-increasing pressure for parking in the borough.

3.4. This report provides details of a funding offer from the mobility as a service/ride hailing company, Uber, for providing new EVCP infrastructure in the borough. It recommends that the council enters into a partnership and funding agreement with Uber for the procurement, installation, operation and maintenance of additional on-street electric vehicle charging points in various locations within Brent, to support residents overall, but in particular those employed in this sector.

4. Overview of Proposal

4.1 The Mayor's Transport Strategy set aims to reduce the impact that travel has on London's air pollution levels. As part of this agenda Transport for London aim that all taxis and private hire vehicles (PHVs) will be zero emission-capable by 2033.In 2019, partly in response to tightened environmental and vehicle emissions standards, Uber launched a Clean Air Plan. As part of the plan, Uber is aiming to transition 45,000 vehicles in its UK fleet to fully electric by 2025, including every vehicle operating in London on the Uber App.

4.2 In early 2021, the council, along with the London Boroughs of Newham, Redbridge and Tower Hamlets, was approached by Uber, with a view to the company providing funding towards the installation of new on-street electric vehicle charging points across the four boroughs where the most Uber drivers live.

4.3 There is a growing need for additional charging facilities, particularly for residents who do not have access to private, off-street parking. There is also a growing demand for new on-street charging infrastructure for the many people who are employed in the taxi and private hire trades and who currently use, or are planning to transition to, an electric vehicle, but have no convenient place to charge it.

4.4 Following the completion of a survey among its drivers to understand their current driving habits and ascertain their future EV needs, Uber is prepared to invest circa £5m to fund upwards of 300 new on-street charging points across Brent, Newham and Redbridge – principally for use by its drivers, but also accessible to the wider public. A requirement for up to 280 new on-street charge points has been identified at around 140 locations in Brent, with funding of up to circa £900,000 or a maximum of £1.8m being made available towards the cost of their purchase, installation, operation and maintenance. Further details are set out in the following sections of the report.

4.5 Uber's data has confirmed that registered Brent drivers operating via the Uber App, and those working for the numerous independent mini cab firms based in Brent, represent a significant number of workers employed in the PHV sector. Supporting this sector in its transition to EVs through the supply of conveniently located charging facilities links directly to the council's economic objectives to support local employment opportunities. Assisting Uber's drivers to transition to EV's will help to address their low incomes to some extent by reducing their overheads, and thus help to increase their net incomes. Whilst we can't

influence the terms of Uber's employment we hope there will be similar improvements to the terms of their employment contracts with their drivers to follow.

4.6 Two important court rulings significantly strengthened the rights of Uber drivers and passengers. In February 2021 the Supreme Court ruled that its drivers should be classed as workers from the time they log on to the app, until they log off, with access to the minimum wage, a workplace pension, an entitlement to breaks and paid holidays. In December 2021 the High Court instructed private hire operators in London, including Uber, to change their business model to contract directly with passengers who book making Uber responsible once bookings are accepted. The judges ruled that the law required a contractual obligation between operators and passengers once a booking is made giving effect to the statutory purpose of ensuring public safety.

4.7 Uber states that they are now treating all 70,000 drivers operating on the Uber app in the UK as workers. They further state that since March 2021 all Uber drivers have received holiday pay, automatic enrolment into a pension plan for eligible drivers and at least the National Minimum Wage after accepting a trip request and after expenses. Uber also reached a trade union recognition agreement with GMB in May 2021 ensuring all of its drivers have full union representation. The Mayor has expressed his support for the agreement.

4.8 In addition, Uber's current licence to operate in London is subject to strict conditions and requirements and is being closely monitored by TfL.

5. Infrastructure Funding Agreement

5.1 The award of funding for new on-street electric vehicle charge point infrastructure is subject to the council entering into an Infrastructure Funding Agreement (IFA) with Uber.

5.2 The IFA sets out the various terms and conditions by which the funding will be made available to the council and covers details of the level of funding on offer; specifications and timescales regarding the procurement, installation, operation and maintenance of charge points; and advertising and data sharing arrangements. Further details on the specifics of the IFA are set out in Appendix A to this report (part exempt). The London Boroughs of Newham and Redbridge have confirmed that they will be entering in to very similar IFAs with Uber.

6. Procurement of Charge Points and Operator(s)

6.1 On entering the IFA, the council will then undertake a public procurement exercise to appoint a charge point operator(s) (CPO) to install, operate and maintain up to 280 new on-street charge points at various locations across Brent. It is proposed to run a further competition using a suitable framework.

6.2 Work on developing the various tender documents is ongoing, but will closely align with the requirements of the IFA as well as similar existing contracts for the installation, operation and maintenance of charge point infrastructure in

Brent. As a minimum, the tender documents will set out these main requirements:

- The number/type of charge points to be installed at each location, with the expectation that the majority will be fast chargers capable of a minimum charge speed of 7kWh;
- Charging costs, including details of tariffs/PAYG prices and payment options available to customers;
- Source of energy to be used to power charge points, with an expectation that only renewable energy sources should be used;
- Arrangements for ongoing maintenance and replacement/upgrade of charge points, including the software behind the charge points;
- Employment and, in support of the green skills agenda, training of available Brent based contractors and staff, to undertake installation and maintenance of charge points;
- Ownership arrangements for charge points at the end of the contract period.

6.3 Following the appointment of an operator(s), further technical work will be undertaken to confirm suitable charge point locations, which will then be consulted upon as part of the required Traffic Management Order (TMO) process. Following installation of a charge point, the CPO will become responsible for its continued operation and maintenance for the duration of the contract. They will also be required to pay the council an annual rent for each site and a share of revenue once the site is operational.

7. Charge Point Locations

7.1 Following consultation with its drivers, Uber has provisionally identified around 140 locations in Brent where there is a requirement for further on-street electric vehicle charging infrastructure – either to support those employees currently with an EV, or to assist those seeking to transition to one.

7.2 Sites are currently being assessed to ascertain whether it is feasible to install charge points at these locations, the type and number of charge points that could be supported, and whether any potential mitigation measures might be required or alternative locations need to be considered. More detailed site assessments will be undertaken following the appointment of a CPO(s) and a final list of locations drawn up.

7.3 When determining appropriate locations for new charging infrastructure, the council will take into consideration a range of factors, including existing/potential parking pressures; road safety considerations; access issues; potential harm to the streetscape; heritage considerations and access to appropriate power networks. Charge points would be installed under Permitted Development rights.

7.4 It is anticipated that almost all charge points will be installed on the public highway and will require the provision of designated parking bays, enforceable via a Traffic Management Order (TMO). Preliminary assessment of potential locations has taken great care to ensure that any loss of existing resident or

pay and display parking bays is avoided wherever possible. Any loss will be kept to an absolute minimum.

8. Delivery Programme and Pre-Tender Considerations

8.1 The table below summarises the proposed next steps and delivery programme for expanding the Brent electric vehicle charging point network in partnership with Uber.

Proposed Next Steps for Expanding the Brent Electric Vehicle Charging Point Network in Partnership with Uber	
January/February 2022	– Develop CPO Tender Documents
March/April 2022	– Sign Infrastructure Funding Agreement with Uber – Further Competition with a suitable framework provider Confirm charge point locations and numbers and divide into three batches
May 2022	– Appoint CPO(s) – Finalise charge point locations for batch 1 in liaison with CPO
May/June 2022	– Prepare technical drawings and consultation documents for batch 1 – Member and Public consultation for batch 1 – Finalise charge point locations for batch 2 in liaison with CPO – Prepare technical drawings and consultation documents for batch 2
June/July 2022	– Evaluation of consultation results for batch 1 – Consultation Report for batch 1 – Member and Public consultation for batch 2 – Finalise charge point locations for batch 3 in liaison with CPO (non CPZ Locations)
August 2022	– Making of TMO for batch 1 (August – November) – Evaluation of consultation results for batch 2 – Consultation Report for batch 2 – Prepare technical drawings and consultation documents for batch 3
September/October 2022	– Member and Public consultation for batch 3 – Making of TMO for batch 2 (September – December)
October/November 2022	– Evaluation of consultation results for batch 3 – Consultation Report for batch 3
December/January	– Installation of charge points batch 1 – Making of TMO for batch 3 (December – March)
February/ March 2023	– Installation of charge points batch 2
March 2023	– Installation of charge points batch 3

8.2 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 works.	In addition to those requirements set out in the IFA, as a minimum the council will require the CPO to undertake the following services: • assess and confirm suitability of pre-selected locations for charge points, • assess and confirm suitability of alternative locations for charge points as necessary, • propose suitable charge point models for individual sites as necessary, • prepare technical drawings, • arrange for procurement, delivery, storage, pre-installation site preparations, installation, connection of charge points and making good of site post installation as necessary and • operate and maintain charge points,	
(ii)	The estimated value.	The total value of the contract with the CPO will be determined by the number and type of charge points to be implemented, but is anticipated to be upwards of £900,000 and up to a maximum of £1.800,000 (excluding any contract extension where agreed closer towards the end of the original contract term).	
(iii)	The contract term.	The charge points are to be installed by 31st March 2023 and remain operational for a minimum of 10 years with the option to extend the contract as to be confirmed closer to the time.	
(iv)	The tender procedure to be adopted.	Further competition from a legal admissible framework	
(v)	The procurement timetable.	**Indicative dates are:**	
		Invite to tender	March 2022
		Deadline for tender submissions	April 2022
		Panel evaluation and shortlist for interview	April 2022
		Report recommending Contract award circulated internally for comment	April 2022

<table>
<tr><th>Ref.</th><th>Requirement</th><th colspan="2">Response</th></tr>
<tr><td></td><td></td><td>Delegated Cabinet approval to Strategic Director</td><td>April 2022</td></tr>
<tr><td></td><td></td><td>Voluntary 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers including 5 day call in period</td><td>May 2022</td></tr>
<tr><td></td><td></td><td>Contract Mobilisation</td><td>w/c 16th May</td></tr>
<tr><td></td><td></td><td>Contract start date</td><td>w/c 23rd May</td></tr>
<tr><td>(vi)</td><td>The evaluation criteria and process.</td><td colspan="2">1. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:

<table><tr><th>Award criteria</th><th>Weighting (%)</th></tr><tr><td>Quality</td><td>25%</td></tr><tr><td>Social Value</td><td>10%</td></tr><tr><td>Price</td><td>65%</td></tr><tr><td></td><td></td></tr></table></td></tr>
<tr><td>(vii)</td><td>Any business risks associated with entering the contract.</td><td colspan="2">The following business risks are considered to be associated with entering into the proposed contract:
Difficulties of CPO to source and supply sufficient numbers of specified charge point models within the required timeframe to allow for timely completion of installation period. This risk can be mitigated by identifying suitable alternative charge point models. As set out in the IFA timely communication to Uber of any CPO procurement or delivery delays and proposed action on how delays can be minimised should mitigate against any potential action by Uber against Brent Council in connection with any identified infringement of contractual obligations.
It is possible that general cost inflation could result in a rise in costs of charging devices and their installation. Suitable phrasing of clauses in the contract with the CPO as well as communication with Uber can mitigate against the risk negative implications for Brent Council.
Financial Services and Legal Services have been consulted concerning this contract [and have identified</td></tr>
</table>

Ref.	Requirement	Response
		the risks associated with entering into this contract set out sections 9 and 10 of the report.
(viii)	The Council's Best Value duties.	Uber's funding offer and the procurement of a charge point operator that will supply, install and maintain the charge points allows Brent Council to expand its network of electric vehicle charging points at no cost to the council represents very good value to the council and Brent residents. The contract delivers on key council aims and objectives with only very minimal impact on its budget.
(ix)	Consideration of Public Services (Social Value) Act 2012	Social Value weighting of 10% will be included in this contract.
(x)	Any staffing implications, including TUPE and pensions.	Existing council staff can deliver project tasks that fall outside those that the CPO will be contracted to perform. There are not expected to be any other staffing implications. See section 9.4 below.
(xi)	The relevant financial, legal and other considerations.	See sections 9.0 and 10.0 below.

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

9.0 Alternative Options Considered

9.1 No alternative options have been considered. The expansion of EVCP provision in the borough forms a key component of the council's current and emerging policies around mitigating climate change, improving air quality and 'greening' transport, but is largely dependent on the provision of third party funding to progress.

10.0 Financial Implications

10.1 There are no significant financial implications for the council arising from these proposals. Up to 50% of the cost of the charging infrastructure, to a maximum of £6,500 per charge point, will be provided by Uber via the IFA, with the charge point operator(s) required to fund the remaining costs. The CPO(s) will also be liable for all operational and maintenance costs over the duration of the concession contract, which is expected to be in place for 10 years.

10.2 There are detailed site assessments to take place, which would determine whether any additional public realm/highways works would be required prior to the charge point installation. Beyond the funding from Uber and that to be provided by any appointed CPO for charging infrastructure costs specifically, there is no additional budget available to fund public realm/highways works prior to installation. Therefore, in the event of the council being unable to find a

suitable location nearby without the associated additional public realm/highways costs, it is recommended not to proceed with the installation in that area.

10.3 The total amount of funding being made available to the council will be determined by the number and type of charge points to be implemented, but is anticipated to be upwards of £1.8m and up to a maximum of £3.6m.

10.4 Costs associated with the ongoing development of proposals, as well as for undertaking the procurement exercise to appoint a CPO(s) and for planned consultation as part of the TMO process, will be met through existing staff budgets

10.5 The council will receive a license fee and a share of the revenue from the CPO for operating charge points in the public highway, details will have to be explored more in detail.

11. Legal Implications

Infrastructure Funding Agreement

11.1 The proposal for the council to establish a partnership with Uber by entering into an IFA is permitted by the general power of competence given to local authorities by section 1(1) of The Localism Act 2011, which empowers the council to do anything an individual can do unless prohibited by law and subject to public law principles. Further, section 111 of The Local Government Act 1972 sets out subsidiary powers of local authorities which allow the council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

11.2 Legal Services have reviewed the IFA and confirm that the terms of the funding agreement are acceptable from a legal perspective.

11.3 In accordance with Financial Regulation 9.1.1 of Part 2 of the Constitution approval will be required from the Finance Director. A draft, unsigned copy of the aforementioned approval report has been enclosed at Appendix C of this report prepared for signature following Cabinet approval.

Agreement with CPO

11.4 On entering the IFA, Officers recommend the use of a framework to procure the supply, installation, operation and maintenance of the electric charge points on behalf of the Council. The PCR 2015 allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full procurement process. Call offs under the framework need to be carried out in accordance with the framework rules, to include using evaluation criteria specified in the framework and utilising the terms and conditions set out in the framework.

11.5 The council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement

established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer to include confirmation that there is adequate budgetary provision, and provided that the Director of Legal, HR, Audit and Investigations has advised that participation in the framework is legally permissible.

11.6 The proposed procurement for the appointment of the CPO is subject to the council's own Standing Orders in respect of Medium Value Contracts and Financial Regulations given the procurement is valued at less than £2.4 million. The Director of Finance has authority to approve the procurement of the contract using a framework.

11.7 As the proposed procurement of the appointment of the CPO is from a framework, there is no strict requirement for the council to observe a 10 day standstill period under the PCR 2015 although the award of the contract will be subject to the council's usual call-in process.

12. Equality Implications

12.1 The public sector duty set out in Section 149 of the Equality Act 2010 requires the council, when exercising its public functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

12.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. PCG is referred to the contents of this report for information, in particular paragraphs 12.4 – 12.5 of this report.

12.4 Road transport is the main source of nitrogen dioxide (NOx) and a significant contributor to particulate matter (PMs) in Brent, two of the most dangerous pollutants, which contribute to the premature death of nearly 10,000 people a year in London. Motor vehicles are currently responsible for 49% of NOx emissions and 30% of PM10 emissions in the borough. Facilitating the uptake of low/zero emission vehicles through increased provision of electric vehicle charging facilities provides significant opportunities to improve air quality in parts of the borough and will benefit the health of everyone who lives or works in or visits Brent.

12.5 As charge points are to be located on the public highway, they will be consulted on. Any aspects of individual charge point locations that might have the potential to disproportionately or negatively impact on individuals or group of protected characteristic will be addressed at this stage.

13. Consultation with Ward Members and Stakeholders

13.1 The project will require statutory consultation to be undertaken for the making of Traffic Management Orders at all locations where charge points and associated infrastructure is to be installed. Where designated parking bays are required, or proposals result in the removal or relocation of residents parking, consultation with local residents and businesses will be undertaken. All final charge point locations are to be agreed with the Lead Member for Environment prior to the commencement of installation works.

14. Human Resources/Property Implications (if appropriate)

14.1 There are no implications for council staff arising from entering into the IFA or tendering the CPO contract.

15. Public Services (Social Value) Act 2012

15.1 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 have had regard to considerations contained in the Social Value Act in relation to the procurement.

15.2 A weighting of 10% is allocated for Social Value and will be included within the final tender documents. This will be assessed and scored as part of the evaluation. The commitments are contractually required to be delivered and therefor have a monetary value against each element. Commitments will be monitored by the contract manager and in circumstances where the Social Value falls below commitment the council can call upon the monetary values in which case the funds will be diverted to the LBB Social Value pot, which is dedicated to supporting local businesses within the borough.

Report sign off:

Alan Lunt
Strategic Director of Regeneration & Environment

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Borough	Postcode	Which best describes where you park your car?	What car do you currently drive, or, When do you plan to drive your next car?	Which is your weekly mileage?	Confirmed EV drivers	Date captured	Street / suggested location	CPZ	Location details	Google Maps
Brent	HA0 3DS	Outside my house	Hybrid, Petrol or Diesel	500	No	Apr-21	Bramhall Road	no	on street bays adjacent to 17a Clive Road	
Brent	HA0 3EA	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Bramhall Road	no	on street bays adjacent to 17a Clive Road	
Brent	HA0 3JU	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Bromford Avenue	no	outside 68 Bromford Avenue, on street bays, Vehicle	
Brent	HA0 4AT	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Elmwood	no	outside 2 Elmwood, on street bays, Vehicle	
Brent	HA0 4BY	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Horton Road	no	outside 18 Horton Road, on street bays, Vehicle	
Brent	HA0 4DH	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Ealing Road	no	43 Ealing Road, adjacent to Ealing Road Library and Coronet Parade, Pub/Library bays	
Brent	HA0 4PX	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Ealing Road	no	outside 218&A Ealing Road, on street bays, Vehicle	
Brent	HA0 4QT	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Taylors Gate	no	outside 218&A Taylors Gate, on street bays	
Brent	HA0 4RR	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Cheltenham Avenue	no	on street bays at junction with Victoria Avenue, outside property 4 out of 23	
Brent	HA0 4RT	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Cheltenham Manor Drive	no	on street bays at junction with Victoria Avenue, outside property 4 out of 23	
Brent	HA0 4TA	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Park Lane	no	Park Lane, on street bays outside 218&218A Park Lane (if space)	
Brent	HA0 4TB	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Park Lane	no	Park Lane, on street bays outside 218&218A Park Lane (if space)	
Brent	HA0 4TD	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Brook Avenue	no	outside 55 & 55 Brook Avenue, on street, no marked bays	
Brent	HA0 4UA	On the street	Hybrid, Petrol or Diesel	500	Yes	Apr-21	Brook Avenue	no	outside 55 & 55 Brook Avenue, on street, no marked bays	
Brent	HA0 4UB	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Stonebridge Way	no	Stonebridge Way, adjacent to 11 Nimrod Park	
Brent	HA0 4UD	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Stonebridge Way	no	Stonebridge Way, adjacent to 11 Nimrod Park, empty site due to green verges	
Brent	HA0 4UE	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Clifford Way	no	On-street bays outside 181 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UF	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Clifford Way	no	On-street/footway bays opposite 60 Walsall Way	
Brent	HA0 4UG	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Bassant Way	no	on street bays adjacent to 181 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UH	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Bassant Way	no	on street bays adjacent to 181 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UJ	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Clifford Way, Hawaiian	no	on street bays adjacent to 181 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UL	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Cooper Road, Willesden	no	on street bays adjacent to 55 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UN	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Cooper Road, Willesden	no	on street bays adjacent to 55 Dudden Hill Lane, shared Residents/P&D bays	
Brent	HA0 4UP	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Mayberry Gardens, Willesden	no	on street bays, outside 1 Longstone Avenue, shared Residents/P&D bays	
Brent	HA0 4UQ	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Longstone Avenue	no	on street bays, outside 1 Longstone Avenue	
Brent	HA0 4UR	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Longstone Avenue	no	on street bays, outside 1 Longstone Avenue	
Brent	HA0 4US	On the street	Hybrid, Petrol or Diesel	500	Yes	Dec-21	Peter Ave Ave Donnington and Alexander Ave	no	on street bays, outside 1 Longstone Avenue, shared Residents/P&D bays	
Brent	HA0 4UT	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Chalkhill Road	no	on street bays, outside 117 Drayton Road, Sung Kalgoolai nearby	
Brent	HA0 4UU	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Drayton Road	no	on street bays, outside 117 Drayton Road, Sung Kalgoolai nearby	
Brent	HA0 4UW	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Chalkhill Road	no	on street bays, outside 117 Drayton Road, Sung Kalgoolai nearby	
Brent	HA0 4UX	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Peter Ave Ave Donnington and Alexander Ave	no	on street bays, outside 117 Drayton Road, Sung Kalgoolai nearby	
Brent	HA0 4UY	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Lushington Road, Kensal Green	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4UZ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Lushington Road, Kensal Green	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WA	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Mortimer Road, Willesden	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WB	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Mortimer Road, Willesden	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WD	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WE	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WF	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WG	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WH	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WJ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WL	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WN	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WP	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WQ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WR	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WS	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WT	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WU	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WW	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WX	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WY	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4WZ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XA	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XB	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XD	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XE	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XF	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XG	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XH	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XJ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XL	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XN	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XP	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XQ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XR	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XS	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XT	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XU	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XW	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XX	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XY	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4XZ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YA	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YB	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YD	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YE	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YF	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YG	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YH	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YJ	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YL	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
Brent	HA0 4YN	On the street	Hybrid, Petrol or Diesel	500	Yes	Jul-21	Bassant Way	no	on street bays, adjacent to 24 Holland Road	
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Memorandum

To: Minesh Patel, Finance Director		Your ref:	Uber funding re Electric Charging Points
From: Annekatrin Dennemann, Principal Transport Planner, Spatial Planning		Our ref:	As above
		Date:	24th January 2022

APPROVAL TO ENTER INTO AN INFRASTRUCTURE FUNDING AGREEMENT TO RECEIVE GRANT MONIES FROM UBER TO INSTALL ELECTRIC CHARGING POINTS ACROSS BRENT

Dear Minesh

This memorandum seeks your approval for Brent Council to enter into an Infrastructure Funding Agreement ('IFA') with Uber B.V., a private limited liability company incorporated under the laws of the Netherlands (registration number: 56317441), whose registered address is Meester Treublaan 7, 1097 DP Amsterdam, the Netherlands ('Uber') to receive a grant of up to a maximum of £1.8m for the procurement, installation, operation and maintenance of additional on-street electric vehicle charging points in various locations within Brent.

A summary of the background of the Grant Agreement is outlined below.

1.0 Recommendations

(a) That, for the purposes of Financial Regulation 9.1.1 in Part 2 of the Constitution, you approve Brent Council's entry into the IFA.

2.0 Background to the IFA

2.1 Brent experiences a range of transport and related challenges including long-standing issues around congestion, air quality and road safety, as well as growing problems around public health inequalities and climate change. A key priority for the Council is to enable greener and more active and sustainable travel choices, with a particular emphasis on providing for an increase in journeys by walking, cycling and public transport whilst reducing the number of journeys made by private vehicles – particularly the most polluting ones. Facilitating the take-up of zero/low-emission vehicles, particularly through the expansion of infrastructure for electric vehicles to provide more charging opportunities and address concerns about range, is central to achieving this.

2.2 In partnership with TfL, London Councils, charge point manufacturers/ operators and developers, the Council has been working to implement an electric vehicle charge point ("EVCP") infrastructure across the borough in recent years. However, as the number

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of residents using/purchasing electric vehicles increases, there is a growing need to provide more charge points and supporting infrastructure, at the same time as minimising the impact on the ever increasing pressure for parking in the borough.

2.3 In 2019, partly in response to tightened global environmental and vehicle emissions standards, the US mobility as a service/ride hailing company, Uber, launched a Clean Air Plan. As part of the plan, Uber is aiming to transition 45,000 vehicles in its UK fleet to fully electric by 2025, including every vehicle operating in London on the Uber App.

2.4 In early 2021, the Council, along with the London Boroughs of Newham, Redbridge and Tower Hamlets, was approached by Uber, with a view to the company providing funding towards the installation of new on-street electric vehicle charging points across the four boroughs where the most Uber drivers live.

2.5 Despite the existence of an extensive EVCP network across London, there is a growing need for additional charging facilities, including within Brent, particularly for those residents who do not have access to private, off-street parking. There is also a growing demand for new on-street charging infrastructure for the many people who are employed in the taxi and private hire trades and who currently use, or are planning to transition to, an electric vehicle, but have no convenient place to charge it.

2.6 Following the completion of a survey among its drivers to understand their current driving habits and ascertain their future EV needs, Uber is prepared to invest circa £5m to fund upwards of 300 new on-street charging points across Brent, Newham and Redbridge – principally for use by its drivers, but also accessible to the wider public. A requirement for up to 280 new on-street charge points has been identified at around 140 locations in Brent, with funding to a maximum of £1.8m being made available towards the cost of their purchase, installation, operation and maintenance.

3.0 IFA Terms and Conditions

The proposed terms and conditions of the grant have been reviewed by Officers (including Officers within the Spatial Planning team and Legal Services) and it is considered that the IFA is in a form that is acceptable for Brent Council to enter into and having regard to the matters set out in section 2.0 above.

4.0 The Benefits of the IFA and partnership with Uber

The Grant from Uber pursuant to the IFA will be used to fund up to 50% of the cost of the charging infrastructure, to a maximum of £6,500 per charge point. The Council will undertake a public procurement exercise to appoint a charge point operator(s) (CPO(s)) who will be required to fund the remaining costs. The CPO(s) will also be liable for all operational and maintenance costs over the duration of the concession contract, which is expected to be in place for 10 years.

5.0 Legal Implications

Financial Regulation 9.1.1 in Part 2 of the Constitution specifies in relation to external arrangements for Accountable Body and Partnership Arrangements the following:

The Director of Finance must be informed and written approval from the Director of Finance obtained before entering into any proposed accountable body or partnership arrangements

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WAY FORWARD

Please confirm in writing in the approval box below whether or not:

(a) you approve entry into the IFA, as set out in Recommendation 1.0(a).

If you have any questions or would like further information to be provided, please do not hesitate to contact me.

Yours sincerely
Annekatrin Dennemann
Principal Transport Planner, Spatial Planning

I do approve entry into the Grant Agreement as set out in Recommendation 1.0(a). Signed: Print Name: Minesh Patel Position: Finance Director Date:

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EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	**Brent Long Term Transport Strategy Review**
DEPARTMENT:	**Planning and Development Service**
TEAM:	**Transportation Planning**
LEAD OFFICER:	**Tim Martin**
DATE:	**16.12.2021**

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Brent Long Term Transport Strategy 2015-2035 (LTTS) provides the strategic direction for investment in transport in Brent, with the overarching aim of improving transport options for all and to reduce the negative impacts of travel on the borough.

Since the publication of the Plan in 2015 some good progress has been made in key areas – particularly in relation to increasing levels of sustainable travel and reducing casualties on our road network. In addition, a range of schemes and initiatives have been implemented aimed at promoting walking and cycling, tackling vehicle emissions and reducing road casualties.

Despite this, it is clear more still needs to be done – particularly in respect of reducing the environmental and health impacts of traffic in the borough; and making the transport system in Brent safer and more inclusive. To reflect this and in light of changes to circumstances and new policies and priorities, the LTTS is being reviewed.

<u>Transport Issues and Objectives</u>

Section 2 of the draft LTTS provides an overview of the borough and highlights the various transport and wider challenges we face and the principal opportunities to overcome them. It also sets out our overarching aims and objectives.

Despite good progress has been made in recent years, there are still considerable challenges to address, including long-standing issues around congestion, poor air quality and road safety; as well as pressing issues such as poor public health, social inequalities and climate change. The current Covid-19 pandemic has also led to additional challenges, but also provides the opportunity for the Council to explore new ideas.

The draft LTTS objectives - which have been formulated based on the various challenges and opportunities identified and to take account of key national, Mayoral and borough policies and priorities - are:

A. Reduce journeys made by private vehicles and mitigate the impacts of traffic on the environment and our communities

B. Increase levels of active, efficient and sustainable travel to reduce pollution and improve peoples' health and wellbeing

C. Improve safety and security across the transport network

D. Create healthier, more resilient and more welcoming streets and neighbourhoods

E. Secure transport improvements vital for delivering new housing and jobs and to connect Brent's diverse communities

F. Mitigate the transport and related impacts of new development and create sustainable, inclusive places

High-Level Delivery Plan

Section 3 sets out the overarching Delivery Plan - the combination of short, medium and longer-term measures focused on addressing the various issues and achieving the LTTS objectives. It also provides details of how these might be funded; and highlights the key role Brent's communities will play in shaping projects and schemes. Amongst the range of measures and interventions there is scope for:

- New/improved cycling and walking infrastructure – including dedicated cycling and walking links to key destinations in the borough;
- Selective vehicle management measures – including the potential for more Healthy Neighbourhoods and School Streets;
- Greater provision for low/zero-emission vehicles;
- Targeted road safety improvements and casualty reduction measures;
- Improvements to the street environment and public realm – to include additional tree planting and other 'green' infrastructure;
- New bus and rail links/services to the borough's growth areas and additional capacity on existing rail services and bus routes;
- Capacity and access enhancements at key stations and transport interchanges.

Performance Management and Monitoring

Section 4 sets out the proposed performance management and monitoring arrangements - an important element of the LTTS and one which will contribute to understanding progress in delivering the strategy objectives. It details the key performance indicators and targets which the Council and its partners will work towards over the lifetime of the plan, including:

- Increasing walking, cycling and public transport mode share to 80%;
- Increasing the percentage of people doing at least 20 minutes of active travel a day to 70%;
- Achieving a 10% reduction in car ownership and the volume of traffic on our roads;
- Achieving net zero CO_2 emissions; and reducing NOx and particulate emissions significantly;
- Eliminating all deaths and serious injuries from road collisions; and reducing the total number of pedestrian, cyclist and PTW casualties by 80%;
- Increasing the proportion of residents who have access to frequent public transport services and a safe and pleasant cycle network.

2. Who may be affected by this policy or proposal?

The LTTS and the various proposed measures within it will affect all Brent residents, businesses and those people who work, study, visit or just pass through the borough. However, the impacts will vary from one group of people to another, just as current transport conditions and the way people travel affect different groups in different ways. The extnt of the impact on different groups will also be influenced by the overarching LTTS objectives.

LTTS Objectives

The main focus of LTTS objectives A and B is on reducing the number of journeys made by private vehicles, particularly for shorter journeys, whilst bringing about a step-change in the use of more active, efficient and greener modes of transport. This will help Brent to become a cleaner, more sustainable borough, as well as helping to improve peoples' health and quality of life. Amongst the main priorities include the need to:

- Reduce overall traffic levels in the borough;
- Significantly increase levels of walking and cycling;
- Increase the take-up of electric and other low/zero emission vehicles;
- Reduce transport related CO2 emissions and improve air quality.

Safety and security across the borough transport network remains a key concern for many, particularly vulnerable groups such as pedestrians, cyclists, women and the elderly. Improving access to and within our town centres and neighbourhoods and enhancing the wider public realm are also key priorities for the Council. The successful delivery of LTTS objectives C and D will go some way to creating a safer, greener and more equitable borough. Of particular importance is the need to:

- Reduce the number of pedestrian, cyclist and powered two-wheeler (PTW) casualties;
- Reduce incidences of speeding traffic and improve safety outside schools;
- Create streets and places that are safe, secure, accessible and inclusive to all;
- Enhance and 'green' the wider public realm.

LTTS objectives E and F are geared principally to supporting growth and regeneration in Brent, and ensuring that new development happens in the most sustainable way. In particular, improving the provision and quality of public transport services and walking/cycling infrastructure is key to delivering new housing and jobs, improving connectivity to and within the borough and enabling 'Good Growth'. Achieving these objectives will help deliver our wider ambitions around housing, the economy and the environment. Specific priorities include the need to:

- Secure improvements to public transport services and infrastructure, including enhancements to the frequency and reliability of bus and rail services and capacity/access improvements to stations and key interchange facilities;
- Make the case for new bus and rail links/services to the borough's growth areas and those locations currently poorly served by public transport;
- Improve pedestrian/cycle connectivity to our town centres, transport hubs, schools, parks and other key destinations;

- Ensure that where new development is planned, it reduces the need to travel overall, but allows for the majority of journeys to be undertaken by active, efficient and sustainable modes of transport.

LTTS Measures/Interventions

At a broad level, it is anticipated that different types of measures and interventions will impact on different groups in different ways. These are summarised beloow. Further details of some of the more specific impacts on particular groups are set out in Section B(2).

- Measures aimed at reducing traffic, tackling congestion and improving air quality will benefit all groups, but will particularly benefit the very young and the very old and certain BAME groups who are particularly susceptible to the negative effects of, or are more likely to face exposure to, poor air quality.
- With high levels of deprivation and problems with obesity prevalent across the borough, measures to promote healthy, active travel will benefit all groups, but will particularly benefit the very young and and certain BAME communities.
- Measures aimed at making our streets safer, greener and more equitable will benefit all groups, but particularly the very young and the elderly, those with disabilities, women and certain BAME communities. In particular, road casualty reduction measures will particularly benefit the young and certain BAME communities who are involved in a disproportionate number of road collisions; whilst measures amed at enhancing personal safety/security will particularly benefit the elderly and women.
- Measures aimed at addressing issues of severance and creating healthy, more resilient and more welcoming streets and neighbourhoods will be of particular benefit to the very young, the elderly and disabled groups.
- Measures aimed at unlocking growth and creating exemplar places are predicated on enhancing public transport, cycling and walking links to and between our major town centres and growth areas from outside and within the borough. A particular focus is on improving access by these modes to local health, education, employment and shopping and leisure facilities. Such measures will benefit all groups, but particularly the very young, the elderly and disabled groups.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

The Equality Act 2010 covers the exercise of public functions, employment and work, goods and services, premises, associations, transport and education, all of which are either directly or indirectly impacted upon by the the way we all are able to travel to and from any destination or place. Travel and transport is an essential and unavoidable element of everyone's daily life regardless of whether they travel indepdently, as a passenger or for example as someone awaiting provision of a service in their home or a delivery.

The Council is required by the Public Sector Equality Duty to have due regard to the need to address inequalities and a number of aspects are particularly relevant to the LTTS. These include a requirement to:

- eliminate discrimination;
- advance equality of opportunity between people who share a protected characteristic and those who do not;

- foster good relations between people who share a protected characteristic and those who do not.

At its broadest level, transport is an important facilitator of social inclusion and wellbeing, which can affect economic and social outcomes, and therefore inequality. Where transport is available and affordable, it can provide access to different opportunities and help promote equality. In particular:

- Transport can be integral to improving equality, by increasing access to jobs, education and services. Policies that make transport more affordable (such as concessionary fares/subsidies) can be an effective way to help people living in poverty to access and maintain work. Help with transport costs also has a key role to play in schemes to promote employment. However, careful consideration is needed to ensure these help those most in need.
- Transport policy cannot work in isolation and can have most benefit in reducing inequality as part of wider initiatives, often at a local or place-based level, including on skills, education, employment policy, land use planning and housing.

The LTTS aims to address and improve and advance conditions and opportunities for people living and working in or visiting Brent by removing or minimising disadvantages, taking steps to meet the needs and encouraging participation in public life, particularly among those where this participation is at present disproportionately low. For example, a person with a disability such as visual impairment may particularly benefit from improved pedestrian crossing facilities at junctions or the removal of street clutter from pavements. Similarly, children, the elderly and women will likely benefit from measures that result in a safer, more secure transport system, especially when travelling alone or at night.

That said, it is clear that not all of the proposed measures contained within the LTTS will benefit all groups equally, particularly where they are targeted at addressing a specific issue or a problem that affects a particular group. For example, measures designed to reduce traffic and facilitate healthy, sustainable travel, such as the introduction of cycle lanes or removal of on-street parking, may form an obstacle to certain groups, such as the elderly or disabled, particularly if they do not have the opportunity or ability to travel by means other than car. Such issues would need to be carefully considered when designing, consulting and building such schemes, with appropriate mitigation taken where specific concerns cannot be fully addressed.

For the most part, the various aims, objectives and measures proposed in the LTTS seek to address a wide range of often interconnecting issues, whilst looking to enhance the transport experience for those living and working in, or visiting, Brent. On balance it is anticipated that the benefits these improvements will bring, including those to protected chararacteristics, will significantly outweigh the disbenefits. Central to achieving this will be the need to continue engaging closely with local communities, our partners and a wide range of stakeholders.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	Impact Positive	Impact Neutral/None	Impact Negative

Age	X		X
Sex	X		X
Race	X		X
Disability *	X		X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity	X		
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

Screening Checklist

	YES	NO
Have you established that the policy or proposal *is* relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	

If you have answered YES to ANY of the above, then proceed to section B.
If you have answered NO to ALL of the above, then proceed straight to section D.

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

Brent currently experiences a range of transport and related problems, may of which are interlinked. These include long-standing issues around congestion and poor air quality, which continue to blight some of our communities. Transport also has a significant impact on and provides opportunities to address a wide range of other issues, including poor public health, social inequalities, climate change and the shaping of the built environment. The current Covid-19 pandemic has also led to additional challenges, whilst planned growth in the borough could potentially lead to increased pressure on the transport system and a worsening of current problems if not carefully managed. Further details of some of the main challenges, and the opportunities to address them, are set out below. The various

challenges have, in part, helped inform the overarching LTTS aims, objectives and proposed measures to be implemented.

Air Quality

- Road transport is the main source of nitrogen dioxide (NOx) and a significant contributor to particulate matter (PMs) in Brent, two of the most dangerous pollutants which contribute to the premature death of nearly 10,000 people a year in London. Motor vehicles are currently responsible for 49% of NOx emissions and 30% of PM10 emissions in the borough.
- The Council has a legal duty to reduce pollution and is committed to meeting World Health Organisation (WHO) targets on air quality by 2030. Large parts of the borough are currently designated as an Air Quality Management Area (AQMA) and Air Quality Focus Areas (AQFAs).
- Air quality has a particularly detrimental impact on children, affecting lung development which makes them more susceptible to infection and disease as they grow. They are also more vulnerable to polluted air than adults. Older people who may be more susceptible due to existing illnesses, and pregnant women, are also more vulnerable. People are also twice as likely to be affected by pollution in areas of higher deprivation as these areas have poorer air quality.
- Facilitating the uptake of low/zero emission vehicles through increased provision of electric vehicle charging facilities and the expansion of the London Ultra Low Emission Zone (ULEZ) provide significant opportunities to improve air quality in parts of the borough and will benefit the health of everyone who lives and works in or visits Brent.

Public Health

- Poor health and high levels of inactivity are two of the major challenges facing a large number of Brent's residents. The borough is ranked as the fourth most deprived local authority in London and in 2016 it was named as the fattest London borough. Currently, around 55% of Brent's adult population (aged 18+) are classified as overweight or obese, whilst almost one in three children are classed as obese by the time they leave primary school – way above the London and England average. Brent is also the 4th most inactive borough in London, with around 3 out of every 10 people in the borough currently doing less than 30 minutes of activity a week.
- Providing safe and secure infrastructure to encourage cycling and walking, especially for shorter journeys, represents one of the best ways of addressing challenges around poor health and inactivity. However, the fragmented nature of many of the borough's cycling and walking links often prevents better utilisation of these assets, with a lack of connectivity and route severance cited as problems by users. Other issues often acting as a deterrent to more active travel include high traffic volumes; parking on footways and in cycle lanes; fear of crime/collisions; and poorly maintained and cluttered footways.
- A key opportunity that could benefit the borough's residents is TfL's plan for a London-wide strategic cycle network which, when completed, will place 70% of Londoners within 400 metres of new, high quality, safe cycle routes. Among the schemes currently being developed is Cycling Future Route (CFR) 23 which will link Wembley, Stonebridge Park and Willesden Junction. Another opportunity includes the potential for securing the extension of the Mayor of London's and/or other Cycle Hire Schemes to the borough, however, such schemes can be expensive and possibly unaffordable to those on very low incomes.

Road Safety

- Reducing casualties is at the heart of the Council's approach to road safety, and the number of people killed or seriously injured on Brent's roads continues on a downward trend. However, it is clear that more still needs to be done.
- The Brent Road Safety Action Plan published in 2021 highlights that vulnerable road users, such as pedestrians, cyclists and powered two-wheelers, are the most likely user group to be killed or seriously injured, with a high proportion of serious and fatal collisions occurring at night and at road crossings/junctions. The study concludes that a focus on road safety interventions that aims to reduce these identified 'high risk' collision types will likely result in the greatest progress towards achieving Vision Zero in Brent, but suggests the need for a particular emphasis on tackling road speed; education and behaviour change; and protecting vulnerable road users – a key focus of the revised LTTS.

Climate Change

- In 2019 the Council declared a climate and ecological emergency, stating the need to try and achieve carbon neutrality by 2030. A key priority is to bring about as close as possible to zero the number of petrol and diesel road journeys made in the borough; and to increase significantly journeys made by sustainable modes of travel, such as cycling, walking or public transport.
- It is clear that achieving net zero carbon emissions from road transport in Brent will have significant environmental and health benefits for everyone living, working or visiting the borough. However, it will also require enormous changes in the way that people travel in Brent, in vehicle technology, in the fuel sources that power transport and uptake in the technology that will make travel more efficient or not needed at all.
- Amongst the range of measures proposed in the LTTS include promoting and facilitating greater use of zero emission vehicles; accelerating delivery of planned public transport improvements; promoting the use of technology to reduce travel; reallocating road space to cycling and walking; and ensuring new developments are carbon neutral for transport. Whilst these are all considered essential measures if we are to achieve our overarching targets, some of these are likely to have significant cost implications and possibly unaffordable to those on very low incomes.

Congestion

- Road traffic volumes in Brent have increased in recent years with the number of vehicle miles travelled on the borough road network rising from 582 million in 2015 to 682 million in 2019 – an 18% increase. Parts of the road network in Brent have frequent congestion problems (e.g. A406, A5), whilst journey time reliability for buses on a number of key corridors within the borough remains poor, especially during peak hours. These problems are exacerbated by high levels of car dependency in parts of the borough; a large increase in the amount of lorry and van traffic on the borough road network; and illegal/inconsiderate on-street parking and loading and lack of adequate enforcement in parts of the borough.
- Despite this, there is significant potential to reduce trips by car and increase cycling/walking trips. For example, half of all car journeys in Brent are less than 5km and could be easily walked/cycled. However, there is a need to overcome range of barriers including low levels of cycle ownership; physical severance by major road/rail arteries (e.g. A406); and cultural challenges due to large ethnic community in the borough. Addressing such barriers would particularly benefit people of all ages, disabled groups, and certain BAME groups.

Transport Connectivity

- There is a lack of public transport links to and within parts of the borough and the borough's cycling and walking links are often very fragmented. The public transport network is almost exclusively focussed around radial routes to and from Central London with limited east-west and orbital connectivity; whilst severance caused by major infrastructure, such as the A406, waterways and several railway lines are often cited as a barrier to people wanting to cycle or walk more.
- Proposals for new public transport links (e.g. West London Orbital, new/enhanced bus services) to improve cross borough/sub-regional transport links, demand responsive transport services to complement the existing bus network; and the delivery of a London-wide strategic cycle network (e.g. Future Cycle Route 23) would greatly benefit borough residents, particularly those more isolated groups, such as the elderly and disabled.

Accessibility

- Similar to the above, parts of Brent experience problems of poor accessibility, in particular, the lack of cheap, reliable or easy to use alternatives to car use for journeys not possible by foot/cycle: For example, the cost/availability of public transport services and facilities in some parts of the borough can be an issue – particularly for those on low incomes, the elderly and disabled.
- These problems are somtime compounded by a lack of step-free access and staff presence at stations; lack of wheelchair space on buses; lack of/unclear travel information; and poorly lit/badly maintained infrastructure. In addition, there are issues surrounding the quality and frequency of some local bus and rail services. In particular, pre-Covid, many peak-time public transport services were at capacity or experienced overcrowding.
- However, there are significant opportunities to address such issues. New developments, especially in key growth areas and around transport hubs will provide funding opportunities to address issues of station overcrowding/secure step-free access; whilst better bus design and roll-out of improved journey planning tools/travel mentoring could enable spontaneous and independent travel for many disabled and older people. In addition, capacity and service reliability improvements on the rail network, including longer, more frequent trains (e.g. through the implementation of a 'Digital Railway') could provide significant benefits to many different groups.

2. For each "protected characteristic" provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state "not applicable".

AGE

Details of impacts identified	With around 55% of the adult population in Brent classified as overweight or obese, and with almost one in three children in the borough classed as obese by the time they leave primary school, measures to promote helthy, active travel will positively benefit young and old. Measures to reduce traffic and promote the use of zero emission vehicles will bring significant improvements to air quality, which will be particularly beneficial to children and those with underlying health issues, including older people. In particular, children driven to primary

	school are exposed to higher levels of harmful particulates and NOx pollution inside vehicles, so measure to promote walking and cycling to school will be beneficial to this group. Measures to improve safety and security on the transport network, including at night and on public transport, are expected to be beneficial for younger people. Similarly, a reduction in crime and anti-social behaviour is also expected to be particularly beneficial to to older people who may be otherwise deterred by this. A key element of the Strategy is to reduce the use of private cars and re-purpose the kerbside to provide for other uses, such as cycle parking. As older people are more likely to be car owners there may be a slight negative impact on this group. However, this is expected to be outweighed by broad health and accessibility benefits delivered by the strategy, including improved access to public transport services (e.g. through the provision of step-free access at stations) and enhancements to the wider public realm (e.g. the provision of public seating).

DISABILITY

Details of impacts identified	Improving physical accessibility and removing barriers to people with disabilities is a key theme of the LTTS. There is a significant journey time 'penalty' at present for those relying on rail and underground services who need step free access. This is considered likely to be a deterrent to travel with the resulting impact of a narrowing of opportunity for economic and social activity with potential consequences for physical and mental well-being. Key priorities within the strategy include securing step free access at stations across the borough and delivering public realm improvements to provide safe, welcoming and legible street environments for people with disabilities. Similalry, increased priority for pedestrians, including extended crossing time, will also benefit people who may need more time to cross the road comfortably. The LTTS also includes targeted services and campaigns to increase participation in sustainable travel by people with disabilities, including bus ridership and inclusive cycling initiatives. This is a particular priority as disabled people may suffer from higher mortality rates than the general population, potentially reflectiing exclusion from active travel / lifestyles. The updated strategy reinforces the need to prioritise car parking for people with disabilities and provide adequate kerbside space for this purpose. The renewed focus on engagement identified in the LTTS are also expected to lead to a better representation of people with disabilities in the decision making process.

RACE

Details of impacts identified	Brent is the second most ethnically diverse borough in London - 64% of the local population is from Black, Asian and other minority groups and over 149 different languages are spoken. However, BAME groups are typically over-represented in indices of deprivation and more likely to be exposed to transport related harmful impacts, such as traffic collisions and poor air quality and health inequalities related to inactive lifestyles. Measures in the LTTS aimed at improving road safety, reducing traffic congestion and promoting active travel will provide significant benefits to all groups, although more targeted educational and training initiatives to promote active travel among certain under-represented groups, including BAME groups, and to ensure that such groups are better represented in the decision making process more generally, may be required.

SEX

Details of impacts identified	Women and girls are often less likely to walk and cycle than their male counterparts, with concerns over confidence, road safety, lack of adequate facilities and personal security often cited as key reasons for this. The provision of accessible, well connected and safe/secure walking and cycling routes, along with road safety education/cycle training will benefit all groups, but particularly women. Safety and security on public transport and at stations is also a concern for women who often feel vulnerable to attack. In this regard, improved public realm and lighting along access routes to public transport are likely to have a positive impact on safety and perceived safety and will figure prominently in transport improvement schemes. Improving physical access to the public transport network (e.g. through the provision of step free access at stations) will benefit all groups, but particularly parents / carers.

SEXUAL ORIENTATION

Details of impacts identified	Similar to women and people who are going or have gone through gender reassignment, members of the LGBT community often find personal safety and security to be a concern – particularly on public transport. By working closely with TfL, transport operators, the police and local communities, we aim to reduce crime and anti-social behaviour on the transport network, benefiting all groups, but particularly those who may be more vulnerable to this risk.

PREGANCY AND MATERNITY

Details of impacts identified	Improving physical access to public transport (e.g. through providing step-free access to stations) and the public realm more generally is expected to have a positive impact for this group as it will improve accessibility and create more welcoming places. Improvements to air quality are also expected to have a positive impact, particularly in relation to the health of unborn chidren for whom exposure to poor air quality has been identied as a particular issue. The implementation of more 'people friendly' street environments through programmes such as Healthy Neighbourhoods are expected to have a positive impact for this group.

RELIGION OR BELIEF

Details of impacts identified	Mesures to improve personal safety/security and to tackle crime and anti-social behaviour on the transport network will likely benefit different faith groups in much the same way as other target groups.

GENDER REASSIGNMENT

Details of impacts identified	Similar to women and those from different religious groups or the LGBT community, people who are going or have gone through gender reassignment, often find personal safety and security to be a concern – particularly on public transport. By working closely with TfL, transport operators, the police and local communities, we aim to reduce crime and anti-social behaviour on the transport network, benefiting all groups, but particularly those who may be more vulnerable to this risk.

MARRIAGE & CIVIL PARTNERSHIP

Details of impacts identified	There is no evidence to suggest that people from this protected characteristic will be disproportionately affected (either positively or negatively).

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?
No.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Subject to Cabinet approval, the LTTS is scheduled to undergo consultation during Spring 2022. A communication and engagement plan has been developed to include a combination of interactive, online engagement via Citizen Lab, as well as more traditional face to face exhibitions at key visitor attractors such as markets, places of worship, community/sport centers and such places where harder to reach groups can be actively engaged. Furthe engagement will be undertaken via the Brent Active Travel and Public Tranpsort Forum which includes representatives of disabled, youth, older persons and other groups in the borough.

5. Please detail any areas identified as requiring further data or detailed analysis.

The proposals contained within the LTTS have to been seen in the wider context of policies and strategies. Each objective can only be acted upon and implemented though a series of individual schemes. Designs will take into account needs for all users, this includes formal safety audints and assessment against the checklist for measures provided the Royal national Institute for the Blind (RNIB).

All schemes set in the public highway will be consulted on. Should there be any aspects of individual schemes that have potential to disproportionately or negatively impact on individuals or group of protected characteristic then then can be addressed through the public consultation stage of the scheme.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

It is anticipated that through ongoing engagement with a range of groups/stakeholders and adherence to relevant guidance/standards, at all stages of project/scheme development, will ensure any negative impacts are removed, or mitigated.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Monitoring of the delivery of the LTTS will be undertaken by the Transportation Planning Team, with regular meetings to be held with those responsible for the delivery of the various projects and initiatives outlined in the High Level Delivery Plan, with progress towards the various targets and indicators reported each year.

A mechanism for monitoring and evaluating the impact of specific schemes and initiatives in delivering the various LTTS objectives and priorities will be established. This will include details of the range of monitoring data that will be required to be collected before, during and after scheme implementation.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The Brent Long Term Transport Strategy (LTTS) provides the strategic direction for investment in transport in Brent, with the overarching aim of improving transport options for all and to reduce the negative impacts of travel on the borough. However, the LTTS does not sit in isolation, but is closely aligned with a wide range of National, Mayoral and borough plans and strategies. These include the London Plan; the Mayor of London's Transport Strategy (MTS); the Borough Plan; the Brent Climate and Ecological Emergency Strategy; the Brent Inclusive Growth Strategy; and the emerging Brent Local Plan. Accordingly, many of the objectives and measures contained within the LTTS are designed to meet multiple priorities and objectives, some of which will have varying degrees of impact – both positive and negative - on our diverse communities. Following assessment, it is considered that, on balance, the significant benefits that the objectives and measures within the LTTS will bring, including those to protected chararacteristics, will significantly outweigh the disbenefits to these groups. However, where negative impacts have been identified, it is anticipated that these can be addressed, or mitigated, as projects and schemes are further developed. A requirement to engage closely with local communities, our partners and a wide range of stakeholders at all stages of project development will ensure this. On this basis, it is recommended that the LTTS continues, but is kept under regular review.

SECTION D – RESULT

Please select one of the following options. Mark with an "X".

A	**CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED**	
B	**JUSTIFY AND CONTINUE THE POLICY/PROPOSAL**	**X**
C	**CHANGE / ADJUST THE POLICY/PROPOSAL**	
D	**STOP OR ABANDON THE POLICY/PROPOSAL**	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Improve involvement and consultation with different equality groups	The draft LTTS will undergo public consultation during Spring 2022. Feedback from a wide range of stakeholders/community groups will be sought, including those with protected characteristics, with the results fed into the development of the final version of the strategy to be produced in Summer 2022. More regular dialogue/ engagement (including through groups such as the Active Travel and Public Transport Forum) will help ensure key issues/ concerns are taken on board when developing/ implementing transport schemes.	Transport Planning/ Highways & Infrastructure	Ongoing
Monitor, evaluate and review Equality Analysis annually	Ongoing monitoring and regular review in partnership with stakeholders/user groups will help ensure relevant issues are being addressed and determine the effectiveness of policies/ measures.	Transport Planning	December 2022

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Annekatrin Dennemann
REVIEWING OFFICER:	Tim Martin
HEAD OF SERVICE / Operational Director:	Gerry Ansell/ Alice Lester

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Brent	**Cabinet** 7 March 2022
	Report from Strategic Director, Community Well Being
Purchase of Site known as 381-397 Edgware Road, Colindale, NW9	

Wards Affected:	Fryent
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	One Appendix 1(exempt) Financial Implications
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Hakeem Osinaike Operational Director of Housing 020 8937 2023 Hakeem.Osinaike@brent.gov.uk Nick Ljustina Operational Director of Property & Assets 020 8937 5025 Nick.Ljustina@brent.gov.uk

1.0 Purpose of the Report

1.1 This report seeks permission to purchase the freehold of the site known as 381-397 Edgware Road, Colindale, NW9 (the Property) .for planning purposes pursuant to section 227 Town and Country Planning Act 1990 (the 1990 Act) planning approval reference 17/2284.

1.2 The purchase price discussed for the site as set out in Appendix 1 this sum is exclusive of Stamp Duty Land Tax (SDLT) and disbursements – see financial model in Appendix 1.

1.3 The Council will then procure a contractor and deliver the site as part of its New Council Homes Building program.

2.0 Recommendation(s)

2.1 Cabinet is asked to:

(i) Note the contents of this report;

(ii) Approve the proposed acquisition of the freehold interest of the site for purchase price set out in the appendix., subject to contract and subject to a) clean and marketable title b) financial and legal due diligence and c) vacant possession, with a target exchange of contract in June 2022; and;

(iii) Delegate authority to the Strategic Director of Regeneration & Environment in consultation with the Lead Member for Regeneration, Highways, Planning, and Property to negotiate and agree the terms and thereafter enter into a contract with the seller for the purchase of the site.

(iv) Approves the engagement of section 203 of the Housing and Planning Act 2016 (2016 Act) in order to override third party rights and to delegate authority to the Strategic Director of Regeneration & Environment to consult and enter into agreements and if required to pay compensation to third parties whose rights may be affected by the engagement of the 2016 Act

3.0 Detail

3.1 The proposed 381-397 Edgware Road, Colindale, NW9 mixed use development will deliver a total of 110 homes and commercial (retail) space in the Fryent area. It has received planning permission; the planning application reference of the site is 17/2284.

3.2 Pursuant to the terms set out in the section 106 agreement between the developer and the Council dated 2nd July 2021, 13% of these homes will be affordable. This totals 14 homes which will be shared ownership. The rest will be for market sale.

The Council proposes to deliver the block as per the planning permission, but to change the tenure to 100% Temporary Accommodation rented. The rent will be capped at Local Housing Allowance (LHA).

3.3 The developer is seeking a buyer for the Property (freehold) with planning permission.

3.4 The breakdown of the 110 homes pursuant to the terms of the section 106 agreement is:

	UNITS				TOTAL NSA		AVERAGE NSA	
	TOTAL	1 BED	2 BEDS	3 BEDS	SQ M	SQ F	SQ M	SQ F
PRIVATE	96	53	26	17	5,527	59,493	58	620
SHARED OWNERSHIP	14	3	4	7	976	10,506	70	750
TOTAL	110	56	30	24	6,503	69,998	59	636

3.5 The Head of Housing Needs has confirmed that the size breakdown will meet the requirements of short and medium term temporary accommodation needs.

3.6 Officers have approached the developer regarding the possibility of purchasing this Property. An offer has been provided on the basis set out in Appendix 1.

3.7 The planning permission also includes the provision of 5 retail units. It is proposed that these are either leased directly by the council to generate additional income, or sold on 125 year leases to recoup some of the capital expenditure on the site acquisition and construction cost.

3.8 There are considerable public interest benefits in acquiring the Property pursuant to section 227 of the 1990 Act and to engage section 203 of the 2016 Act such public benefits are associated with the purchase of the Property because the 110 units will be let on affordable rates.

4.0 381-397 Edgware Road Site

4.1 The site is bounded by Grove Park.

4.2 To the north, the A5 to the east and the Colindale retail park to the south.

4.3 The existing site measures approximately 0.41 acres (0.16 ha) in size. It is comprised of two separate titles, which form a rectangle. In its existing form, the property consists of two elements:

1) The title to the north, which comprises the apex of the corner with Grove Park and Edgware Road - consisting of a double frontage of ground floor shops with two storeys of uppers, currently use as an HMO. Rear car parking sits behind this.

2) The title to the south – this comprises a former Victorian house, which is now used as part residential, part commercial at ground floor level. Parking servicing this sits in front of it.

The existing properties are now fully vacant and are set to be demolished as per the current planning permission. These buildings are no more than three stories in height and the site sits on a minor gradient; sloping downhill from north to south. As part of the planning permission, the proposed scheme utilises this slope to benefit from additional height, grading the slope to provide

additional parking.

4.4 The scheme will be a mix site development, which will also include offices, a nursery, shops, cafes, bars and a community centre.

5.0 Financial Implications

5.1 The analysis assumes that 110 homes will be let at London Housing Allowance Rent (LHA) rates.

5.2 The purchase price offer is as set out in the Appendix 1.

5.3 The appraisal shows the scheme to be financially viable.

5.4 **Main Assumptions**

The following assumptions have been made in undertaking the financial viability:

- Rents assumed at LHA rates for all TA units
- Rent increase assumed at CPI plus 1%
- CPI assumed at 2%
- Housing management at £600 and maintenance cost at £600, per property
- 2% Bad debt and 2% Void
- Service charges will be cost neutral
- Cost of Capital – Interest rate on borrowing at 3%

6.0 Legal Implications

6.1 Section 120 of the Local Government Act 1972 provides that

For or the purposes of:

(a) Any of their functions under this or any other enactment; or
(b) The benefit, improvement or development of their area.

The Council may acquire by agreement any land, whether situated inside or outside their area.

6.2 Section 227 of the 1990 Act provides that the Council is able to acquire land for planning purposes

In considering whether the Council is able to engage section 203 powers pursuant to the 2016 Act in relation to the Property the Strategic Director of Regeneration & Environment, in consultation with the Cabinet Member for Regeneration, Property & Planning should consider:

- Whether the land is already owned by the Council.

- Whether the purposes for which the Council would be appropriating the land is a purpose authorised by statute (in the case of land to be appropriated for planning purposes, the relevant purposes would be authorised by sections 226 and 227 of the Town and Country Planning Act 1990);

- Whether the proposed redevelopment of the site would be in the public interest;

- Whether the public interest benefits which would arise from the redevelopment of the site would be sufficient to justify the interference with any private rights, such that the interference was proportionate;

- Whether the Council could (in the alternative) acquire the land compulsorily for the purposes of the redevelopment pursuant to S226 of the 1990 Act;

- Whether any related financial liabilities of the Council would be indemnified; and

- Whether prior consultation had taken place with the third party owners.

The purchase of the proposed Property will ultimately contribute to the promotion and improvement of the economic and social wellbeing of the Council's area – and it is believed that these benefits may not be realised within a reasonable timescale without interference with the private (third party) rights.

6.3 If a third party is able to establish that it has an easement or a right over the Property Land or part of the Land (such easements could include but not limited to a right of way or a Right of Light) then the third party could potentially obstruct the redevelopment of the Property by applying for an injunction to prevent the delivery of the development. The effect of the resulting engagement of the powers in section 203 of the 2016 Act , is therefore to facilitate the development and improvement of the Property despite interference with existing third party rights over the Property (subject to the payment of compensation as required by statute). It should be noted that third parties may be entitled to compensation for loss of their rights. Such compensation would be awarded for injurious affection (compensating for any depreciation in the value of the land or property arising from the interference with the right) rather than on a reinstatement or ransom

6.4 Section 204 of the 2016 Act provides for compensation payable to third parties in respect of the diminution in value of the third party's land. A specialist valuer will need to be undertake assessment to confirm the amount of compensation payable in respect of any such losses.

6.5 Section 79 of the Housing Act 1985 provides that the tenant of a council property will be a secure tenant provided that in accordance with section 81 of

the Housing Act 1985 the dwelling is the tenant's main or principal home. Accordingly, the provisions of the Housing Act will entitle the secure tenant to purchase their home under the right to buy scheme. The Tenancy Agreements will however need to ensure that the tenancy agreement provides for a non-secure tenancy by virtue of schedule 1 of the Housing Act 1985.

6.6 Paragraph 3.6 of the report envisages that the retail units may be leased directly by the Council to generate income or sold on 125 year lease The Council has the power to dispose of property under Section 123 of the Local Government Act 1972 for the best price reasonably obtainable (This type of disposal would be covered under the General Consents and would not need specific consent under Circular 06/03).

6.7 The Council legal department will undertake all the necessary due diligence Prior to exchange of contracts. Accordingly, all the necessary searches and Title information will be examined prior to entering into the contract to ensure that the Council will acquire the property with good and marketable title.

6.8 Appropriate authority will need to be sought for the procurement and award of contracts for relevant consultancy services and for the development of the site.

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.

7.2 Pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

7.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.4 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.

7.5 Through ongoing equality impact assessment, the officers will continue to monitor the reach and the targeting of the engagement, and the impact of the proposed development plan on residents with protected characteristics, considering and implementing measures to mitigate negative impacts and maximise positive impacts.

8.0 Consultation with Ward Members and Stakeholders

8.1 This paper will be circulated to all Ward Members.

9.0 Human Resources / Property Implications

9. There are no further property implications or human resources implications in relation to this report.

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 wellbeing 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 have regard to considerations contained in the Social Value Act in relation to any procurements and where appropriate, include reference to social value being 10% of the evaluation score.

Report sign off:

Phil Porter
Strategic Director for Community Wellbeing

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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