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Brent

Cabinet

Thursday 16 November 2023 at 10.00 am
Conference Hall - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Please note this will be held as a physical meeting which all Cabinet members will be 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
Tatler (Vice-Chair)	Deputy Leader, Cabinet Member for Finance, Resources & Reform and Cabinet Member for Regeneration, Planning & Growth
Donnelly-Jackson	Cabinet Member for Customers, Communities & Culture
Farah	Cabinet Member for Safer Communities & Public Protection
Grahl	Cabinet Member for Children, Young People & Schools
Knight	Cabinet Member for Housing, Homelessness & Renters Security
Nerva	Cabinet Member for Public Health & Adult Social Care
Krupa Sheth	Cabinet Member for Environment, Infrastructure and Climate Action

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

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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 - 10
	To approve the minutes of the previous meeting held on Monday 16 October 2023 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 for which notice has been provided, in accordance with Standing Order 66.	
6	**Reference of item considered by Scrutiny Committees (if any)**	
	To consider any reports referred by either the Community and Wellbeing or Resources and Public Realm Scrutiny Committees.	
	Finance & Resources reports	
7	**Draft Budget 2024/25 and 2025/26**	11 - 212
	This report sets out the Council's budget proposals for 2024/25 and 2025/26. It also provides a general update on the Council's overall financial position, including an overview of the current economic outlook.	
	Ward Affected: All Wards	**Lead Member**: Deputy Leader and Cabinet Member for Finance, Resources and Reform (Councillor Shama Tatler) **Contact Officer**: Minesh Patel, Corporate Director Finance and Resources Tel: 020 8937 4043

minesh.patel@brent.gov.uk

Communities & Regeneration reports

8 Sudbury Town Residents' Association Application for Neighbourhood Forum Status 213 - 254

This report advises Cabinet of the representations received following consultation on the Sudbury Town Residents' Association's application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area and seeks a decision on the application.

Ward Affected:
Northwick Park; Sudbury; Wembley Central

Lead Member: Cabinet Member for Regeneration, Planning & Growth (Councillor Shama Tatler)
Contact Officer: Paul Lewin, Planning, Policy and Projects
Tel: 020 8937 6710
paul.lewin@brent.gov.uk

Resident Services reports

9 Statement of Gambling Principles 2024-2027 255 - 390

This report seeks comments on the Council's Statement of Gambling Principles which sets out the policy for dealing with applications and regulating gambling premises within their borough in advance of its referral to Full Council on 20 November 2023 for formal approval and adoption.

Ward Affected:
All Wards

Lead Member: Cabinet Member for Safer Communities & Public Protection (Councillor Harbi Farah)
Contact Officer: Anu Prashar, Senior Regulatory Service Manager
Tel: 020 8937 5515
anu.prashar@brent.gov.uk

Children and Young People reports

10 Consultation on Brent Council's School Admission Arrangements for Community Primary Schools in 2025/26 391 - 408

This report sets out proposed amendments to the Admission Arrangements for Brent Community Schools for 2025/26 and seeks Cabinet's view on whether Brent Council should carry out a formal consultation to be completed by 31 January 2024.

Ward Affected:
All Wards

Lead Member: Cabinet Member for Children, Young People & Schools (Councillor Gwen Grahl)

Contact Officer: Shirley Parks, Director, Education, Partnerships and Strategy
Tel: 020 8937 4529
Shirley.Parks@brent.gov.uk

11 Exclusion of Press and Public

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

12 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Chief Executive and Member Services or their representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Monday 11 December 2023

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

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE CABINET
Held in the Conference Hall, Brent Civic Centre on Monday 16 October 2023 at 10.00 am

PRESENT: Councillor Tatler (Vice-Chair in the Chair) and Councillors Donnelly-Jackson, Farah, Grahl, Knight, Nerva and Krupa Sheth.

Also present: Councillors Conneely and Georgiou.

1. **Apologies for Absence**

Apologies for absence were received from Councillor Muhammed Butt (Leader of the Council) with Councillor Tatler (as Deputy Leader) chairing the meeting in his absence.

2. **Declarations of Interest**

No declarations of interest were made at the meeting.

3. **Minutes of the Previous Meeting**

RESOLVED that the minutes of the previous meeting held on Monday 12 September 2023 be approved as an accurate record of the meeting.

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

None.

5. **Petitions (if any)**

5.1 Repair of pavements along Lancelot Road, Lancelot Crescent and Lancelot Avenue

Councillor Tatler (as Deputy Leader) welcomed Mr David Roche to the meeting, who had been invited to speak in support of a petition containing 143 signatures seeking the urgent replacement and repair of the pavements along Lancelot Road, Crescent and Avenue. Whilst welcoming the opportunity to speak on behalf of local residents, Mr Roche began by expressing disappointment that despite numerous requests there had, he felt, been a lack of co-ordinated action to address the urgent issues affecting the damaged and dangerous state of pavements along the roads identified.

In highlighting the safety concerns and impact that the state of the pavements were having on local residents, particularly those who were disabled or elderly, Mr Roche also spoke to detail the personal impact on his family following a fall on the

pavement experienced by an elderly family member which had discouraged them from visiting his home prior to them having sadly passed away.

Referring to recent increases in Council Tax, Mr Roche advised that the local residents who had signed the petition felt these were unjustified given the poor state of the street and the reduction in local services. Furthermore, it was felt that the cost incurred in repaving Wembley High Road, situated in the nearby area, had been unjustified given its ongoing poor state of cleanliness and the worsening condition of other nearby residential streets. In highlighting the works to repave and enhance residential streets elsewhere across the borough, Mr Roche reiterated the neglect felt by the residents of Lancelot Road and outlined the safety, financial and social benefits associated with the works being requested. This was particularly in relation to the impact which it was felt clean and well-maintained streets provided in terms of reducing anti-social behaviour and fly-tipping and in terms of reducing the financial costs and environmental impact associated with a more reactive programme of repairs.

Given the close proximity of Lancelot Road to Wembley High Road and Wembley Stadium, Mr Roche also emphasised what he felt to be the associated financial benefit use of the road provided in terms of parking and access to local businesses on the High Road and in assisting to reduce congestion as an alternative route around Wembley Central and Wembley Park on event days. In contrasting the treatment of Lancelot Road to other nearby streets such as Harrowdene Road, Mr Roche stated that residents and visitors had commented on the difference between the state of the footways in different streets and across the area as a whole.

In addition to the poor state of the pavement on Lancelot Road, Mr Roche highlighted the safety issues that the double yellow lines at the junction with the High Road were also causing. In referring to a fatal accident that had occurred at the junction, Mr Roche called for the double yellow lines to be replaced with red lines.

In concluding, Mr Roche advised that the petition was calling on the Council to commit to repaving Lancelot Road as part of the 2023-2026 Footway Maintenance Programme and if not possible to approve at this stage, for an urgent site visit to be arranged to review the state of the pavement and consider how best residents' concerns and feelings of neglect could be addressed.

In responding, Councillor Krupa Sheth (as Cabinet Member for Environment, Infrastructure & Climate Action) began by thanking Mr Roche for attending the meeting in order to present the petition. In highlighting the ongoing challenge in being able to balance the number of footways and carriageways around the borough that would benefit from maintenance to improve their condition and visual appearance against the limited level of resources available, Councillor Sheth felt it was important to recognise how this impacted on the need to ensure works were prioritised through both a planned and reactive maintenance programme.

In terms of planned maintenance, this process was based around an asset management approach using annual condition surveys, inspection programmes and other data to produce the annual Highway and Footway Maintenance Programmes, with it noted that the current footway reconstruction programme was in the process of being finalised to take account of local ward priorities. Local

residents in support of the petition were therefore urged to contact their local ward councillor(s) in order to ensure Lancelot Road, Avenue and Crescent were included for consideration as part of the ongoing prioritisation process. In terms of more reactive maintenance, these works were initiated via scheduled highways safety inspections or as a result of reports of a particular problem assessed against specific criteria, with work undertaken (over the previous 12 months) to repair 24 investigation level defects identified or reported along Lancelot Road and the other streets which were the subject of the petition. The programme of reactive maintenance would continue as issues were identified. In the meantime, local residents were encouraged to continue engaging with their local ward councillor(s), with Councillor Krupa Sheth advising she would also be willing to arrange a site visit, should that be required by local residents, to discuss their ongoing concerns.

In addressing the issue of red line waiting restrictions Councillor Krupa Sheth ended her response by highlighting that these restrictions were the responsibility of Transport for London and not therefore a matter the Council would be able to address.

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

There were no references from the Community & Wellbeing or Resources & Public Realm Scrutiny Committees submitted for consideration at the meeting.

7. **Highways Capital Maintenance Programme 2023-24**

Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure and Climate Action) introduced a report setting out recommendations for Brent Council's 2023-2024 Highways Maintenance programme through a prioritised programme of major road resurfacing and preventative maintenance, including injection patching. In presenting the report, Councillor Krupa Sheth highlighted the valuable nature of the Highway Infrastructure as one of the Council's key physical assets along with the asset management approach towards prioritisation of schemes, which included the use of condition surveys and other relevant data to produce the annual road and footway maintenance programmes that had been designed to provide optimum condition improvements utilising the funding available. Taking account of the approach outlined members noted that the report also included details on the budgets for asset condition surveys and analysis, improvements to highway structures and drainage, improvements to public realm, and renewal of road markings.

In considering the report, Cabinet noted the focus on the highway infrastructure as a key issue and concern affecting local residents and impacting in members' casework and as a result welcomed the focus on local engagement with councillors around the process in identification of priorities for the annual maintenance plans and responsiveness to local demand. In addition, members noted the intention to present the Planned Footway Maintenance Programme to a future Cabinet meeting in order to enable further engagement with councillors around local ward priorities.

In supporting the approach outlined and thanking all those involved for their efforts in developing the programme and recommendations outlined in the report, Cabinet **RESOLVED**:

(1) To approve the 2023/24 Planned Carriageway Maintenance Programme as set out in Appendix B of the report.

(2) To note the budgets allocated for asset condition surveys and analysis, improvements to highway structures and drainage, improvements to the public realm and renewal of road markings.

8. **Quarter 2 Financial Report 2023/24**

Councillor Tatler (Deputy Leader and Cabinet Member for Finance, Resources and Reform) introduced a report which set out the financial forecast for the General Fund revenue budget, Housing Revenue Account, Dedicated Schools Grant, and the Capital Programme as at Quarter 2 2023-24.

In presenting the report, Councillor Tatler outlined the revised position on the General Fund revenue budget for 2023-24, which members were advised included a forecast overspend of £13.4m against the revised revenue budget at Quarter 2. In recognising the seriousness of the position outlined and scale of the financial challenges faced for 2023-24 and 2024-25 members were advised that in addition to the work already in progress to implement savings and to identify new savings proposals for 2024-25 and 2025-26, the Council would also need to introduce further measures, as detailed within section 1 the report, to control expenditure in order to mitigate against the pressures identified and maintain financial control over the current financial position.

In highlighting the ongoing impact of the current economic environment, members were advised that the main pressure and cause of the forecast overspend related to high levels of demand as a result of an increase in homelessness and a reduction in the supply of suitable accommodation accompanied by an increase in the associated cost of providing temporary accommodation, with the pressure faced recognised as unprecedented and unpredictable. Whilst the issues highlighted were being reported across London and on a nationwide basis the Council had already identified a number of key actions designed to manage these pressures and support vulnerable residents, also recognising the ongoing impact of the cost-of-living crisis. Cabinet was advised that the measures identified would remain in place until the end of the financial year with updates continuing to be provided for Cabinet as part of ongoing forecast and budget monitoring reports.

In supporting the approach outlined, Councillor Knight as (Cabinet Member for Housing, Homelessness and Renters Security) also took the opportunity to highlight the unprecedented and significant nature of the pressures identified in relation to the increase in homelessness, reduction in supply of suitable alternative accommodation and increase in the cost of providing temporary accommodation which the strategy developed in response had been designed to reflect and seek to address.

In recognising and supporting the importance of the work being undertaken across the Council to address and mitigate against the pressures and challenges identified members also welcomed what were felt to be not only the prudent but also responsible nature of the measures identified in order to ensure the Council remained focussed on maintaining a balanced budget whilst also seeking to

safeguard key services and protect residents, given the wider impact of the cost-of-living crisis and economic challenges highlighted.

In support of the approach outlined, Cabinet therefore **RESOLVED**:

(1) To note the overall financial position and the actions being taken to manage the issues arising.

(2) To note the savings delivery tracker in Appendix A of the report.

(3) To note the Prudential Indicators set out in Appendix B of the report.

(4) To approve the virements set out in section 3.9.10 of the report.

(5) To agree for new loan facilities of up to £2.31m to be made available to First Wave Housing Ltd for the Refugee Housing Programme, as set out in section 4.5.2 of the report.

9. **Review of Adult Social Care Charging Policy**

Councillor Neil Nerva (Cabinet Member for Public Health and Adult Social Care) introduced the report, outlining recommendations identified for consultation on changes to the Adult Social Care Charging Policy.

In introducing the report, Councillor Nerva highlighted that it was recognised good practice to review charging arrangements on a regular basis, with the last significant review in Brent having taken place in 2016 following introduction of the Care Act. Members were advised the consultation would provide an opportunity for the local authority to engage with residents on future charging arrangements and would be targeted towards residents who were receiving care either in their home or in a community-based setting. The review did not affect the arrangements for those receiving Local Authority commissioned care in residential or nursing settings, which were subject to separate requirements. Following consultation, the proposed changes would then return to Cabinet for final approval, prior to implementation at the start of the 2024-25 financial year.

Attention was drawn to the proposed changes outlined within section 3 of the report, which included worked examples of the potential implications for those receiving care. A summary had also been provided within Appendix 1 of the report, with members recognising the way in which the proposals had been designed to provide greater consistency and had been linked to the wider aims for adult social care in Brent whilst also seeking to ensure delivery of the service remained sustainable and focussed on supporting people to remain as independent as possible.

In considering the report Cabinet, recognised the importance in establishing a robust consultation and engagement process and welcomed the approach outlined within the report to the development of this process with members encouraged to share details with relevant organisations and support also identified as available through the Brent Disability Forum.

In supporting the approach outlined Cabinet **RESOLVED:**

(1) To note the proposed changes to the Adult Social Care Charging Policy, as detailed within the report.

(2) To approve the proposal to allow officers to consult on the policy changes outlined in the report.

(3) To agree that a report be presented to Cabinet in January 2024 outlining the results of the consultation and confirming the changes to the Charing Policy that would be introduced from the start of 2024/25.

(4) To approve that any changes to the policy would be implemented to start on 1 April 2024.

10. **School Place Planning Strategy 2024-2028**

Councillor Gwen Grahl (Cabinet Member for Children, Young People and Schools) introduced a report seeking approval of the new School Place Planning Strategy 2024-2028.

In introducing the report, Councillor Grahl thanked officers for the work undertaken to develop the strategy, which members were advised had been designed to ensure fairness and transparency in terms of the objectives and operating principles underpinning the Council's approach to school organisation and planning in order to give every child in Brent the best start in life. In outlining the focus of the strategy on both the sufficiency of places and the sustainability of schools, given the context of the current challenges being faced across the education sector and falling demand for places across some areas of the borough, members recognised the range of measures being developed in response. These included, as an example, the additional investment provided in response to the increase in demand for SEND provision, with the Council having approved an investment of £44m to deliver 427 additional SEND places across the borough and the co-ordinated programme of support being developed for early years providers in relation to implementation of the expanded entitlement for early years childcare recently announced by the Government.

Having recognised the challenges identified, particularly as a result of varying patterns of demand, Cabinet welcomed the approach outlined in terms of development of the strategy which it was noted had involved a detailed assessment of the available data in relation to pupil projections and demand in order to ensure that every child in Brent could continue to access to a good quality education locally in the borough. Members also commended the ward member briefings which had been provided as part of the development of the strategy.

In recognising the importance of the strategy in terms of ongoing planning for the sufficiency of school places across Brent, Cabinet **RESOLVED**:

(1) To approve the new School Place Planning Strategy 2024-2028, as provided in Appendix 1 of the report.

(2) To note the focus on planning for the sufficiency of places and the sustainability of schools, based on varying demand patterns impacting on school planning areas in Brent.

(3) To note there continued to be increasing demand for places that meet the needs of children and young people with SEND aged 0-25 years old and the planned strategies for addressing this need (including the SEN Capital Programme of £44m approved by Cabinet in January 2022 and the Post-16 Skills Resource Centre approved by Cabinet in May 2023).

(4) To note the change of government funding arrangements for Early Years provision and the planned approach to implementation of the new entitlements.

11. **Review of Primary School Places in Primary Planning Area 4**

Councillor Grahl (Cabinet Member for Children, Young People and Schools) introduced a report which informed Cabinet of the intention to informally consult on proposals to manage spare school capacity and falling pupil rolls in Primary School Planning Area 4 (PA4), comprising the wards of Stonebridge, Roundwood, and Harlesden & Kensal Green.

In considering the report, Cabinet noted (following its approval under Item 10 above) the detail provided within the School Place Planning Strategy 2024-28 in support of the proposals, recognising the fall in demand for pupil places within the primary sector across areas of the borough and the highest number of spare places identified within Primary Planning Area 4. It was within this context that the proposals outlined within the report had been developed which involved a reduction in the Primary Admission Number (PAN) of Mitchell Brook Primary School and ceasing primary provision on the Gwenneth Rickus site of Leopold Primary School. Whist noting the work being undertaken with schools to support them in managing the impact of falling demand, members also recognised the way in which the proposals had been designed to support and ensure the longer term sustainability of all schools in the area.

In commenting on the nature of the challenges identified, members felt it important to note the impact of the current cost-of-living crisis, increase in the cost of housing and changes introduced as a result of austerity to the welfare system which it as felt had all contributed to families struggling to afford to settle in the borough and across London, with the associated impact on varying demand for pupil places made more challenging (especially in relation to the primary sector) by the ongoing pressures on school funding. In attempting to avoid school closures, members noted that the approach outlined had been designed to reduce the most acute level of surplus capacity within PA4. In terms of the proposals outlined, Members were advised that Mitchell Brook Primary School had indicated there were supportive of the proposed reduction in the schools PAN with the Gwenneth Rickus site operated by Leopold Primary School having originally been opened as annexed “bulge” provision in 2013 and sufficient capacity having been identified on the main site and in other local schools to support future demand for primary provision in the area. Subject to the outcome of the informal consultation process, confirmation was provided that any school buildings released as a result of the changes outlined would be retained for future educational use.

In considering the report, Cabinet welcomed the assurance regarding the ongoing support being provided to schools in managing any transition process, recognising the difficult nature of the options being recommended for consideration and decisions needing to be made given the importance of schools and education provision for communities across Brent. Members were reminded that at this stage approval was being sought to undertaken initial informal consultation with key stakeholders, prior to any final recommendation being made on formal statutory consultation. The important role of ward councillors in supporting the consultation process within their local communities was also highlighted along with the work that would also be required to consider any associated implications such as the potential impact on school travel plans.

In recognising the difficult nature of the options available and having noted the support being provided for schools to manage any transition, Cabinet **RESOLVED:**

(1) To note and endorse initial informal consultation being undertaken with stakeholders that could lead to subsequent statutory consultation on a proposal to implement a phased closure of the Gwenneth Rickus site of Leopold Primary School. If a phased closure were to proceed, Leopold Primary School would continue to operate from its main site on Hawkshead Road. Ceasing provision on the Gwenneth Rickus site would involve a variation of the PAN for Leopold Primary School from 120 to 60 places for admissions in 2025 and no further admissions to the Leopold Gwenneth Rickus site from September 2025. There would be a phased closure of the Gwenneth Rickus site. The timing of the full closure of the site would be determined during consultation.

(2) To note that a reduction in the PAN of Mitchell Brook Primary School from 90 to 60 from September 2024 would be recommended for formal consultation in a report at the November Cabinet meeting on the Admission Arrangements for 2025/26.

12. Complaints Annual Report 2022-23

Councillor Tatler (as Deputy Leader and Cabinet Member for Finance, Resources and Reform) introduced a report which set out complaints performance in Brent Council for the period 1 April 2022 to 31 March 2023. The report focused on the nature of complaints and the learning they could provide to inform Brent Council's future approach to service improvement as well as including details on complaints performance relating to Adult Social Care and Children's Social Care, which it was noted were governed by separate statutory complaint procedures. Members noted the report also contained the Council's self-assessment against the Housing Ombudsman's Complaint Handling Code and Damp and Mould Spotlight Report, as detailed in Appendices C and D.

In considering the report Cabinet noted the key headlines relating to complaints performance in 2022-23 along with the outline of the root causes identified and service improvements which had been implemented as a result of the nature of complaints received.

In recognising that the majority of complaints received during 2022 – 23 had related to the housing service, Cabinet were advised this was felt to have reflected the increased challenges being experienced across the housing sector along with an increased awareness of tenants rights, the Housing Ombudsman and the focus on damp and mould as an issue following the publication of the Damp and Mould Spotlight Report and the tragic death of Awaab Ishak. In welcoming the increased level of awareness highlighted, member were also keen to ensure that the use of complaints continued to feed into the development of key corporate strategies, such as the Equality Strategy with the data provided used to assist in focussing support on those most in need in line with the Public Sector Equalities Duty.

In thanking officers for their efforts in monitoring and managing complaints performance, members felt the issues and areas highlighted as key concerns reflected the nature of current challenges being experienced by many local residents requiring support and also the Council in being able to manage the increased level of demand for key services. As such the report was welcomed as a means of continuing to focus on the nature of complaints received and approach towards service improvement for residents.

Having considered the report Cabinet **RESOLVED:**

(1) To note Brent Council's performance in managing and resolving complaints.

(2) To note and endorse Brent's self-assessment against the Housing Ombudsman Complaint Handling Code and Damp and Mould Spotlight Report.

(3) To approve the report progressing to the relevant Scrutiny Committees for consideration

13. **Exclusion of Press and Public**

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

14. **Any other urgent business**

None.

The meeting ended at 10.30 am

COUNCILLOR SHAMA TATLER
Vice-Chair in the Chair

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Brent	**Cabinet** 16 November 2023
	Report from the Corporate Director of Finance and Resources
	Lead Member - Deputy Leader, Cabinet Member for Finance, Resources & Reform (Councillor Shama Tatler)

Draft Budget 2024/25 and 2025/26

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
List of Appendices:	Two Appendix A: Summary of new budget proposals for 2024/25 and 2025/26 Appendix B: Detailed budget templates for new budget proposals for 2024/25 and 2025/26
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Minesh Patel Corporate Director of Finance and Resources Tel: 020 8937 4043 Email: minesh.patel@brent.gov.uk Rav Jassar Deputy Director of Finance Tel: 020 8937 1487 Email: ravinder.jassar@brent.gov.uk

1.0 Executive Summary

1.1. The purpose of this report is to set out the Council's budget proposals for 2024/25 and 2025/26. It also provides a general update on the Council's overall financial position, including an overview of the current economic outlook.

1.2. This report will set out:

- The National and Local economic context
- Government funding outlook
- Local funding outlook for Council Tax and Business Rates
- Budget requirement and new savings proposals
- Overall financial position for the Housing Revenue Account, the Dedicated Schools Grant and the Capital Programme

2.0 Recommendation(s)

2.1. That Cabinet notes the overall financial position.

2.2. That Cabinet agrees to consult on the new budget proposals, as set out in Appendices A and B.

2.3. That Cabinet agrees to consult on a Council Tax increase of 4.99% (consisting of a 2.99% general increase plus 2% for the Adult Social Care Precept) in 2024/25.

2.4. That Cabinet endorses the approach to the statutory process of consultation, scrutiny and equalities between November 2023 and February 2024, as set out in section eleven of this report.

2.5. That Cabinet endorses the changes to the technical budget assumptions underpinning the budget, as set out in section seven of this report.

2.6. That Cabinet notes the position with regard to the funding for Schools and the Dedicated Schools Grant, as set out in section twelve of this report.

2.7. That Cabinet notes the lack of certainty over the level of the rent increase for the Housing Revenue Account in 2024/25 since the government has yet to publish the new regulations. In the absence of guidance, the draft budget assumes an increase of CPI+1% (7.7%), as set out in section thirteen of this report.

2.8. That Cabinet notes the position with regard to the Capital programme, as set out in section fourteen of this report.

3.0 Cabinet Member Foreword

3.1. This report sets out the draft budget proposals for 2024/25 and 2025/26 to formally start the statutory processes of scrutiny, consultation with residents, businesses and other key stakeholders and equality impact assessments on the budget proposals.

3.2. On top of the £210m of cuts made since 2010, a further £8m must be saved between 2024/25 and 2025/26. It is important to note that the core funding Brent Council receives from government has decreased by 78%. This has

meant that the funding burden for Brent Council has come principally from other sources, such as Council Tax, Business Rates and Fees and Charges.

3.3. At time of writing councils in London face a £400million shortfall in funding this year alone. This means balancing our budget will be the hardest it has ever been.

3.4. The seriousness of the Council's financial position cannot be understated. Councils across London are facing a series of unprecedented financial challenges, caused by a perfect storm of continued high inflation, rapidly increasing demand for services and reduced government funding since 2010.

3.5. Brent is not immune to these pressures, with an expensive adult social care bill getting more so every year because of an ageing population as well as soaring levels of homelessness, with around 150 new families presenting as homeless most weeks.

3.6. For us in Brent, the demand has left us with a financial pressure worth £13m. We are bringing in spending controls to help us balance this year's budget, but I will not pretend that it will be easy.

3.7. However, this administration's priority has and always will be to protect our residents across this borough in these difficult economic times and ensure there is a safety net for our most vulnerable.

3.8. Just some of the things we are doing in our Budget to protect our residents are:

- **Investing £32m into our Council Tax Support Scheme**, with the most substantial programme anywhere in London, helping 26,197 residents with their council tax bills.

- **Ensuring residents are provided with food and energy support via our Brent Hubs.** This includes issuing vouchers to residents in need of urgent food and fuel support, as well as making referrals to food aid agencies and support schemes for utility costs.

3.9 Despite these challenges, Brent will continue to take the right decisions to deliver a balanced budget and safeguard frontline services, to ensure that no one in our borough is left behind.

4.0 Background

4.1. This report renews the Medium Term Financial Strategy (MTFS), which is the Council's overarching financial planning document. The MTFS contains forecasts for the financial position of the Council's General Fund revenue budget, as well as providing a framework within which financial planning is undertaken for the Housing Revenue Account, the Dedicated Schools Grant and the Capital Programme.

4.2. It should be recognised, however, that forecasting over the medium term is extremely difficult. There is a high level of uncertainty due to high levels of inflation, economic turmoil resulting from war in Ukraine, the Government's short-term funding settlements, delays in funding reforms, the effects of the cost-of-living crisis on residents and businesses in the borough and the impact of Brexit.

4.3. The report outlines the approach being taken to address the budget gap expected to result from demographic and inflationary pressures. As the economic environment remains challenging, it is extremely difficult to make a full, definitive and comprehensive assessment of the potential financial impacts. The figures in this report are based upon best estimates and forecasts, which will be subject to change. The significance of the financial challenge cannot be underestimated; however, the measures outlined in this report aim to ensure that the Council continues to operate in a financially sustainable and resilient way.

4.4. As reported to Cabinet in July 2023, due to the issues identified above, the budget gap between 2024/25 and 2025/26 is estimated at £8m, which is the central case based on current budget assumptions and scenario modelling. The accuracy of this is probably at best +/- 20%, and wider variations are entirely plausible. The actual figure required will not be known until a longer term Spending Review for Local Government is announced.

4.5. The Council has therefore now brought forward a series of new proposals totalling £8m which, if approved following consultation and scrutiny, would be implemented in 2024/25 and 2025/26. These new proposals, and the updates to budget assumptions set out in this report, will enable the Council to set a balanced budget for 2024/25 and 2025/26. The new savings proposals for 2024/25 and 2025/26 are summarised in Appendix A and full details of each of the proposals are set out in Appendix B.

4.6. There remains significant uncertainty over local government funding in the medium term in the absence of a longer term Spending Review and the outcome of other significant reforms to Local Government funding, for example the Fair Funding review and reforms to the business rates regime. There will also be a General Election in or before January 2025. The Autumn Statement that will be delivered on 22 November 2023 is unlikely to include any further cuts to support for local government as this is the second year of a two-year spending review. However, the recent spate of Section 114 notices, indicating that local authorities cannot set balanced budgets, has yet to be addressed by the government. The Autumn Statement may set out the government's plans in this area with any addition funding included in the local government finance settlement due in December 2023.

4.7. The new savings proposals are designed to limit, as far as possible, service reductions and the impact on front line services particularly during these challenging times. This does not mean that delivering these planned savings, if approved, will be managerially straightforward, or that front-line services will be entirely unaffected, or that they can be achieved without staffing reductions.

4.8. In summary, the key features of the 2024/25 budget are:

- A Council Tax increase of 4.99% (consisting of a 2.99% general increase plus 2% for the Adult Social Care Precept), making a Band D Council Tax of £1,564.65 (for the Brent element). The GLA precept is unknown at this stage and is subject to their own decision making and consultation processes.

- New budget savings proposals of £8m to be delivered between 2024/25, as set out in Appendices A and B.

5.0 Strategic Financial Overview

Financial Context

5.1. In February 2023, Council agreed the budget for 2023/24 which included £18m of savings, profiled £13.5m in 2023/24 and £4.5m in 2024/25. In July 2023, Cabinet received an update to the MTFS and as a result of demand and inflationary pressures a budget gap of £8m was identified between 2024/25 and 2025/26. These savings will be in addition to the £210m removed from the Council's budget since 2010 as a result of significant reductions in government funding and the challenges posed by new legislation, at a time when demand for key services is rising. In October 2023 Cabinet received the Quarter 2 forecast position for 2023/24, which set out significant in year pressures within the Housing Service. High levels of demand due to a rise in homelessness and reduction in supply of suitable accommodation are expected to result in an overspend of over £13m.

5.2. The specific cause of the homelessness overspend is an increased number of people presenting themselves as homeless which has necessitated the use of higher cost emergency accommodation which is not fully covered by housing benefits subsidy from the Department of Work & Pensions. There is an action plan with multiple workstreams to address the supply issues which should result in a significant reduction in the cost of housing the increased number of homelessness cases, should the numbers to be housed continue at present levels. On this basis, the current pressure is viewed as temporary which does not therefore require ongoing growth or savings. Delivery of the action plan and its impact on the overspend will be kept under constant review and reported to Cabinet in future forecast and budget reports.

5.3. A number of immediate and medium term actions are being taken to mitigate these pressures in order to maintain financial control over the current budget position, this includes taking a Council wide approach. Officers have implemented a Budget Assurance Panel to provide additional oversight and scrutiny of its financial position, including in-year budget pressures and issues, mitigating actions and the delivery of agreed savings. Actions need to focus on reducing or eliminating the reported overspend in the short-term, improving forecasting techniques for quantifying anticipated demographic and inflationary growth in the medium-term and addressing longer term issues by increasing

supply, shaping market prices, managing demand side issues and investing in prevention measures as a means to avoid later high cost intervention.

5.4. In addition, the Council has introduced a number of spending controls to provide more assurance over the Council's spending decisions and reduce the risk that the budget position deteriorates further. These measures, including the financial position in the round, will be closely monitored during the year to understand the impact on the Council's budget over the medium term.

Current financial position

Uncertain Economic Environment

5.5. War in Ukraine, high levels of inflation, labour shortages and rising interest rates present the Council with a volatile and uncertain economic environment. The cost-of-living crisis will impact the residents of Brent and the Council is committed to doing what it can to support those in greatest need. Service demand continues to rise due to demographic changes which affect all age groups and inflationary pressure causing providers to raise their prices are impacting the Council as a whole, with particular pressures on adults' and children's social care and the homelessness budget.

Inflation

5.6. Inflation peaked in October 2022 at 11.1% on the CPI measure. By September 2023 this had fallen to 6.7%. Although this is a significant fall, it is less than forecast and as a result the Bank of England (BOE) has revised its forecasts to expect inflation to fall further to around 5% by the end of 2023 and to not meet its 2% target until early 2025. RPI, which is often used as the basis for indexation in contracts, peaked at 16.4% in October 2022 and currently (September 2023) stands at 8.9%. It is worth noting that at the time of setting the 2023/24 budget the Bank of England was forecasting that inflation had peaked in October 2022 and would fall to its target rate of 2% by January 2024. In fact, inflation has not fallen by such a large amount and at August 2023 remains at 6.7%. This higher than anticipated rate of increase is a contributory factor to the overspend reported in the Quarter 2 report.

5.7. The September inflation figures are important as they are normally used for the uprating of much central government expenditure including pensions (under the triple lock) and (usually) other welfare payments. The local government finance settlement sets out the government's assumptions on the level of resources available to local government, which it terms Core Spending Power (CSP). The government usually uprate local government resources by the September CPI figure and this increase applies to government grants. In the 2023/24 settlement, compensation was given to uprate business rates by the September CPI figure – this is likely to happen again. Government grants also increased substantially reflecting the high levels of inflation being encountered. The 2023/24 settlement was the first year of a two-year spending review. The second year made assumptions about increasing funding by inflation, but at a lower level than is likely for the September CPI figures.

Interest Rates

5.8. Having remained at 1% or less since February 2009, interest rates have been rising steadily. The BOE is attempting to quell rising inflation which remains significantly above the BOE's official target of 2%. In September 2023 the BOE decided to keep the base rate unchanged at 5.25%. The market is still pricing in that the BOE base rate will rise to 5.5% by the start of 2024.

5.9. For the Council, this translates into higher costs of borrowing which in turn will have an adverse impact on the capital programme. For Brent residents, rising interest rates will add additional costs to the holders of existing mortgages, while a higher stress test for affordability (for many mortgages as high as 8% interest rates) and the withdrawal of higher loan to value mortgage products (meaning a higher deposit is required) will act as barriers to first time buyers.

5.10. Base rate in the United Kingdom has averaged 7.11 % from 1971 until 2023, reaching an all-time high of 17% in November of 1979 and a record low of 0.10% in March 2020. While interest rates are not expected to rise significantly from their current levels (the markets are pricing in base rate rising to between 5% and 6% over the next few months), it is highly unlikely that in the near future interest rates will return to the historically low levels at which they have been for the last decade.

Cost-of-Living Crisis

5.11. Since late 2021, the UK has experienced a rise in the costs of living for individuals and businesses. For many Brent residents, this means having to make difficult decisions on how they spend their income, which can have a negative impact on their standard of living.

5.12. Despite the fact that the cost-of-living crisis has been with us for over a year, a recent report reveals that people seem less worried about rising food and fuel costs. Instead, their concern has shifted to housing costs, as a result of rising mortgage rates. In London the percentage of income spent on housing costs (whether mortgaged or rented) is significantly higher than the rest of the country.

5.13. The impact of the cost-of-living crisis varies by demographic. Younger people (aged 25-34) were twice as likely to describe themselves as being in financial crisis. Those with children and pets are likely to face the highest rise in monthly costs – for the UK an increase of £497 as opposed to £441 for those without children or pets.

5.14. The Council has a number of initiatives aimed at supporting residents who may be struggling and enabling Brent and partner organisations to best respond to local needs. These include:

Financial support

- The **Brent Resident Support Fund (RSF)** has been in place since August 2020. In the period August 2020 to August 2023, RSF has supported 9,770 households with a total of £14.5 million. The support provided is for help with the cost of living. This can include, but is not limited to, household bills, arrears in rent, mortgage, Council Tax, food, fuel, digital equipment and emergency funds. Urgent assistance is provided when residents are at risk of losing their home and when an application to the RSF is unsuccessful, the applicant is referred to a credit union for help with an interest-free loan. Further support is provided through signposting to other internal (e.g. Brent Hubs) and external (e.g. Citizens Advice) services.

- **Council Tax Support** (CTS): 26,197 households are supported through CTS as of 30 September 2023, of which 17,692 are working age and 8,505 are pension age. Pension age residents are entitled to full Council Tax support depending on their income, savings and household composition. The total support given to households is around £32m per annum.

Food and energy support

- **Brent Hubs** work with residents who find it difficult to access the support they need through mainstream services. This includes issuing vouchers to residents in need of urgent food and fuel support, as well as making referrals to food aid agencies and support schemes for utility costs. Through Brent Hubs 2,500 residents were supported with food and fuel needs through referrals to food banks. Brent Hubs have also continued to provide emergency fuel and food support through supermarket and fuel vouchers with over 400 residents receiving on average a £40 voucher.

- Brent Hubs has also been part of the Warm Spaces campaign providing a social space for those who have challenges hearing their homes in the form of a regular coffee morning where over 40 residents local to Kilburn attend each time. The most common needs which residents present with at the Hubs are food and fuel support (22%), housing benefits and council tax (16%), housing and homelessness (16%), form filling – such as RSF applications - (13%), debt and money (10%), and other, for example, employment, general support, immigration etc. (23%).

- The Government's **Household Support Fund (HSF)** has been used to provide support to Brent households with the cost of food and fuel in the form of food and fuel vouchers, grants, and financial support to food aid organisations. The HSF is a follow-on fund from the previous COVID-19 Winter Support Fund and COVID-19 Local Support Funds, which had been in place since December 2020. Between 1 April 2023 and 31 August 2023, the Council has supported 11,207 households with a total of £1.5m with a further £4.1m expected to be spent by the end of 2023/24. The support included summer holiday school vouchers, supporting 0-4 year old children's parents in receipt of Housing Benefits, as well as reactive support. Further activities are planned to support residents claiming

Housing Benefits only, disabled residents receiving Housing Benefits, young carers, as well as providing support to food banks, charities and voluntary organisations to support our residents with financial, food and fuel support.

- In 2023/24, £1m has also been committed to support families with a Family Food Fund. This intends to support families that have children and difficulties with food affordability but do not qualify for free school meals.

Financial Inclusion Dashboard

- Measuring impact will improve the Council's understanding of the effects of the Cost-of-Living crisis on the borough and will shape how effective collective efforts are in helping to mitigate any negative impacts. The main mechanism for measuring impact is a financial inclusion dashboard. This dashboard is underpinning the development of our resident support model.

- The dashboard consists of both strategic and operational views. The strategic dashboard enables senior officers and Members to see changes at a borough and ward level. The operational dashboard provides operational staff with a more holistic view of individual residents and can be used to support better targeting of support.

- Phase two of the development of the dashboard has been completed with the addition of Free Schools Meals, Resident Support Fund, Business Rates and Housing Benefits Overpayment datasets. The next phase of the project involves embedding use of the current dashboard and agreeing priorities for additional datasets to include.

- Brent is currently taking part in a pilot led by the London Office of Technology (LOTI) which aims to bring together datasets used by Adult Social Care into a separate dashboard for front line practitioners. Learning from this pilot will inform work to incorporate external data into the FI dashboard.

Energy Price Cap (Consumers and Businesses)

- To help protect consumers from steep increases in energy prices, the Government introduced the Energy Price Guarantee from 1 October 2022.The intention of the scheme was to reduce the unit cost of electricity and gas so that a household with typical energy use in Great Britain pays, on average, around £2,500 a year on their energy bill, for the next 2 years. This has subsequently been revised as wholesale energy prices have fallen with a cap of £1,923 applying from October 2023. Energy suppliers are fully compensated by the government for the savings delivered to households.

- For an individual customer, the amount paid under the Energy Price Guarantee will vary depending on how much energy they use, where they live, how they pay for their energy and their metering arrangement.

- The Department for Business, Energy & Industrial Strategy (BEIS) introduced the Energy Bill Relief Scheme for businesses and other non-domestic customers. This only applied to the 2021/22 financial year and has since been abolished.

Government Fiscal Events

Autumn Statement (22 November 2023)

5.15. The Autumn Statement will mark the second year of a two-year spending review period and may be the last Autumn Statement before a general election. Whilst there may be some new announcements that affect central government finances, it is unlikely that there will be any significant announcements that affect local government.

5.16. The 2022 Autumn Statement also deferred a number of items to 2025/26 creating a cliff-edge which could have a serious negative impact on funding for local government. There is therefore a risk that the 2025/26 local government finance settlement will necessitate further savings in 2025/26.

5.17. The one area that was unclear from the previous Autumn Statement was whether the New Homes Bonus would continue in 2024/25. A recent (September 2023) guidance document from the Department for Levelling Up, Housing and Communities (DLUHC) indicates that it will. This is good news for Brent which received the highest level of New Homes Bonus in 2023/24 at £7.9m as a result of increasing the supply of homes more than any other Council in the UK. This amount is likely to be received in 2024/25, although no amount of New Homes Bonus has been assumed in the proposed budget as its receipt and level are uncertain.

5.18. A further issue in local government finance that the government may wish to tackle is the number of authorities who have already or are on the verge of effectively declaring themselves bankrupt by issuing a Section 114 notice. So far seven authorities have issued Section 114 notices (Northamptonshire County Council {subsequently abolished}, Nottingham, Croydon, Slough, Thurrock, Woking and Birmingham) and local government organisations estimate that another 26 authorities are on the edge of issuing such notices.

5.19. Five reasons have been identified for the issue of a Section 114 notice: problems servicing debt, low reserves, overspending on major projects, unstable leadership/poor management and poor member/officer relations. Brent is not experiencing problems servicing debt and has adequate levels of reserves; the other three factors do not apply.

5.20. To date the government has intervened in authorities issuing a Section 114 notices, often appointing commissioners to take control and in the case of

Northamptonshire County Council ultimately abolishing the authority. Additional financial resources have not been forthcoming with the government restricting financial support to the issue of capitalisation notices which enable the authority to spend its own capital resources on its turnaround plan. It is not felt likely that the government will provide funding specifically targeted at authorities in financial difficulty as that might be seen as rewarding failure. The government could however provide some extra funding to local government if it is concerned about local authorities ringing financial alarm bells in the run up to a general election.

Local Government Finance Settlement (expected in December 2023)

5.21. It is not yet known when the provisional Local Government Finance Settlement will be announced, but past experience suggests that this will happen in mid- to late-December.

5.22. The starting point of the Local Government Finance Settlement (LGFS) is Core Spending Power. This is a measure of the resources available to local authorities to fund service delivery. It includes Council Tax and locally retained Business Rates, a number of generally usable government grants and the Revenue Support Grant. Normally, Core Spending Power is increased in total by the September CPI rate. The government then calculates the income available to the local authority by assuming that it sets the Council Tax at the referendum limit, receives the local share of indexed Business Rates and inflated government grants (including any changes to the level of funding). The level of Revenue Support Grant is then set as the balancing figure to bring total funding in line with the Core Spending Power figure.

5.23. For the LGFS 2023/24 the final settlement confirmed an increase in local government core spending power of 9.4 per cent, assuming that all councils will be increasing council tax to the maximum allowed without a referendum. This was skewed in part by additional funding for adult social care. It is unclear whether a similar methodology will be used in 2024/25, with perhaps increased social care funding – an area where many councils are experiencing severe financial difficulties.

5.24. The 2023/24 LGFS deferred a number of important decisions that will affect local government financing until after the next general election, these include the fair funding review of local government funding, the reset of the business rates baseline, and the introduction of a cap on care costs.

5.25. At present the MTFS assumes that government funding will increase by 3% in 2024/25 and that the Council will increase Council Tax by the maximum of 4.99% allowed by an unchanged referendum limit. Given that 2% of this will be the social care precept, the actual increase for most Council services will be 2.99% - a real terms cut of around 5% if inflation is running at 8%.

Outlook for Future Government Funding

5.26. After 2024/25, the MTFS model assumes that government funding and Council Tax will each increase by 3% in future years. If inflation remains at significantly above this level, this will cause a real terms cut in resources. Service pressures caused by increased demand resulting from the cost-of-living crisis and demographic pressures will put further pressure on the Council's budget leading to a need for substantial savings in future years.

Administration Priorities

5.27. The budget process is designed to ensure that it is priority led so that resources are aligned with statutory responsibilities and council priorities, which are set out in the four-year Borough Plan (2023-2027).

5.28. The Borough Plan 2023-27 sets out the Council's vision for the next four years. There is an emphasis on how the Council will work with others to support people through the cost-of-living crisis, realise climate change ambitions and harness the diverse range of communities. Central to these ambitions is making Brent the best it can be for everyone who lives and works in the borough.

5.29. The overarching theme of the plan is 'Moving Brent Forward Together'. The plan focuses on how the Council will take forward delivery in the five priority areas being of fundamental importance to Brent and its people. Each priority area has set outcomes the Council will work towards, building on the achievements so far with renewed focus and actions. It tackles cross-cutting issues such as homelessness and health inequalities.

5.30. The five priorities are:

- Prosperity, Pride and Belonging
- A Cleaner, Greener Future
- Respect and Renewal in Brent
- The Best Start In Life
- A Healthier Brent

5.31. As is customary during the budget setting process, the MTFS will need to ensure it provides a framework to enable and support the delivery of these programmes.

6.0 Review of Key Budget Assumptions

Overview of current MTFS

6.1. The General Fund revenue budget for 2023/24 was set at the Council meeting of February 2023, where savings of £18m were agreed, profiled £13.5m in 2023/24 and £4.5m in 2024/25). At this stage these savings are on track to be delivered. Some savings have been flagged as at risk, or delayed, and where this is the case mitigating actions have been put forward.

6.2. In 2023/24, there is a forecast overspend of £13.4m against the revised revenue budget at Quarter 2. This is equivalent to 5% of the revised budget. This is mainly as a result of extreme pressures in temporary accommodation and homelessness. If sustained until the year end, this would require a transfer from unallocated reserves. In turn, this would reduce the balance of unallocated reserves from £18m to £5.1m, significantly below what is considered by the Corporate Director of Finance & Resources to be an adequate balance for the Council. Equally, any overspending not dealt with in 2023/24 would, potentially, carry over into 2024/25 thereby increasing the requirement for further savings in that year whilst at the same time providing no scope to draw on the Council's reserves.

6.3. The seriousness of the Council's financial position cannot be understated. The scale of the financial challenge for 2023/24 and 2024/25 is such that, in addition to work currently underway to implement savings in 2023/24 and to identify new savings proposals for 2024/25 and 2025/26, the Council may need to implement further measures to control expenditure in order to address the underlying issue that the Council's net expenditure is significantly greater than available sources of in year funding.

6.4. At present, the budget gap and savings target have not been increased as a result of the forecast overspend reported at quarter 2. However, should management actions and other cost control measures not turn around the situation both for 2023/24 and future years, it may be necessary to identify further savings in 2024/25. The use of reserves to balance the budget would not be prudent if a substantial amount of reserves had already been used to shore up the position in 2023/24. Further analysis on the use of reserves is set out in paragraphs 7.3 and following of this report.

Departmental pressures

6.5. Managing ongoing demand-led pressures remains a key aspect of the MTFS. The existing annual growth assumptions are in fact estimated increases in unavoidable expenditure. Those built into the MTFS cover areas such as contract inflation, pay inflation and demographics (by which is meant meeting the cost of providing existing services for a growing and changing population). These expenditure assumptions represent the annual costs that have to be incurred just to stand still.

6.6. As the two areas most affected by the changes in demography and increasing contractual costs, the Care, Health and Wellbeing and Children and Young People's departments undertook scenario and sensitivity analysis of the effects of different levels of inflation and demographic change. This determined a central case (that is a position between possible best and worst cases), which has been used as the basic of the contract inflation and demographic changes in these areas.

6.7. There are also considerable pressures in other areas. The unprecedented demand for temporary accommodation is putting considerable pressure on the budget for Residents Services. Concessionary fares are also experiencing

substantial increases as usage in London returns to pre-pandemic levels. As the largest contributor to the Freedom Pass scheme, Brent faces a substantial increase in cost with the contribution forecast to rise by £4.7m in 2024/25, £3m in 2025/26 and £2.8m in 2026/27. Concessionary fares are part of the Care, Health and Wellbeing budget.

6.8. A summary of these growth and cost pressures are shown in the table below.

Table 1: Growth / Cost Pressures

GROWTH		
	2024/25	**2026/26**
Categories	**£000s**	**£000s**
Demographics - CHW	3,608	3,677
Demographics - CYP	1,080	1,651
Demographics - Other (inc. Housing)	900	1,000
	5,589	**6,327**
Inflation - CHW	3,397	2,438
Inflation - CYP	1,506	1,035
Inflation - Other (inc. Housing)	1,455	914
	6,358	**4,386**
Pay	6,500	3,500
Service Changes	11,412	4,085
Grand Total	**29,858**	**18,299**

6.9. The following sections provide commentary on the service pressures and other challenges faced by each department.

Care, Health & Wellbeing

6.10. Within Adult Social Care, demographic and inflationary pressures, high spend on agency staff, as well as uncertain implications of the fair cost of care and other social care reforms, all pose financial risks to the budget. Whilst the planned social care charging reforms have been delayed from October 2023 to October 2025, the sector must still work to ensure sustainable rates for care are paid with fair cost of care funding from the Government continuing for the next two years.

6.11. Adult Social Care in Brent has already seen rising costs and client numbers in the current year, in particular Supported Living, Nursing and Residential care services. Nursing Care and Supported Living client numbers have both increased by 10% since 2022/23 and average package costs for Residential Dementia Care have increased by 8% at a time when client numbers have grown by 6%.

6.12. Inflation has been higher and is likely to persist longer than originally forecast. Higher inflation has had, and will have, implications for pay. Almost all care workers are paid at, or very close to, the National Living Wage (NLW), or the London Living Wage (LLW) in London. This means that the labour element will

increase in line with the annual increase in the NLW/LLW. For 2024/25, the government has announced that the national living wage will increase of at least £11 – an increase of 5.6%. As the labour element is a large part of costs, this will have a significant impact on the overall inflation rate for care. This is expected to reflect in increased cost of packages of care within Brent.

6.13. In 2024/25 the costs of these fee and wage increases plus other financial pressures such as demography and inflation on other adult social care budgets is expected to exceed the extra resources available to adult social care nationally by at least £300m and potentially up to £600m depending on the NWL/LLW proposed.

6.14. Public Health contracts are also likely to be affected by the rising levels of inflation. The majority of public health services are commissioned from the NHS where the national Agenda for Change pay awards have significantly outstripped uplifts in the public health grant, even before the resolution of industrial disputes.

Children and Young People (CYP) General Fund

6.15. There continues to be increased spend in the General Fund of the CYP department due to the impact of rising demand for placements, high inflationary cost increases, and the reliance on agency social work staff due to recruitment and retention challenges.

6.16. In September 2023, the Department for Education (DfE) published a consultation response to *Stable Homes Built on Love* (the original consultation was published in February 2023) which was which announced plans for a wide-ranging transformation of children's services in England. A recent research paper *Stopping the spiral: Children and young people's services spending 2010-11 to 2020-21 | Pro Bono Economics* highlighted that there has been a significant shift over the years from early intervention services to higher cost late intervention services such as placing children in residential care. The DfE intends to cover improvements to support given to families, promoting a greater use of family networks, a more integrated child protection system, looking to resolve issues in the care market, workforce development and improving availability and use of data and intelligence. With early intervention being at the core of the reforms to produce better outcomes for children and also any potential increases to children's social care budgets are yet to be determined as a result of this reform programme.

6.17. There are currently 319 (August 2023) Looked After Children (LAC) and the department is maintaining effective management of demand by keeping children at home with their families where safe to do so. A challenge remains in Brent that some of the children looked after are older and have needs that are more complex and therefore, are placed in higher cost placements. The current 2023/24 average weekly cost of a residential placement is £6,280, which is £259 higher than the 2022/23 average. In 2023/24, the highest weekly costs for six residential placements with complex needs, range from £10,000 to £14,847. A review by the Competition and Markets Authority (CMA) in 2022

highlighted the dysfunction in the market for care placements. The CMA concluded that due to the lack of sufficient placements, local authorities nationally are struggling to find suitable, local placements when they are needed, leading to private providers charging unjustifiably high prices for placements and making excessive profits. The impact of inflation and the lack of sufficient placements is likely to see the weekly cost increase further in 2024/25.

6.18. The CYP department also manages the placement costs of Unaccompanied Asylum-Seeking Children (UASC) presenting to the borough. Although grant funding is received from the Home Office to mitigate the costs, the funding is not sufficient to cover costs such as additional costs for specialist age assessment social workers, legal costs, additional personal advisors to manage cases, and increased subsistence costs. There is also the rising numbers of UASC care leavers which currently stands at 35% of the care leavers cohort in Brent, who need to be accommodated until the Home Office make a final asylum determination nationally. There is a lack of sufficient funding from the Home Office for this cohort and local authorities are required to manage the shortfalls.

6.19. The department is reliant on health contributions from the Integrated Care Boards (ICB) to fund health related spend against the placement costs and the health element of a Special Education Needs and Disabilities (SEND) child's Education, Health, and Care Plan (EHCP). Brent continues to work with health colleagues to ensure the maximum contributions are received through the Joint Funding Panel.

6.20. The national challenge for the recruitment and retention of skilled and experienced social work staff remains and has led to a reliance on agency staff in the Localities and Looked After Children & Permanency (LAC&P) teams. Currently across the Localities teams, agency staff occupy 39% of the establishment which is a reduction from 2022/23 of 44%. This is because of actions such as a weekly Establishment Board created to scrutinise all agency recruitment, corresponding activity to achieve permanency through discussions with agency staff to convert to permanent roles and working in collaboration with neighbouring local authorities on effective and targeted recruitment and retention activity. Caseloads have remained consistently higher than budgeted levels and as of August 2023, there were 2,786 caseloads managed by the teams which exceeds the budgeted levels of circa 2,500 by 11%. A risk remains if demand continues to grow, this could create added pressures in these areas. Management will continue to monitor the caseload levels and the use of agency staff while continuing the drive to recruit permanent staff.

Communities and Regeneration

Communities

6.21. Brent's population has seen a significant number of arrivals of refugees and migrants into the borough, this is likely to increase as the Home Office is planning to open further accommodation in Brent. These are often complex

cases of vulnerable adults and children; the financial impact of this is likely to be felt across the council, but in particular for Housing related needs. Communities has put aside some of the grant it has received for Ukrainian and Afghan refugees to help address these issues, but this funding will run out in the next three to four years at the current spend rate. In order to mitigate this risk, the department will continue to explore opportunities for partnership working.

Regeneration

6.22. Within Regeneration there is some uncertainty on the Planning income that can be expected to be collected in future years. Income is currently lower than in past years, as the current economic climate and regulatory changes having an impact on construction and viability, with there being reduced appetite for developments of all sizes. There is the potential that this could impact the income received for years to come. An increase in planning application fees is expected to be introduced around the end of the year, which will help mitigate income from reduced numbers of applications.

6.23. This is also impacting the income collected by the Building Control team as less developments are taking place. Fees and charges for this service are being reviewed to determine the appropriate levels for the future, any proposed changes will be included in subsequent budget papers.

Resident Services

Homelessness

6.24. The increase in demand for Bed & Breakfast, Annexes and Emergency Homeless Lets (EHL) is expected to result in a £4.5m pressure against the current 2023/24 budget. An extremely high level of demand for housing services is a national issue, but is particularly acute in London. The Housing Needs Service in Brent has seen a 22% increase in a number of homelessness presentations when compared to the same time last year. Other London boroughs are experiencing a similar increase in demand, with a 20% increase in presentations on average. The total number of households in Temporary Accommodation in Brent has increased by 14% and the number of families in Bed and Breakfast hotels has seen a 322% increase. Whilst the COVID-19 pandemic, associated lockdowns and the ban on Private Rented Sector (PRS) evictions may have been a factor in this growth, demand for homelessness services continues to grow. As at the end of July 2023, the total number of homeless households living in B&B and Annexe accommodation has risen to 553, broken down between 324 families and 229 single people. If demand continues at the same rate, the service will receive a total of 7,700 applications this financial year, an average of 148 applications every week, which is the highest it has ever been.

6.25. At the same time, the PRS market has contracted, which means there is a lack of supply to move households on from temporary accommodation. London Councils commissioned Savills and the London School of Economics (LSE) to

produce a report on the Supply of PRS Accommodation in London. The report has found that London's PRS is affected by multiple factors driving a reduction in the availability of properties for rent. The report highlights that demand for housing is continuing to increase while supply is reducing across the whole market. It has found that greater reliance on the PRS to house lower income households and increasingly limited housing benefits are making accommodation less affordable and available. Currently it appears to be supply side factors notably taxation, interest rate changes and uncertainties about future regulation that are reducing availability at the lower end of the PRS.

6.26. As these issues are London wide, the availability of B&B and Annexe accommodation is severely restricted across the capital, with many Councils being forced to book rooms in commercial hotels to meet statutory duties. This lack of availability of accommodation is resulting in having to use expensive providers and at times outside of Brent, which also causes significant financial pressures to the families placed there due to additional travel costs for children at schools in Brent.

6.27. Brent is one of 10 member boroughs of Capital Letters, which is a company established to enable a collaborative approach to procuring PRS properties across London, to help meet the demand for affordable housing from homeless families. The current PRS market conditions have also had a significant detrimental impact on Capital Letters performance in securing suitable PRS properties for member boroughs. There was a 53% reduction in PRS properties let through Capital Letters from 2021/22 to 2022/23.

6.28. As well as procuring PRS properties through Capital Letters, the housing service operates a Find Your Home scheme, to encourage homeless households to find their own affordable PRS property, which the service will then assist them to secure by paying the owner a financial incentive in lieu of a deposit and first month's rent. There was a 35% reduction in PRS properties let through Find Your Home and internal procurement from 2021/22 to 2022/23. If the 2023/24 procurement continues at the same rate, the decrease will be 64%.

6.29. The supply of settled TA properties, leased from private owners and used to move families out of B&B and Annexe accommodation has also contracted. This is due to fewer new properties being procured under Private Sector Leasing (PSL) schemes, and owners not renewing the lease for existing stock, when the lease ends.

6.30. The type of accommodation provided as TA also has a bearing on entitlement to housing benefit subsidy for the payments made. Where a family occupies more than one room in a hotel and those rooms are not connected only one room will be eligible for subsidy. Depending on whether the accommodation is self-contained (exclusive use of a kitchen, bathroom and toilet) or non-self-contained (one or more facilities is shared), there is a cap on the subsidy entitlement based on the applicable Local Housing Allowance (LHA). Payments above the LHA cap are ineligible for housing benefit subsidy.

6.31. The loss of Housing Benefit subsidy cost is forecast to rise to £8.6m in 2023/24 (from £3.7m in 2022/23) as rents increase but the LHA remains unchanged at its current level. Benefits paid to those living in TA is limited to 90% of the 2011 LHA rates which, particularly since the pandemic, is significantly less than rents being charged by most private sector landlords today. The subsidy loss is expected to remain high in coming years due to the high level of demand and insufficient supply.

6.32. The Council has designed a programme of works to focus on containing forecast budgetary pressure with a number of workstreams covering affordability of Temporary Accommodation and new and alternative supply have been set up. Some progress has already been made to move some of the most expensive cases or those with the highest subsidy loss to alternative arrangements that aim to reduce costs to the Housing Needs service and associated overall subsidy losses, however it is too early to quantify the impact of these actions at this stage.

6.33. The government has initially launched a technical consultation seeking views on the approach to the funding arrangements and conditions for the Homelessness Prevention Grant. This has been postponed and the 2024/25 allocation has been confirmed to be £7.6m, a 3.6% increase when compared to 2023/24.

Energy Costs

6.34. Volatilities in the energy market are being closely monitored but this is one of the risk areas for the department. For 2023/24, energy costs are currently forecast to be lower than initially feared and are expected to be contained within the allocated budget, however this risk remains for 2024/25.

6.35. Higher utility costs are also impacting operations of leisure centres, which means that a risk of provider failure is increasing. Supporting operators by subsidising their operating costs would create budgetary pressures for the Council and closing sites would also have a significant impact on both communities and income levels. The Council is working closely with the leisure providers to ensure continuity of the affordable service and will continue to monitor its position for 2024/25.

Transport Services

6.36. The provision of sufficient special needs home to school transport is the Council's statutory obligation and Brent Transport Service continues to experience annual growth in net passenger numbers leading to an increase in cost of the service delivery. Rising demand linked to the increase in the EHCPs (Educational, Health and Care Plans), as well as prices on taxi routes put considerable pressure on the budget. This obligation is recognised in the MTFS and growth is built in based on prior year trends and demography forecasts. The service continues to monitor the demand projections and considers mitigations to reduce the financial impact where possible.

Income Generation

6.37. Environmental Services generate a large proportion of the Council's income through fees and charges. A decrease in the level of income received due to a reduced demand for services due to the cost-of-living crisis and wider economic factors could put a pressure on the service's budgets. A 1% fall in income could result in over £300k loss of revenue to the Council per annum.

7.0 Council-wide Themes

Employee Costs

7.1. The current financial environment is putting considerable upward pressure on pay. The pay award for 2023/24 was agreed for Outer London at an increase of the highest of 3.88%, or £2,226, inclusive of the Outer London Weighting. In absolute terms, this is similar to the pay award for 2022/23, but broadly equates to an average 5.7% increase in pay (6.5% in 2022/23), ranging from 9.42% at the lowest level of pay to 3.88% at the highest level of pay. This is estimated to cost £8.5m in 2023/24. Provision has been made for this in the Council's budget for 2023/24, so it is not anticipated at this time that further management action will be required to mitigate this pressure.

7.2. The pay award for 2024/25 has yet to be agreed and the type of pay award for 2024/25 is also unknown - it could be an overall percentage (like 2021/22), a flat amount (like 2022/23), or a combination of both (like 2023/24); however, the growth assumed for pay inflation in the MTFS for 2024/25 is £6.5m, which is sufficient for a pay award of up to 4.5%. At the present time £6.5m is deemed prudent as inflation in 2024/25 is not expected to be as high as in 2023/24, but will remain above the Bank of England's target of 2%. This will need to be kept under review. While it is welcome that the pay awards for council staff in recent years have reflected the need to respond to the high inflationary environment and the resulting cost-of-living crisis, the permanent increase in the Council's cost base represents a significant ongoing cost pressure.

7.3. At the Conservative Party conference in October 2023, the government announced the intention to raise the national minimum wage, currently £10.42 for workers aged 23 and over, to at least £11 per hour in 2024. Whilst the Council pays its staff above the London Living Wage and will therefore not be directly affected by this announcement, contractors and providers, particularly in the care sector, will be potentially impacted and this may give rise to a cost pressure.

Fees and Charges

7.4. Setting the level of increase in fees and charges is going to be difficult this year due to high inflation and a volatile economic environment. Brent's residents are also facing a cost-of-living crisis, unprecedented in recent times. Whilst the Council is committed to supporting the borough's residents through this economic uncertainty, a freeze on increases in fees and charges is not an affordable option. The Council is therefore taking a balanced approach that

seeks to keep down the level of increase as far as is possible and appropriate. Departments will be asked to follow the advice issued in 2022 to be mindful of the impact on residents and local businesses when setting increases in fees and charges.

7.5. The outcome of the review of fees and charges and the proposed increases for 2024/25 will be set out for Full Council in February 2024.

Council Tax

7.6. Council Tax is one of the most significant sources of income for the Council, making up £150.8m (or 42%) of total core funding in 2023/24. The 2021 Spending Review allowed Local Authorities to increase Council Tax by up to 2% without a local referendum and in addition, local authorities with adult social care responsibilities were able to levy a 1% adult social care precept.

7.7. In the 2023/24 Local Government Finance Settlement (LGFS), Central Government increased the referendum limit to 3% with a 2% adult social care precept. Alongside this, in the Local Government Finance Policy Statement 2023/24 to 2024/25, the Department for Levelling Up, Housing and Communities (DLUHC) confirmed that these higher referendum limits would remain in place for 2024/25.

7.8. The Government is also likely to continue its financing assumption that all councils will act on this and increase Council Tax by the maximum amount possible. It should be noted that the additional income generated through the Adult Social Care precept alone does not cover the total growth requirement for Adult Social Care pressures.

7.9. The cost-of-living crisis, increasing interest rates, COVID-19 scarring and social care reforms add additional burdens to existing pressures within the Adult Social Care and housing services. This significantly impacts people's ability to live independently, therefore the Council is seeing increased demand, particularly for more complex needs cases, which require a more comprehensive support package. The situation is exacerbated by staffing shortages across the sector and unmet demand in both the working age adults and older people mental health services for highly trained professionals. There has also been growth in the number of people approaching the Council with multiple needs which has in turn increased the number of care assessments required. This is largely connected to difficult housing conditions where self-neglect and hoarding are common problems. There has also been additional growth in Safeguarding Adults. The effects of the cost-of-living crisis, including diminishing disposable incomes and increased energy poverty, as well as long-term COVID-19 issues are expected to increase demand for services.

7.10. Taking into account the unprecedented pressures within social care, housing and the financial position in the round, the budget has been prepared on the basis of a 4.99% increase in the Brent element of Council Tax. This will add £7.5m of recurring income to the Council’s budget. While it is acknowledged that increasing Council Tax will be difficult for some households, it should also

be recognised that the Council continues to invest in the Council Tax Support (CTS) scheme which provides £32m of support to around 26,000 households who are financially vulnerable.

7.11. As a result, it proposed to consult on a Council Tax increase of 4.99% in 2024/25 (consisting of a 2.99% general increase plus 2% for the Adult Social Care Precept), making a Band D Council Tax of £1,564.65 (for the Brent element). The GLA precept, which makes up about 22.5% of the overall bill, is unknown at this stage and is subject to their own decision making and consultation processes.

7.12. When budgeting for Council Tax, there are three main factors to consider:

- Council Tax Support (CTS) expenditure,
- Short and long-term collection rates, and
- Growth in the tax base.

7.13. The total cost of providing CTS has increased from £28.4m at the start of the pandemic to £32.1m as at September 2023, an increase of £3.7m, or 13% which is broadly in line with the overall increase in Council Tax, offset by a recent decrease in the number of households receiving support through CTS. This is significant as an increase in CTS expenditure reduces the amount of Council Tax that is able to be collected.

7.14. Another factor that could affect Council Tax income is a reduction in the collection rate. Typically, in-year collection for Brent is around 96% and over a longer period of time will reach around 98%, which is built into the MTFS model and prior to the pandemic was broadly comparable to other London boroughs. The in-year collection rate in 2022/23 was 93.4%, although total collection is expected to increase in future years as debt recovery will continue to be attempted. Based on current modelling, the in-year collection rate for 2023/24 is expected at 94.4% which would result in a £2.4m reduction of income compared to the previous in-year target of 96%. Clearly this is significant, however this gap is reducing year on year and it is expected that through ongoing debt recovery in future years, this will reach the long-term collection rate target of 98%.

7.15. As a result of the postponement of normal debt recovery action for nearly two years during the pandemic collection assumptions were reduced in 2021/22 and again in 2022/23, before being held at the reduced level in 2023/24. It is too early to be able to estimate the long term impact on collection. At present the long term collection rate in the MTFS has reverted to 97.5% from 2024/25. This will be kept under review as there may be an impact on collection from the cost of living crisis, lower than inflation pay rises, higher interest rates and potential squeeze on benefits. It should be noted that the Council maintains provisions for writing off debt that will not ultimately be collected.

7.16. The calculation of the Council Tax base (and likewise the long term collection rate) is one of the technical stages in the process of setting the Council Tax, which will be considered by the General Purposes Committee on 11 December 2023. Brent, like all Local Authorities, has to set a balanced budget by working

out how much next year's band D Council Tax should be on the basis that the total tax to be collected equals the budget required to pay for its services. The tax base represents the aggregate taxable value of all residential property in Brent. The Council Tax base was previously assumed to grow at 1% per annum (or around 1,000 properties) and contributes nearly 30% to total budgeted Council Tax income in the MTFS.

7.17. Between October 2021 and October 2022, the taxbase increased at a significantly faster rate than the previously assumed 1%. As a result of this, the current assumption in the MTFS is for an increase of 1.8%, which was lower than the prevailing growth rate to allow for fluctuations in the data. This will be kept under review with reference to data compiled by the Council from a number of sources, including the planning department and directly from developers, showing the number of consented schemes that are likely to complete towards the end of 2023/24.

Business Rates

7.18. The in-year collection rate for Business Rates in 2022/23 was 93.0% which was higher than the previous two years of the COVID-19 pandemic, but remains significantly lower than the amount collected pre-pandemic, at 98.2%.

7.19. The amount that was planned to be collected in 2023/24 was £125.5m and, as a result of mandatory reliefs funded by government, the amount that is able to be collected is now £122.0m. The in-year collection rate for 2023/24 is forecast to be around 94% of amounts due, increasing the levels of debt outstanding that will be pursued over time.

7.20. Business Rates and Council Tax income assumptions in the budget for 2023/24 were fairly cautious and reduced the overall income built into the MTFS. At this stage of the budget process, and due to the continued uncertainty in collection, it is deemed reasonable to continue with cautious budget assumptions.

Business rates - Eight authority pool

7.21. The Government designated a pan-London business rates pool in 2018/19, which piloted 100% retention in that year, and was revised to pilot 75% retention in 2019/20. For 2020/21 the Government decided not to renew the London pilot, and for London to revert back to the pre-existing 2017/18 67% retention scheme (30% borough share, 37% GLA share, 33% Government share). A voluntary pool was set up by all London Boroughs in 2020/21 which offered lower financial benefits than the previous scheme, while retaining all the strategic benefits. However, the onset of the pandemic during 2020/21 had a significant impact on the collection of business rates and the pool was not continued in 2021/22.

7.22. In 2022/23 the Council entered into a new pool with seven other London authorities on the same basis as the previous London-wide pool. The pre-audit outturn position for the 2022/23 pool shows benefits of £40.8m, which is around £10m more than had been forecast. Brent's share of the pooling gain is £3.5m,

an increase from £2m forecast when the pool was created and received during 2022/23.

7.23. For 2023/24, the decision was made unanimously for the eight-authority pool to continue. As of August 2023, the forecast benefits from the 2023/24 pool are £19m, of which Brent's share is £1.6m. This is a reduction from £29.4m (Brent share £2.5m), which has resulted from a technical change regarding another authority in the pool. However, this still represents further resources to be generated for Brent that would not be generated through the retained business rates regime as an individual authority.

7.24. For 2024/25 a proposal has been made for the eight-authority pool to continue. Brent has indicated to Central Government its intention to continue, and it is anticipated that the other seven authorities will also declare their intention to continue with the pool, subject to approval by their relevant authorising bodies. Whilst, as seen above, the benefits may vary from what is initially forecast as a result of changes at the individual pool member level and the economic environment, all current projections continue to indicate that there remains a considerable benefit to be gained from membership of the pool. However, at this stage it is too early to build an estimate into the base budget due to the uncertainties around the continuation of the pool and lack of clarity on central government's plans for business rates in general.

7.25. As part of the February 2023 Budget Report, decisions on entering into and remaining a member of a Business Rates pool were delegated to the Corporate Director of Finance and Resources. A decision on this is not therefore required. If there is a risk to the pool making a loss, which is currently deemed unlikely, Brent will have the ability to withdraw from the pool at any point up to 28 days after the government's provisional Local Government Finance Settlement, expected in December 2023.

Government Funding

7.26. The budget for 2024/25 is the second year of a two-year Spending Review period. As such, it is expected that the Provisional Local Government Finance Settlement, usually announced in mid-December, will largely continue with the figures announced in last year's Autumn Statement. One area of uncertainty about whether the New Homes Bonus will continue in 2024/25 seems to have been resolved with a government announcement which implies that it will. The Spending Review assumed a lower level of inflation than is likely to be the case when the September 2023 CPI figure is known. This is normally used as the basis for inflationary uprating of government funding. It is unclear whether the government will uprate funding by this rate or a lesser amount, which would represent a real terms cut in funding. The recent spate of local authority financial failures and widespread concerns across local government about inadequate funding may lead the government to be cautious about any increase in funding at a lower rate than inflation. It is viewed as unlikely that the government will provide large amounts of general funding to address these concerns, particularly as the government has provided no additional funding to those authorities which have issued a Section 114 notice; however, it is

possible that the government may provide targeted additional resources in areas such as social care (likely) and homelessness (less likely).

7.27. In line with the 2022 Spending Review, it is anticipated that the Revenue Support Grant, Public Health Grant, the Improved Better Care Fund and the Social Care Grant will continue to be uplifted by an inflationary indexation factor, albeit this may be at a lower rate than the September CPI figure.

7.28. The overall approach assumed in the MTFS to the indexation of government funding has been cautious. The working assumption is a 3% increase and this has not been increased despite persistently high rates of inflation, since it is unclear whether the government will provide increased funding at this level. This approach means that the Council will not be required to find extra savings to cover any potential loss in indexation, should the government only provide a 3% inflationary uprating.

7.29. Taking into account this indexation assumption, these grants represent over £74m of funding. The core funding forecast for the 2024/25 budget remains as previously assumed.

Reserves Strategy

7.30. The Council takes a risk-based approach to the management of useable reserves and as part of setting the annual budget, the Section 151 Officer undertakes a review of risks and known commitments to calculate a minimum level for the General Fund reserve. In 2023/24, this was increased to £18m, from £15.1m, to ensure that this reserve is adequate – this represents 5% of net expenditure, which is the minimum prudent level expected by external auditors.

7.31. The Council has reviewed its earmarked reserves to ensure that no reserve is held which is no longer required for its original purpose.

7.32. All earmarked reserves will continue to be reviewed annually to assess the extent to which they could be repurposed to support the Council's budget; however, the vast majority of earmarked reserves are already set aside to help fund expenditure to which the Council is already committed. The use of some reserves is also ring-fenced by statute to specific purposes (Community Infrastructure Levy and Public Health are examples of this).

7.33. Best practice is to use reserves only to fund one-off items as the reserves themselves are by nature single sums that can only be used once. According to CIPFA's *Financial Management Code,* running down reserves by persistent use to support the revenue budget would be a symptom of financial stress, indicating a financial position that is not sustainable in the long run. This has been a common problem at local authorities which have issued a Section 114 notice.

7.34. Any draw down from reserves in the proposed budget and future forecasts in the MTFS needs to be stress tested to determine its effect on the level of usable

reserves. For instance, if a drawdown of £6m per annum (circa 5% of the net budget) were incorporated into the Council's budget plans, the General Fund balance of £18m would be exhausted after three years. Having no reserves is not prudent and would expose the Council to considerable financial risk and would be likely to lead to an adverse external audit opinion on financial sustainability and resilience.

7.35. The current budget proposals are made on the assumption that no reserves will be drawn down to support the budget. Should the financial position be worse than expected, for instance due to an adverse local government finance settlement, the Council will use reserves to bring the 2024/25 budget into balance. It is permissible to use reserves in the short-term to bridge gaps and cover timing differences, but only if there are clear, achievable savings in the medium term. This will be a one-off measure and the gap will need to be addressed in future years as persistent use of reserves will cause them to fall below the prudent level required to guard against risks and uncertainties, and could ultimately lead to the complete depletion of uncommitted reserves.

Overall summary of the budget position

7.36. The MTFS captures the factors that give rise to pressures on the revenue budget. As far as can be assessed in these uncertain times, the MTFS is a robust model of the financial outlook for Brent and is resilient within a range of tolerances.

8.0 Savings Proposals

8.1. In February 2023, Council agreed the budget for 2023/24 which included £18m of savings, profiled £13.5m in 2023/24 and £4.5m in 2024/25. In July, Cabinet received an update to the MTFS. Given the potential cliff-edge for government funding in 2025/26 and the high level of demand and inflationary pressures being experienced, scenario analysis suggested a central case budget gap of £8m. This is set out in the following table.

Table 2: Overall Financial Position

Proposed Budget	2024/25 £m	2025/26 £m	Total £m
Expenditure			
Base Budget from 2022/23	358.4	379.4	
Growth			
Demographics	5.6	6.3	11.9
Inflation	6.4	4.4	10.7
Pay	6.5	3.5	10.0
Other	11.4	4.2	15.6
	29.9	**18.4**	**48.3**
Total Expenditure	**388.3**	**397.8**	
Income			
Revenue Support Grant	(29.8)	(30.7)	
Specific Grants	(74.6)	(76.7)	
Council Tax	(162.1)	(169.9)	
Business Rates	(112.9)	(115.9)	
Total Income	**(379.4)**	**(393.2)**	
Budget Gap (Expenditure less Income)	**8.0**	**4.6**	
Savings			
Savings Proposals (agreed in February 2023)	(4.5)		(4.5)
Savings Proposals (for agreement in February 2024)	(3.6)	(4.4)	(8.0)
	(8.1)	**(4.4)**	**(12.5)**
Technical Adjustments	0.1	(0.2)	(0.1)
Budget Gap (After Savings)	0.0	0.0	

8.2. The budget gap arises from inflationary pressures and demographic changes. In the 2024/25 budget, non-pay inflation totals £6.4m, pay inflation £6.5m and demand growth due to demographic pressures totals £5.6m. When coupled with other service growth of £11.4m, which includes concessionary fares (£3.5m) and capital financing charges (£1.2m), total growth is £29.9m. This is £8m more than can be contained in the existing budget after allowing for the maximum Council Tax increase and known changes to Business Rates and Government Grant funding.

8.3. As part of the budget setting process for 2024/25 and 2025/26, a number of new budget proposals have been developed in order to close the £8m budget gap noted in the table above after taking into account the savings for 2024/25 already agreed when setting the 2023/24 budget. Throughout the process, in producing the draft budget proposals, the emphasis continues to be on delivering efficiency measures, service transformations, cost reductions and income generation with a view to protecting front line services and Council priorities as much as possible.

8.4. A summary of the proposals are set out in Appendix A and further details are set out in Appendix B. The table below summarises the new proposals by service area.

Table 3: 2024/25 and 2025/26 Savings by Directorate

SAVINGS BY DIRECTORATE - 2024/25 and 2025/26 Budget				
	Savings 2024/25	Saving 2025/26	Total Savings	Proposals
Directorate	**£000s**	**£000s**	**£000s**	**No.**
Care, Health & Wellbeing	740	2,290	3,030	4
Children & Young People	376	1,474	1,850	10
Communities & Regeneration	170	-	170	4
Resident Services	1,684	446	2,130	23
Finance & Resources	400	-	400	4
Governance	234	202	436	11
Total	**3,604**	**4,412**	**8,016**	**56**

8.5. The table below summarises the proposals by category.

Table 4: Analysis of savings by category

Categories	Savings 2024/25	Saving 2025/26	Total Savings
	£000s	£000s	£000s
Service Transformation	1,013	1,796	2,809
Restructure	455	678	1,133
Reduction in provision	385	976	1,361
Procurement	270	-	270
Income generation	642	564	1,206
Digital	839	398	1,237
TOTAL	**3,604**	**4,412**	**8,016**

8.6. The Officers have reviewed the proposals to ensure the plans are realistic and deliverable. Detailed budget templates have been produced, attached as Appendix B, which set out further details of each proposal while providing the overall current budget context, the key risks and mitigations and the equalities impact where relevant.

8.7. It should be noted that this report reflects the position at this point in the budget preparation and these numbers will change as the budget develops over the next two months. We also await confirmation of the Local Government Finance Settlement, expected in mid-December 2023. If the LGFS is better than expected, then it may be possible to defer some of the savings proposals; conversely, if the LGFS is worse than expected, there will be no requirement to identify further savings for the 2024/25 or 2025/26 budget. Instead, if the situation does deteriorate, it may be necessary to use reserves to bridge any budget gap in the short term with the longer-term issues tackled in a future budget setting round. Any revisions will be reflected in the budget to be considered by Cabinet in February 2024.

9.0 Risk Management

9.1. The Council has adopted a risk-based approach to its financial planning. The earlier the Council becomes aware of a potential risk to the achievement of its Medium Term Financial Strategy (MTFS) or its annual budget, the sooner – and the more effectively – it can take action to address that risk and to mitigate its impact.

9.2. Through the financial planning and budget setting process risks have been identified and actions to control or mitigate those risks have been developed. The MTFS contains a risk register covering risks inherent in the MTFS

assumptions and other factors both within the Council and externally that could have an impact on the Council's financial position. In the sections of the report covering service pressures (sections 6.5 - 6.37), risks were extensively explored and in the detailed savings proposals (Appendix B) risks and mitigating actions are also considered.

10.0 Financial Resilience Assessment

10.1. In the *Financial Management Code*, CIPFA recommends that local authorities undertake an annual Financial Resilience Assessment (FRA) to determine the long-term financial sustainability of the authority. The Financial Resilience Assessment looks at symptoms of financial stress (such as running down reserves as mentioned earlier) and effective financial management (for instance, having clear plans for delivering savings).

10.2. A full FRA was undertaken as part of the budget agreed by Full Council in February 2023. A further FRA will be undertaken as part of the budget to be presented to Full Council in February 2024, as the FRA needs to consider the Chief Finance Officer's assessment of the adequacy of reserves and robustness of estimates under section 25 of the Local Government Act 2003.

11.0 Consultation with Ward Members and Stakeholders

Consultation

11.1. The Council recognises consultation as a key part of policy formulation and makes considerable effort to ensure that the views of residents, businesses and other key stakeholders are taken into account. Legally, the results of consultation are something that Members must have due regard to, alongside other relevant considerations, when making decisions.

11.2. As in previous years, it is proposed to formally consult on the draft budget via the online consultation portal, where respondents will be invited to focus their attention on the new budget proposals for 2024/25. In addition, it is proposed that a presentation on the draft budget be delivered to each of the five Brent Connects meetings in January 2024.

11.3. There are a number of business forums and associations that the Council regularly engages with that include a wide range of both small and large local businesses. These include West London Business (a non-profit business membership organisation), the Federation of Small Businesses, the Chamber of Commerce, and a number of town centre business associations. The consultation on the budget will be published in a newsletter that is sent to a large number of Brent businesses, explaining why the views of local businesses are important and how they could have their say.

11.4. The local voluntary sector is closely engaged with Brent's communities and has considerable experience of the impact of the Council's difficult choices against a background of funding reductions. Engagement with the local voluntary sector will therefore play an important part of the consultation process and

invitations to participate in the consultation will be sent to all Brent voluntary and community sector organisations.

11.5. Overall, the main aim of this approach to consultation is to raise awareness of the Council's financial position, inform residents of how the Council spends its budget and ensure residents, businesses and other key stakeholders are aware of the opportunities to have their say, by knowing how to respond and when the consultation events are taking place. This will be delivered through a variety of communication channels, for example through the local newspaper, publicity on the council's website, e-Newsletters, posters, media briefings and use of the Council's social media platforms, including Facebook and Twitter, to disseminate reminders and encourage residents to participate in the consultation process.

Scrutiny

11.6. The scrutiny committees will review the draft budget through their budget task group in order to carry out the statutory scrutiny of the budget. This will include scrutiny of the budget development process, the budget assumptions in the MTFS as well as the new proposals set out in appendices A and B. Following this, the chair of the committee will present a report to Cabinet commenting on the outcome of the scrutiny process and providing recommendations for Cabinet to consider as part of their decision making.

Equalities Impact assessments

11.7. The Council has a duty to pay due regard to the need to eliminate unlawful discrimination and advance equality of opportunity and foster good relations between those who have a protected characteristic and those who don't when making decisions. This duty is set out in more detail in the Equality, Diversity and Inclusion (EDI) considerations section of this report. Each of the budget proposals attached in Appendix B have been subject to an equality impact assessment (EIA) screening to assess their potential or likely impact on service users and employees with protected characteristics. Where the EIA process identifies a disproportionate negative impact with no reasonable mitigation, the proposal will be subject to a full EIA and may need to be changed or even rejected. The consultation process outlined in this report will be an important source of information for these exercises. If a proposal involves a staffing restructure, an EIA will be conducted as part of that process, which forms part of the Managing Change policy.

12.0 Schools and Dedicated Schools Grant (DSG)

12.1. The provisional 2024/25 Schools Block DSG allocations announced in July 2023 was revised in October 2023 to show that Brent will receive an increase in mainstream pupil funding of £2.9 million which represents an overall increase of 1.1%. This is lower than the national percentage increase of 1.9% and lower than the average of 1.47% for local authorities in London. As in previous years, the Council will continue to set a local funding formula for mainstream schools in 2024/25, although the total funding available will be determined by the

National Funding Formula (NFF) and as required, local authorities will need to move closer towards the NFF factors as plans continue to move towards the direct NFF.

12.2. For the first time, in 2024/25 the Department for Education (DfE) will allocate funding to local authorities on the basis of falling rolls, as well as growth. Local authorities can use this funding to support schools which see a short-term fall in the number of pupils on roll. In December 2023, the DfE will allocate funding through the growth and falling rolls factors at LA Level, based on the observed differences between the primary and secondary number on roll between the October 2022 and October 2023 school censuses.

12.3. The DfE also announced in July 2023, an additional grant for Teachers' pay to contribute towards the pay award. The indicative grant allocation for Brent mainstream schools (excluding special schools) in 2023/24 is £2.56m and Special Schools will be funded at £260 per place. Schools do not need to spend the grant in year. The additional funding for 2024/25 is yet to be confirmed.

12.4. The number of Brent schools experiencing financial difficulties has increased with 77% (67% in 2023/24) projecting an in-year deficit and 49% (23% in 2023/24) of these plans to use over 50% of reserves to balance their budgets. A number of Brent Primary schools continue to experience falling rolls, and details of this will be set out in the 2024-2028 school place planning strategy to be presented to Cabinet in October 2023. This is leading to significant reductions in funding and therefore schools must make strategic decisions to mitigate the impact of this, including the consideration of staffing restructures. Schools continue to feel the impact of rising inflationary costs and increases in energy prices along with teachers' pay set to increase by 6.5% from September 2023. The DfE expects schools to fund 3.5% of the increase within existing budgets, and the government will provide additional funding for all costs above this. This funding will be allocated through the teachers' pay additional grant.

12.5. The High Needs block (HNB) of the DSG will see a 3% (£2.3 million) increase in 2024/25. This is slightly lower than the London average of 3.3% and lower than the national average increase of 4.3%, due to London experiencing the lowest increase across various funding factors as a result of reduction in pupil numbers.

12.6. This is the lowest percentage increase in the past five years while pressures against the HNB remain, due to increasing demand for Education Health and Care Plans (EHCPs) where the national increase has been an average of c10%. Despite the additional funds, the demand pressures continue to grow, and in Brent, the growth seen as at August 2023 compared to August 2022 is an increase of 8%. Therefore, to set a balanced DSG budget in 2024/25 the local authority will request, via the Schools Forum, a 0.5% transfer from the Schools Block. The pressure in the HNB over recent years has led to the DSG being in a £13.8 million deficit carried forward from 2022/23 and further forecast pressures of £1.4 million in 2023/24 will increase the deficit position to £15.2 million. The statutory override that has been put in place to enable local

authorities to hold deficit balances is due to end in the 2025/26 financial year after which the deficit could pose a risk to the Council's General Fund reserves unless further action is taken by central government to mitigate the historic deficit.

12.7. The DfE requires local authorities with an overall DSG deficit to have a management plan to recover the deficit over a number of financial years and Brent is currently part of the DfE's Delivering Better Value (DBV) in SEND programme which provides dedicated support and funding to help local authorities reform their high needs systems and Brent was awarded a £1m grant over two financial years 2023/24 and 2024/25. The findings for Brent from the DBV programme's analytical phase identified a number of opportunities to tackle rising demand which included supporting the goals of the child being achieved without the need for an EHCP, but through targeted support, ensuring EHCPs are of the right duration (i.e., more time limited EHCPs) and focusing on fewer support hours being put in place when children start school and building support over time as needs develop.

12.8. A Deficit Management Plan agreed by the Schools Forum is still in place with actions being taken to manage demand, improve sufficiency of places and financial management to recover the deficit in the medium to long term. These include managing demand for EHCPs through a graduated approach in mainstream settings, establishing more SEND provision in the borough including a new special school and developing new Additionally Resourced Provisions (ARPs). In addition, ensuring there is full cost recovery from other local authorities that place pupils in Brent special schools including administration and other specific costs; a review of the DSG funded SEN support services and continued central government lobbying.

12.9. In the Spring Budget in March 2023, the government announced a significant expansion of early years childcare entitlements to take effect between April 2024 and September 2026. The proposals include an offer of 30 hours of funded childcare for every child of a working parent between nine months and five years by September 2025, an uplift in the hourly rate paid to providers to deliver existing free hours offers and childminder grants for new childminders. The government will also provide additional investment into setting up wraparound childcare for school-aged children with a pledge that families will be able to access childcare between 8am and 6pm during the school day. These reforms will see the government spending an additional £4.1billion by 2027/28 on free hours and early education.

12.10. In light of this, the DfE announced in July 2023, that nationally, the Early Years Block of the DSG will receive an additional supplementary funding of £204 million through a new early year's supplementary grant (EYSG). This will be used to increase the hourly amounts paid to local authorities, to increase the funding for early years childcare providers received for delivering the entitlements for the period September 2023 to March 2024. LAs are expected to pass on the funding in full to providers. There will also be an additional £288 million for 2024/25 but the hourly rate will be published as part of the normal funding announcement cycle in autumn 2023. The key principle of allocating

the funding for the Early Years Block remains the same i.e., 95% of funding received is allocated directly to providers with the remaining 5% retained for central services. An Early Years funding report for 2024/25 will be presented at the Schools Forum in January 2024, detailing the revised funding rates.

12.11. In 2024/25, the Central Schools' Services Block (CSSB) will increase nationally, by 1.57% for ongoing responsibilities that local authorities continue to have for all schools, while those local authorities in receipt of funding for historic commitments within this block will see a 20% decrease compared to 2023/24 allocations. For Brent, there will be a 1.58% increase in the per pupil rate of funding for ongoing responsibilities, and a 20% reduction against the historic commitment which currently relates to a pensions strain contribution.

Housing Revenue Account

12.12. The Housing Revenue Account (HRA) is a ring-fenced account, which contains the income and expenditure relating to the Council's landlord duties in respect of approximately 12,000 dwellings including those held by leaseholders.

12.13. The HRA budget is set each year in the context of the 30-year business plan. The business plan baseline position is reviewed annually allowing for horizon scanning and the identification and mitigation of risks in the short, medium and long term. Early identification of risks enables planning and implementation of mitigations to ensure the HRA can continue to remain financially secure and deliver on its priorities to provide a safe, suitable and secure place to call home.

12.14. Since 2020/21, and originally for the following four years, the Council had the power to increase rents annually up to a maximum of CPI + 1%. However due to the rapid rise of inflation within the context of the cost-of-living crisis, the government imposed a rent cap of 7% in 2023/24, which has resulted in a need to incorporate £3m worth of cost reductions to deliver a balanced budget. At the time of writing this report, the government has not provided any indications that the existing rent policy will be amended, for draft budget planning purposes, a rent uplift of 7.7% is assumed for 2024/25 based on September 2023's CPI figure of 6.7%.

12.15. In 2023/24, the average rent for current occupied properties sits at £134.08 per week, after applying an uplift of 7% on the previous year. A continuation of CPI + 1 of 7.7% uplift would result in an average rent per week of £144.41, raising an additional £4.1m of gross rent in 2024/25. If CPI + 1 is not implemented, it is estimated to result in a £0.5m reduction in investment in the HRA for every 1% below rent standard.

12.16. In the context of the 30-year business plan, a CPI + 1% model helps to provide some stability and certainty over planned investment in the stock, service improvement and new development, at least in the medium term. It does however not entirely mitigate other risks which are present in the current economic climate. Factors such as inflation on energy and material costs, repairs and maintenance contracts and anticipated wage increases, mean any decision to set rents at less than the maximum permitted, provides a significant

risk to the sustainability of the HRA. Local authorities still need to cover the inflationary pressures within the HRA whilst delivering on their operational requirements and strategic priorities some of which are additional legislative requirements, from repairs and maintenance, to building safety, fire safety, damp and mould and decarbonisation. A rent cap or lower than a CPI + 1% increase combined with increasing costs would result in even greater pressure on the HRA and a likely situation of spend exceeding income generated through rent and service charge collection.

12.17. It is illegal to set a budget that would result in negative balances on the HRA. If faced with this likely situation, significant savings will be required from the management and maintenance budgets.

12.18. Rent increases in 2024/25 do not only affect the financial year in question, but also have an impact on future rent levels. There is no provision in the current rent regulations to allow anything more than the maximum (CPI+1%) increases in future years. Therefore, a lower rent increase in 2024/25 means that the base for a rent increase in 2025/26 is also going to be lower and so on for future years. For example, if CPI is 6% and 3% for the next 2 years and rents are capped at 3%, HRA will have reduced budget availability of £70m over 30 years.

12.19. Implications of future Government regulated rent policy remain uncertain beyond April 2025. Some costs such as repairs have experienced significant cost increase on materials and labour and are likely to remain at those levels without falling when the current economic pressures subside. Increased interest rates have impacted viability of new build schemes. Therefore, it is necessary to consider reductions to planned major works, along with plans for decarbonisation and new builds in order to maintain long-term financial sustainability and resilience.

12.20. The table below shows the best and worst case scenario impact on the HRA budget with a 7.7% rent rise in place and taking other cost factors into consideration.

Table 5 - HRA Budget Scenarios

	Best Case £m	Worst Case £m
Rent (7.7% rise)	(4.1)	(4.1)
Bad Debt Provision	0.1	1.2
Repairs and Major works inflation	1.7	3.4
Pay Award	0.5	0.7
Increased Void and responsive works	0.5	1.0
Increased costs of disrepairs	0.3	0.5
Repairs service set up	1.2	1.2
Budget Gap	**0.2**	**3.9**
Saving Proposals		
Reductions to void turnaround	(0.4)	(0.4)
Staffing vacancies	(0.2)	(0.2)
Efficiencies in support services	(0.2)	(0.2)
Total Savings	**(0.8)**	**(0.8)**
Total Impact	**(0.6)**	**3.1**

12.21. A 7.7% rent uplift would result in a budget gap of between £0.2m and £3.9m. Based on the scenarios modelled in the table above, estimated best case scenario suggests that a 7.7% rent and identified savings could achieve a surplus of £0.6m, however there is a risk of a potential budget deficit of £3.1m under the worst case scenario.

Bad Debts

12.22. It is recognised that cost of living crisis and increased rental charges can have an adverse impact on the level of rent collections. In 2022/23, 37% of rent charges were covered through housing benefit payments, which equates to £19.8m. The remaining 63% of income totalling £34.1m is expected to be paid directly by tenants who are in employment or in receipt of universal credit and would be at risk of increased levels of non-collection.

12.23. Collection rates in Quarter 1 2023/24, on average stood at 96%. If this level of rent collection remained consistent for the year, this would result in an additional budget requirement of up to £1.2m in order to allow for a risk of non-payments. The Council's Resident Support Fund helps to alleviate some of financial hardship being faced by tenants. However, collection rates are still expected to continue to be impacted. It is estimated that in 2024/25 the budget may need to increase by anywhere between £0.1m and £1.2m in order to account for a potential risk of non-collection.

Repairs and major works

12.24. The repairs contract for planned and responsive is outsourced to one contractor and is due to expire in September 2024. Cabinet was presented with a number

of options and have opted to implement a hybrid model which would consist of two to six contractors delivering responsive repairs, voids and planned works across the borough. The repairs model also consists of an internal handyperson service that are tasked with completing communal repairs across the borough. Implementation costs for hybrid repairs model is estimated at £1.2m. Inflation on re-tendered contracts is estimated to range between 5% to 10% and could result in additional budget requirements ranging between £1.7m to 3.4m in 2024/25.

Pay Award

12.25. Staffing budget for 2023/24 is £11.5m, made up of 225 FTE's, an average of £0.05m per FTE. Future pay award for 2024/25 is unknown. Pay uplifts in previous year resulted in budgetary requirements at 6% on average. Any inflationary uplift ranging between 4%-6% will result in budgetary requirement between £0.5m to £0.7m in 2024/25.

Potential Budget Pressures

12.26. The HRA is experiencing continued increase in cost associated with expenditure on void properties in order to bring them to lettable standards. Additional property specifications have been introduced, such as smart sensors to measure potential conditions for damp and mould to support Brent Housing Management to take pro-active actions. The Social Housing Regulator Act (2023) is in the process of introducing new powers which looks to implement specified time limited deadlines for Social Housing Providers to respond to hazards within a home, namely damp and mould. Time scales for this launch is April 2024 and could potentially require additional resources within property management. With the need to recruit to vacant positions and requirements within the major works programme to invest in tower block refurbishments, the budgetary pressures identified for void and responsive works require additional funding estimated at £0.5m - £1m.

12.27. Compensation claims for disrepairs have experienced increased number of open cases, this has resulted in the need to fund additional legal support. The rate of new claims from third party solicitors are not showing signs of decline as an increasing number of legal claim firms are contacting tenants directly to promote their services. In addition to compensation costs, extensive rectification works are necessary, in some cases decanting to expensive nightly paid accommodation while works can be undertaken. Additional budget requirement is estimated to be between £0.3m and £0.5m in 2024/25.

Saving Proposals

12.28. Difficult decisions are required to be made in order to re-appraise HRA budget priorities, achieve a significant level of savings across the HRA and maintain a balanced budget. Annual saving targets are already incorporated into medium-term financial plans, however new savings are required in order contain the reduction in rental income.

12.29. In order to address a budget gap associated with expenditure on void properties closer monitoring of void specifications to ensure overspend is reduced is now in place. This has reduced the number of voids requiring extensive refurbishments which have both higher specifications and longer turnaround times. Overall improvements to void turnaround and lettings process is expected to reduce the void rent loss and Council Tax liability periods. This is estimated to generate £0.4m saving.

12.30. Estimated saving of £0.2m can be achieved through vacant posts within property services, as there is a workforce shortage that have the required levels of expertise.

12.31. Estimated saving of £0.2m is anticipated as a result of general efficiencies and reduced expenditure associated with support services.

Tenants Service Charges

12.32. Service charges are recharges to tenants, which are based on the actual costs incurred for providing specific services, such as estate cleaning. For the purpose of the budget setting, individual service charge elements are adjusted to bring them in line with the estimated costs of providing these services to tenants. Service charges are adjusted if there is a projected over or under recovery of costs. Currently there is under recovery of costs for estate cleaning services. Therefore, a phased approach to cost recovery has been modelled to allow charges to increase over a four-year period, limiting the impact on tenants.

12.33. Unmetered communal lighting, heating and hot water charges are adjusted annually in line with the forecast energy supplier inflations. Unity Place in South Kilburn hosts the energy centre for the local district heat network for metered billing. It currently supplies heat and hot water to 235 properties and tenants are billed based on actual usage.

12.34. The rent uplifts will be determined based on Septembers CPI and any possible Government policy changes before April 2024. Once the rent policy uplifts are confirmed, the HRA draft budget and the 2024/25 HRA Business Plan will be updated to reflect the impact. Budget assumptions will continue to be reviewed and updated. The HRA budget for 2024/25 will be presented to Cabinet in February 2024 for approval by Full Council.

13.0 Capital Programme

13.1. The Capital Programme contains projects related to acquiring, building, or enhancing assets, which include land, buildings, and equipment, which will create long-term (more than one year) economic benefits. The programme is funded through a combination of capital grants and contributions, capital receipts, reserves, contribution from revenue or prudential borrowing. Any borrowing must be both prudent and affordable therefore the Council must ensure the ability to repay both the interest and principal of any borrowing through the revenue capital financing budget.

13.2. The continued high inflation environment has posed substantial challenges to the affordability of schemes within the programme that are yet to have main contracts agreed. Work is ongoing to prioritise the delivery of existing schemes within the programme and there will be limited scope to endorse new projects within the pipeline which do not have an identified funding source. It is likely that further schemes will need to be paused during the year due to pressures with viability until interest rates start to fall.

13.3. The Capital Programme below comprises of projects approved by Full Council at the February 2023 budget setting, new projects approved and a number of in year budget adjustments. Given the viability pressures this budget is subject to significant volatility over the coming months and full details of the budget changes will be reported in the budget setting report in February 2024.

Table 6 – Current Capital Programme Budget and Financing

Programme Budget	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m
Corporate Landlord	14.5	27.2	17.3	8.9	27.7
South Kilburn	28.1	13.6	2.2	11.4	6.3
Regeneration	9.9	86.0	72.4	19.3	1.0
St Raphael's	0.8	14.0	18.0	-	-
Public Realm	36.1	11.8	9.2	1.0	7.1
Schools	16.4	45.8	4.4	-	-
Housing GF	162.4	129.8	38.7	4.5	-
Housing HRA	135.5	149.7	40.7	20.6	-
Total	**403.7**	**478.0**	**202.9**	**65.8**	**42.2**

Programme Financing	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m
Grants & Other Contributions	45.0	69.7	6.7	-	-
S106 & CIL	8.5	11.6	7.7	-	-
Capital Receipts	10.8	48.2	2.2	11.4	6.3
Reserves	1.8	4.4	4.3	-	-
Major Repairs Allowance	20.0	29.8	12.1	-	-
Revenue Contribution	11.0	4.0	4.0	-	-
Prudential Borrowing	306.7	310.3	165.9	54.3	35.9
Total	**403.7**	**478.0**	**202.9**	**65.8**	**42.2**

13.4. Many of the demand pressures for the capital programme are further exacerbated by the cost-of-living crisis.

Temporary Accommodation and Social Housing

Challenges, demand pressures and key risks

13.5. Reducing homelessness across the Borough is a statutory duty, however because of a heated rental market, the cost of temporary accommodation is increasing to an extent that these costs are presenting an extreme pressure to the Revenue Budget as set out in section 4.22. The Council are considering a range of mitigations; mostly geared toward increasing its own supply of property for the purpose of temporary accommodation however this is proving to be difficult especially in terms of securing family sized properties, where the demand is greatest.

13.6. The introduction of the Building Safety Act 2022 and Fire Safety Regulations 2022 have impacted the design and delivery timescales of a number of projects causing slippage into later years. In line with this a new risk has now been identified with Reinforced Autoclaved Aerated Concrete (RAAC) components. The Council is currently reviewing its housing stock to identify if they have buildings with RAAC components; if this is found this will lead to additional (presently unquantifiable) pressure on future spending plans.

Schools

Challenges, demand pressures and key risks

13.7. The latest GLA projections indicate the demand for primary places are set to decline over the next few years however the demand for places that meet the need for SEND continue to increase. Both these movements in demand are monitored closely to ensure the SEND and Alternative Provision place need continues as forecast.

13.8. Reinforced Autoclaved Aerated Concrete (RAAC) is a lightweight form of concrete which was used particularly in schools, colleges, and other building construction from the 1950's until the mid-1990s. To date it has been identified that only one Brent School, although not maintained by the Council, has RAAC. There has been no financial impact of this to date as the school is operated by an Academy Trust. There remains a risk that RAAC could be identified in further schools of which the Council maintains.

Public Realm

Challenges, demand pressures and key risks

13.9. The availability of funding from TfL remains uncertain and has been extremely volatile since the pandemic. A bid to access funding for 24/25 will be made in November and notification on whether the bid has been successful in part or in full is expected in December 2023. The timing of this application makes it extremely difficult to plan the future year's programme for works including Safer Corridors and Neighbourhoods, Bus priority and Borough Cycling, Cycle

Training, Cycle parking, Bridge Assessments and Strengthening and Principal Road renewals.

Capital Financing Budget

13.10. The Capital Financing Budget is expected to come under increasing pressure in the coming years. Interest charges are expected to increase following the significant increases in the Bank of England base rate to 5.25%. This impact of this rate rise is limited to existing debt having to be refinanced at higher rates on maturity, as well as interest on new borrowing taken out to support the Capital programme. The Minimum Revenue Provision (the charge to revenue made towards repaying the loans) are also expected to increase in-line with the higher borrowing.

13.11. The Capital Financing Requirement (CFR) is expected to increase to £1.7bn by the end of 2024/25. Whilst much of the requirement is covered through internal borrowing, external borrowing is forecast to increase to £1.0bn by the end of 2024/25.

13.12. The Capital Financing Budget is expected to come under increasing pressure. The extent of this will depend both on how long market interest rates remain at their elevated levels and whether Capital Project plans continue as originally forecast. Many proposals are experiencing significant viability pressures following higher interest rates. Interest rates are currently expected to remain elevated until mid-2024, when the impact on economic activity from higher rates is more widely spread and inflation is much closer to the Bank of England's 2% target level. A 25% reduction to the Capital Programme in 2023/24 and 2024/25 would reduce the forecast CFR by £105m so the Council's borrowing plans and capital financing forecast are subject to significant volatility.

14.0 Stakeholder and ward member consultation and engagement

14.1 Consultation on the Council's budget is a statutory process. The approach to consultation on the Council's budget proposals with residents, businesses and other key stakeholders is set out in section eleven of this report.

15.0 Financial Considerations

15.1. The financial considerations are set out throughout the report. As the budget proposals are for consultation at this stage, not agreement, there are no direct costs associated with agreeing the recommendations, other than for consultation, the costs of which are built into existing budgets.

16.0 Legal Considerations

16.1. A local authority must budget so as to give a reasonable degree of certainty as to the maintenance of its services. In particular, local authorities are required by the Local Government Finance Act 1992 to calculate as part of their overall budget what amounts are appropriate for contingencies and reserves. The Council must ensure sufficient flexibility to avoid going into deficit at any point

during the financial year. The Director of Finance is required to report on the robustness of the proposed financial reserves.

16.2. Standing Order 24 sets out the process that applies within the Council for developing budget and capital proposals for 2023/24. There is a duty to consult representatives of non-domestic ratepayers on the Council's expenditure plans before each annual budget under Section 65 of the Local Government Finance Act 1992. The Council also has a general duty to consult representatives of Council Taxpayers, service users and others under Section 3 (2) Local Government Act 1999.

16.3. The Council is also required to comply with other statutory and common law consultation obligations relevant to particular options being considered and with the Public Sector Equality Duty. The Council must consult at a formative stage in the decision making process and adequate time must be given for public consideration and response. The consultation information must be accurate, fair and balanced, give sufficient reasons for proposals to permit of intelligent consideration and response and the information produced by the consultation must conscientiously be taken into account in finalising the proposals.

17.0 Equality, Diversity & Inclusion (EDI) Considerations

17.1. Under the Public Sector Equality Duty (PSED) in the Equality Act 2010, Brent Council is required to pay due regard to the need to eliminate unlawful discrimination and advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not, when making decisions. The protected characteristics are age, disability, gender, race, religion or belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment. Although socio-economic status (people on low income, young and adult carers, people living in deprived areas, groups suffering multiple disadvantages, etc.) is not a characteristic protected by the Equality Act 2010, Brent Council is committed to considering the impact on socio-economic groups.

17.2. The PSED does not prevent decision makers from making difficult decisions in the context of the requirement to achieve a significant level of savings across all operations. It supports the Council to make robust decisions in a fair, transparent and accountable way that considers the diverse needs of all our local communities and workforce. Consideration of the duty should precede and inform decision making. It is important that decision makers have regard to the statutory grounds in the light of all available material, including relevant equality analyses and consultation findings. If there are significant negative equality impacts arising from a specific proposal, then decision makers may decide to amend, defer for further consideration or reject a proposal after balancing all of the information available to them. This may mean making up the shortfall from additional reductions elsewhere.

18.0 Climate Change and Environmental Considerations

18.1 There are no climate change and environmental considerations arising out of this report.

19.0 Human Resources/Property Considerations (if appropriate)

19.1. Where budget proposals involve staffing reductions, the Council's Managing Change policy will apply.

20.0 Communication Considerations

20.1 A communications and engagement plan is in place to ensure the budget proposals and consultation channels are effectively communicated to residents, business and other key stakeholders as set out in section eleven of this report.

Related Document(s) for reference:

- Medium Term Financial Outlook, Cabinet July 2023

Report sign off:

Minesh Patel
Corporate Director of Finance and Resources.

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2024/25 & 2025/26
SAVINGS PROPOSALS

APPENDIX A

Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Care, Health & Wellbeing	2024-25 CHW01	Technology Enabled Care	Enabling residents to self-manage their health and well-being, including preventing and reducing the need for care and support through technology so they can stay independent and well in their homes and communities	100.0	350.0
Care, Health & Wellbeing	2024-25 CHW02	Managing demand at the front door, prevention and early intervention	Managing demand and complexity of support to 23/24 with a consistent prevention and reablement offer and a focus on Care Act statutory responsibilities including integrated market management	365.0	365.0
Care, Health & Wellbeing	2024-25 CHW03	Continuing sustainable long-term care and support needs costs that promote independence	Reducing expenditure in mental health and learning disability including transitions so Brent benchmarks in the middle quartile with comparator authorities	275.0	275.0
Care, Health & Wellbeing	2025-26 CHW01	Reduction in building based provision to support individuals to access services more tailored to meet their needs and interests	Developing a wider range of day opportunities with partners and communities and reducing building based provision		500.0
Care, Health & Wellbeing	2025-26 CHW02	Review of housing related support contracts and focus on Care Act duties	Reduction of contract value at 3 year break point for Homeless and ex-offenders		500.0
Care, Health & Wellbeing	2025-26 CHW03	Workforce Efficiency	Commitment to reducing staffing cost across the Care, Health and Wellbeing Directorate		300.0
Children & Young People	2024-25 CYP01	Reduce the value of the contract that provides a targeted service that promotes education, employment, and training for young people. (Inclusion)	The current contract ends on 31 March 2024. The planned contract value from April 2024 onwards is £565,000 per annum (reflecting a previous saving of £80K). A 10% saving is proposed when the contract is re-procured. This will be targeted at the non-statutory element of the contract resulting in a reduction in bespoke projects for targeted vulnerable groups, fewer access points for the service and no service for children currently in specialist EAL provisions.	56.0	
Children & Young People	2024-25 CYP02	Additional controls to better manage spot purchasing of specialist assessments required for child care proceedings cases (Localities / LACP / Early Help).	Additional controls to better manage spot purchasing of specialist assessments, contracts and support packages required for children's care proceedings cases. Practitioners undertaking their own assessments, better due diligence of contracts, reviewing support packages.	50.0	

2024/25 & 2025/26
SAVINGS PROPOSALS

APPENDIX A

Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Children & Young People	2024-25 CYP03	Utilising DSG to fund eligible services currently funded from the General Fund. Setting and School Effectiveness / Inclusion / Early Help.	Utilising the Dedicated Schools Grant to fund eligible services currently provided from the General Fund. A review of Early Years functions that are funded through DSG across Setting and School Effectiveness, Early Help and Inclusion Service is being undertaken to reduce duplication. This will result in some DSG savings (1FTE equivalent) which will be repurposed to fund capacity in the Performance Management and Information Team that is eligible to be funded by DSG.	50.0	
Children & Young People	2024-25 CYP04	Reduction in school improvement funds in Setting and School Effectiveness Service. Setting and School Effectiveness	Reduction in budget identified for targeted school improvement activity. The general fund contributes to the team following the loss of the School Improvement and Brokering grant.	50.0	
Children & Young People	2024-25 CYP05	Freeman Family Centre – contact activity Early Help / LACP	A new organisation will be taking over tenancy of the Freeman Centre. The current contract with Barnardo's has ended and there is scope to reduce this by up to £50k as part of new arrangements with the new tenant organisation and reducing allocated growth to the existing contact service for children in care that operates from the Freeman Family Centre.	100.0	
Children & Young People	2024-25 CYP06	Offsetting overheads/management costs within Early Help through delivery of the Best Start for Life programme. (Early Help)	To offset some Early Help staff costs using the Best Start for Life programme funding.	70.0	
Children & Young People	2025-26 CYP01	Review of the Willow Nursery delivery model	Review the Willow Nursery delivery model to ensure the provision is sustainable without funding from the General Fund.		250.0
Children & Young People	2025-26 CYP02	Set up and run new residential children's home. (Forward Planning Performance and Partnerships / Looked After Children and Permanency)	Reduction in the placement budget for Looked After Children through operating a new residential children's home in Brent		290.0
Children & Young People	2025-26 CYP03	Reduction in management capacity within Early Help and Localities. Redefining early help and bringing early help practitioners under the management of social care teams – particular focus on restructuring edge of care work. (Early Help / Localities)	Reduction in management capacity within Early Help and Localities, through service realignment. This will entail a restructure and HR consultation. This will result in fewer handoffs for families and a more seamless step up and step down. Equivalent of up to 6 FTE. Review will also consider replacement of some social work posts with business support replacements where safe to do so.		330.0

2024/25 & 2025/26
SAVINGS PROPOSALS

APPENDIX A

Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Children & Young People	2025-26 CYP04	Short breaks – selling increased respite bed nights at the Council-run Short Break Centre to other local authorities. (FPPP/Localities)	The proposal is that the Ade Adepitan Short Break Centre could generate further income by selling additional respite bed nights to other local authorities. Income generation. Current income target is £140k. Ensure centre capacity is managed effectively to allow an increase of bed nights sold by an additional 52 nights per annum.		40.0
Children & Young People	2025-26 CYP05	Reduce the Family Wellbeing Support service contract by 10% when it expires. (Early Help)	To reduce the Family Wellbeing Centre (FWC) support service contract by 10% Contract currently operated by Barnardo's that provides a range of support services for families from the FWCs including general advice and parenting support. Contract expires in November 2024.		64.0
Children & Young People	2025-26 CYP06	Public Health and ICP contribution to commissioned services that support school readiness and positive educational outcomes.	Reduce general fund contribution to commissioned services that support children's school readiness and health and wellbeing through a joint commissioning approach within the ICP.		500.0
Communities & Regeneration	2024-25 CR01	Volunteering Platform	Not to procure a new Volunteering Platform	20.0	
Communities & Regeneration	2024-25 CR02	Review of Directorate staffing structures to identify efficiencies	Review of Directorate staffing structures to identify efficiencies	150.0	
Finance & Resources	2024-25 FR01	Increase Civic Centre Car Park Charging Tariffs in line with inflation/local prices	The current Civic Centre Car Park charging tariffs were introduced in September 2022. There is an opportunity to increase the car park charging tariffs in line with inflation and the rates charged at other car parking facilities within the vicinity of the Civic Centre from April 2024.	100.0	
Finance & Resources	2024-25 FR02	Property Strategy to maximise rental return on council assets	A new Property Strategy will allow the council to maximise the opportunity of increasing revenue from its assets. A starting target which we would endeavour to increase over time.	50.0	
Finance & Resources	2024-25 FR03	Delete three vacant posts	The current finance establishment has a number of vacancies. It is proposed to delete three posts that are currently filled by agency workers. Digital transformation will lead to improvements in self service to enable further transactional activity to be reduced.	250.0	
Governance	2024-25 G01	Training budget reductions	Local training budgets have not been fully utilised in several teams and for the Member Development Programme. It is proposed to reduce these budgets accordingly. In both cases there has been an increase in in-house provision of training and therefore less dependence on purchasing from external organisations.	15.0	
Governance	2024-25 G02	Member allowances	A reduction to reflect the reduction in the number of councillors as a result of the boundary review	50.5	

2024/25 & 2025/26
SAVINGS PROPOSALS

APPENDIX A

Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Governance	2024-25 G03	Elections Legal provision	Currently the elections team have budgets to fund the extra legal support that might be necessary were there to be a challenge related to electoral registration or an election. Most years this has not been used. It is proposed in future to rely on the reserves that have been established for elections and call on those should such a challenge occur.	14.3	
Governance	2024-25 G04	Miscellaneous overheads	This reduction is to reflect existing underspends on stationery and mail	2.7	
Governance	2024-25 G05	Review of support arrangements in Executive and Member Services	There is scope to reduce the amount of administrative support provided within the service.	10.0	
Governance	2024-25 G06	Legal Services – change approach to training posts	Currently Legal Services has three traditional graduate level trainee solicitor posts. It is proposed to reduce this to one post. As trainees are a valuable source of recruits to qualified posts, it is proposed to over time to convert two existing Legal Assistant posts to solicitor apprentice posts. These require a lower level of qualification, and the Apprentice Levy can be used to fund the qualification element of the training.	41.5	
Governance	2024-25 G07	Increase income target for services to schools and for legal charges to third parties	Income from these sources has increased, for example through more schools buying into the services available from the Governance Department and work undertaken in relation to developments.	42.2	
Governance	2024-25 G08	Realign graduate budget	The number of graduates recruited under the council's programme is variable and as appointments are made part way through the financial year the precise costs are unpredictable. A smoothing reserve has therefore been established to manage this issue and it proposed that the core budget be reduced accordingly. The proposed reduction for 2024/25 is part of an overall £15k reduction already partly implemented.	5.0	
Governance	2024-25 G09	Discontinue use of underutilised IT on-line systems/services	A review has identified several underutilised resources across the Governance department and ceasing to subscribe to these will enable savings to be made.	52.8	
Governance	2025-26 G01	Review of support arrangements in Executive and Member Services	There is scope to reduce the amount of administrative support provided within the service.		60.0
Governance	2025-26 G02	Legal Services – change approach to training posts	Currently Legal Services has three traditional graduate level trainee solicitor posts. It is proposed to reduce this to one post. As trainees are a valuable source of recruits to qualified posts, it is proposed to over time to convert two existing Legal Assistant posts to solicitor apprentice posts. These require a lower level of qualification, and the Apprentice Levy can be used to fund the qualification element of the training.		45.0
Governance	2025-26 G03	Increase income target for services to schools and for legal charges to third parties	Income from these sources has increased, for example through more schools buying into the services available from the Governance Department and work undertaken in relation to developments.		23.8

2024/25 & 2025/26
SAVINGS PROPOSALS

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Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Governance	2025-26 G04	Changes to the Health and Safety team	It is proposed to reduce the health and safety team by one post to reflect lower demand due to changes in the way training on Health and Safety is delivered and to the type of incidents in which the central team are required to be involved. Change in approach to schools inspections.		57.0
Governance	2025-26 G05	Discontinue use of underutilised IT on-line systems/services	A review has identified several underutilised resources across the Governance department and ceasing to subscribe to these will enable savings to be made.		16.0
Resident Services	2024-25 RS01	Increased use of automation	Based on 3 complex and 5 simple processes per year across all RS departments (focusing on transactional services) with efficiencies cashed through reduction in posts and/or increase in income.	150.0	150.0
Resident Services	2024-25 RS02	Business support efficiencies.	Reduction in business support posts through alignment of support functions across Resident Services, combined with improved forms and integration with back-office systems.	157.0	122.0
Resident Services	2024-25 RS03	Mobile telephony contract	Saving through new contract for mobile telephony	200.0	
Resident Services	2024-25 RS04	Licensing	Savings through application rationalisation and license management	113.0	
Resident Services	2024-25 RS05	Registration and Nationality - Income generation	Fee Increase 24/25 following an income freeze for 23/24	20.0	
Resident Services	2024-25 RS06	Libraries and Heritage - realignment of managerial responsibilities and posts	The restructure will focus on maximising income generation and delivering savings in 2024/25 – 2025/26.	48.0	48.0
Resident Services	2024-25 RS07	Community Hubs - Reduction in provision	Deletion of a vacant post within Community Hubs	40.0	
Resident Services	2024-25 RS08	Revenue and Debt	To not recruit to vacant posts / move to digital – self-service / reduction in usage of Resilience Contract	65.0	65.0
Resident Services	2024-25 RS09	Customer Services and Assessments	Reduction in Benefit Assessment processing costs due to impact of Universal Credit (UC)	61.0	61.0
Resident Services	2024-25 RS10	Implementation of borough wide (except Wembley Park) selective licensing scheme	This is extra income into the General Fund and therefore has no negative impact on staff and service users. It is also not politically difficult to deliver. However, it is dependent upon approval by the Secretary of State.	100.0	
Resident Services	2024-25 RS11	Increased subscription to the bulky waste service	A saving to account for an established increase in demand for the bulky waste collection service from around 350 requests when Veolia were operating the service to around 650 requests per month currently	10.0	
Resident Services	2024-25 RS12	Increased subscription and £5 charge increase with respect to the garden waste service	To increase the annual subscription price for garden waste collections from £60 to £65, an 8% increase to generate an additional income of £100,000	100.0	
Resident Services	2024-25 RS13	Review of the Parks service	Create a programme of organised cultural and entertainment events in parks to include a revision of fees and charges.	70.0	

2024/25 & 2025/26
SAVINGS PROPOSALS

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Dept	Reference No.	Project/ Proposal	Headline Description of Savings Proposal	2024/25 £000	2025/26 £000
Resident Services	2024-25 RS14	Rental of Parks building space	To review existing unused property space within parks.	30.0	
Resident Services	2024-25 RS15	Licensing / sponsorship schemes in Parks	Offer space for advertising in parks.	40.0	
Resident Services	2024-25 RS16	Increase tennis/sports bookings	Create and advertise a revised sports booking programme that encourages better take up and which offers new activities.	20.0	
Resident Services	2024-25 RS17	Grave tending / additional vaults in cemeteries	Offer a paid for grave tending service for families that may not be able to access the Brent cemeteries.	40.0	
Resident Services	2024-25 RS18	Mortuary / Bereavement / Funeral Initiatives	A range of small income generating initiatives across our bereavement services	20.0	
Resident Services	2024-25 RS19	Cashless Parking opt In Reminders	The Council generating income through optional text reminders, which is expected to generate income in the region of £80k per annum.	100.0	
Resident Services	2024-25 RS20	RLS Contract Efficiencies Post Year 1	Review of savings and efficiencies potential once the new contract operations have settled after year 1.	100.0	
Resident Services	2024-25 RS21	Removal of vacant posts	An ongoing assessment of the need to recruit to vacant posts and whether these can be removed and the tasks accounted for in different ways.	200.0	
			Total	**3,604**	**4,412**
			Grand Total	**8,016**	

APPENDIX B
BUDGET SAVINGS PROPOSALS
2024/25 & 2025/26

Appendix B – Budget Savings Proposals 2024/25 and 2025/26

Dept	Reference No.	Project/ Proposal	Page no.
Care, Health & Wellbeing	2024-25 CHW01	Technology Enabled Care transformation	1
Care, Health & Wellbeing	2024-25 CHW02	Managing demand at the front door, prevention, and early intervention	4
Care, Health & Wellbeing	2024-25 CHW03	Continuing sustainable long-term care and support needs costs that promote independence	7
Care, Health & Wellbeing	2025-26 CHW01	Reduction in building based provision to support individuals to access services more tailored to meet their needs and interests	112025-26 CHW01
Care, Health & Wellbeing	2025-26 CHW02	Review of housing related support contracts and focus on Care Act duties	16
Care, Health & Wellbeing	2025-26 CHW0	Workforce Efficiency	19
Children & Young People	2024-25 CYP01	Reduce the value of the contract that provides a targeted service that promotes education, employment, and training for young people	21
Children & Young People	2024-25 CYP02	Additional controls to better manage spot purchasing of specialist assessments, contracts and support packages required for children's care proceedings cases	24
Children & Young People	2024-25 CYP03	Utilising the Dedicated Schools Grant to fund eligible services currently provided from the General Fund	29
Children & Young People	2024-25 CYP04	Reduction in school improvement funds in Setting and School Effectiveness Service	32
Children & Young People	2024-25 CYP05	A new organisation will be taking over tenancy of the Freeman Centre. The current contract with Barnardo's has ended and there is scope to reduce this by up to £50k as part of new arrangements with the new tenant organisation.	35
Children & Young People	2024-25 CYP06	To offset some Early Help staff costs using the Best Start for Life programme funding	39

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Dept	Reference No.	Project/ Proposal	Page no.
Children & Young People	2025-26 CYP01	Review the Willow Nursery delivery model to ensure the provision is sustainable without funding from the General Fund	41
Children & Young People	2025-26 CYP02	Reduction in the placement budget for Looked After Children through operating a new residential children's home in Brent	44
Children & Young People	2025-26 CYP03	Reduction in management capacity within Early Help and Localities, through service realignment	48
Children & Young People	2025-26 CYP04	The proposal is that the Ade Adepitan Short Break Centre could generate further income by selling additional respite bed nights to other local authorities	52
Children & Young People	2025-26 CYP05	To reduce the Family Wellbeing Centre (FWC) support service contract by 10%	55
Children & Young People	2025-26 CYP06	Reduce general fund contribution to commissioned services that support children's school readiness and health and wellbeing through a joint commissioning approach within the ICP	58
Communities & Regeneration	2024-25 CR01	Not to procure a new Volunteering platform	61
Communities & Regeneration	2024-25 CR02	To review the resource need, provision and opportunities to reduce the headcount in Communities and Regeneration	64
Finance & Resources	2024-25 FR01	Increase Civic Centre Car Park Charging Tariffs in line with inflation/local prices	67
Finance & Resources	2024-25 FR02	Property Strategy to maximise rental return on council assets	69
Finance & Resources	2024-25 FR03	Delete three vacant posts	72
Governance	2024-25 G01	Training budget reductions	74
Governance	2024-25 G02	Member allowances	77
Governance	2024-25 G03	Elections Legal provision	79

Dept	Reference No.	Project/ Proposal	Page no.
Governance	2024-25 G04	Miscellaneous overheads	82
Governance	2024-25 G05	Review of support arrangements for Senior Managers	84
Governance	2024-25 G06	Change approach to training posts	86
Governance	2024-25 G07	Increase income target for services to schools and for legal charges to third parties	88
Governance	2024-25 G08	Realignment of Graduates Budget	90
Governance	2024-25 G09	Discontinue use of underutilised IT on-line systems/services	92
Governance	2025-26 G01	Review of support arrangements for Senior Managers	95
Governance	2025-26 G02	Change approach to Training Posts	97
Governance	2025-26 G03	Increase income target for services to schools and for legal charges to third parties	99
Governance	2025-26 G04	Changes to Health and Safety Team	101
Governance	2025-26 G05	Discontinue use of underutilised IT on-line systems/services	103
Resident Services	2024-25 RS01	Increased use of automation	106
Resident Services	2024-25 RS02	Business support efficiencies	108
Resident Services	2024-25 RS03	Mobile telephony contract	110
Resident Services	2024-25 RS04	Licensing	112
Resident Services	2024-25 RS05	Registration and Nationality - Income generation – Fee Increase 24/25 following an income freeze for 23/24	114
Resident Services	2024-25 RS06	Libraries and Heritage - realignment of managerial responsibilities and posts	116
Resident Services	2024-25 RS07	Community Hubs	118
Resident Services	2024-25 RS08	Revenue and Debt - to not recruit to vacant posts / move to digital – self-service / reduction in usage of Resilience Contract	120

Dept	Reference No.	Project/ Proposal	Page no.
Resident Services	2024-25 RS09	Reduction in Benefit Assessment processing costs due to impact of Universal Credit (UC)	122
Resident Services	2024-25 RS10	Implementation of borough wide (except Wembley Park) selective licensing scheme of Private Rented Properties	124
Resident Services	2024-25 RS11	A saving to account for an established increase in demand for the bulky waste collection service from around 350 requests when Veolia were operating the service to around 650 requests per month currently	126
Resident Services	2024-25 RS12	To increase the annual subscription price for garden waste collections from £60 to £65, an 8% increase to generate an additional income of £100,000	128
Resident Services	2024-25 RS13	A programme of organised cultural and entertainment events to be organised in parks to generate a new income for the service. This can be supported by a review of existing fees and charges.	130
Resident Services	2024-25 RS14	Rental of Parks building space	132
Resident Services	2024-25 RS15	Licensing / sponsorship schemes in Parks	134
Resident Services	2024-25 RS16	Increase tennis/sports bookings	136
Resident Services	2024-25 RS17	Grave tending service	138
Resident Services	2024-25 RS18	A range of small income generating initiatives across our bereavement services	140
Resident Services	2024-25 RS19	Cashless Parking ‘Opt In’ Reminders	142
Resident Services	2024-25 RS20	RLS Contract Efficiencies Post Year 1	144
Resident Services	2024-25 RS21	Review and removal of vacant posts with Environment and Leisure	146

Budget Options Information

Reference:	2024-25 CHW01
Service(s):	Care, Health and Well Being - Adult Social Care
Lead Member(s):	Cllr Neil Nerva

Savings Proposals:	Technology Enabled Care transformation

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	15,291
Total post numbers in the services(s) (FTE):	

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	350
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Assistive technology has supported people in adult social care for over 20 years for example using sensors, pendants that can help when an individual has fallen and devices such as talking clocks.

This proposal is linked to one of the key transformation programmes across Brent health and social care and is informed by the Association of Directors of Adult Social Care (ADASS) Commission findings and recommendations "Enabling workforces to make efficient and effective use of technology and data to improve outcomes for people, families, and carers in 2022. It is also linked to the corporate digital ambition which includes using technology and data to improve the targeting of resources where they can have the greatest impact and automating business processes to improve efficiency and experience.

The Technology Enabled Care programme will have a prevention focus preventing people reaching a crisis and promoting independence through predicting risk, using data to intervene earlier and in a joined-up way with the NHS. Greater use of a range of digital interventions in the provision of care is anticipated to improve quality, but also better use of the workforce capacity available. The programme will also have a focus on ensuring that pathways and ways of working within the care, health and

well-being directorate make best use of automated working and self-service to deliver efficiencies.

This transformation programme is at the early stages of development and will be based on the learning from other councils who have already successfully delivered improvements in quality and cost effectiveness through a Tech Enabled Care transformation programme and will be co designed with people who use services and their families.

How would this affect users of this service?

Service users would greatly benefit from this initiative in their care by improving their care outcomes. It would empower them to own their own care and transform the way we plan and deliver services to create a sustainable social care model that is proactive to people's needs.

Key milestones

- Undertake discovery exercise to develop the Technology Enabled Care programme and underpinning business case including a benchmarking exercise of 300 reviews across all pathways to understand the scale of the opportunity.
- Embedding of effective business process that automates where possible to improve efficiency and capacity.

Key consultations

- Current service users and carers who could benefit from Tech Enabled Care and wider engagement with Brent residents.
- Care providers and NHS partners to implement new digital approaches in care and the use of data to predict risk and offer preventative services.

Key risks and mitigations

- Level of capacity and capability within the council may require specialist capacity to support scoping of programme and underpinning business case which will need to be sourced in a timely way.
- Cultural change required across adult social care workforce will be managed through good governance and co design.
- Important to recognise that tech enabled care is only one part of the offer from adult social care and personalised assessment and support planning will aim to prevent anyone being left behind.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	N
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	ASC Head of Commissioning

Budget Options Information

Reference:	2024-25 CHW02
Service(s):	Care, Health and Well Being
Lead Member(s):	Cllr Nerva

Savings Proposals:	Managing demand at the front door, prevention, and early intervention.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	22,900
Total post numbers in the services(s) (FTE):	178

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	365	365
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Savings will be achieved by:

- Reducing demand caused by referrals that are not needed or for people whose needs can be met by information and advice.
- Reducing long term care needs through preventative intervention and effective reablement support.
- Removing over prescription of care through strength-based approaches.

How would this affect users of this service?

Individuals will be supported through good quality information, advice and guidance, prevention services such as reablement and signposting to voluntary sector and community-based services to maximise their independence and improve their long-term outcomes. They may be affected by the fact they could be referred to other services, that would be able to help them in their situation as the department also works closely with the voluntary sector and providers who offer community-based services.

Key milestones

- Development and improvement of the adult social care Information, Advice and Guidance offer April 2024.
- Increased capacity in reablement provision Dec 2023.

Key consultations

There will be no consultations for this savings proposal as this is part of the council's delivery of adult social care and ensuring that it is meeting its Care Act duties.

Key Dependencies

- Achieving the objectives is dependent on improving the current information, advice and guidance function/capabilities and ensuring strengths based proportionate assessments are completed.
- Managing demand will also be dependent on the success of our joint working strategies with our key NHS partners and community and voluntary sector stakeholders.

Key risks and mitigations

- **Risk**: Several complaints and Member enquiries might come through as Residents and service users may not want to be sign posted and/or access prevention services.
  Mitigation: ASC communication with residents and other partners needs to be clear about the roles and responsibilities of the authority under the Care Act 2014 and how they will be delivered.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	Y
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	Y
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Sitabile Pswarayi
Deadline:	31/01/2024

Lead officer for this proposal:	Head of Service: Access, Care & Support

Budget Options Information

Reference:	2024-25 CHW03
Service(s):	Care, Health and Well Being
Lead Member(s):	Cllr Nerva

Savings Proposals:	Continuing sustainable long-term care and support needs costs that promote independence.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	35,100
Total post numbers in the services(s) (FTE):	89.12

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	275	275
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This proposal is about supporting people with Mental Health and Learning disabilities to live as independently as possible. It aims to reduce high expenditure packages in mental health and learning disability, if they are not needed and including transitions that offers more choice and control, this includes ensuring that those people who are subject to s117 aftercare have assessments and reviews jointly undertaken that promote independence. Activities will include:

- Movement of clients from MH residential to Supported Living to promote independence.
- Increase of Direct Payments by 2% year on year so that more people are offered choice and control in their support planning.
- Effectively working in a joined-up way with NHS colleagues to ensure that people who are entitled to s117 aftercare, receive proportionate assessments, regularly reviewed, and offered access to enablement to promote independence and reduce the cost of higher cost packages.

How would this affect users of this service?

All MH and LD user currently place in a residential or supported Living accommodation will receive a need led review or reassessment to establish if the service is commensurate with their needs and make the necessary changes to promote independence.

Service users supported to be more independent and reduce the dependency on formal care through person centred alternative care provision.

Key milestones

Reviews and Care Act assessments completed April 2024 and April 2025

Key consultations

- Current service users, their families and providers where better outcomes and lower cost can be achieved through promoting independence.
- Wider service users and families to co-produce an effective approach to increasing direct payments offering more choice and control.
- Engaging health colleagues to develop a collective management approach to S117 packages of care.

Key risks and mitigations

- **Risk**: Changes to care packages may meet some challenge or resistance. **Mitigation**: A comprehensive communication and engagement programme will be run to ensure effective consultation and clear and precise messaging publicly.
- **Risk**: An increase in direct payments requires a well-developed market **Mitigation**: A co-production process will be run to work with service users and the market to develop an effective direct payment offer and strategy.
- **Risk**: Reduction in S117 costs requires effective working with health colleagues. **Mitigation:** a partnership approach will be developed through the Integrated Care Partnership.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Y
EIA to be completed by:	Leon Gooding
Deadline:	31/01/2024

Lead officer for this proposal:	Head of Mental Health & Learning Disability Services

Budget Options Information

Reference:	2025-26 CHW01
Service(s):	Care, Health and Well Being – Adult Social Care
Lead Member(s):	Cllr Neil Nerva

Savings Proposals:	Reduction in building based provision to support individuals to access services more tailored to meet their needs and interests

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,358
Total post numbers in the services(s) (FTE):	18

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	500
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Day opportunities provide a vital part of many service users care, ensuring that their wider health and wellbeing is supported alongside personal care needs.
For some people, day care opportunities can increase the level of independence someone has and meet their holistic needs in a person-centred way.

However, for others it can have the opposite effect, and can increase the level of dependency on care unnecessarily and replace involvement in wider society that they could have through employment, volunteering or involvement in other parts of community life and culture.

Traditional services can also be limited in the way that they meet people's personal or cultural preferences, something that is incredibly important in a borough as diverse and ever changing as Brent.

The proposal is to develop a more dynamic day support offer, that creates a more varied and cost-effective offer for Brent's diverse community. This will operate in a hub and spoke model, where it promotes sessional use of day opportunities and a more flexible offer. Individuals and their families, dependent on their needs and the complexity of enabling independence, will have the choice of support through building based and/or more community-based offers. Some people will be able to have a direct payment and use this to purchase the day services that they wish to attend, when they want to attend them, including accessing services in the evenings and weekends if this fits with their care and support needs.

This savings proposal builds on work already underway and consolidate this into a co designed day opportunities strategy with people who use services, their families, and the wider voluntary and community sector alongside wider council provision at a neighbourhood level. It will include expanding provision in the north of the borough, and with the provider market, offering more sessions where there is a lack of provision, particularly for older people.

To deliver this the proposal includes ceasing use of New Millennium Day Centre and offer people attending that centre alternative service provision, either within Brent's in-house service at John Billam Resources Centre if that will meet their needs, or with a direct payment so that the person can purchase their day support services from an external provider and/or other community activities.

This model will deliver better outcomes for people as well as delivering savings through:
Increasing the number of people in employment or volunteering, reducing the number of people requiring day opportunities
Right-sizing day opportunity packages for people, reducing the hours of care that are not benefiting people.
De-commissioning building base provision where there is no longer demand for it due to alternative, better matched, provision.
Updating the cost model for external day service provision, to reflect the costs of hourly support. Currently services are paid by the day or half-day unit, but a more flexible cost model is required.

Savings will be achieved in two main ways:

(i). The proposed transition to a single council owned day service through the closure of New Millennium Day Centre, with some service users transferring to the John Billam Resource Centre service and others to service or external day opportunities providers using direct payments. It is estimated that through reduced staff costs, this will save the council £500k, although given the time it will take to implement this, it is also envisaged many staff will be able to be re-deployed within other services in ASC.

(ii). Implementation of a hub and spoke model of support for day opportunities, utilising a wider range of services and creating sessional models of support. Direct payments will be the primary method of funding care this way, enabling service users to use their personal budgets to commission care that meets their needs in the way that they want. Further work is needed to estimate the savings from this approach, including:

- Full review of service users, to have a clear understanding of the number of people that will require ongoing, traditional care day, for whom a DP wouldn't be appropriate.
- To understand the saving (even on an average basis) for each person that moves to a direct payment. Until work starts on reviewing people, and confirming the offer for each, it is difficult to put a figure on this.

How would this affect users of this service?

Service users will be supported into alternative care that better meets their needs and promotes independence. The co-production process will ensure that this process is implemented with and for service users, not to service users.

Key milestones

- October 23: Developing an approach to co design, communications, and engagement.
- January 24: Co-produced day opportunities support offer strategy developed.
- March 24: Implementation plan agreed.
- March 24: Service users transitioned to alternative provision.
- March 24: Confirmation on future of New Millennium Day Centre
- December 24: Closure of New Millennium Day Centre (assuming proposal to close is confirmed and implemented)

Key consultations

- Consultation with current service users and their families
- Consultation with current providers and community, voluntary sector groups
- Consultation with the wider Voluntary and Community Sector to develop wider opportunities to be commissioned by the council or to be accessed through direct payments.
- Consultation with employers and local businesses to develop employment opportunities.
- Consultation with young people with learning disabilities and their families to identify future support needs.

Key risks and mitigations

- **Risk**: Changes to day opportunities are likely to meet some challenge or resistance.
  Mitigation: A comprehensive communication and engagement programme will be run to ensure effective consultation and clear and precise messaging publicly.

- **Risk**: Success of the future model will rely on the development of a broad service and support market.
  Mitigation: This project will work closely with the Community Partnership project to co-produce an effective service offer working in partnership with the voluntary and community sector and building on the unique assets in Brent.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Andrew Davies
Deadline:	31/01/24

Lead officer for this proposal:	Head of Commissioning, Contracting and Market Management

Budget Options Information

Reference:	2025-26 CHW02
Service(s):	Care, Health and Well Being – Adult Social Care
Lead Member(s):	Cllr Neil Nerva

Savings Proposals:	Review of housing related support contracts and focus on Care Act duties

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,894
Total post numbers in the services(s) (FTE):	N/A

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	500
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The council is currently funding a number of housing related support (HRS) contracts that do not require people to be assessed for eligibility for adult social care and cover a range of ages. The proposal is to review these contracts to see where there are areas that could be streamlined, contracts reduced and / or funded from other sources to enable the department to focus spend on Care Act responsibilities.
The contracts will be reviewed to consider their impact on outcomes for the residents of Brent, areas of potential duplication with other services, and the responsibilities of other agencies including support that should be provided as part of wider housing support including support linked to housing benefits for some social housing providers.

Reducing of contract value at 3-year break point (April 2025 for all except Generic Floating Support, which is April 2026), depending on the outcome of the review of services and full consideration of consequences of reducing spend on these services. The outcomes from each service will be reviewed and quality assured and proposals for reductions brought forward for approval.

How would this affect users of this service?

Reduced targeted service relating to housing issues for this cohort. Needs will be met through wider preventative offer and close working between the department and housing.

Key milestones

- April 24: Review to begin.
- July 24: Review completed, options for change agree.
- Sept 24: Contract variation agreed with providers.
- April 25: Contract variations implemented.

Key consultations

- Consultation with specific service users currently supported by this contract.
- Consultation with the current provider
- Close working with housing colleagues to meet the needs of the service user through wider service model.

Key risks and mitigations

- **Risk:** Changes to care packages may meet some challenge or resistance.
  Mitigation: A comprehensive communication and engagement programme will be run to ensure effective consultation and clear and precise messaging publicly.
- **Risk**: Needs of current cohort are not met, leading to more complex needs in the future.
  Mitigation: Work with housing colleagues and wider partnerships to ensure people are supported.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	N
Men or women	Y
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	Y
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Y
EIA to be completed by:	Andrew Davies
Deadline:	31/01/24

Lead officer for this proposal:	Head of Commissioning, Contracting and Market Management

Budget Options Information

Reference:	2025-26 CHW03
Service(s):	Care, Health and Well Being
Lead Member(s):	Cllr Nerva

Savings Proposals:	Workforce Efficiency

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	100,507
Total post numbers in the services(s) (FTE):	473.3

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	300
	FTE	FTE
Proposed staffing reduction	0	6

Proposed savings

This proposal focuses on ensuring that the operating model is using efficient and effective business process, where possible digital approaches are used to automate this process and data supports the prioritisation of work. This includes considering where possible given the focus on joined up work, across the directorate functions could be integrated to deliver workforce reductions.

Review of transformation and partnership capacity to ensure that cost reductions are achieved, and workforce resources are focused on market management and operational practice. This will involve also working with partners such as the Integrated Care System (ICS) and the Integrated Care Partnership (ICP) to integrate our approach to transformation and using technology and digital approaches to planning.

How would this affect users of this service?

No negative direct impact on service users or their families. An improved and integrated transformation and partnership model should deliver improvements in outcomes for people in Brent.

Key milestones

New operating model in place March 2024

Key consultations

- Workforce
- Partners including the Integrated Care System and NHS Providers

Key risks and mitigations

- **Risk**: ICS are currently developing their operating model and need to ensure that we are developing a joint workforce model.
  Mitigation: Agreeing shared design principles with the ICS on workforce remodelling.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	N
EIA to be completed by:	
Deadline:	

Lead officer for this proposal:	Corporate Director Care, Health & Wellbeing

Budget Options Information

Reference:	2024-25 CYP01
Service(s):	Inclusion / Forward Planning, Performance and Partnerships
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	Reduce the value of the contract that provides a targeted service that promotes education, employment, and training for young people.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	604
Total post numbers in the services(s) (FTE):	

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	56	0
	FTE	FTE
Proposed staffing reduction	1	0

Proposed savings

The current contract to deliver a targeted service that promotes the education, employment, and training for young people (formerly known as Connexions) ends on 31 March 2024.

The contract delivers the local authority's statutory duty to ensure that young people who are not in education, employment, and training (NEET) aged 16-18 years old and up to 25 if they have an Education, Health and Care Plan receive relevant information, advice, and guidance in order to be supported to a successful transition into post-16 education, employment and/or training. The contract also provides some non-statutory support, such as bespoke projects for targeted vulnerable groups.

The planned contract value from April 2024 onwards when the service is re-tendered is £548,481 which reflects a 10% saving of £56k on the current contract value (the contract was previously subject to an £80k annual saving). The reduction in service will be targeted at the non-statutory element of the contract.

How would this affect users of this service?

The statutory functions that the LA carries would not be affected. This will result in a reduction in bespoke projects for targeted vulnerable groups, fewer access points for the service and ending a bespoke service for children who arrive from overseas in Year 11 and are placed currently in specialist English as an Additional Language (EAL) provisions before attending schools or colleges. These pupils will still be able to access the universal service.

Key milestones

- September to December 2023: Review of resources and service delivery required within a reduced contract value and mitigations for services which have ceased.
- January 2024 to March 2024: Contract mobilisation meetings (if required).
- Implementation on 1 April 2024 of the revised contract.

Key consultations

N/A

Key risks and mitigations

Risk: Pressures on resources to deliver required services to the current operational and quality level given the recent year on year savings on this contract.
Mitigation: This will be mitigated by looking at how resource can be best utilised and prioritised within the budget available.

Risk: Potential increase of young people who are NEET, who will not have the foundation to contribute fully to the local economy in the future.
Mitigation: This will be mitigated by reviewing areas of delivery that could be done differently and signposting to other council services that support young people to be EET, for example Brent Works.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Tanuja Saujani, Commissioning Manager
Deadline:	31/12/2023
Lead officer for this proposal:	Shirley Parks, Director EPS

Budget Options Information

Reference:	2024-25 CYP02
Service(s):	Localities / Looked After Children & Permanency
Lead Member(s):	Cllr. Gwen Grahl

Savings Proposals:	Additional controls to better manage spot purchasing of specialist assessments, contracts and support packages required for children's care proceedings cases.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	28,341
Total post numbers in the services(s) (FTE):	298

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	50	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

When CYP intervenes in family life because of child welfare concerns there is a need for robust assessment of parents' ability to provide appropriate parenting and good enough care of the child/ren. Currently, due to staffing shortages and caseload pressures, most of those parenting assessments are completed by Independent Social Workers (ISW) either via a third-party organisation contracted by the local authority to arrange ISWs to complete parenting assessments or via spot purchased ISWs.

It is proposed that a saving of £50,000 in 2024/25 will be achieved by reducing the use and reliance on ISW parenting assessments and increasing internal capacity to complete parenting assessments where required through:

- Ensuring greater Head of Service and Service Manager (Localities and LAC and Permanency) scrutiny and approval of all external ISW parenting assessments.

- Development of guidance and criteria for the use of ISW assessors so that staff are supported to undertake parenting assessments where possible and ensuring that there is consistency in the way that ISW parenting assessments are commissioned.

- Training and support to be provided to Brent social work staff in order that parenting assessments, including specialist training for assessing parents with learning disabilities, can be undertaken inhouse.

- Further review of the existing contract with the third-party provider to ensure value for money is received, assessment fees are competitive, and that key performance indicators are met to ensure quality assessments are provided.

How would this affect users of this service?

If not carefully implemented, the timeliness and quality of parenting assessments could be inconsistent which could impact on timeliness of care proceedings and decision making for children.

Key milestones

September 2023:

Process and criteria for approval of ISW parenting assessments to be finalised.
Head of Service or Service Manager scrutiny and approval of all expert assessments in place.
Training and development offer to be drafted.

November-December 2023:

Consultation with staff re: training and development offer
Finalise training and development offer.

January-March 2024:

Staff training.

Key consultations

With staff who will be expected to carry out these assessments in line with current job descriptions.

Key risks and mitigations

1. Workforce

Risk: Ongoing social work recruitment and retention challenges with high levels of agency staff and newly qualified staff within the Localities and Looked After Children and Permanency (LACP) services continue. This is a risk as carrying out complex, highly skilled expert assessments over a period of time may be more difficult to achieve, resulting in delays in timeliness, issues with quality, costs for non-compliance of court directions and subsequent reputational damage for the council.

Mitigation: Mitigation for this risk will entail training staff to do good quality assessments and reduce reliance on the use of independent assessors over time.

2. Assessments directed by the Family Court

Risk: Due to the adversarial nature of court proceedings, there will be occasions when parties disagree with the need for an assessment or with the proposed assessor. This can result in assessments being directed by the court in contradiction to the local authority's position.

There are also occasions when parents can request or challenge the use of a specific assessor, because they want to be assessed by someone who speaks their language and/or understands their culture, or an assessor from outside the local authority as they believe that the local authority will be biased or prejudiced against them due to past assessments or intervention.

Mitigation: Procurement of independent social work experts.

3. Reputation damage to the council

Risk: Where there is potential for poor quality or delayed assessments, there is the risk of reputational damage to the local authority.

Mitigation: Training staff to do good quality assessments and reduce reliance on the use of independent assessors over time.

4. Cost of staff training and development

Risk: There is a risk that the cost of training and development of staff will be more than the actual savings achieved in this proposal. This could be exacerbated by the transient workforce, meaning that our training offer will be required on an ongoing basis.
Mitigation: The training offer will need to include training staff in models for assessing parents with learning disabilities, which will require external training facilitators and purchasing assessment models/IT programs.

This area of risk will need to be further explored as the training offer is developed.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officers for this proposal:	Kelli Eboji – Head of Looked After Children and Permanency Stephen Gordon – Head of Localities

Budget Options Information

Reference:	2024-25 CYP03
Service(s):	Inclusion / Setting and School Effectiveness/ Early Help
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	Utilising the Dedicated Schools Grant to fund eligible services currently provided from the General Fund.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	7,676
Total post numbers in the services(s) (FTE):	204

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	50	0
	FTE	FTE
Proposed staffing reduction	1	0

Proposed savings

A review of Early Years functions across the Children and Young People's department is currently underway to ensure that delivery is as efficient as possible. The current arrangements divide responsibilities across three service areas – Early Help, Setting and School Effectiveness and the Inclusion Service.

Since the current arrangements were put in place, a number of policy changes have taken place in early years. The current delivery approach across different services means that there is risk that as services develop over time there is duplication and/or unnecessary overlap in delivery. The review is aimed at ensuring there is best value in the Council's approach to meeting the needs of settings to ensure high quality early years care and education is available to families in Brent. Given budget pressures, the review is also considering whether and how the Council should continue to offer non-statutory services, such as support to PVI nurseries.

It is anticipated that the review will result in efficiencies equivalent to 1 FTE post that is funded by the Dedicated Schools Grant. This funding would be used to offset general fund costs in the Children and Young People's department that are eligible for DSG funding, for example other Early Years functions or tasks undertaken by the Performance and Management Information Team.

How would this affect users of this service?

The statutory functions that the LA carries would not be affected.

There could be a change in how non-statutory support is provided to commercial childcare providers with the potential for this to become a traded service.

Key milestones

October 2023: Review of Early Years services completed.
April 2024: Implementation of agreed proposals

Key consultations

Consultation with providers if there is a planned reduction in non-statutory support.

Key risks and mitigations

- **Risk**: The quality of Early Years providers might reduce.
  Mitigation: This will be mitigated through reducing duplication in service delivery and not the LA's quality assurance function.

- **Risk**: General Fund activities are not identified to be covered by DSG.
  This is considered as low risk.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Shirley Parks, Director EPS

Budget Options Information

Reference:	2024-25 CYP04
Service(s):	Setting and School Effectiveness Service
Lead Member(s):	Cllr. Gwen Grahl

Savings Proposals:	Reduction in school improvement funds in Setting and School Effectiveness Service.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,125
Total post numbers in the services(s) (FTE):	89 plus additional P/T casual staff at Gordon Brown Centre and Brent Music Service

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	50	0
	FTE	FTE
Proposed staffing reduction	1	0

Proposed savings

Reduction in school improvement funds in the Setting and School Effectiveness Service. The DfE withdrew the local authority School Improvement and Brokering grant from April 2022 on the grounds that schools and academies were expected to undertake school improvement activity themselves. Since this time, the general fund has been covering part of this shortfall by contributing to some targeted school improvement activity.

The majority of funding for schools is delegated to school budgets. However, school improvement funds held by the LA are utilised for targeted school improvement activity.

How would this affect users of this service?

With less funding for this school improvement activity the quality of school provision as graded by Ofsted could be at risk of declining. Outcomes for children and young people may also be negatively impacted upon.

The Setting and School Effectiveness Service is implementing a targeted piece of work to support educational disproportionality in the 2023-24 academic year with all schools. The reduction in funding may impact on the support available for this planned work and therefore limit the impact.

Key milestones

This would be managed through management of ongoing school improvement activity.

Key consultations

There is no consultation required as this budget reduction will be absorbed into the management of ongoing school improvement activity.

Key risks and mitigations

Risk: Decline in Ofsted outcomes will be monitored.
Mitigation: Planned work will be reviewed and targeted work adjusted if necessary to mitigate impact.

Risk: Negative impact on outcomes for children.
Mitigation: Pupil outcomes are tracked by LA officers alongside school leaders. Schools are challenged to use their resources effectively to support positive outcomes for all pupils.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Jen Haskew, Head of Setting and School Effectiveness
Deadline:	31/12/2023

Lead officer for this proposal:	Jen Haskew, Head of Setting and School Effectiveness

Budget Options Information

Reference:	2024-25 CYP05
Service(s):	1. Forward Planning, Performance and Partnerships 2. Looked After Children and Permanency (LACP)
Lead Member(s):	Cllr. Gwen Grahl

Savings Proposals:	A new organisation will be taking over tenancy of the Freeman Centre. The current contract with Barnardo's has ended and there is scope to reduce this by up to £50k as part of new arrangements with the new tenant organisation. Reducing allocated growth to the existing contact service for children in care that operates from the Freeman Family Centre.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	532
Total post numbers in the services(s) (FTE):	

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	0
	FTE	FTE
Proposed staffing reduction	1	0

Proposed savings

Forward Planning, Performance and Partnerships (B00180):

£50,000 because of a change of the tenant responsible for managing services from the Freeman Family Centre. The Young Brent Foundation intend to take over tenancy of the Freeman Centre. The current contract with Barnardo's is ending and there is scope to reduce this by £50k as part of new arrangements with YBF.

LACP, Contact Team (B00519):

£50,000 as a result of reducing allocated growth to the existing contact service for children in care which operates from the Freeman Family Centre.

This area of saving is likely to be challenging due to pressures in this area relating to demand outstripping capacity and predominantly 1) the use of sessional and agency staff to enable the continued provision of supervised contact for Brent looked after children and 2) the procurement of out of borough contact facilities and supervision to enable supervised contact for children and young people who are living further away and unable to come to Brent for contact.

Various options are being explored to manage forecast pressures, and a Business Case will be prepared to consider options available, including expanding the number of permanent contact supervisors within the service, outsourcing to external provider or a hybrid model.

How would this affect users of this service?

Service users should not see a fundamental change as the proposal relates to a change of provider for the use of the Freeman Family Centre. The contact centre service will still continue to be delivered from the centre. Actions will be undertaken to ensure contact services are not disrupted by any changes.

Key milestones

Sept/Oct 2023:
Progress discussions with team and finance partners to inform a Business Case.

Nov 2023:
Business Case to be finalised.

Key consultations

No consultations are required

Key risks and mitigations

Risk: Unable to meet our statutory duty to arrange and promote contact for looked after children which could result in:

- Disruption of key, primary relationship for looked after children.
- Increase in statutory and corporate complaints.
- Potential delays in care proceedings due to inability to assess parents' progress via observation in contact.
- Reputational damage to the council if we are unable to meet the demand for contact.

Mitigation:

- Recruit more inhouse, full time contact supervisors which will allow us to reduce our dependency on agency and sessional contact supervisors.
- Review our current contact criteria and ensure tighter controls are in place for the use of agency and out of borough contact.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Kelli Eboji – Head of LAC & Permanency Michelle Gwyther – Head of Forward Planning Performance & Partnerships
Deadline:	31/12/2023

Lead officers for this proposal:	Kelli Eboji – Head of LAC & Permanency Michelle Gwyther – Head of Forward Planning Performance & Partnerships

Budget Options Information

Reference:	2024-25 CYP06
Service(s):	Early Help
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	To offset some Early Help staff costs using the Best Start for Life programme funding.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,434 (EY Central Team and Brent Family Solutions)
Total post numbers in the services(s) (FTE):	70.7

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	70	0
	FTE	FTE
Proposed staffing reduction	1	0

Proposed savings

The proposal is to offset some early help staff (Parenting Coordinator, Parenting Administrator, Parenting Practitioner) costs paid from general fund which could be paid from Start for Life funding. The staff involved are already providing services and support linked to the parenting strand of the Start for Life programme.

How would this affect users of this service?

There will be no impact on service users as these services are already provided through general fund.

Key milestones

We will ensure that reporting targets and KPIs as set out in the Best Start for Life programme continue to be met.

Key consultations

Consultation with the DfE is already in progress regarding the updated delivery plan.

Key risks and mitigations

Risk	Mitigation
When the Start for Life programme ends in March 2025 there will be a £70k budget gap to pay for the early help staff.	This will need to be filled through other service reductions and/ or grant funding available at that time.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Serita Kwofie, Head of Early Help

Budget Options Information

Reference:	2025-26 CYP01
Service(s):	Early Help
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	Review the Willow Nursery delivery model to ensure the provision is sustainable without funding from the General Fund.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	250
Total post numbers in the services(s) (FTE):	27.5

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	250
	FTE	FTE
Proposed staffing reduction	0	2

Proposed savings

The proposed savings of £250k over 2 years would be achieved through a review of the Willow Nursery delivery model to make the provision self-sufficient and not reliant on funding from the General Fund. This could involve looking for potential savings through efficiencies, such as reducing staffing costs, and maximising income through the offer available.

In addition to the General Fund savings, the overall budget for Willow Nursery could be impacted by a review of High Needs Block funding (HNB). A separate workstream is in place to progress this review, but the impact of this and a reduction in General Fund will be considered together in relation to Willow Nursery.

How would this affect users of this service?

The review of Willow Nursery's operating model could result in a number of changes to both staffing and the offer for parents. For example, there could be a reduction in leadership capacity and staffing levels, which could impact on the quality of the provision.

A new business model could change the offer of the provision for parents and carers. The review could reduce the number of places available or increase the offer in the context of the Government's new policy to extend entitlements for 2-year-old and babies of 9 months of age and upwards. Any reduction in childcare capacity, at a time when the government is expanding the free entitlement offer, may make it challenging to meet targets once they are set.

Key milestones

Dec 2023:
Officers would need to consult on the proposal with staff, unions, and service users.

Jan 2024:
A change management process would need to be followed and associated timescales 6-12mths implemented.

Key consultations

Officers would need to consult on the proposal with staff, unions and service users.

Ofsted would need to be informed if there was a reduction to the number of childcare places offered.

Key risks and mitigations

Risk	Mitigation
The quality of the provision is reduced if the Head of Nursery post is deleted.	The Senior Leadership Team (SLT) is reorganised to ensure sufficient leadership to maintain quality.
There is loss of specialist and mainstream childcare places.	The offer of Willow is reviewed in the context of new entitlements as a result of government policy. There is a review of childcare sufficiency in the local area to determine if places could be absorbed into local provision.
There are strong local feelings from parents in the community, so any changes could result in reputational damage to the council.	Ensure that service users/ parents are consulted on proposals and given an opportunity to have their say.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Serita Kwofie, Head of Early Help
Deadline:	31/12/2023

Lead officer for this proposal:	Serita Kwofie, Head of Early Help

Budget Options Information

Reference:	2025-26 CYP02
Service(s):	Forward Planning, Performance and Partnerships
Lead Member(s):	Cllr Grahl

Savings Proposals:	Reduction in the placement budget for Looked After Children through operating a new residential children's home in Brent

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	**New service**
Total post numbers in the services(s) (FTE):	**New service**

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0 *(because the home is not due to be operational until January 2025 at the earliest)*	290
	FTE	FTE
Proposed staffing reduction	0	2

Proposed savings

A new children's home in Brent is due to be operational in January 2025. Run by the local authority, the home in Brent will generate cost avoidance savings to the Children and Young People Department's budget for children's placements, specifically residential placements.

The anticipated saving for 2025/2026 would be achieved from the local authority's home costing less per placement than third party run homes (£5,300 per week compared to £7,800 per week). The saving assumes a 77% occupancy rate for a four-bed residential home, considering that there will be periods when there are voids as a result of being unable to match young people to live in the home safely together. The intention is to use one bed for emergency placements for young people with more complex needs, which should also generate savings against the use of external emergency placements elsewhere.

How would this affect users of this service?

The statutory functions that the LA carries would not be affected. Children and young people would continue to receive the services that are currently offered when they are looked after and require a residential placement. There would be an increased availability of local provision in Brent.

A local provision means less travel time for professionals involved in the life of a child or young person, for example social workers and IROs, and the opportunity for support from local services.

Key milestones

The milestones below are indicative and will be subject to some movement, given the process of buying and refurbishing a property.

A full project plan will be completed in September 2023.

Milestone	Date
Internal Project Approval	February 2023 - May 2023 Completed
Procure Consultants	Completed
Purchase Property	June 2023 – November 2023
Design refurbishment (RIBA 1 – 4)	November 2023 – February 2024
Contractor Procurement	February 2024 – May 2024
Construction Works (RIBA 5)	May 2024 – November 2024
Practical Completion / handover (RIBA 6)	December 2024
Home opens and in operation (RIBA 7)	January 2025

Key consultations

No consultation is required except for the change of use and retrospective planning permission requests for the property, which will be open for public view and comment.

Key risks and mitigations

Risk: Delays as a result of planning and building controls.
Mitigation: Building control and planning risks will be mitigated by early engagement with the Planning Department to understand what design / specification and plans would be acceptable.

Risk: Delay in refurbishment works impacting on opening date.
Mitigation: Delays in refurbishment work will be mitigated by robust contract administration to manage contractors, ensure contractors are provided with relevant surveys and ensure clear and open communication channels with all parties so that issues can be resolved promptly.

Risk: Slippage in programme delivery as a result of local residents objecting to a children's home in their area.
Mitigation: Residential objections will be mitigated by learning from previous projects about community engagement and establishing and implementing a robust communications plan.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Michelle Gwyther, Head of Forward Planning Performance & Partnerships

Budget Options Information

Reference:	2025-26 CYP03
Service(s):	Early Help and Localities
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	Reduction in management capacity within Early Help and Localities, through service realignment.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	Early Help – 4,877 Localities (excl CWD) – 13,287
Total post numbers in the services(s) (FTE):	Early Help - 134 Localities (excl CWD) - 156

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	330
	FTE	FTE
Proposed staffing reduction	0	2

Proposed savings

The proposal is to create efficiencies across the Family Wellbeing Centres and the Long-Term Localities Teams. This would allow for a reduction in management capacity in the Family Welfare Centre structure.

At present there are 2 operational managers (one post is grant funded), 6 Family Centre managers and 18 keyworkers providing direct work with families who require support in this service area.

An option to consider is to merge keyworker functions into the long-term Localities teams. This could result in the reduction of managers within the Early Help service equating to 4 posts in total.

How would this affect users of this service?

There would be no reduction in service to users as the number of keyworkers is not being reduced.

This restructuring could reduce delays in the case allocation process due to the removal of a handover point i.e., cases would no longer need to go through a step-down process from Localities teams to access keyworker support as the keyworkers would already be in these teams. Service users could therefore receive a timelier response to their needs
.
Families could also receive a more integrated and seamless service where child protection and family support issues could be dealt with at the same time within one team and one management structure. Rather than going through an assessment process and then being referred on for family support the family could potentially receive support while the assessment was happening and thus avoid delays.

Closer contact with Family Wellbeing Centre (FWC) services and communities they serve. Creating more seamless service for families. Improved partnership working.

Key milestones

Preparation and planning work required by January 2024 to set out the details and implications of the proposal.

A managing change process in line with the Council's policy would be required.

Key consultations

Staff and unions would need to be consulted through the agreed processes.

Key risks and mitigations

Risk: Quality of service will be impacted as managers would be responsible for a higher centre ratio, leading to reduction in quality and consistency of service, poorer outcomes and reduction in management oversight leading to increase in complaints.
Mitigation: Although managing additional centres, FWC managers would have less staff to directly supervise in each centre.

Risk: Deletion of the FWC manager posts will reduce capacity of managers to be able to effectively develop their individual FWCs and respective teams. With this new model there would be increased pressures on managers as they would be responsible for managing at least two centres each.
Mitigation: Managers not directly supervising workers holding complex cases, creates more capacity to develop creative and response family support services to best meets the needs of local communities.

Risk: Deskilling of FWC managers as they would not be line managing keyworkers and so would no longer hold oversight of complex casework.
Mitigation: Managers would have greater capacity to develop partnership working and community integration within the FWCs. Teams would be co-located within FWCs leading to sharing of good practice, learning opportunities and peer-to-peer support.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Serita Kwofie, Head of Early Help Stephen Gordon, Head of Localities

Budget Options Information

Reference:	2025-26 CYP04
Service(s):	Localities
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	The proposal is that the Ade Adepitan Short Break Centre could generate further income by selling additional respite bed nights to other local authorities.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,038
Total post numbers in the services(s) (FTE):	21

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	40
	FTE	FTE
Proposed staffing reduction	0	1

Proposed savings

This is an income generation proposal. The current income target for selling bed nights to other local authorities is £140k. If the centre capacity is managed effectively then it would be possible to sell an additional 52 bed nights per annum. The current rate charged for a standard bed night is £815.51. This proposal could therefore generate:
52 x £815.51 = **£42,406**

How would this affect users of this service?

This proposal would not have an impact on current short break users. It could however reduce our ability to provide emergency residential placements to disabled young people in Brent.

Key milestones

Agree the terms and times of the bed nights to be sold to other local authorities by January 2025.

Key consultations

Consultations will need to be had with the potential local authorities who would be purchasing beds to agree the terms and conditions of the bed nights on offer.

Key risks and mitigations

Risk: If more bed nights are sold, it may reduce the department's capacity to provide emergency residential beds for disabled young people.

Mitigation: Improved commissioning arrangements which would enable suitable placements to be found for these young people more quickly.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Stephen Gordon, Head of Localities

Budget Options Information

Reference:	2025-26 CYP05
Service(s):	Early Help
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	To reduce the Family Wellbeing Centre (FWC) support service contract by 10%.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	638
Total post numbers in the services(s) (FTE):	

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	64
	FTE	FTE
Proposed staffing reduction	0	1

Proposed savings

A total saving of £64k to reduce the Family Wellbeing Centre (FWC) support service contract by 10%. The current contract is £0.638m.

How would this affect users of this service?

The impact on service users could include:

- A reduction in creche provision which enables parents to access support services such as parenting programmes, information advice and guidance.
- A reduction in the Family Support Assistant (FSA) service (e.g., direct work, group work, or practical support) available to vulnerable families.
- A reduction in the Early Years Worker (EYS) support service, (e.g., direct work, parenting programmes, or identification of SEND needs) available to families with children under 5.

Key milestones

Officers will require at least 3 months lead in time to inform current and potential providers of the reduction in the contract value when it is retendered. In partnership with the current provider review and agree which elements of the service will be reduced.

Key consultations

Consultation will be required with the current provider.

Key risks and mitigations

The FWC support service contract is a key part of the FWC delivery model and there are a number of risks resulting from reducing the contract value:

Risk	Mitigation
Failure to deliver elements of the DfE Family Hub and Best Start for Life programme resulting in reputational damage to the Council.	Use grant funding to pay for elements of the Barnardo's contract.
A reduction in creche provision means that parents of young children may not be able to access support programmes due to childcare issues, meaning some services and support may not be accessible.	Tighten criteria regarding the use of creches to support programmes and support parents to look for alternative childcare arrangements i.e., using family/ friends.
Reduction in the early years/ family support service resulting in vulnerable families not receiving the right support at the right time and potential problems escalating.	The use of more trained volunteers to provide peer-to-peer support and deliver some group work e.g., parenting programmes, stay and play sessions, etc.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Serita Kwofie, Head of Early Help
Deadline:	By 31/12/2023

Lead officer for this proposal:	Serita Kwofie, Head of Early Help

Budget Options Information

Reference:	2025-26 CYP06
Service(s):	Inclusion / Forward Planning, Performance and Partnerships
Lead Member(s):	Cllr Gwen Grahl

Savings Proposals:	Reduce general fund contribution to commissioned services that support children's school readiness and health and wellbeing through a joint commissioning approach within the ICP.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	218 MHWB contract 239 SLT Contract
Total post numbers in the services(s) (FTE):	

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	500
	FTE	FTE
Proposed staffing reduction	0	1

Proposed savings

The Children and Young People's department currently commission a range of services that support school readiness and positive educational outcomes by focusing on supporting health and wellbeing needs.

It is proposed that the commissioning and funding of these services are reviewed with the Integrated Care Board (ICB) and Public Health. The contracts in scope are those that are directly providing commissioned services for children and young people across the 0-25 age range. This includes therapies (e.g., contracts that deliver speech and language therapy, occupational therapy, and the spot-purchasing of these services) and mental health and wellbeing services.

While elements of these contracts are the responsibility of the Dedicated Schools Grant High Needs Block, they also include elements funded from the General Fund that could be funded by the ICB and with Public Health input. For example, a speech and language therapy contract with Central London Community Health Trust (CLCH) delivers support for children who have a speech and language need identified in their Education, Health and Care Plan funded through the DSG, but the contract also provides an early intervention and prevention service for pre-school children delivered in FWCs funded by the General Fund. This is specifically aimed at supporting school readiness, which is a public health outcome.

The Council also spot-purchases speech and language occupational therapy for specific cohorts of children (for example those who have a GP outside of Brent), which could be procured more efficiently through a different commissioning approach.

The local authority commissions a contract with the Anna Freud Centre to deliver a targeted mental health support to vulnerable children. This contract is funded through a combination of DSG, Pupil Premium funding for Looked After Children and the General Fund. The contract is an early intervention and prevention service and as such could be funded through the ICB, in line with development of a local 'Thrive' model. Delivering mental health and wellbeing services through the 'Thrive' model is an ICP priority. Implementing 'Thrive' involves redistributing funding for mental health and wellbeing services from specialist services to early intervention and prevention services to address children and young people's health needs early and to avoid escalation to specialist CAMHS.

Working together the ICP (Local Authority, Public Health and NHS) have a responsibility to address inequalities in access to health services. The ICP has identified a number of priorities for children and young people which include reviewing and reshaping how speech and language therapies are delivered across the partnership and delivering a Thrive model to ensure children and young people can access relevant support services early.

How would this affect users of this service?

The statutory functions that the LA carries would not be affected. Children and young people would continue to receive the services that are currently offered.

Key milestones

December 2023: Review of service specifications with Public Health and ICP.
March 2024: Agree shared outcomes from the services.
April – August 2024: Develop new service specifications.
February - April 2025: Implementation of agreed proposals.

Key consultations

Consultation with Public Health and ICP.

Key risks and mitigations

Risk: There is no agreement from the ICB to contribute to the funding of these services. Agreement cannot be reached to provide a public health grant contribution towards these services.

If this was the case, to achieve the required savings, the General Fund contribution to these services would be reduced. The impact of this would be a reduction in the scope of therapy contract to provide statutory services only and not the early years element of the contract (at a value of £239k, which is 21% of the total contract value). The reduction in scope of mental health and wellbeing support for children and young people would be up to the value of £218k, which is 44% of the total contract value.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Shirley Park, Director EPS

Budget Options Information

Reference:	2024-25 CR01
Service(s):	Strategy and Partnerships
Lead Member(s):	Cllr Donnelly Jackson

Savings Proposals:	Not to procure a new Volunteering platform

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	3,700
Total post numbers in the services(s) (FTE):	72

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	20	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The contract with the current provider (Do It All) has been terminated. Due to the minimal impact and take up of this tool, regrettably we do not receive adequate value for money to continue offering this platform to the community.

How would this affect users of this service?

Volunteer platform

Removing it will mean there will be no volunteer platform administered via the Council. Voluntary Sector organisations will continue to undertake their own recruitment initiatives to secure Volunteers.

A review of the impact of the platform was undertaken in December 2021 and found that there was overall under performance against the expected impact of the platform and dissatisfaction among officers and voluntary sector organisations.

Statistics provided from 1st April to 12th December 2022 were:

- 228 non-profit organisations joined the Brent ecosystem.
- 984 opportunities created.
- 247 individuals made applications to volunteer roles in Brent.
- 227 connections made between individuals and organisations via the chat feature.
- 136 individuals joined the community area.
- Brent Vaccination Programme, Brent Health & Wellbeing Champions - 0 volunteers
- Brent Emerging Communities Champions - 27 volunteers
- Brent Children and Family Services: Brent Parent Champions - 2 volunteers
- Brent Fostering - 2 volunteers.
- Brent Libraries - 0 volunteers
- Brent Employee Volunteering Programme - 14 volunteers

However, all these figures should be treated with caution as it is challenging to match these figures with the reality of a website not being updated for some time.

The contract formally ceased in April 2023 and there have not been any enquiries or concerns raised about the removal of the platform.

However, to offset the impact of removing the function the Council has worked with an independent organisation Social Change Agency who has agreed with the FA to introduce a new online resource for Brent called Brent Giving. The Brent Giving Platform will also act as a Volunteer brokerage tool and will fill the space previously held by the Volunteering Platform. In this case, the tool to be offered has a far better track record and better monitoring activities in place which will result in a better offer for Brent’s communities.

Key milestones

The contract for the volunteer platform has not been re procured and has been removed from the Council's website.

Key consultations

None required.

Key risks and mitigations

Removing the platform will mean there is no volunteer platform administered by the Council.

Voluntary Sector organisations will continue to undertake their own recruitment initiatives to secure volunteers.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Kibibi Octave

Budget Options Information

Reference:	2024-25 CR02
Service(s):	Communities
Lead Member(s):	Cllr Donnely Jackson and Cllr Butt

Savings Proposals:	To review the resource need, provision and opportunities to reduce the headcount in Communities and Regeneration.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	3,700
Total post numbers in the services(s) (FTE):	72

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	150	0
	FTE	FTE
Proposed staffing reduction	3	0

Proposed savings

The Communities and Regeneration Department will seek to achieve efficiency savings for 24/25. Improved ways of working and more effective use of staff as well as increased capabilities across the departments has reduced the demand on services. A saving can be achieved through a review, with vacant posts considered initially. This will require a wider service review in autumn 2023. A detailed EIA will be required as part of the restructure process.

How would this affect users of this service?

The expected outcome is not intended to reduce service delivery for residents or end users of the services but rather, by improving systems and by making operational changes, it will be possible to continue delivering the currently agreed service outcomes.

Key milestones

High-level timeline, which may require adjustment going forward.

September 2023
Review of services complete and identification of where efficiencies can be implemented through redesign of services.

October 2023
New staffing model proposed.

November 2023
Consultation with Lead Members.

January 2024
Consultation with affected staff.

February 2024
Consultation closes and feedback received.

March 2024
Implementation.

April 2024
Savings realised.

Key consultations

November 2023
Consultation with Lead Members.

January 2024
Consultation with potentially affected staff delivered in line with the council's managing change policy.

Key risks and mitigations

Ensure that service realignment can continue deliver core outcomes following the review of current structures.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Director of Communities & Regeneration, Zahur Khan

Budget Options Information

Reference:	2024-25 FR01
Service(s):	Finance & Resources - Property & Assets
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Increase Civic Centre Car Park Charging Tariffs in line with inflation/local prices

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	4,336
Total post numbers in the services(s) (FTE):	70.53

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The current Civic Centre Car Park charging tariffs were introduced in September 2022. There is an opportunity to increase the car park charging tariffs in line with inflation and the rates charged at other car parking facilities within the vicinity of the Civic Centre from April 2024.

How would this affect users of this service?

Car user(s) will need to pay more to park their car in the Civic Centre. As result, there may be some car user(s) that may decide not to use and/or park their car in the Civic Centre.

Key milestones

- Feb/Mar. 2024: Review car park charging tariffs for other parking facilities within the vicinity of the Civic Centre

- April/May 2024: Review car park income performance for 2022/23 based on current charging tariffs.

- June/July 2024: Update paper to CMT confirming recommended charging tariffs for adoption.

- Aug/Sept. 2024: Implement new car park charging tariffs with supporting communications plan and update signage.

Key consultations
No material consultation will be required so an update paper to Corporate Management Team (CMT) will be drafted highlighting the key recommendations.

Key risks and mitigations

There could be some initial reputational damage for the Council because of people being asked to pay more to park their car in the Civic Centre. Therefore, a light-touch communications plan will be useful to ensure the key messages and the justification for the proposed price rise(s) are shared.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Russell Burnaby

Budget Options Information

Reference:	2024-25 FR02
Service(s):	Finance & Resources - Property & Assets
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Property Strategy to maximise rental return on council assets

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	(2094)
Total post numbers in the services(s) (FTE):	5

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	50	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

A new Property Strategy will allow the council to maximise the opportunity of increasing revenue from its assets. A starting target which we would endeavour to increase over time.

How would this affect users of this service?

Existing and potential tenants of Council owned property will be required to pay market rent as a starting point in all negotiations. This will help ensure that lease agreements are being considered in the context of optimising the commercial income potential, where there is potential to do so.

Key milestones

- Sept. 2023 – March 2024: Develop, draft, and formally adopt new Brent Property Strategy for the commercial property estate.

Key consultations

- Engage Members, Cabinet and the Corporate Management Team in the development and adoption of the new Property Strategy.

Key risks and mitigations

- There may be some push back from existing tenants that deem the new market rent position as unsustainable. For any existing tenant(s) that have a protected lease, there will be a need to articulate and monitor the social benefits/value prior to agreeing a rent reduction.

- There may be reputational damage to the Council because of securing vacant possession from existing tenants that are unable/unwilling to agree a market rent for their lease agreement.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Denish Patel

Budget Options Information

Reference:	2024-25 FR03
Service(s):	Finance
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Delete three vacant posts

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	7479
Total post numbers in the services(s) (FTE):	182

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	250	0
	FTE	FTE
Proposed staffing reduction	3	0

Proposed savings

The current finance establishment has a number of vacancies. It is proposed to delete three posts that are currently filled by agency workers. Digital transformation will lead to improvements in self-service to enable further transactional activity to be reduced.

How would this affect users of this service?

The work currently undertaken by agency staff is being reviewed in order to examine what elements can be streamlined, automated or re-allocated to existing members of staff. This should result in minimal impact on users of the service.

Key milestones

Review will be undertaken by December 2023 and posts deleted in April 2024

Key consultations

Small scale restructure may be required.

Key risks and mitigations

No risk of redundancy as all three posts are covered by agency workers.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Minesh Patel, Corporate Director Finance & Resources

Budget Options Information

Reference:	2024-25 G01
Service(s):	Executive and Member Services
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Training Budget Reductions

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	46
Total post numbers in the services(s) (FTE):	22 Plus 57 Members

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	15	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Local training budgets have not been fully utilised in several teams and for the Member Learning and Development (MLD) Programme. It is proposed to reduce these budgets accordingly. In both cases there has been an increase in in-house provision of training and therefore less dependence on purchasing from external organisations.

This crosses four budgets:

1. Chief Execs - £5.5k
2. Member Development - £6k
3. Political Group Support - £2k
4. Governance and Civic - £1.5k

How would this affect users of this service?

This proposal may affect staff in the Governance, Chief Executive's, Leader's Office and Civic and Member Services teams who will have less access to funds for professional development, although the remaining budget is considered adequate for training needs. The corporate (as opposed to service specific) training provided via Human Resources would be unaffected.

The proposal will reduce funds available for opportunities for elected Members, but the remaining budget is considered adequate.

Key milestones

N/A

Key consultations

N/A

Key risks and mitigations

The main risk is that we do not have funding to enable staff or elected Members to attend training that is fundamental, or useful, for their roles.

However, the budgets have been underspent without reasonable requests from staff or members having to be turned down.

Were there to be over-subscription, by staff, which seems unlikely, we would need to mitigate by prioritising fundamental training opportunities and only allowing non-essential training in exceptional circumstances.

We have a policy that ensures that opportunities for members are transparent and fairly apportioned, and we would need to apply this robustly in the event that there were over-subscriptions, although this seems unlikely.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Executive and Member Services

Budget Options Information

Reference:	2024-25 G02
Service(s):	Members Allowances
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Member Allowances

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,160
Total post numbers in the services(s) (FTE):	11.7

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	50.5	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The proposal is to reduce the Members Allowances budget by £50,500. This budget has not been adjusted since the reduction in Councillors in 2022 and therefore there is surplus.

How would this affect users of this service?

This will not affect the current allowances payments made to councillors.

Key milestones

There are no key milestones.

Key consultations

N/A

Key risks and mitigations

The key risk is that the surplus (around £5k) remaining in that budget is not sufficient to cover Dependants' Carers' Allowance claims. Based on current claims there is enough but were claims to increase significantly there might not be.

A further risk is if the Remuneration Panel's next report were to lead to Council agreeing an increase in basic and/or special responsibility allowances.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Executive and Member Services

Budget Options Information

Reference:	2024-25 G03
Service(s):	Elections Legal Provision
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Elections Legal Provision

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	19.3
Total post numbers in the services(s) (FTE):	10

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	14.3	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The proposal is to reduce the amount budgeted for elections legal provision by £14,300. Currently there are three budget lines in the Elections Budget that relate to 'Legal Services':

Electoral Canvas	Legal Services	10,280.00
Electoral Registration	Legal Services	3,000.00
Local Election	Legal Services	6,000.00

These budgets are there to cover any legal advice/issues resulting from a local election. Given that instances of these sort are rare, instead of retaining them in full, the proposal is to retain £5k and draw down the rest from reserves should it be needed.

How would this affect users of this service?

N/A – this is not a tangible 'service'.

Key milestones

There are no key milestones.

Key consultations

N/A

Key risks and mitigations

The key risk is that the surplus (around £5k) remaining in that budget may not be sufficient to cover legal advice, should it be needed. However, the reserves are healthy and past modelling suggests that legal advice is not often required.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Executive and Member Services

Budget Options Information

Reference:	2024-25 G04
Service(s):	Elections and Governance and Civic
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Miscellaneous Overheads

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	242.3
Total post numbers in the services(s) (FTE):	21

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	2.7	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The proposal is to reduce the amount budgeted for stationary and for the local elections mail service. Currently, these fall within two different budgets, the first of which sits in the Elections Budget and the second in the Governance and Civic Budget:

Local Election	Mail Services	237,000.00
Governance and Civic	Stationery	5,247.00

£1,500 would be taken from the first of these. £1,247 will be taken from the second as there is surplus in the budget.

How would this affect users of this service?

There should be no effects on users of these services as there is surplus in both budgets.

Key milestones

There are no key milestones.

Key consultations

N/A

Key risks and mitigations

The main risks are that the amounts left in the two budgets will not cover 1) local elections mail services and 2) additional technology support (as the stationery budget is sometimes used for obtaining technology support). However, both scenarios are unlikely as in the past few years these budgets have been underspent.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Executive and Member Services

Budget Options Information

Reference:	2024-25 G05
Service(s):	Support for Senior Managers
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Review of support arrangements for Senior Managers

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,106
Total post numbers in the services(s) (FTE):	14.5

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	10	0
	FTE	FTE
Proposed staffing reduction	0.5	0

Proposed savings

It is proposed that a review of direct support to senior managers be undertaken, and it is anticipated that the exercise will enable the reduction of one post overall and/or generate a saving through more cost-effective allocation of duties between posts.

How would this affect users of this service?

It is not anticipated that this rationalisation will adversely impact of the quality of the direct support received by senior managers.

Key milestones

A review will be undertaken during the autumn of 2023 with a view to implementing proposals during 2024.

Key consultations

There will be a consultation with senior managers and in due course with affected staff.

Key risks and mitigations

None.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chief Executive

Budget Options Information

Reference:	2024-25 G06
Service(s):	Legal Services
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Change approach to Training Posts

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	136
Total post numbers in the services(s) (FTE):	3

	2024/25	2025/26
	£'000	£'000
Proposed saving:	41.5	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Currently, Legal Services has three traditional graduate level trainee solicitor posts. It is proposed to reduce this to one post. As trainees are a valuable source of recruits to qualified posts, it is proposed to over time to convert two existing Legal Assistant posts to solicitor apprentice posts. These require a lower-level qualification, and the Apprentice Levy can be used to fund the qualification element of the training.

How would this affect users of this service?

It is not considered that residents or other external parties will be affected by this change.

Key milestones

The current round of trainees ends their seats/employment with Brent Council at the end of the current year in one case and the end of June next year in the other two. Traditionally, Legal Services would begin to recruit new trainees three months before the existing ones complete. It is therefore proposed that in relation to this round of recruitment for trainees that Legal Services recruit to just one trainee.

Key consultations

None required.

Key risks and mitigations

This will entail a reduction of two posts in the service. In addition, two posts will be converted, and the solicitor apprentices appointed in place of Legal Assistants will not necessarily have a similar level of experience. To mitigate this, we will take into account previous experience when making appointments to the new apprentice posts.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Law - Marsha Henry

Budget Options Information

Reference:	2024-25 G07
Service(s):	Legal and Human Resources
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Increase income target for services to schools and for legal charges to third parties

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	8,145
Total post numbers in the services(s) (FTE):	165

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	42.2	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Income from these sources has increased, for example through more schools buying into the services available from the Governance Department, work undertaken in relation to developments and legal costs recovered in proceedings, especially in relation to debt.

How would this affect users of this service?

The saving is based on existing fees and charges rates (subject to the usual annual review) rather than a special increase. The extra income reflects existing increased usage of these services. No effect on users of these services are therefore expected.

Key milestones

None

Key consultations

None

Key risks and mitigations

There is always a risk that demand will not be sustained at the current level, although both HR and Legal have had new schools subscribing to their services in the last year so confidence in services provided to school and their affordability is considered to be good.

In estimating the anticipated income to Legal Services through charges to third parties for legal work undertaken for the Council, some allowance has been made for the current economic climate and its impact of development which is the context within in many of these charges arise.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Corporate Director of Governance

Budget Options Information

Reference:	2024-25 G08
Service(s):	Human Resources
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Realignment of Graduates Budget

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	710
Total post numbers in the services(s) (FTE):	19 (as of August 2023)

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	5	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The number of graduates recruited under the council's programme is variable and as appointments are made part way through the financial year the precise costs are unpredictable. A smoothing reserve has therefore been established to manage this issue and it proposed that the core budget be reduced accordingly. The proposed reduction for 2024/25 is part of an overall £15k reduction already partly implemented.

How would this affect users of this service?

No impact

Key milestones

None

Key consultations

Not required

Key risks and mitigations

None

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Interim Director of HR&OD

Budget Options Information

Reference:	2024-25 G09
Service(s):	Legal, Human Resources and Procurement
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Discontinue use of underutilised IT on-line systems/services

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	13,926
Total post numbers in the services(s) (FTE):	286.8

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	52.8	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

A review has identified several underutilised resources across the Governance department and ceasing to subscribe to these will enable savings to be made.

These are as follows:

- Expert HR - this is not used sufficiently often to justify its cost.
- Caselines court bundling system – this is being phased out as the courts own system is developed.
- Proactis - EGS marketplace

How would this affect users of this service?

It is not considered that resident or other external parties will be affected by de-commissioning these systems.

Key milestones

- The existing Expert HR subscription expires 28 April 2024
- The currently anticipated date for discontinuing Caselines is August 2024, but this depends on when the courts fully implement their new system and cases already in Caselines are concluded.
- Proactis – Procurement has two subscriptions with Proactis. One subscription is for our e-tendering portal (Proactis) which will continue, and the other subscription is for Marketplace, which allows the council to load suppliers catalogues on the system. We pay for twelve licences and only use three, one in Procurement for our Office Supplies and the other two in IT Shared Services. Both areas have identified alternatives to continue with requesting the services required form suppliers without the need to go through Marketplace. We will therefore cease the subscription.

Key consultations

None required.

Key risks and mitigations

None identified.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Corporate Director of Governance

Budget Options Information

Reference:	2025-26 G01
Service(s):	Support for Senior Managers
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Review of support arrangements for Senior Managers

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,106
Total post numbers in the services(s) (FTE):	14.5

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	60
	FTE	FTE
Proposed staffing reduction	0	0.5

Proposed savings

It is proposed that a review of direct support to senior managers be undertaken, and it is anticipated that the exercise will enable the reduction of one post overall and/or generate a saving through more cost-effective allocation of duties between posts.

How would this affect users of this service?

It is not anticipated that this rationalisation will adversely impact of the quality of the direct support received by senior managers.

Key milestones

A review will be undertaken during the autumn of 2023 with a view to implementing proposals during 2024.

Key consultations

There will be a consultation with senior managers and in due course with affected staff.

Key risks and mitigations

None.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chief Executive

Budget Options Information

Reference:	2025-26 G02
Service(s):	Legal Services
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Change approach to Training Posts

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	136
Total post numbers in the services(s) (FTE):	3

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	45
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Currently, Legal Services has three traditional graduate level trainee solicitor posts. It is proposed to reduce this to one post. As trainees are a valuable source of recruits to qualified posts, it is proposed to over time to convert two existing Legal Assistant posts to solicitor apprentice posts. These require a lower-level qualification, and the Apprentice Levy can be used to fund the qualification element of the training.

How would this affect users of this service?

It is not considered that residents or other external parties will be affected by this change.

Key milestones

The current round of trainees ends their seats/employment with Brent Council at the end of the current year in one case and the end of June next year in the other two. Traditionally, Legal Services would begin to recruit new trainees three months before the existing ones complete. It is therefore proposed that in relation to this round of recruitment for trainees that Legal Services recruit to just one trainee.

Key consultations

None required.

Key risks and mitigations

This will entail a reduction of two posts in the service. In addition, two posts will be converted, and the solicitor apprentices appointed in place of Legal Assistants will not necessarily have a similar level of experience. To mitigate this, we will take into account previous experience when making appointments to the new apprentice posts.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Head of Law - Marsha Henry

Budget Options Information

Reference:	2025-26 G03
Service(s):	Legal and Human Resources
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Increase income target for services to schools and for legal charges to third parties

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	8,145
Total post numbers in the services(s) (FTE):	165

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	23.8
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Income from these sources has increased, for example through more schools buying into the services available from the Governance Department, work undertaken in relation to developments and legal costs recovered in proceedings, especially in relation to debt.

How would this affect users of this service?

The saving is based on existing fees and charges rates (subject to the usual annual review) rather than a special increase. The extra income reflects existing increased usage of these services. No effect on users of these services is therefore expected.

Key milestones

None

Key consultations

None

Key risks and mitigations

There is always a risk that demand will not be sustained at the current level, although both HR and Legal have had new schools subscribing to their services in the last year so confidence in services provided to school and their affordability is considered to be good.

In estimating the anticipated income to Legal Services through charges to third parties for legal work undertaken for the Council, some allowance has been made for the current economic climate and its impact of development which is the context within which many of these charges arise.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Corporate Director of Governance

Budget Options Information

Reference:	2025-26 G04
Service(s):	Human Resources (Health & Safety)
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Changes to Health and Safety Team

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	297
Total post numbers in the services(s) (FTE):	4

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	57
	FTE	FTE
Proposed staffing reduction	0	1

Proposed savings

It is proposed to reduce the health and safety team by one post to reflect lower demand due to changes in the way training on Health and Safety is delivered and to the type of incidents in which the central team are required to be involved. There may also be a change in approach to school inspections.

How would this affect users of this service?

The proposed reduction would have no adverse impact on service provision.

Key milestones

Consultation to commence with affected staff November 2024.

Key consultations

Trade Unions

Key risks and mitigations

A different operating and service delivery model should ensure seamless service delivery. However, at times of increased activity some matters may take longer to resolve.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Interim Director of HR&OD

Budget Options Information

Reference:	2025-26 G05
Service(s):	Legal, Human Resources and Procurement
Lead Member(s):	Cllr Shama Tatler

Savings Proposals:	Discontinue use of underutilised IT on-line systems/services

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	13,926
Total post numbers in the services(s) (FTE):	286.8

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	0	16
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

A review has identified several underutilised resources across the Governance department and ceasing to subscribe to these will enable savings to be made.

These are as follows:

- Expert HR - this is not used sufficiently often to justify its cost.
- Caselines court bundling system – this is being phased out as the courts own system is developed.
- Proactis - EGS marketplace

How would this affect users of this service?

It is not considered that resident or other external parties will be affected by de-commissioning these systems.

Key milestones

- The existing Expert HR subscription expires 28 April 2024
- The currently anticipated date for discontinuing Caselines is August 2024, but this depends on when the courts fully implement their new system and cases already in Caselines are concluded.
- Proactis – Procurement has two subscriptions with Proactis. One subscription is for our e-tendering portal (Proactis) which will continue, and the other subscription is for Marketplace, which allows the council to load suppliers catalogues on the system. We pay for twelve licences and only use three, one in Procurement for our Office Supplies and the other two in IT Shared Services. Both areas have identified alternatives to continue with requesting the services required form suppliers without the need to go through Marketplace. We will therefore cease the subscription.

Key consultations

None required.

Key risks and mitigations

None identified.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Corporate Director of Governance

Budget Options Information

Reference:	2024-25 RS01
Service(s):	Resident Services
Lead Member(s):	Cllr Muhammed Butt Cllr Shama Tatler Cllr Fleur Donnelly Jackson Cllr Krupa Sheth Cllr Promise Knight Cllr Harbi Farah

Savings Proposals:	Increased use of automation

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	78,300
Total post numbers in the services(s) (FTE):	972.9

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	150	150
	FTE	FTE
Proposed staffing reduction	2	2

Proposed savings

Based on 3 complex and 5 simple processes per year across all RS departments (focusing on transactional services) with efficiencies cashed through reduction in posts and/or increase in income

How would this affect users of this service?

No impact on service users as will only affect back-office systems.

Key milestones

TBC

Key consultations

N/A

Key risks and mitigations

There is a risk that the work to identify and automate processes is not completed in time owing to business pressures. This will be mitigated by engaging early with service areas and backfilling to release SME capacity if required.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Sadie East, Director of Transformation

Budget Options Information

Reference:	2024-25 RS02
Service(s):	Resident Services
Lead Member(s):	Cllr Mohammed Butt Cllr Shama Tatler Cllr Fleur Donnelly Jackson Cllr Krupa Sheth Cllr Promise Knight Cllr Harbi Farah

Savings Proposals:	Business support efficiencies

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	78,300
Total post numbers in the services(s) (FTE):	972.9

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	157	122
	FTE	FTE
Proposed staffing reduction	2	4

Proposed savings

Reduction in business support posts through alignment of support functions across Resident Services, combined with improved forms and integration with back-office systems.

How would this affect users of this service?

No impact on service users as will only affect back-office systems.

Key milestones

Lift and shift of staff carrying out Business Support functions across Resident Services. Staff have already been moved from Customer Access.

Key consultations

N/A

Key risks and mitigations

There is a risk that the work to develop new business support systems and increase efficiency will not be completed in time to restructure teams and release savings. This will be mitigated by work which is already underway to map processes and identify opportunities for new systems and processes.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Sadie East, Director of Transformation

Budget Options Information

Reference:	2024-25 RS03
Service(s):	ICT Solutions
Lead Member(s):	Cllr Muhammed Butt

Savings Proposals:	Mobile telephony contract

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	5,000
Total post numbers in the services(s) (FTE):	24

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	200	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Saving through new contract for mobile telephony.

How would this affect users of this service?

No impact on service users.

Key milestones

Procurement of new contract completed – Autumn 2023.

Key consultations

N/A

Key risks and mitigations

There is a risk that pricing may change until the new contract is signed.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Pauline Jones, Head of Strategic Support

Budget Options Information

Reference:	2024-25 RS04
Service(s):	ICT Solutions
Lead Member(s):	Cllr Muhammed Butt

Savings Proposals:	Licensing

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	5,000
Total post numbers in the services(s) (FTE):	24

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	113	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Savings through application rationalisation and license management.

How would this affect users of this service?

No impact on service users.

Key milestones

N/A

Key consultations

N/A

Key risks and mitigations

There is a risk that work to free up licenses and reduce systems will not be completed in time to release the savings. This will be mitigated by work already underway to identify and review all ICT applications in use by the council and to identify opportunities to reduce the need for licenses on existing systems.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Sadie East, Director of Transformation

Budget Options Information

Reference:	2024-25 RS05
Service(s):	Registration and Nationality, Customer Access
Lead Member(s):	Cllr Fleur Donnelly-Jackson

Savings Proposals:	Registration and Nationality - Income generation – Fee Increase 24/25 following an income freeze for 23/24 (Cost of Living)

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	(54)
Total post numbers in the services(s) (FTE):	15

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	20	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

We will add 10% to the wedding and civil partnership ceremonies and make private citizenship £150 instead of £130. This charge brings Brent's charges in line with neighbouring authorities.

	23/24	10%	24/25	Certificates	Total fee
Monday to Friday	314	31.4	345.4	22	367.4
Saturday	435	43.5	478.5	22	500.5
Sunday	534	53.4	587.4	22	609.4

We will also be adding VAT to the garden fee, this is so we can hire the space out for other functions that will be chargeable.

How would this affect users of this service?

Some users may wish to give notice at other authorities.

Key milestones

Fees and Charges in Full Council report in Budget Papers.

Key consultations

Fees and Charges in Full Council report in Budget Papers.

Key risks and mitigations

A change to Fees and Charges may result in a decrease in business however as the increase is in line with neighbouring authorities, it is not expected to impact significantly.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Mandy Brammer, Head of Registration & Nationality

Budget Options Information

Reference:	2024-25 RS06
Service(s):	Library, Arts & Heritage
Lead Member(s):	Councillor Fleur Donnelly-Jackson

Savings Proposals:	Libraries and Heritage - realignment of managerial responsibilities and posts

Financial and Staffing Information

2022-23	
Total budget for the service(s) £'000:	3,416 (Stock savings (£62k) and VR posts (£41.25k) to be deducted)
Total post numbers in the services(s) (FTE):	66

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	48	48
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Realignment of managerial responsibilities and posts.

How would this affect users of this service?

- Possible delays to hall hire enquiries as we transition to library managers.
- Possible dissatisfaction in hall hire service.
- Possible reduction in income generation during transition period.

Key milestones

November – December 2023: Staff consultation.
January 2024: Decision based on the staff consultation.
Q4 2023-2024: Staff training and handover.

Key consultations

Staff

Key risks and mitigations

Risk: Possible initial negative impact on income.
Mitigation: Staff training.

Risk: Loss of FTE post / permanent member of staff with management experience.
Mitigation: Absorb into the main library workforce.

Risk: Staff consultation included in the restructure period, re: change curve.
Mitigation: Temporary arrangements before go-live.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Amit Bhagat – Interim Library, Arts & Heritage Manager

Budget Options Information

Reference:	2024-25 RS07
Service(s):	Community Hubs – Customer Access
Lead Member(s):	Cllr Fleur Donnelly-Jackson

Savings Proposals:	Community Hubs

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,306
Total post numbers in the services(s) (FTE):	30.6

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	40	0
	FTE	FTE
Proposed staffing reduction	0.5	0

Proposed savings

Deletion of a vacant post within Community Hubs.

How would this affect users of this service?

The 0.5 FTE post is currently vacant. There would be minimal impact on users of the service.

Key milestones

None

Key consultations

None

Key risks and mitigations

None

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Mo Jama, Head of Brent Community Hubs

Budget Options Information

Reference:	2024-25 RS08
Service(s):	Revenue and Debt
Lead Member(s):	Cllr Fleur Donnelly-Jackson

Savings Proposals:	To not recruit to vacant posts / move to digital – self-service / reduction in usage of Resilience Contract

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	4,551
Total post numbers in the services(s) (FTE):	71

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	65	65
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings.

Reduce service FTE by 2 FTE. To be achieved not recruiting to posts when vacant, made possible by ongoing shift to digital self-service by customers.

How would this affect users of this service?

The drive to improve the self-service portal will enhance the customer experience reducing the need for most residents to telephone the Council or visit community hubs. This will at the same time allow the Council to ensure service access is enhanced for those who may be left behind through the advance in digital services.

Key milestones

To achieve the reduction by 31 March 2024 in readiness for 2024/25, at which point the posts may be deleted.

Key consultations

Internal departments and staff.

Key risks and mitigations

Increasing reliance on digital solution and availability of electricity and IT – 24/7 – mitigation refers to IT disaster recovery.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Peter Cosgrove, Head of Revenues & Debt

Budget Options Information

Reference:	2024-25 RS09
Service(s):	Customer Services & Assessments
Lead Member(s):	Cllr Fleur Donnelly-Jackson

Savings Proposals:	Reduction in Benefit Assessment processing costs due to impact of Universal Credit (UC).

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	4,782
Total post numbers in the services(s) (FTE):	144

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	61	61
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

£61,000 in staffing costs.

This is based on caseload reduction. The staffing budget will reduce by £61,000. Equivalent to 1.5 FTE @SO1.

How would this affect users of this service?

No, because we anticipate a case load reduction in Housing Benefits.

Key milestones

We will do our initial estimates with DWP for caseload and spend giving us a good indicator to achieve this saving.

Key consultations

None proposed.

Key risks and mitigations

Processing days may be impacted, but we should be able to mitigate that within the service.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Asha Vyas, Head of Customer Services and Assessments.

Budget Options Information

Reference:	2024-25 RS10
Service(s):	Private Housing Services – HMO Licensing
Lead Member(s):	Cllr. Knight

Income Generation Proposals:	Implementation of borough wide (except Wembley Park) selective licensing scheme of Private Rented Properties

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	Zero – This service receives no GF allocation and is funded solely from income generation
Total post numbers in the services(s) (FTE):	28

	2024/25	**2025/26**
	£'000	£'000
Proposed Income Generation:	100	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed Income Generation

An application has been submitted to DLUHC to extend selective licensing to the whole of the borough except the ward of Wembley Park. This will mean that every privately rented property in the borough, with the exception of those in Wembley Park, will need to be licenced.

The licence fee is used for the purposes of processing the licence application and enforcing the licensing scheme and fully funds the service. The income from the scheme cannot be used for general income generation.

This proposal is subject to the Council receiving approval from DLUHC and this decision is expected to be received in late 2023/early 2024. This would mean that the scheme would come into effect towards the start of the 2024 financial year.

How would this affect users of this service?

There would be no effect to the service or those who use it.

Key milestones

DLUHC decision late 2023/early 2024

Key consultations

Extensive public consultation for the implementation of the selective licensing scheme has been carried out.

Key risks and mitigations

The only risk is that DLUHC rejects the Selective Licence applications.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Spencer Randolph, Head of Private Housing Services

Budget Options Information

Reference:	2024-25 RS11
Service(s):	Neighbourhood Management
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	A saving to account for an established increase in demand for the bulky waste collection service from around 350 requests when Veolia were operating the service to around 650 requests per month currently.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	125
Total post numbers in the services(s) (FTE):	N/A

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	10	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

Additional income is being generated by the bulky waste collection contract with Any Junk. The service is intended to cover its costs. The number of collections requested has gone up in the recent months. Monthly average used to be around 350 requests when Veolia were operating the bulky waste service, but this has now gone up to nearly 650 requests per month. With this trend continuing, there is an opportunity to take surplus income as a saving.

How would this affect users of this service?

There would be no impact on service users.

Key milestones

N/A

Key consultations

N/A

Key risks and mitigations

The only risk would be that subscriptions reduce significantly, though this can be mitigated by further promotion of the service and any review of the pricing structure that might be needed.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS12
Service(s):	Neighbourhood Management
Lead Member(s):	Cllr Sheth

Savings Proposals:	To increase the annual subscription price for garden waste collections from £60 to £65, an 8% increase to generate an additional income of £100,000.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	1,100 (income)
Total post numbers in the services(s) (FTE):	N/A

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

An increase in the annual subscription price for garden waste collections from £60 to £65 (an 8% increase) to generate an additional income of about £100,000 from approximately 15,000 signups/renewals can be offered as a saving.

How would this affect users of this service?

This would require users to meet a higher cost for access to this service.

Key milestones

A revised fee would be submitted for consultation and decision as part of the corporate budget setting process for 2024/25 and would be implemented from April 2024.

Key consultations

With residents as part of the wider budget consultation process.

Key risks and mitigations

An increased cost may be difficult for some residents to meet. That may lead to fly-tipping of items if it is deemed this collection option is too expensive.

This can be mitigated by continuing to offer concessions to those least able to afford the cost.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	Y
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	Y
Groups with particular faiths/beliefs	N
Pregnancy/maternity	Y
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

EIA required?:	Yes
EIA to be completed by:	Chris Whyte
Deadline:	31/01/2024

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS13
Service(s):	Parks, Leisure and Cemeteries
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	A programme of organised cultural and entertainment events to be organised in parks to generate a new income for the service. This can be supported by a review of existing fees and charges.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,000
Total post numbers in the services(s) (FTE):	52.2

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	70	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

The new grounds maintenance contract with Continental includes a requirement to support the council in creating, advertising, and facilitating a programme of organised cultural and entertainment events in parks and open spaces. This can be supported by a revision of fees and charges for those applying to organise their own events in parks.

How would this affect users of this service?

There would be no impact on service users, other than there being a more comprehensive programme of events and activities in our parks. Those seeking to organise their own events in parks would be required to meet a higher cost for that access.

Key milestones

Revised fees would be submitted for consultation and decision as part of the corporate budget setting process for 2024/25 and would be implemented from April 2024.

Key consultations

With residents as part of the wider budget consultation process.

Key risks and mitigations

There is a risk that more events in parks may impact the natural fabric of the park, and it would require organisers to undertake full risk assessments in that regard and for the Council's approvals process to fully account for any risk. It is also important that any events calendar should provide space and time between events for grounds to recover and a proper rotation of sites to be used would be most appropriate.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS14
Service(s):	Parks, Leisure and Cemeteries
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Rental of Parks' building space.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,000
Total post numbers in the services(s) (FTE):	52.2

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	30	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This proposal would seek to raise income from existing unused property space within parks.

How would this affect users of this service?

There would be minimal impact on users of the service other than some benefit from the upgrade of unused facilities and the opportunity to make use of property space for a variety of purposes.

Key milestones

Oct 2023: Survey of existing unused space.
Oct 2023: Schedule of usable space drawn up.
Oct 2023 - March 2024: Any adaptations agreed and undertaken.
April 2024: Vacant space advertised and offered for use.

Key consultations

Awareness of this intention should be raised to any Friends of Groups that are relevant to any park in Brent to which this saving might apply.

Key risks and mitigations

Sufficient quality property space would need to be made available, and maintenance arrangements and licenses for use would need to meet the requirements of users. Many of the buildings are also not in a condition that allows for current rental and so without some investment in the infrastructure, the full income generation may be impacted.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS15
Service(s):	Parks, Leisure and Cemeteries
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Licensing / sponsorship schemes in Parks

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,000
Total post numbers in the services(s) (FTE):	52.2

	2024/25	2025/26
	£'000	£'000
Proposed saving:	40	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This saving is based on a new offer of space for advertising in parks.

How would this affect users of this service?

There would be no impact on service users other than advertising being more visible at locations within parks.

Key milestones

Oct 2023: Survey of suitable space.
Oct 2023: Schedule of usable space drawn up.
April 2024: Vacant space advertised and offered for use.

Key consultations

Awareness of this intention should be raised to any Friends of Groups that are relevant to any park in Brent to which this saving might apply.

Key risks and mitigations

Some may consider advertising visually intrusive within parks and any design would need to be compatible with the location at which it is to be installed. Also, there is an existing contract in place for roundabout sponsorship and none of the revenue currently comes to the parks service. This may reduce advertising income opportunities for the service.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS16
Service(s):	Parks, Leisure and Cemeteries
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Increase tennis/sports bookings

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,000
Total post numbers in the services(s) (FTE):	52.2

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	20	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

There is an opportunity to raise additional income from promoting better use of existing sports facilities in line with health agenda.

How would this affect users of this service?

There would be no impact on service users other than there being a new wider opportunity for access to sports and activities offered by the Council.

Key milestones

Oct 2023: Survey of existing unused space / unused booking times.
Oct 2023 - March 2024: Any opportunities for improvement identified.
April 2024: Revised programme advertised.

Key consultations

With existing users of sports facilities offered by the Council to establish what might be needed to create better demand.

Key risks and mitigations

None identified.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS17
Service(s):	Parks, Leisure and Cemeteries
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Grave tending service

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	2,000
Total post numbers in the services(s) (FTE):	52.2

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	40	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

To create a service whereby rarely visited graves can be tended by staff on behalf of absent family/relatives for a fee.

How would this affect users of this service?

This would create a new service offer that would benefit families unable to visit a grave within Brent.

Key milestones

Oct 2023: Develop a business model.
November 2023: Agree operational requirements with staff.
Jan 2024: Agree fees and charges.
April 2024: Advertise and implement the service.

Key consultations

With staff regarding new work tasks.

Key risks and mitigations

There is no history of such a service offer in Brent so it is difficult to determine if sufficient demand will come forward. This is mitigated by benchmarking with councils where the service is currently offered and by ensuring full and appropriate promotion of the new service.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS18
Service(s):	Mortuary and Bereavement Operations
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	A range of small income generating initiatives across our bereavement services.

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	246
Total post numbers in the services(s) (FTE):	14.6

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	20	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

- A new charge - a daily storage fee applicable to Funeral Directors for mortuary storage beyond 7 days.
- Renting available fridge/freezer spaces to the NHS, other Mortuaries and local Funeral directors on a nightly rate, when needed.
- Charging the Metropolitan Police for training visits and for Forensic Post-mortems.
- Raise the price of our 'allowed' chargeable costs for delivering the Parish Funeral Service
- Currently all parish funerals are carried out using the Council's Funerals Ambulance. Going forward, for parish funerals where money is known to be recoverable from the deceased's estate, the funeral service could deliver these funerals using our own hearse, for which there is a charge.
- Annual rise in our Funeral Service fees and charges for non-contract (e.g., private) funerals and chargeable costs.

How would this affect users of this service?

In most cases, an increase in (or a new) cost for accessing our services is applied.

Key milestones

Revised fees would be submitted for consultation and decision as part of the corporate budget setting process for 2024/25 and would be implemented from April 2024.

Key consultations

With funeral directors, residents, and service users as part of the wider budget consultation process.

Key risks and mitigations

The main risk is with the negative perception of increasing fees that apply to those that may have been recently bereaved. The main mitigation is to ensure these costs are fully benchmarked so they offer value and to ensure the service that is provided remains empathetic and is appreciated by users.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS19
Service(s):	Healthy Streets and Parking
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Cashless Parking 'Opt In' Reminders

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	12,000 - net income
Total post numbers in the services(s) (FTE):	N/A

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This is increased revenue from a price increase in 'opt in' text reminders for confirmation of payments via RingGo from 10p to 20p per text.

How would this affect users of this service?

This would require service users to pay an extra 10p per text message received. RingGo have advised that from experience, they would not expect the number of people opting in to significantly reduce if the charges are increased to 20p per text message.

Key milestones

A revised charge would be submitted for consultation and decision as part of the corporate budget setting process for 2024/25 and would be implemented from April 2024.

Key consultations

With resident motorists and permit holders as part of the wider budget consultation process.

Key risks and mitigations

No risks have been identified.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS20
Service(s):	Services within Environmental Services
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	RLS Contract Efficiencies Post Year 1

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	39,700
Total post numbers in the services(s) (FTE):	294.4

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	100	0
	FTE	FTE
Proposed staffing reduction	0	0

Proposed savings

This proposal will seek to identify contract efficiencies that may be apparent after the first year of operation of those contracts implemented as part of the Redefining Local Services programme.

How would this affect users of this service?

This can be determined once the opportunities for efficiencies have been identified.

Key milestones

Jan - March 2024: Review of Year 1 contract performance.
Jan - March 2024: Assessment of opportunity for further cost efficiency.
April 2024: Service redesign or cost removal.

Key consultations

With Members and with contracted partners in order to agree contract performance in Year 1 and any suitable opportunities for further cost reduction.

Key risks and mitigations

The opportunity for appropriate cost reduction is best informed by a thorough assessment of commercial and contractual performance in Year 1.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Budget Options Information

Reference:	2024-25 RS21
Service(s):	Environment and Leisure
Lead Member(s):	Cllr Krupa Sheth

Savings Proposals:	Review and removal of vacant posts with Environment and Leisure

Financial and Staffing Information

2023/24	
Total budget for the service(s) £'000:	39,700
Total post numbers in the services(s) (FTE):	294.4

	2024/25	**2025/26**
	£'000	£'000
Proposed saving:	200	0
	FTE	FTE
Proposed staffing reduction	3	0

Proposed savings

This saving can be achieved by reviewing posts that are currently vacant in order to establish whether they might still be required or can be removed by delivering services in other ways.

How would this affect users of this service?

If posts are removed, then this might mean that services will not be fully resourced and may need to be altered or reduced.

Key milestones

Oct 2023: Review of vacancies with E&L.
Nov 2023: Review of mitigating options.
April 2024: Removal of posts and reorganisation as most appropriate.

Key consultations

With service managers to identify suitable opportunities for post removal and reorganisation.

Key risks and mitigations

The removal of posts may undermine established ways of working and service delivery so an assessment of risk, suitability, and alternative options will need to be undertaken in all instances.

Equality impact screening

Is there potential for the proposed saving to have a disproportionate adverse impact on any of the following groups? Please indicate Y/N below:	
Disabled people	N
Particular ethnic groups	N
Men or women	N
Particular sexual orientations	N
People who are proposing to undergo, are undergoing or have undergone a process or part of a process of gender reassignment	N
Particular age groups	N
Groups with particular faiths/beliefs	N
Pregnancy/maternity	N
Marriage/civil partnership	N

If the screening has identified a potentially disproportionate adverse impact, you will need to complete an Equality Impact Assessment. Template and guidance available from staff intranet

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

Lead officer for this proposal:	Chris Whyte, Director of Environment & Leisure

Brent	**Cabinet** 16 November 2023
	Report from the Corporate Director of Communities and Regeneration
	Lead Member – Cabinet Member for Regeneration, Planning & Growth (Cllr Shama Tatler)

Sudbury Town Residents' Association application for Neighbourhood Forum Status

Wards Affected:	Sudbury, Northwick Park and Wembley Central
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
List of Appendices:	Appendix A: STRA Renewal Application Appendix B: Council response to STRA (August 22) Appendix C: STRA response to Council (October 22) Appendix D: STRA Constitution Appendix E: STRA Support Letter Appendix F: STRA Forum Consultation Response Summary Appendix G: STRA Draft Refusal Statement
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Paul Lewin, Team Leader Planning Policy 020 8937 6710 paul.lewin@brent.gov.uk

1.0 Executive Summary.

1.1. To apprise Cabinet of the representations received following consultation on Sudbury Town Residents' Association's application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area with it recommended, as a result, that the Council refuses the application.

2.0 Recommendation(s).

2.1 Cabinet considers the representations received following consultation on Sudbury Town Residents' Association's (STRA) application to be the

Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in Appendix F.

2.2 Cabinet confirms that the Council refuses STRA's application to be the Neighbourhood Forum for the Sudbury Town Neighbourhood Area as set out in the refusal statement in Appendix G.

3.0 Detail

3.1 Cabinet Member Foreword

3.1.1 Neighbourhood planning is an opportunity for residents and businesses in an area to identify their own policies at a very localised level to be applied to development in their areas. The policies that neighbourhoods can take forward are very much at their discretion, but arguably could encompass some or all of the five strategic priorities set out in the borough plan.

3.1.2 A good Neighbourhood Forum as a local democratic body provides a voice for local communities, consistent with the Thriving Communities Priority: Desired Outcome 1 of 'Enabling our Communities'. The Council works with and encourages forums where communities wish to set them up, ensuring that they meet their statutory requirements.

3.2 Background

Neighbourhood Planning

3.2.1 The Localism Act 2011 introduced greater statutory provisions for local communities to shape development outcomes in their area through the planning system. Principally through this act, but also through subsequent legislation, provisions within the 1990 Town and Country Planning Act (as amended) (the Act) and the Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations) allow communities to:

A) set planning policies through a Neighbourhood Plan that forms part of the development plan used in determining planning applications, and

B) grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.

3.2.2 Where a community wants to take up the opportunities offered by neighbourhood planning, they can only do so where there is a 'qualifying body'. In non-parish areas, for the delivery of Neighbourhood Plans or Neighbourhood Development Orders, the relevant qualifying body is a neighbourhood forum. The qualifying criteria and processes for establishing a neighbourhood forum are set out in the Act and Regulations.

3.2.3 The Act sets out that where designated a Forum ceases to have effect at the end of the period of 5 years beginning with the day on which it is made. To

maintain Forum status, or if it has lapsed, to reattain Forum status, the process is the same as that for an application for a new Forum.

STRA 2012-2018

3.2.4 STRA was initially designated as a Forum on 12th December 2012. It was one of London's front-runners for taking forward a Neighbourhood Plan. On 10th September 2015, following a positive referendum, the Sudbury Town Neighbourhood Plan was made (adopted). It was only the third in London at that time. In October 2017 STRA subsequently submitted an application to become a forum, which was granted on 8th December 2017, meaning it would and did cease to have effect by 8th December 2022.

3.2.5 STRA submitted an application for Forum status on the 8th December 2022. It therefore currently does not have the status of a Forum. STRA has historically worked on projects for the betterment of the Sudbury community and area. This has included producing the Sudbury Town Neighbourhood Plan, environmental projects, such as planters for Sudbury town centre and comments on planning applications. It proposes to continue, as set out in its covering letter for its application submission which is attached as Appendix A of this report.

3.2.6 The Council, whilst mindful of the statutory tests and where necessary giving support to neighbourhood planning consistent with the Council's statutory duty set out in the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004, has historically pursued a light touch approach to Forums. Forums are meant to be organisations for and run by the local communities they serve. There is no set way for them to operate to best deliver neighbourhood planning related community outcomes. As such, they can be different in many respects from area to area.

2018/19 Onwards

3.2.7 In late 2018/ early 2019 concerns were raised with the Council about STRA's formal decision making and inclusivity. These were initially raised by local ward councillors (now no longer in those roles). They had also been contacted by a range of people. These included former executive members of STRA, others who were STRA members and some who were not but lived/ worked in the forum area. It was brought to the Council's attention that STRA had changed its constitution without informing the Council. When contacted about this, STRA reverted in early 2019 to the constitution approved by the Council when it designated the forum in December 2017.

3.2.8 In May 2019 Council officers and local councillors were initially refused entry to STRA's AGM. At that meeting, which was observed to be fractious between a number of participants, it appeared that relations between some members were poor. Subsequently, officers sought to meet with STRA's Executive to seek to resolve these matters. This was also designed to seek to provide clarity about decision making/ processes the forum followed. Clarity was sought on how these aligned with the conditions by reference to which it was designated. STRA appointed legal advisors, and a meeting occurred in August 2019. STRA's legal

advisors drafted some Terms of Reference for future decision making and working. There was an agreement in principle (subject to consideration by the STRA Executive) to take forward the terms of reference to provide greater clarity on the distinction of the role of the forum and wider STRA organisation and a process for dealing with the forum's representations on planning applications.

3.2.9 Subsequent to this, a meeting occurred with the STRA Executive in September 2019 to further discuss matters. A further subsequent meeting was planned for February 2020 to include local councillors. This was postponed due to a councillor not being available. Another meeting date was not set immediately and subsequently the pandemic intervened. STRA did not organise any formal public meetings, either in person when rules permitted, or on-line, until May 2022. In this period, interaction between STRA and the Council's planning team on the matters previously discussed essentially ceased.

3.2.10 On 3rd May 2022 STRA had its first AGM since 2019 where a new Executive was appointed. Officers subsequently met most of the Forum Executive on 4th July 2022. The issue of STRA's likely application for Forum status towards the end of the year was discussed. In a response to a request from STRA's deputy chair, the Council subsequently sent a letter on 24th August 2022 indicating matters that it considered needed to be addressed to support the retention of Forum status. This is attached as Appendix B. The deputy chair responded on 17th October 2022 (although the email was not received by the intended Council officer recipient). This is attached as Appendix C. This was considered by STRA (in Appendix A) to deal with all the points raised in the officer's letter. The Council separately offered support to STRA on 15th September 2022 to assist with the intended Forum application process. STRA did not take up this offer and submitted the application material included in this report's Appendices A - E.

Information required to support an application for Neighbourhood Forum status

3.2.11 The Regulations set out what is required when an organisation submits a Neighbourhood Forum application to the local planning authority. It must include:

a) the name of the proposed neighbourhood forum,
b) a copy of the written constitution of the proposed neighbourhood forum,
c) the name of the neighbourhood area to which the application relates and a map which identifies the area,
d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10, and
e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

3.2.12 Each of the criteria have been met within the submission material set out in this report's appendices. On this basis the Council considered the application valid to consult upon and subsequently determine.

Consultation responses

3.2.13 Consultation took place on the Neighbourhood Forum application between 12th January 2023 and 23rd February 2023. In total 30 responses were received. Seven were in support of STRA's designation, sixteen objected and seven, generally statutory consultees, had no opinion. A summary of the consultation responses is set out in Appendix F of the report. Those who supported STRA identified its positive work to date and potential to influence new development coming forward. Unlike the two earlier STRA forum applications which were met with almost unanimous support, this time around the majority of responses were predominantly unsupportive. Numerous issues were identified in the consultation responses including:

a) Transparency – timing of notifications and availability of information on meetings, their minutes and the openness of decision-making/ ability to speak/ hostility towards certain members.
b) Lack of meetings in the period 2019-2022 and consistency with constitution on their frequency and other decision making.
c) Lack of focus on neighbourhood planning activities, planning in general or clarity on forum business and wider residents' association business and lack of work programme.
d) Lack of diversity of membership.
e) Website updates not occurring and lack of public access to many parts.
f) Lack of political impartiality and in some cases misinformation on some councillors' positions on matters; and
g) Requiring a membership fee and lack of clarity on how fees and other donations were being spent.

3.2.14 As part of the consultation responses another prospective Forum for the Sudbury Neighbourhood Area, 'Sudbury Matters', submitted their own application material for them to be the designated Neighbourhood Forum (note, legally it is only possible for one Forum to exist in an area). They wished this application to be held in abeyance in terms of formal consultation until they had discussed the matter further with the Council.

3.2.15 Mindful of this alternative application the Council wrote to STRA in March 2023 asking it to withdraw its application. STRA subsequently submitted a further response to the Council's Appendix B letter. This was identified as 'private and confidential' and STRA has not, when subsequently requested, indicated that this can be released into the public domain. This response essentially, however, does not make significant progress on the points to indicate any fundamental change in approach to the matters raised.

3.2.16 Taking account of the consultation responses received and the limited progress made with STRA in response to concerns raised since 2019, the Council considered third party impartial support from specialists was required. This was done using Locality; a body that supports local community organisations. It is part funded by DLUHC to support neighbourhood planning. Locality appointed Urban Vision, independent consultants with expertise on arbitration, to assist.

Their remit was to help find an agreed and inclusive process for taking forward a Neighbourhood Forum for Sudbury Town.

3.2.17 The consultant identified to the Council that the proposed STRA constitution was essentially not fit for purpose. They had specific concerns about a Residents' Association being identified as a Neighbourhood Forum, rather than the two being distinct. They were concerned about the application of a membership fee. In addition, they identified the fact that two prospective Forums with wide memberships were being promoted for the same area as an indication that the STRA application did not have sufficient local community support/ consensus for it to be regarded as acceptable. On this basis the consultant sought to work with STRA and Sudbury Matters to create a new single organisation that wasn't identified as a Residents' Association, with an appropriate constitution, capable of applying for and attaining neighbourhood forum status.

3.2.18 Mindful of the consultation responses, Urban Vision's opinion and a lack of real progress against the points raised in the Council's Appendix B letter, STRA was again requested to withdraw its Forum application in July 2023. It refused, so as set out in paragraph 3.2.12, an application which meets the minimum criteria set in regulations has been submitted by STRA, the Council has a statutory duty to determine it.

Authorisation to act in relation to Neighbourhood Areas – consideration of matters set out in the Act

3.2.19 The Act sets out in 61F(5) that the Council may designate a forum if it is satisfied that it meets the following conditions:

a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
b) its membership is open to—
   (i) individuals who live in the neighbourhood area concerned,
   (ii) individuals who work there (whether for businesses carried on there or otherwise), and
   (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
c) its membership includes a minimum of 21 individuals each of whom—
   (i) lives in the neighbourhood area concerned,
   (ii) works there (whether for a business carried on there or otherwise), or
   (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned.

3.2.20 Also of particular relevance is Section 61F(7)(a), which sets out when determining whether the applicant has met subsection (5), the local authority has to have regard to the desirability of designating an organisation or body –

(i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),
(ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
(iii) whose purpose reflects (in general terms) the character of that area…

3.2.21 Reflecting the likely diversity of scenarios across the country of how communities might want to deliver neighbourhood planning, legislation and national practice guidance on how Forums should operate is light touch. In determining an application for forum status, the Council needs to consider consistency with the statutory tests set out in primary (the Act) and secondary legislation (the Regulations).

Consistency of STRA application against the statutory tests - Section 61F(5) assessment

3.2.22 In relation to 61F(5) (a), (c) and (d) It is considered that sufficient information has been submitted to pass the tests.

3.2.23 In relation to (b), the openness of membership, due to the proposed constitution wording is considered to not satisfactorily meet the test. This is because membership is identified as being subject to payment of a fee for households (£8) and businesses (£10). Admittedly this has not changed from 2017 when the last constitution was approved. However, this has been raised as a potential barrier to participation through comments received by the Council in 2019. The Council has made it consistently clear to STRA that this is an issue that it wished to be addressed in any future application. STRA in March 2023 did indicate that it was willing to waive payment on a temporary basis but did not propose a permanent change to the constitution. Given the on-going issues associated with the cost-of-living crisis, any prospective barrier to membership caused by a fee, no matter how small, is not considered appropriate. On this basis the constitution is not considered to be evidenced to allow membership to be genuinely open to any individual who lives or works in the area and therefore is considered to fail 61(5)(b) in this respect.

Section 61(F)(7)(a)

3.2.24 In relation to Section 61(F)(7)(a)(i), it appears that at least one representative of each of the categories of person set out in 61F(5)(c) (residents, worker and elected member) has been achieved. In relation to 61F(7)(ii) notwithstanding the number of members STRA identified, the sample mix as presented did not satisfactorily evidence that STRA's membership is drawn from different places in the Neighbourhood Area concerned and from different sections of the community in that area. Further information was sought to show that STRA

either fulfils appropriate representation, or if not, that attempts to get this representation have been pursued. This has been presented on a geographic basis, rather than identifying the characteristics of the sections of the community of the members. As such, it is unclear if it is reflective of sections of the community. As identified, the application of a fee as set out in the constitution could well limit the extent to which those with financial pressures/ the most deprived might be able to be members.

3.2.25 The potential reflectiveness of the membership of the area due to the actions of STRA in the past is also a concern in relation to a number of matters associated with the constitution. The residents' concerns raised to the Council in 2019, as well as (former) local councillor concerns and consultation responses indicate that a significant minority do not feel comfortable with previous conduct of some of the STRA Executive in relation to other STRA Executive members or other STRA members, or the way business is conducted at STRA meetings. Without any proposed changes, they have no confidence in the ability of the organisation to address this satisfactorily. Taking account of these factors, it is considered the application does not meet the 61(7)(a)(ii) test.

Other matters in relation to the 61F(5) decision to designate

3.2.26 The Act in Section 61F(5) in identifying that the Council may designate a Neighbourhood Planning Forum, gives some discretion on whether it decides to do so or not. In doing so, the Council considers it appropriate to take into account its interactions with STRA since 2019 and also the consultation responses received.

3.2.27 The level of dissatisfaction amongst some existing and former ordinary members is so great that it has been one of the contributing factors to a rival 'Sudbury Matters' submission. This indicates a significant unease in the community with STRA continuing to be a Neighbourhood Forum. STRA has not to any significant degree sought to allay the concerns, either in the material supplied in support of the application, or positive and meaningful on-going engagement with the Urban Vision independent representative who has sought to bring greater consensus on a prospective forum for the area. The matter of respect of members views and behaviours has not been sufficiently addressed in the application. Therefore, there is no expectation that such issues will not remain in affecting the accessibility and transparency of the organisation, likely disenfranchising people who would otherwise want to be active in taking forward neighbourhood planning in the area.

3.2.28 The issue of the differentiation between Neighbourhood Forum business and that of the Residents' Association has not been satisfactorily addressed in the application. The Council has consistently raised this with STRA since 2019. This is important due to the statutory status of neighbourhood forums and their role in planning matters. STRA operates across a wider area than just the designated Sudbury Town Neighbourhood Area and also draws its membership from that wider area. At STRA meetings there is no clear differentiation between what is Forum business and what is Residents' Association business. With regards to voting there is no clear understanding of who can be regarded as

one of the STRA members consistent with the qualifying criteria of where the membership should be drawn from for a forum and those outside. This could adversely impact on decision making, with the opportunity for those outside the qualifying criteria if they vote in sufficient numbers, being given more weight than those who do meet the statutory tests. This could raise unnecessarily issues around the legitimacy of statutory forum related decisions and associated activities, e.g submitting a neighbourhood plan for examination.

3.2.29 Notwithstanding its large membership, the capacity of STRA to fulfil its constitutional obligations is, based on previous performance, uncertain. Whilst the pandemic did impact and effectively meant there were no public meetings from March 2020 to May 2022, there appear to have been no subsequent formal STRA meetings called post the 2022 AGM. This can be regarded as inconsistent with STRA's constitution, which sets out an Ordinary Meeting or Public Meeting of the officers and members will be held at least three times a year. On this basis, there would have been a reasonable expectation that two additional public meetings would have occurred in the six months period to December 2022. The Council is not aware that any such meeting occurred. The website is very dated, and details of meetings minutes are not publicly available on it; the last one being the 2018 AGM. As such, its openness and accountability are unclear.

3.2.30 The five-year timescale of a designated Forum precludes another Forum setting up in an area. Some of the consultation responses indicate little progress on neighbourhood planning matters for some considerable time. To ensure that Neighbourhood Forum activities are therefore effectively addressed, rather than a Forum attaining a designated status and doing little else, the Council has sought clarification on STRA's likely activities or a draft work programme. Again, this has not been forthcoming. This does not give confidence that the prospective Forum will fulfil significant outputs which for the purpose of promoting or improving the social, economic and environmental well-being of an area. In attaining the forum status there is the potential that it would undermine the opportunity for an alternative statutory forum that would be better suited/ more motivated to deliver these outcomes.

3.2.31 Notwithstanding the work that STRA has historically done in taking forward a Neighbourhood Plan, given the issues raised and on-going discussions with STRA since early 2019, plus the responses to the consultation the above issues cannot be regarded as minor, and STRA given the benefit of the doubt that these limitations will resolve themselves. Taking account of the factors set out in paragraphs 3.2.27-3.2.30, it is considered that it would not be appropriate to approve STRA's application as a Neighbourhood Forum.

Conclusion

3.2.32 Overall, therefore, it is considered that in respect of 61F(5)(b) the application fails as membership is not open as set out in paragraph 3.2.23. In respect of 61F(7)(a)(ii) the application fails with regards to membership draw for the reasons set out in paragraph 3.2.24-3.2.25. With regards to the issues identified in paragraphs 3.2.27-3.2.30 around respect of members views and behaviours,

lack of clarity on neighbourhood area vs wider Sudbury issues and associated decision making, and capacity to take forward neighbourhood planning business, these are matters that also indicate STRA's application should not be approved.

Options

3.2.33 There are three options reasonably considered to be open to the Council. These are to:

a) approve the application as submitted,
b) seek to continue to negotiate with STRA to resolve outstanding issues with a view to be in a position to positively determine the application or
c) to refuse the application.

Option a) approve the application as submitted

3.2.34 For the reasons set out in 3.2.23-3.2.31 it is not considered that the application as submitted is sufficiently robust and consistent with the statutory tests to be considered acceptable. It is unlikely to serve the neighbourhood planning interests of the Sudbury Town Neighbourhood Area well. There is a reasonable prospect that a significant minority of local people will feel unable to openly participate as members of a forum. Issues raised previously by the Council could be perpetuated in the future. It is considered this outcome would be exposed to challenge. On this basis this is not the recommended course of action.

Option b) seek to continue to negotiate with STRA

3.2.35 Ideally if circumstances had allowed it, the Council would have got a position where appropriate changes were proposed by STRA by now which would have allowed a positive recommendation to be made. STRA has had over a year to consider and address the matters set out in the Council's August 2022 (appendix B) letter, with limited progress made. STRA gives no real indication of being able to meet the Council's requests. Officers have little confidence that such changes will be forthcoming if additional time is given. The Council has a statutory duty to determine an application within 13 weeks (unless more than one application for the same area is submitted). The application cannot be held in abeyance indefinitely. On this basis this is not the recommended course of action.

Option c) refuse the application

3.2.36 The application due to its inconsistency with the statutory tests and STRA's inability to give confidence from material submitted and actions to date, mean that it is unlikely to change sufficiently to overcome these issues. On this basis it is recommended that the course of action should be for the Council to refuse the application. A draft refusal statement, as required by the regulations, that is a statement setting out the decision and the reasons for making that decision, is set out in Appendix G of the report.

3.2.37 Once the decision is made the Council has to publish a statement on its website and any other manner it considers appropriate. The decision will be sent to the applicants and those who made representations and left their contact details.

4.0 Stakeholder and ward member consultation and engagement

4.1 The application was subject to consultation for a six-week period. Notifications were sent to all statutory consultees as required in regulations and those on the Council's planning policy database. The application material was made available in the Council's main library at Wembley. Councillors were made aware through the members' bulletin. STRA indicated that they separately had been in contact with each of the ward members from the three respective wards within the neighbourhood area.

5.0 Financial Considerations

5.1 It is not anticipated that making the recommended decision will result in any immediate budgetary impacts. If any legal challenge is subsequently made, this cost will be met from existing planning policy budget reserves.

6.0 Legal Considerations

6.1 This paper has been reviewed by the Council's legal services and its content is considered to be robust from a legal standpoint. STRA may seek to challenge the decision. This can be done on the core grounds for bringing judicial review which are based on a number of connected principles, including lawfulness, reasonableness and fairness.

6.2 The legal implications and statutory framework has been set out in section 3 of this report.

6.3 The Council may use its discretion in designating the Neighbourhood Forum.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

7.2 The Neighbourhood Forum membership would be expected to be as representative as possible of the diversity of the local population it represents.

The Council has sought evidence that statutory tests have been complied with and this would be the case if any prospective forum were approved.

8.0 Climate Change and Environmental Considerations

8.1 None directly relevant to this decision. Neighbourhood Forums can progress Neighbourhood Plans which might set out policies or neighbourhood development orders that impact on climate or environmental considerations. Any such work would be subject to Council scrutiny and decision-making with any such impacts likely to be subject to Strategic Environmental Assessment where significant impacts might be anticipated.

9.0 Communication Considerations

9.1 As indicated, the decision is likely to be publicised in accordance with the methods set out in 4.1 and 5.1. Engagement will occur with the communications team regarding any wider social media items/ press releases.

Related document(s) for reference:

Cabinet Member for Regeneration and Planning 6th January 2023 Publication of Sudbury Town Residents' Association Application for Neighbourhood Forum Status.

Report sign off:

Zahur Khan
Corporate Director of Communities and Regeneration

Sudbury Town Resident's Association
Neighbourhood Forum with a Neighbourhood Plan
STRA 809 Harrow Road, Wembley, Middlesex HA0 2LP
Website: www.stra.org.uk
contact: info@stra.org.uk e.media@stra.org.uk

08 December 2022

Planning Policy Officer
Communities and Regeneration Brent Council
London Borough of Brent
Civic Centre, Engineers Way
Wembley HA9 0FJ

Dear ,

Renewal of Sudbury Neighbourhood Forum

Sudbury Town Residents' Association (STRA) hereby kindly requests that the Sudbury Neighbourhood Forum status for the Sudbury Neighbourhood Area (Appendix A) is renewed in December 2022. On behalf of STRA, the Chairman formally submits this request.

STRA was awarded the status of Sudbury Neighbourhood Forum (SNF) in December 2012. STRA was one of the front runners for GLA funding, receiving £20,000. In collaboration with Brent Council, STRA successfully completed a Sudbury Neighbourhood Plan and with an overwhelming 97% majority at referendum became an integral Planning guidance document as part of Brent Council's Development Plan. With the support of Senior Brent Council Planning Officers and Consultants, Sudbury Neighbourhood Plan, as part was created to remain relevant and continue to play a long and lasting role in shaping Sudbury Town. The Sudbury Neighbourhood Plan states it will continue to be compliant with the National Planning Policy Framework (NPPF). Recent updates to the NPPF require Neighbourhood Forum to have a housing target. STRA supports the Government's need for more housing and accepts Brent Council's recent allocation in the Local Plan of 245 new housing units in Sudbury Town Neighbourhood Forum Area over the next 21 years.

STRA's Neighbourhood Forum status has given our community additional momentum to its residents and businesses. Through its forum status, STRA is empowered to maintain much needed CLEANER, GREENER, SAFER Sudbury Town with a High Street at the heart of the community that we can all be proud of.

As a Neighbourhood Forum, STRA, enables the people of the Sudbury Neighbourhood Forum Area to participate in and influence local planning policies and decisions. STRA was the only Neighbourhood Forum and Community group present at the PINS Examination Hearings of Brent's Local Plan. Community Infrastructure Levy (CIL) funds have been approved for a proposed Community Asset Trust (CAT) project that will rejuvenate a derelict asset in Sudbury and use it for the benefit of the community. STRA's forum status has also facilitated access to High Street Funds, which have allowed tangible changes to the High Street. Since last Neighbourhood Forum renewal in 2017, STRA has organised a numbers of Social and Environmental events:

- Sudbury in Bloom, to gift bedding plants to members of our community that are vulnerable and lonely, reaching out to those in most need, particularly during the Covid pandemic.
- Platinum Jubilee Celebration in the Park encouraging residents and local businesses to participate, with over 1,000 attendees.

- Festive Celebrations planned for 17 December, in Sudbury Primary School
- Cleaning, painting, replanting and taking care of pockets of land owned by Network Railway on Sudbury Town High Street through a lease agreement
- Promoting **No Spitting** on pavement campaign
- Supporting and helping local businesses by promoting local shopping and appealing to the Council to introduce first 30 minute free parking on Sudbury High Street
- Continue to campaign and dialogue with Chiltern Rail to increase number of trains from Sudbury and Harrow Road Station, including STRA possibly adopting the Station
- Speaking and writing to officers at Brent Council for the betterment of our local area. STRA Chair and several members sit on the Ward Panel, regularly attending meetings and arbitrations arranged by the Metropolitan Police
- Working with local Police and community to tackle Anti-Social Behaviour and promoting No Drinking in Parks and Streets
- Arranging highly valued after school activities with the local schools, eg Cricket. Due to Covid, these activities were stopped but STRA is aiming re-start in Summer
- STRA is in dialogue with The Football Association and attended their business/resident meetings to support activities for local children
- STRA helped local school raise necessary funds by organising events for children and encouraging local groups to use the school facilities

Currently, STRA has a membership of 1,837. Our SNF represents everyone with an interest in the local area. This includes residents that live in Sudbury, the businesses and elected officials that operate here. Please refer to Appendix B for a sample list of our members.

The Constitution of the Sudbury Neighbourhood Forum (SNF) reflects the membership of Sudbury Town Residents Association (STRA), is chaired by Renu Kaul and Deputy Chair Michael Elliott with support from all members. Refer to Appendix C for a copy of STRA's Constitution

In an email dated 24 August 2022, Paul Lewin, Team Leader Planning Policy Communities and Regeneration Brent Council, informed STRA's Deputy Chair of some concerns with SNF, which had been raised in 2019 to the Council. STRA believes the Deputy Chair's email response, dated 17 October, appropriately addressed the points raised in the earlier email – refer to Appendix D for copies of both emails.

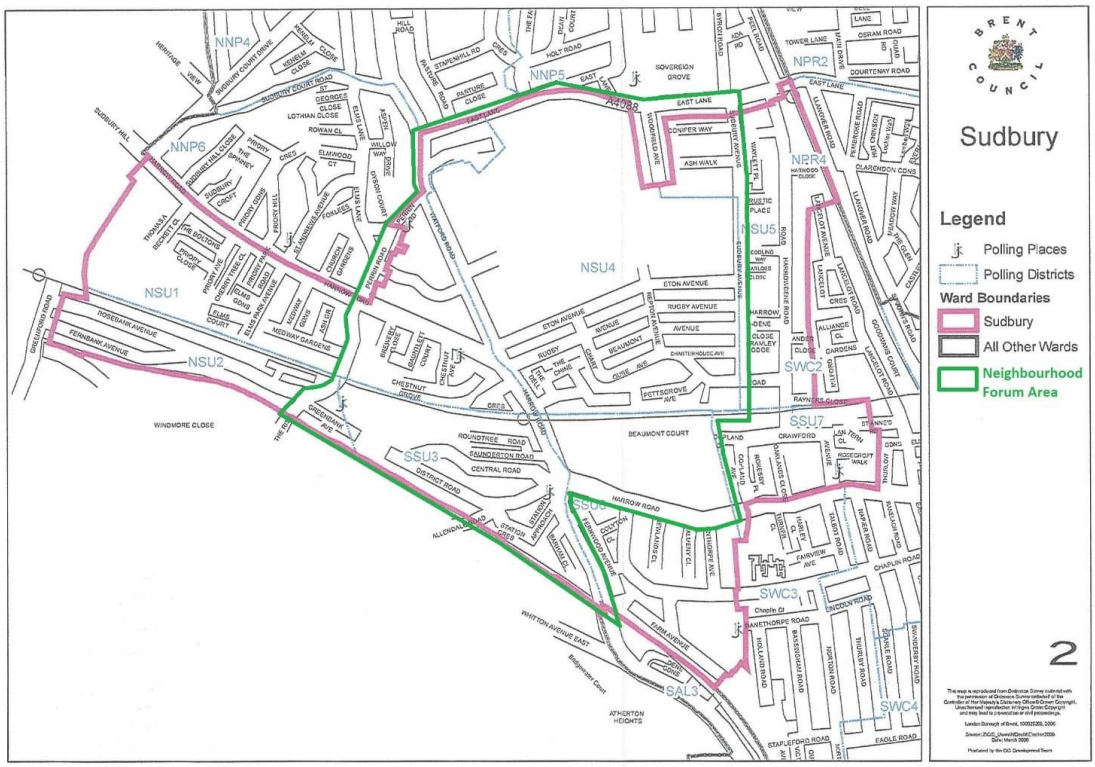
Renewing the Forum status will give our residents and businesses a strong and united voice, allowing STRA to continue the good work achieved to date.

STRA has designated the undersigned as its representative for the purpose of renewal of the forum status for the next five years.

Your sincerely,

Renu Kaul
Chairman Vice Chair Executive Committee members

Appendix A - Sudbury Neighbourhood Area



Sudbury Neighbourhood Forum Area remains unchanged. Government has made changes to Sudbury, Alperton, Northwick Park, and Wembley Central Ward Boundaries.

Appendix B – STRA Members (small sample)

Name	Post Code	Resident	Business	Company
Daya	HA0 3EH	✓		
Rueani	HA0 3DJ	✓		
Amit	HA0 3HD	✓		
Amoy	HA0 3HF	✓		
C.K. Pharmacy	HA0 3EL	✓	✓	C.K. Pharmacy
Chanosan	HA0 2NX	✓		
David	HA0 2TB	✓		
Disha	HA0 2FR	✓		
Prem	HA0 2LP	✓	✓	Pizza Vilage
Fathiya	HA0 2FU	✓		
Filsan	HA0 2PH	✓		
Francis	HA0 3FD	✓	✓	Daniels Estate Agents
Gauri	HA0 2XB	✓		
Jamvador	HA0 3AZ	✓		
Jennifer	HA0 3EF	✓		
Karol	HA0 3DJ	✓		
L	HA0 3AZ	✓		
Lawson	HA0 3NG	✓	✓	North Wembley Community SDA Church
Louise	HA0 3FD	✓		
Mudassar	HA0 3EL	✓	✓	Sudbury Dry Clearners
Nali	HA0 3FG	✓		
Partaiv	HA0 3FF	✓		
Patricia	HA0 3AP	✓		
R	HA0 3NR	✓		
Simon	HA0 3NG	✓		
Srinivas	HA0 3EL	✓	✓	Hamptons Supermarket
Sudbury Neighbour hood Centre	HA0 2LP	✓	✓	Sudbury Neighbour hood Centre
Sukhneel	HA0 2LP	✓	✓	The GPT Law Practice
Sunshine Learning (Dixit	HA0 3EY	✓	✓	Sunshine Learning (Dixit Pandya)
Vijay and Derek	HA0 3EW	✓	✓	V.S. Motors

Appendix C – STRA Constitution

STRA CONSTITUTION.pdf

Appendix D – Email communication with Paul Lewin, Team Leader Planning Policy Communities and Regeneration Brent Council

- Initial email

Paul_L_to_Michael_24_August_2022.docx

- Response

Paul_Lewin_17_October_2022.docx

From: Lewin, Paul
Sent: Aug 24, 2022 at 7:53 AM
To:
Subject: RE: STRA

Dear

Yes, it was good to see you and the executive at the meeting, along with the helpful discussion. I've split the e-mail up into sections to address the matters you raise.

Background

As Gerry and I indicated at the meeting, the work that STRA has done in getting an adopted neighbourhood plan is a significant achievement. It required a substantial and sustained amount of community resource. Few London boroughs have active forums that have got to that stage. In addition we agreed STRA has done much good in terms of practical work, such as supporting public realm enhancements to the town centre. The Council (officers and local councillors) supported and worked closely with STRA to enable the neighbourhood plan and relationships were good within the first and early second term of the forum. As with all forums, the Council's approach is to seek to offer a 'light touch' in terms of oversight and involvement. The statutory requirements of a forum are few, and there is little national guidance on how forums should operate. This gives the potential for considerable latitude reflecting the likely wide range of local circumstances across the country. Given the success of the Forum in its first phase the Council had no concerns with approving the Forum's application for renewal which met the statutory tests. It was clear that there was widespread community support for the Forum.

In late 2018/ early 2019 however, officers were made aware of a number of a number of issues with the forum. This included:

1. the significant change to STRA's constitution away from that which was approved by the Council as part of the forum's designation;
2. removal of an executive member in a manner not consistent with the constitution;
3. local councillors indicating they were not informed of meetings or forum business as much as other forum members;
4. concerns from local residents (including existing at that time and former executive members) about how inclusive the organisation was; and
5. a lack of clarity about what was forum as opposed to residents' association business.

When confirmation on the constitution issue was sought by me in early 2019, STRA immediately reverted back to the Council approved constitution. Council officers (including me) had previously attended numerous STRA meetings. In light of concerns raised, to gauge how the forum was working I sought to attend the AGM in May 2019. However, along with councillors present and some members of the local community I was initially prevented entry to the meeting. After prolonged discussion which included STRA's legal representative who was also present, I and some of the councillors were allowed entry, whilst some of the other councillors and residents had left. Given the role of local planning authorities in assessing a forum's status, the denial of access of the Council's officers and councillors to the AGM was a significant concern and inappropriate. It indicated an organisation that wasn't comfortable with scrutiny and didn't allow the Council to perform its role in assessing whether STRA was meeting statutory requirements associated with its forum status. At the meeting, it was clear that relationships between some of the executive and its former members was fractious. It is our experience that this is not necessarily unusual in local residents' meetings. Whilst sometimes this can be personality driven, some of the frustration appeared to be around decision making being taken by individuals rather than the executive as a whole. The process for a decision such as to expel a member of the executive for example is clearly set out in STRA's constitution and it is not clear that this was followed in relation to the person that was expelled.

To seek to address the above matters, officers, some local residents, local councillors, Renu and from the STRA executive and STRA's legal representatives attended a constructive meeting on 2nd August 2019. At the meeting a draft memorandum of understanding (MOU) was circulated drafted by STRA's legal

representatives with input from the Council (attached). A number of actions were set out as a result of the meeting. (attached as part of minutes). This included all reviewing and proposing changes by the 16th August 2019. Although the meeting was positive, Renu indicated that STRA's executive would need to consider the MOU and meeting outcomes before STRA could commit to any response. To facilitate this, I also met you and other executive members on 5th September 2019. We had a useful meeting and it was agreed to set up a meeting between the Executive and the three Sudbury ward councillors so that you could work through their concerns. This was eventually programmed for 11th February 2020. Due to the lack of availability of Cllr Mary Daly, STRA cancelled the meeting and then the pandemic intervened. There has been no follow up from STRA in terms of response to the MOU issued at the 2nd August meeting.

Current Issues

Despite the passage of time, the current issues with the Forum from an officer perspective are considered essentially to be the same as was highlighted three years ago. These need to be addressed sufficiently prior to STRA's likely application in December to renew the forum's status for another 5 years. Gerry and I attended the 2022 AGM which included the elections to the Executive. The meeting was well attended, with a good range of local issues addressed, including guest speakers and was cordiale. Nevertheless, it was noticeable that local residents who had raised issues (such as those at 2nd August) meeting were not present. You may wish to get in touch with those people, former executive members and former and existing councillors to understand from their experience how they consider engagement/ decision making can be improved in the future and this is reflected in the way STRA operates.

As identified at our meeting, there needs to be clarity on what is STRA business as a residents' association and that which is Forum business and also which area applies to which. STRA has indicated on numerous occasions that it draws its membership from, and the area it represents is the former (pre 2022) Sudbury ward boundary. This has been reflected for example in STRA's requests for notification of planning applications as per the relevant regulations consistent with the forum's status but that this should apply for the wider Sudbury ward. The Sudbury ward is more extensive than the statutorily recognised neighbourhood boundary for the forum (see attached map with old ward boundary in red). The neighbourhood boundary also stretched into the former Northwick Park ward. Forums can include members from outside their areas. Nevertheless, voting rights on certain matters require either the person to be residing in the area, or operating business premises within it. As such, there is the question of whether when addressing forum matters, if it is appropriate for all STRA members to be able to vote. At the very least there should be an understanding/record of who outside the forum area is voting.

A recurring theme that all of the local councillors prior to 2022 brought up on numerous occasions was the fact that they were either not notified or meetings, or notified at very short notice. It is a statutory requirement that at least one local councillor of the minimum 21 members can, if they wish to do so, participate as members of a forum. From the Council's perspective, given the membership size of STRA, there is no reason to limit the number of councillors if they wish to be members and they should be offered the opportunity. If they request to be members, the forum must ensure that they are treated the same as other members. Following the most recent Council elections, the forum area now includes three wards. These with their associated councillors are: Sudbury
- Cllr.Teo.Benea@brent.gov.uk Cllr.Paul.Lorber@brent.gov.uk Northwick Park
- Cllr.Narinder.Bajwa@brent.gov.uk Cllr.Diana.Collymore@brent.gov.uk and Wembley
Central Cllr.Rajan.Seelan@brent.gov.uk Cllr.sonia.shah@brent.gov.uk cllr.ketan.sheth@brent.gov.uk We urge you to get in touch with the councillors to see if they wish to be members. In addition to this, you need to understand that officers should be able to attend any of the wider forum meetings if they indicate a desire to do so and we would encourage you to make us aware of any meetings proposed well in advance.

It wasn't something that officers picked up at the time of granting forum status, but on reflection the Council is uncomfortable with a minimum necessary contribution per household to become members. We would prefer this to be voluntary so that it does not unintentionally restrict membership. We understand that STRA has overheads as a forum which need to be recouped. There are opportunities, for example through Council funding streams to support the administrative costs to supplement such donations.

Expectations

When reapplying for forum status we expect some evidence of progress on the above matters and this to be reflected in the necessary supporting material to meet the tests that the Council has to consider when deciding whether to grant forum status. We know that STRA has many more members than the minimum statutory requirement of 21. This is very positive. We will however need to be convinced that the total membership is spatially well distributed and reflective of the demographic of the area applied for and that there are no significant omissions from either, or that best attempts have been at least made to seek representation from these people, even if they have not decided to become members.

We understand that within local communities and democratic organisations people will for whatever reason not always get along and there will be disagreements. However, the Council does want to ensure an environment within the forum where even if there are disagreements/ issues with personalities, that people do not feel that they are explicitly or implicitly being made to feel uncomfortable or excluded from actively contributing to the forum's business.

Next steps

From our perspective, as indicated we feel STRA has done much good work. We want it to continue as a forum. We would be happy to work through any draft information that you may wish to submit in advance of your formal application for the forum's status to be reviewed, taking into account the above matters summarised in the following actions:

In summary it is recommended that you take the following actions:

1. Review the distribution of membership to see that it corresponds with the neighbourhood area and that there are no significant gaps within.
2. Undertake equalities monitoring to see that the membership is truly inclusive and representative
3. Refresh the publicity so that everyone with a business or home in the area is aware of the forum and can join
4. Look at methods of fundraising so that membership is not dependent on a fee or subscription
5. Demonstrate how the organisation acts in an apolitical way and methods used to ensure that
6. Set out how conflict resolution will take place where members are in dispute over contentious issues.
7. Show that the neighbourhood forum is distinct from any role as a residents' group
8. Consider whether there is an intention to proceed with the use of any planning powers if Neighbourhood Forum status is reconfirmed
9. Contact ward councillors to invite them to attend meetings.
10. Set out a schedule of meetings and a work programme and publish this on the website.
11. Refresh and keep the website up to date on the meetings that have happened since the AGM in 2018 and provide the minutes of those meetings to be in the public domain.

I hope that this of use to you and STRA in clarifying our position.

Regards

Paul Lewin
Team Leader Planning Policy
Communities & Regeneration
Brent Council

0208 937 6710

www.brent.gov.uk

@Brent_Council

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Dear Paul,

I hope this email finds you well and I apologise for the slow reply which is due to analysing the relevant data and information sent combined with time availability as a volunteer.

Nevertheless, I thank you for your detailed response to the questions I raised at the last meeting of the STRA Executive Committee when you and Gerry Ansell very kindly attended.

STRA refutes ALL accusations made by the Councillors who are no longer in office. The STRA Executive Committee past and present have ALWAYS acted in the interest of the community. The STRA Executive team are all volunteers who volunteer their time, knowledge, and experience FREE OF CHARGE to improve Sudbury Town for the community. We understand STRA is a voice and platform for the community which we take very seriously with a view to Sudbury Town as whole.

As always there are two sides to an argument Paul, and STRA was never given their opportunity to explain. So I am going to take this opportunity to respond to few of your points mentioned in your email. I felt this is important because it definitely seems that the Council have been given a one-sided argument which could be deemed to be biased.

A few Examples to illustrate the point:

Concerns raised by Councillors (no longer in office)
You explained that up until 2018 you and the Council had no concerns regarding STRA. However, in late 2018 to early 2019 officers were made aware of number of issues with the forum. We would like to confirm that these issues have been raised by Ward Councillors that are no longer in office.

As you know, STRA is a non-political organisation and the people of our area choose by vote who will be on the Executive Committee. Whilst we are independent and non-political, our membership is ***open*** to local Councillors, and as agreed, we meet the legal requirements.

Removal of an Executive Committee Member
You raised concerns about the alleged removal of an executive member in a manner inconsistent with the constitution. In October 2018. An ex-Councillor of Sudbury Ward informed the STRA Executive Team, at the time that the STRA Treasurer had recently been appointed to a senior position in a local political party. Numerous requests were made of the STRA Treasurer to make full disclosure of the recent political appointment at an Executive Committee meeting, to enable an open discussion regarding how to avoid any conflict of interest. The Ex-Treasurer refused to disclose their recent political appointment at the meeting and voluntarily resigned. So no one was pushed or forced out of STRA. The person in question voluntarily resigned from the post within STRA. The Chair of STRA, at the time, resigned in sympathy with the ex-Treasurer.

STRA is non-political and non-religious and we take this very seriously. No one requested for any resignations, the resignations were voluntary.

Seeking to address the concerns at the time
You have noted in your email to me that to seek to address the above matters, council officers, some local residents, local councillors, Renu and as representatives of the STRA Executive team, and STRA's legal representatives attended a meeting at Brent Civic Centre on 2nd August 2019. At the meeting, a draft Memorandum of Understanding (MOU) was circulated.

STRA Executive Team's understanding is that the proposed MOU was initiated by Brent Council and you conveyed this to a solicitor STRA had instructed at the time.

Council Officers were keen for Renu and to consent to the MOU at the meeting, which would have been contrary to the requirement of the Quorum of STRA's Constitution.

Renu indicated that STRA's Executive Committee would need to consider the MOU and meeting proposals before STRA could commit to any response.

The basis of the MOU was that you had received certain complaints and to avoid exploring these matters in detail, Brent Council proposed an MOU. Renu conveyed this to the STRA Executive, who were concerned about the sudden change in attitude of Brent Council towards STRA and were keen to explore the complaints in depth. It is on this basis that the full STRA Executive Team asked to meet with you.

At the first meeting of you and the STRA Executive Team on 05 September 2019, you explained that you had received no complaints directly and that Ex-Councillors had raised concerns with you. You shared with the STRA Executive Team that you did not know the details of the complaints. We had a useful and purposeful meeting and it was agreed to set up a meeting between the STRA Executive team and the three Sudbury ward councillors so that we could work through their concerns to a positive conclusion.

Ex-Councillors unable to meet
This led to several meeting dates being set and changed and eventually a meeting was agreed for 11thFebruary 2020. Due to the lack of availability of the Councillors, STRA had to cancel the meeting.

Ex-Councillors have been unable to meet the STRA Executive Team to date and are now no longer in office.

No follow up by STRA / No follow up from Councillors
STRA Executive Team refutes there has been no follow up initiated by us.

The basis of the MOU, as stated above is alleged complaints from three ex-Councillors. The STRA Executive Team has repeatedly agreed to meetings dates, in order to gather information regarding the alleged complaints and resolve them. The councillors cancelled the meeting dates, which were mutually agreed on several occasions. The ex-Councillors have unfortunately neither provided any information directly to the different STRA Executive Teams from 2019 to date nor met in person. The said ex- Councillors have attended all STRA AGMs and many General Meetings from 2019 to date. However, they have not made any attempt to share information with the STRA Executive Team, to enable us to address their concerns.

Outstanding MOU
The basis of the MOU was the complaints raised by ex-Councillors. As the Ex-Councillors have not shared any information with STRA and have been unable to meet with STRA's Executive Team for 3 years, there can be no justification for an MOU. The MOU remains unjustified.

The Present and the Future
I have sought to redress the imbalance in information provided to you. Having said that, however, Paul that was in the past and I am about the present and the future.

We are well known in Sudbury Town and all members of the community are truly welcome. STRA is non-political as well non-religious. Membership is FULLY inclusive and is open to ALL with no discrimination or bias.

You and Gerry Ansell attended our AGM, which you found to be positive.

As I mentioned it's about moving forward and it's about the present and future. We are keen to take your advice from our meeting regarding the inclusion of Councillors. As a result of the changes of boundaries in the London Borough of Brent, STRA will invite ALL 10 Councillors to STRA meetings.

We are always keen to maintain a very good working relationship with Brent Council and wish to continue to do so.

VOICE of the Community
We look forward to completing the Forum Renewal Application while meeting the criteria as STRA wishes to continue to be the Volunteer VOICE of the Community.

Relevant Changes
Since our recent meeting, the STRA team has been very busy and active in implementing and creating relevant changes which incorporate suggestions made in that meeting such as:

- A 24hr complaint procedure on the STRA website
- Creating detailed questionnaires for the Sudbury Community
- Leaflets relating to the Public Consultation
- Drop off boxes within Sudbury Town
- Reviewing the new ward boundaries
- Attending meetings with Chiltern Rail
- Attending meetings at Wembley Stadium regarding the Sudbury Community
- Setting dates for a Sudbury Town Public Consultation
- Hand delivering the Public Consultation Questionnaire and Leaflet
- Using multi-media for the Public Consultation
- Knocking on doors and explaining the purpose and relevance of the Public Consultation

As you can see Paul, STRA is taking its responsibilities seriously and wants to continue to be an active VOICE of the Community. STRA wishes to continue to have a GOOD working relationship with the Local Council and be a relevant part of the BIG team.

STRA will always seek Council support now and in the FUTURE.

Contact Person – Name and Number
At the last meeting with you, there was a suggestion that a contact person at Brent Council and phone number would be provided to STRA as this would be so useful. It was also agreed that the contact name and number would be used by two STRA designated representatives.

I am looking forward to leaving the past behind and moving on to build a positive future with you and the team.
Regards

STRA Vice Chair

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STRA

Sudbury Town Residents' Association
and NEIGHBOURHOOD FORUM

For more information
Website: www.strra.org.uk email: info@strra.org.uk
Postal address: c/o Church Hall, 809 Harrow Road, Wembley, Middlesex HA0 2LP
STRA contact: Deputy Chair Renu Kaul 07840 491 142 email: deputychair@strra.org.uk

Cleaner Greener Safer Sudbury

Appendix 3

1. NAME
The name of the Association is **'Sudbury Town Residents' Association'** hereinafter called "the Association" also the **Neighbourhood Forum**.

2. AIM and OBJECTIVE
The aims and objectives of the Association are non-party and non-sectarian and will encourage community involvement working together to improve the area we live in.

Also to improve and promote the social, economic and environmental well-being of the defined neighbourhood area.

- To create a Cleaner, Greener, Safer Sudbury
- To be the voice of our neighbourhood;
- To promote Community spirit within Sudbury though social interaction.

3. MEMBERSHIP
Open to those who live, work or are elected members in the neighbourhood area. Anybody who lives, works, shops, uses the services in Sudbury OR wish to be a member of STRA.

4. SUBSCRIPTIONS
The annual subscription to the Association is from 1 January to 31 December. The subscription is payable in advance in the month of November of each year. The current enrolment fee per annum is £6 per household and £10 per business..

5. OFFICERS
The officers of the Association, all of whom are honorary, consist of a Chairman, Vice-Chairman, Secretary and Treasurer. In addition to the honorary officers STRA will also have a Membership Administrator and Webmaster/Social Media. These 6 officers make up the executive committee and additional officers can be added as deemed necessary. **The officers will be elected annually from the members of the association at the Annual General Meeting. The retiring officers will be eligible for re-election. The Association will have the power at an Ordinary Meeting to fill any casual vacancy.**

.6. MANAGEMENT
The management of the Association shall be vested in the officers elected at the AGM. The Management or executive committee represent the interests of its members and will act on their behalf as required. Each member of the committee will have an equal vote when voting on a particular issue. The Chairman will have the casting vote should the vote be split. The Chairman will manage the meetings and minutes will be taken by the Secretary.

The management can form sub committees to carry out specific tasks and these committees are accountable to the management committee. Once a subcommittee has completed its task it will be dissolved by the management committee

7. MEETINGS

An Ordinary Meeting or Public Meeting of the officers and members of the association will be held at least three times in a calendar year. The management will choose the date, time and venue in advance. These meetings will be hosted by the Chairman and minuted by the Secretary.

8. ANNUAL GENERAL MEETING

The Annual General Meeting of the Associations' members shall be held no later than 31st October of each calendar year. (The date and time to be determined at an Ordinary Meeting.)

The Annual Report, Audited Income and Expenditure Account and Balance Sheet must be presented at the Annual General Meeting to be ratified and accepted. Election of officers and appointment of an Independent Examiner for the ensuing year must take place at the Annual General Meeting.

9. SPECIAL MEETING

The Chairman may call a Special Meeting. The SP can also be called upon receipt by the Secretary of a requisition in writing, specifying the object of the meeting, and signed by not less than three members. Any such meeting must be held within 28 days from the receipt of the request and the business transacted at the meeting must be confined to the reasons as stated in the notice.

10. QUORUM

Five delegates, including at least two officers, representing not less than three members personally present at any meeting shall form a quorum.

11. VOTING POWERS

Each member being personally present will be entitled to one vote on each proposal and in the case of an equal number of votes being given for or against any proposal the Chairman of the meeting will be entitled to give a second vote. Co-opted members will not have any voting powers.

12. MINUTES

The Association must keep accurate minutes of all meetings. Minutes will be submitted for approval at the next meeting and, if approved, be signed by the Chairman at the meeting.

The minutes of Public meetings will be made available on the Association's website and can be viewed by any member of the public. The minutes of Management meetings and other meetings will be posted on our website and available in our members only section.

13. ACCOUNTS

The Association will keep accurate books of accounts in respect of:

(a) All sums of money received and expended by the Association and receipts for any expenditure that has taken place.

(b) The assets and liabilities of the Association.
The books and accounts will be kept at the residence of the Treasurer and must be available for inspection at all times. The accounts will be laid before the Annual General Meeting showing Income and Expenditure for the preceding twelve months together with a Balance Sheet.

14. AUDIT

An Independent Examiner will be appointed at the Annual General Meeting each year. The Independent Examiner need not be a member of the Association.

15. SUSPENSION OF MEMBERS

The Association may at any time by resolution of not less than six members - two must be officers - determine that the continuance of a member is prejudicial to the interests of the Association, his / her membership will be suspended for such a period as the Association may in its discretion deem fit. The Secretary will notify the member concerned in writing of his/her suspension. No resolution passed under the provision of this Rule shall have any validity unless the Member shall have had a reasonable opportunity of attending the Special Meeting called to consider the case and of being heard in his/her defence.

16. ALTERATION OF RULES

No rule may be added to, repeated or otherwise altered except at an Annual General or Special Meeting. Notice of such alterations must be given to the Secretary not less than 28 days before the date of the Meeting, who must circulate the alteration to the members not less than seven days before the Meeting. A resolution to alter the Rules must be passed by not less than six members including two officers.

17. DISSOLUTION

In the event of not less than six members (including two officers) present at the Annual General or Special Meetings voting that the Association be dissolved, any remaining funds shall be given to the local charity Sudbury Neighbourhood Centre.

The Constitution was adopted at the Annual General Meeting held on Tuesday, 30 May 2017

Signed by Chairman

Signed by Secretary

Dated: Tuesday, 30 May 2017

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Letter of Appreciation and support

Dear Renu,

We want to express our great appreciation for your efforts and those of the STRA team of volunteers for enriching our community and working hard to make Sudbury a better place to live.

We know it takes a huge amount of time to successfully manage the social and environmental events you hold locally to support local businesses, schools, and community. We are grateful for your efforts and will continue to support you for uniting Sudbury and giving us a voice.

We hereby support STRA's request to renew the Sudbury Neighbourhood Forum for the Sudbury Neighbourhood Area.

Daniels	
Himalayan Restaurant	
Irvin Leisure	
Jalsa	
LNER	
Metropolitan Police SNT Team	
Nice and Spice	
Pizza Village	
Quality Pan and Parcel	
Saint Andrew's Church	
Saint Baptist Church	
Sudbury Dry Cleaners	
Sudbury Neighbourhood Centre	
Sudbury Post Office	
Sudbury Primary School	
V S Motors	

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STRA Forum Application – Consultation Responses Received.

In summary 30 responses were received. 7 in support, 16 objecting and 7 with no opinion (generally from statutory consultees)

Respondent	Support Application	Summary of representation
Transport For London Spatial Planning	N/A	No comment.
Canal and River Trust	N/A	No comment.
Coal Authority	N/A	No comment.
National Highways	N/A	No relevant comments.
Historic England	N/A	No relevant comments.
Transport Trading Limited Properties (part of TfL)	N/A	TTLP own Sudbury Town Station Car Park which is a Brent Local Plan (BSWSA14) site allocation. We look forward to working with the Forum and Council to bring forward development on this site.
Natural England	N/A	No relevant comments.
Resident 1 – survey	Yes	Support designation. STRA are the only resident organisation protecting local interests and against over development.
Resident 2 – survey	Yes	Support designation. STRA has always supported the wishes and views of the community
Resident 3 – survey	Yes	Support designation and have a role in managing their website.
Resident 4 – survey	Yes	Support designation. No additional comments.
Resident 5 – survey	Yes	Support designation. No additional comments.
Resident 13 – survey	Yes	Support designation. As a contributor to the Sudbury Neighbourhood Plan, I am keen to see through and progress on the policies in the Plan, which are now being used on the first significant development. There is no other viable and suitable alternative residents' group. A number of local decisions have been

Respondent	Support Application	Summary of representation
		made, fought for and instigated and it is important to keep these policies as Brent policies are not fully in touch with local requirements.
Resident 15 – survey	Yes	Support designation. It is good for the community.
Barham Village Residents Association – survey	No	Oppose designation. This is due to their: 1. Lack of transparency. 2. Not reaching out to the wider community of Sudbury with clear unbiased information. 3. Denying access to AGM minutes with response they will be issued two weeks before the next meeting. 4. Information withholding, limiting any sort of informed public intercourse. 5. In effect running a 'private committee' rather than forum. 6. Lack of progress - the proposal looks the same as before - weak: There is no plan of action. They need to do a lot better to include the community. They need to do more on how we protect/ use our green open space.
Resident 6 – survey	No	Oppose designation. STRA were good, but are now secretive and ineffective. They need to be more active, transparent, and better managed to support the Neighbourhood Plan. The webpage for instance is poorly managed and not regularly updated. Most recent updates have principally been since submission of the forum application. Transparency and openness is reduced by website password protection for members and executive. Not clear if any AGM was held between 2019 and 2022. This may partly be due to Covid, but other organisations learnt to use Zoom or similar when faced with the same challenges. High street planters are now neglected and full of weeds/ dead plants and open space adjacent to the railway bridge is massively overgrown.

Respondent	Support Application	Summary of representation
Resident 7 – survey	No	Oppose designation. The responses STRA set in the application material appendix in relation to the points raised by the Council are poor. The time taken to respond indicates a lack of interest in addressing those issues. A Neighbourhood Forum requires the constitution to be followed. STRA seems to ignore this.
Resident 8 – survey	No	Oppose designation. STRA: 1. Although a forum for 10 years, no positive performance as this or a residents' association. 2. Has continued to circulate petitions, ignoring the Council's advice that individual objections are likely to be given more weight. This and raffles are a mechanism to capture residents names for their purposes including unsolicited messaging. 3. Lacks diversity, in not appreciating the area's large Asian population, e.g STRA celebrate with residents Christmas but not Diwali or Eid. They have no voice for renters, but seems only worried about property owners. 4. Claim to maintain Sudbury Town's high street despite the overgrown and broken planters which were provided free of charge to STRA and having subsequently been poorly maintained. The high street looks tatty. 5. Don't hold the required 3 open public meetings per year with residents who pay their annual membership fees and are not transparent in their election process of the same chair for at least 5 years.
Resident 9	No	Oppose designation. STRA: 1. Has failed to follow their own constitution rules. Appears only held one meeting in the last few years: the 2022 AGM. 2. Has failed to regularly update its website and done a poor job of keeping residents informed about Sudbury issues such as overdevelopment or crime 3. Engage in unethical fund raising, trying to scare residents into donating funds. For example https://www.gofundme.com/f/Sudbury-Town-Residence-Association includes the following allegation: "Brent

Respondent	Support Application	Summary of representation
		council plans to build within and around our green spaces, force the sale of homes and turn our wonderful neighbourhood into rows of high rises." This is factually incorrect, is partisan, and breeds resentment towards local government which should not be allowed. 4. Are a partisan organisation republishing Liberal Democrats tweets but not other political parties. 5. Are not transparent, for instance not disclosing which legal firms they were using. 6. Should not require membership payments or give greater favour those that do.
Resident 10	No	Object to designation. Many residents are omitted from email/ postal notifications of meetings or informed of meeting at very short notice, e.g. 2 days before - this discourages participation. Meeting minutes are inaccurate and not made available to all or posted on the website. Because of the above, I don't feel the Forum is inclusive.
Resident 11	No	Object to designation. They do not engage with the community. It seems secretive and not democratic. There is a lack of recent minutes on the website, it is not kept up to date.
Resident 12	No	Object to designation. STRA is no longer playing a positive role in the neighbourhood. I was involved with the Forum in the Sudbury in Bloom project, but chanelled my efforts elsewhere when the committee dispensed with the services of the treasurer. The high street planters are now looking sad very indeed derelict.
Resident 14 - survey	No	Object to designation. No additional comment.
Resident 16 – survey	No	Object to designation. Most things on the STRA website are out of date.
Resident 17 – survey	No	Object to designation. Having fulfilled the conditions to join a STRA meeting, I had previously provided in written form to the organisers the speech which I was then refused the opportunity to make. I was shouted at and had no option but to leave and let my views be known to the membership at large. I have attended and had experience of many civic meetings, and therefore understand the protocol/ courtesies of such meetings. I regret to say that I have no confidence in the integrity of the STRA committee members encountered.

Respondent	Support Application	Summary of representation
Resident 18 – survey	No	Object to designation. STRA do not allow open discussion at meetings and do not act upon emails received.
Resident 19 – survey	No	Object to designation. STRA in their early years was an effective residents' association. However, it seems from the letter of appreciation and support that businesses now have the greater input.
Resident 20 - letter	No	Object to designation. Neighbourhood Forums have a statutory status and powers in relation to planning, and particular influence with planning authorities. If not properly exercised, residents could be greatly disadvantaged. In recent years STRA did not seem to have the membership diversity or skill set to deliver the neighbourhood plan, work with partners or manage the forum's business. Much work will be needed, for it to continue as a forum, to bring it into compliance. As Sudbury Ward member from 2010 to 2022, as anticipated in regulations, I was an active forum member. Whilst there was an ambiguity about my voting rights, due to the cordial, mutually supportive and welcoming Forum with common objectives in relation to the delivery of the Neighbourhood Plan, this was not a concern. Initially the forum was diverse. From 2018 onwards, it became secretive and hostile. Many active members were excluded and forced to resign. I received a large number of complaints which I raised with the Council. The below is an account of their operation since 2018: 1. Exclusivity - The 2019 Annual General Meeting (AGM) only permitted invitees issued with membership cards to enter, with other residents being excluded, including councillors. Eventually entry was permitted, but participation was not. Their lawyer advised that the meeting was for the residents' association, not the forum. 2. Ineffective operation - I do not believe those who organised the 2022 AGM understand what it is. Participants eligible to vote were not identified. I received complaints from eligible residents who did not vote because they didn't think they could. There was no clarity about or opportunity to nominate candidates for office other than those proposed by the existing committee. 3. Late notice - Prior to the pandemic I was invited to a small number of ordinary meetings as an afterthought, days in advance of the meeting, and on one occasion, 24 hours in advance. 4. Not addressing concerns - I cannot recall the last time the neighbourhood plan was discussed, or any effort was made to deliver it.

Respondent	Support Application	Summary of representation
		5. Continued residents' complaints - unable to renew STRA membership, unable to contact STRA, unable to obtain meeting minutes, unnecessary personal information requests, Go Fund Me requests without clarity and accountability on expenditure of donations received. Where appropriate, I addressed those to the council. 6. Hostility and misinformation - Last year STRA became particularly hostile to elected councillors, making one demonstrably false allegation. This resulted in mistrust between residents and councillors including one alarming encounter fuelled by false information circulated by STRA where I feared for a colleague's safety.
Sudbury Matters - letter	No	Object to designation. Whilst the application references many worthwhile activities conducted by STRA over the last 5 years, it is unclear whether or not any of the operations arise from their status as a forum. The purpose of a Forum is summarised in legislation as 'promoting or improving the social, economic and environmental well-being of an area.' STRA's purpose is summarised as 'Cleaner, Greener, Safer'. These related but distinct purposes are not properly reflected in the application. Forum and Neighbourhood Planning Issues concerns: The essential foundation for the role was the production and on-going stewardship of a Neighbourhood Plan (which was 2015). One key role is to provide a residents' and businesses' voice when major developments are planned. No reference is made to such activities. STRA's constitution concerns: Constitution is from 2017. There is no recognition of a forum's distinct role, including acting as the community voice on planning issues. It seeks payment of a fee, even though council officers have identified this as an issue. Membership subscriptions are identified as being payable in November, it is unclear if this limits new membership outside this time. STRA's resident membership is drawn from wider than the neighbourhood area, this is not dealt with in how neighbourhood forum matters voting/ decision making is made. Specific details can be provided on residents refused membership with their subscriptions returned. Concerned that in 2018 the treasurer was dismissed inconsistent with processes set out in the constitution. STRA website concerns: The website is complicated with very limited updates since 2018. There is a lack of detail on meeting dates, frequency and where to find additional information. For the last few years there are no minutes of general member/ AGM or executive meetings. No future meeting dates are identified. Most worryingly, this opens up the possibility that STRA is breaching its constitution by no longer holding

Respondent	Support Application	Summary of representation
		regular face-to-face meetings. The password protected 'Members' and 'Executive' areas are not transparent and lack public accountability. A new complaints procedure page has recently been added, this process has not been agreed with local councillors who are identified as potential arbiters. Lack of a Work Plan concerns: No work programme is set out to address neighbourhood plan policies/ priorities, e.g. given the four significant neighbourhood plan local green spaces, work with partner agencies to prepare enhancement plans may open up funding opportunities. Similarly this is the case for the high street.
Resident 21 – letter	No	Object to designation. STRA have ignored the ethos of a forum and their own constitution. Examples show how STRA is not representative of the community, and operates in a most unprofessional way: 1. Dedicated committee members were dismissed without following due process. 2. Open discussion is not encouraged. Any issues raised are met with a response of ‘’send us an email’’ and either ignored or a totally inadequate response is received. 3. False statements in meeting minutes. Requests for amendment prior to following meeting were refused. This was despite other meeting members present stating at the next meeting that minutes were not accurate. 4. Statements in their application of the sample list of resident members are incorrect as they are not from the forum area. 5. Some of the businesses no longer support STRA as a forum.

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Neighbourhood Planning forum Refusal Statement Town and Country Planning Act 1990 (section 61F) (the Act) and The Neighbourhood Planning (General) Regulations 2012 (Regulation 10(2)) (the Regulations)

Name of designated neighbourhood planning area: Sudbury Town Neighbourhood Area

Name of Applicant: Sudbury Town Residents' Association (STRA)

Consultation Period: 12th January and 23rd February 2023

Decision:

Notice is hereby given that the London Borough of Brent, pursuant to a decision made on the 13th November 2023, has refused the designation of the Sudbury Town Residents' Association Neighbourhood Forum.

Consultation feedback:

In relation to the desirability to designate, through the public consultation regarding the designation of the Sudbury Town Neighbourhood Forum whilst a small number were supportive, greater than half of all respondents who submitted representations objected to the designation of the forum. Reasons included lack of transparency of the organisation and representation in relation to meetings and other material, lack of meetings of a frequency consistent with the constitution, lack of focus and clarity on neighbourhood planning matters, lack of political impartiality and the requirement of a membership fee.

Reasons for Decision:

The Act Section 61 F(5)

The Council considers STRA's submitted constitution's requirement for payment of a membership fee as incompatible with Section 61 F(5) (b) (ii) of the Act in that membership is considered to not be genuinely open to any individual who lives or works in the area and therefore is considered to fail 61(5)(b) in this respect.

The Act Section 61F(7)

Taking account of the application and responses, the Council considers that the application does not satisfactorily evidence that STRA's membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area. The potential reflectiveness of the membership of the area due to the actions of STRA in the past is also a concern in relation to a number of matters associated with the constitution. The residents' concerns raised to the Council in 2019, as well as (former) local councillor concerns and consultation responses indicate that a significant minority do not feel comfortable with previous conduct of some of the STRA executive in relation to other STRA executive members or other STRA members, or the way business is conducted at STRA meetings. Without any proposed changes, they have no confidence in the ability of the organisation to address this satisfactorily. Taking account of these factors, it is considered the application does not meet the 61(7)(a)(ii) test.

Other matters taken into account for the purposes of the Section 61F(5) decision

The level of dissatisfaction amongst some existing and former ordinary members is so great that it has been one of the contributing factors to a rival 'Sudbury Matters' submission. This

indicates a significant unease in the community with STRA continuing to be a neighbourhood forum. STRA has not to any significant degree sought to allay the concerns, either in the material supplied in support of the application, or positive and meaningful on-going engagement with the Urban Vision independent representative who has sought to bring greater consensus on a prospective forum for the area. The matter of respect of members views and behaviours has not been sufficiently addressed in the application. Therefore, there is no expectation that such issues will not remain in affecting the accessibility and transparency of the organisation, likely disenfranchising people who would otherwise want to be active in taking forward neighbourhood planning in the area.

STRA's capacity to fulfil its constitutional obligations is, based on previous performance, uncertain. The frequency of meetings has been inconsistent with STRA's constitution, which sets out an Ordinary Meeting or Public Meeting of the officers and members will be held at least three times a year. This has not occurred since 2019. STRA's website is very dated, and details of meetings minutes are not publicly available on it; the last one being the 2018 AGM. As such, its openness and accountability are also unclear.

The Council considers STRA's submitted constitution fails to sufficiently address the Council's previously raised need for STRA to clearly address the different spatial coverage and clarity around decision making in relation to how it operates as a residents' association and in matters related to the statutory role as a neighbourhood forum.

STRA has not submitted a creditable response to requests from the Council for an indicative work plan related to neighbourhood planning matters. This lack of clarity on priorities and likely outcomes for the local community is considered to be inconsistent with the desire shown in consultation responses from a significant body of the local community for meaningful momentum on neighbourhood planning matters to occur.

Notwithstanding the work that STRA has historically done in taking forward a neighbourhood plan, given the issues raised and on-going discussions with STRA since early 2019, plus the responses to the consultation the above issues cannot be regarded as minor, and STRA given the benefit of the doubt that these limitations will resolve themselves. Taking account of the factors set out above and considered in full in the Report to Cabinet, it is considered that it would not be appropriate to approve STRA's application as a neighbourhood forum.

Brent	**Cabinet** 16 November 2023
	Report from the Corporate Director of Resident Services
	Lead Member - Cabinet Member for Safer Communities and Public Protection (Cllr Harbi Farah)

Statement of Gambling Principles

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
List of Appendices:	Three Appendix 1: Draft Statement of Gambling Principles 2022 – 2025 Appendix 2: Consultation Responses on Draft Statement of Gambling Principles Appendix 3: Equalities Impact Assessment
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Anu Prashar, Senior Regulatory Service Manager 020 8937 5515 anu.prashar@brent.gov.uk

1.0 Executive Summary

1.1 The London Borough of Brent is a *Licensing Authority* under the Gambling Act 2005 (the Act). Section 349 of the Act requires all licensing authorities to prepare and publish every three years a Statement of Gambling Principles that sets out their policy for dealing with applications and regulating gambling premises within their borough. The Act also requires licensing authorities to keep the Statement under review from time to time.

1.2 During December 2020 the Department for Digital, Culture, Media & Sport (DCMS) launched a major and wide-ranging review of gambling laws to ensure that they are fit for the digital age. There was a call for evidence and a new Gambling Bill was expected to be presented to Parliament for assent during

2022. The council at that point would have written a new gambling policy and statement of principles that aligned with the new legislation.

1.3 The existing gambling policy in its current form was extend by Council on the 22 November 2021 for a maximum of a further 24 months until 31 January 2024.

1.4 The Department for Culture, Media & Sport has published a white paper on gambling reform in April 2023 but there has yet to be any changes to the legislation.

Even though the policy was extended, the new policy will need to align itself with the three year intervals, therefore this policy will run from 31 January 2022 to 2025.

2.0 Recommendation(s)

2.1 That the Cabinet note the draft revised Statement of Gambling Principles (31 January 2022 – 31 January 2025) at Appendix 1.

2.2 That Cabinet comments on the draft revised Statement of Gambling Principles.

2.3 In order to fulfill legal requirements, that Cabinet agree to refer the draft revised Statement of Gambling Principles to Full Council on 20 November 2023.

3.0 Detail

3.1 Cabinet Member Foreword

3.1.1 Under the Gambling Act 2005 ('the Act'), the council is responsible for issuing premises licences for casinos, bingo halls, betting shops, adult gaming centres and licensed family entertainment centres as well as permits for gaming machines in pubs, clubs and other alcohol licensed premises.

3.1.2 The council must ensure that an appropriate Statement of Principles is in place as required by statute and where possible, will align this to support the following Council Policies and Strategies:

- London Borough of Brent Borough Plan 2023-27, Prosperity and Stability in Brent

3.2 Background

3.2.1 Section 349 of the Act places a duty on Licensing Authorities to prepare and publish a three-year Statement of Principles for Gambling that they propose to apply in exercising their functions. The Licensing Policy Statement is a crucial component of local gambling regulation. It is expected that licensing authorities will use it to outline local issues, priorities, and risks that inform and underpin their approach to local regulation. This policy statement allows licensing authorities to agree on how gambling is managed in different parts of the local authority area, in response to local concerns and issues.

3.2.2 Furthermore, it provides clarity for licensees and prospective licensees regarding how their businesses are likely to be treated in different localities. With a clear and agreed policy statement, licensing authorities can work in partnership with local businesses, communities, and responsible authorities to identify and mitigate local risks to the licensing objectives.

3.2.3 The policy statement serves as the primary means for setting out the Licensing Authority's approach to regulation considering local circumstances. It ensures that operators have sufficient awareness and understanding of the relevant licensing authority's requirements and approach, including its view on local risks, to help them comply with gambling regulations.

3.2.4 The statement must include the three licensing objectives which the policy will promote:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.2.5 The aim of Statement of Principles is:

- To set expectations on how gambling will be regulated in the local area.
- To set out how the Authority intends to support responsible operators and take effective actions against irresponsible operators by granting, refusing and attaching conditions to premises licences.
- To support licensing decisions that may be challenged in a court of law.
- To provide guidance to elected members on the licensing Committee, the powers available to the local authority as the licensing authority.

3.2.6 When preparing a Statement of Principles, Licensing Authorities are required to adhere to regulations and have regard to the Gambling Commission's Guidance. Any Licensing Authority departing from the guidance should have strong and defensible reasons for doing so as to avoid the potential risks and costs that would arise from any Judicial Review.

3.2.7 However, Licensing Authorities cannot consider matters relating to:

- **moral objections** to gambling. Gambling is a lawful activity and objections cannot be considered on these grounds alone;
- **planning status** of premises. A gambling licence application must be considered independently of any requirement for planning consent; and

- **demand**. The fact that there may already be sufficient gambling premises within an area to meet existing demand cannot of itself be considered when considering a new licence application.

3.2.8 Brent Council published its first Statement of Principles in January 2007, further revisions were made in January 2011, 2016, 2019 and 2022. The extended Gambling Act 2005 Statement of Principles expires on the 31 January 2024.

3.2.9 A draft Statement of Principles is attached at Appendix 1.

3.2.10 The revised draft statement has taken account of the Gambling Commission's Guidance and relevant codes of practice.

3.2.11 A seven week consultation has been undertaken which ended on 20 October 2023. Consultation responses are attached in Appendix 2.

3.2.12 Twelve responses have been received. Relevant amendments have been undertaken.

4.0 Stakeholder and ward member consultation and engagement

4.1 The Licensing Committee members were consulted on 2 August 2023 prior to the public consultation.

4.2 All the responsible authorities, Councillors, Director of Public Health, premises licence holders and residents have been consulted. Consultation responses are attached in Appendix 2.

5.0 Financial Considerations

5.1 None specific

6.0 Legal Considerations

6.1 In accordance with section 349 of the Act and regulations made under the Act, the council must publish its revised Statement for a period of four weeks prior to its coming into effect on the council's website and make it available for public inspection. The council must also advertise the fact that the revised Statement is to be published by placing a notice on its website, and in a local newspaper and/or a public notice board in or near the council's offices and/or at a public library in the borough. It is intended that the council's revised Statement will come into force on 31 January 2024.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 Section 2.8 of the Statement of Principles deals with equality matters.

7.2 An Equality Impact Assessment has been completed and is attached at Appendix 3.

8.0 Climate Change and Environmental Considerations

8.1 None specific

9.0 Human Resources/Property Considerations (if appropriate)

9.1 None specific

10.0 Communication Considerations

10.1 Consultation was publicised on the council website and through the council's communication channels.

10.2 The revised Statement is to be published by publishing a notice on its website, and in a local newspaper and/or a public notice board in or near the Council's offices and/or at a public library in the Borough for as period of four weeks prior to its coming into effect on the council's website and make it available for public inspection.

Report sign off:

Peter Gadsdon
Corporate Director of Resident Services

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APPENDIX 1

Statement of Gambling Principles 2022 - 2025

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Executive summary

Brent Council has been responsible for licensing gambling premises since 2007. This is the sixth edition of our Statement of Principles ('policy') for gambling.

We, as a licensing authority, collaborate with the Gambling Commission and other agencies to regulate gambling in our Borough. Both the Gambling Commission and the Brent Council have crucial roles to play in regulating and addressing gambling concerns at national and local levels, respectively.

Our policy is designed to find a balance between safeguarding those who may be vulnerable to the harmful effects of gambling, while also supporting and boosting the resilience of local businesses in Brent during these challenging times caused by Covid-19 and the rising cost of living. This policy aims to achieve this goal by minimising incidents related to non-compliance and ensuring that all stakeholders are able to navigate the gambling landscape with ease and confidence.

This policy reflects Brent Council's commitment to supporting licensed businesses and promoting thriving high streets, in alignment with Borough Plan 1 (2023-2027). It outlines the five priorities that will guide these efforts, ensuring that the community's needs and aspirations are at the forefront of decision-making.

The policy has been reviewed taking into consideration our local area profile which allows us to remain responsive to emerging risks and undertake evidence-based decisions when addressing local gambling issues that may affect Brent.

It is important to note that this policy is being rewritten at a time of regulatory change and update as a result of the recent publication of the government's 'White Paper' on gambling legislation.[1] The proposed changes will affect both online and land-based gambling environments. Local regulation needs to consider these proposed changes which include the transfer of unused casino licenses, the introduction of 'Cumulative Impact Assessments', the exploration of cashless payment options, and the reconsideration of machine ratios and numbers within gambling premises.

This policy should be used by applicants, residents, businesses, and responsible authorities. It must be considered when preparing or reviewing applications and used to determine if they meet the Licensing Objectives and policies.

This Statement of Principles should be read in conjunction with the following reference materials:

The Gambling Act 2005

https://www.legislation.gov.uk/ukpga/2005/19/contents

The Mandatory and Default Conditions for premises

[1] https://www.gov.uk/government/publications/high-stakes-gambling-reform-for-the-digital-age

https://www.legislation.gov.uk/uksi/2007/1409/contents/made

The Licence Conditions and Codes of Practice

https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp/online

Gambling Commission Guidance to Licensing Authorities

https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities

Data Protection Act 2018

https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted

Anti-Social Behaviour Act

https://www.legislation.gov.uk/ukpga/2003/38/contents

The revisions incorporated into this statement, along with the consideration for our local area profile, will ensure that gambling establishments that promote responsible gambling can continue to operate and offer a valued leisure activity. It will also ensure that we have the necessary tools to tackle issues that might arise at gambling premises and safeguard vulnerable individuals from the adverse effects of gambling.

Statement of Principles for Gambling

1. Introduction

1.1 About Brent Council – General

1.1.1 Brent is located in Northwest London and covers an area of approximately 4,325 hectares. It is crossed by two of the main arterial routes into London and is divided by the North Circular Road. Brent adjoins seven other London Boroughs which include Harrow, Camden, Ealing, Barnet, Westminster, Kensington & Chelsea, and Hammersmith. Brent is an outer London Borough with many 'inner' London characteristics. Its boundaries adjoin four of the capital's 14 Inner Boroughs.

1.1.2 ONS data[1] shows that, as of 2021, Brent has a population of 339,900 which represents an increase of 9.2% on the 2011 census. This growth is higher than the overall population growth of England (6.6%), lower than the growth of neighbouring boroughs Harrow (9.3%) and Barnet (9.2%), but higher than that within Kensington and Chelsea (-9.6%) and Westminster (-6.9%). The borough can be broadly characterised as more affluent in the north and generally more deprived in the south, reflecting its origins as the former boroughs of Willesden

[1] https://www.ons.gov.uk/visualisations/censuspopulationchange/E09000005/

and Wembley, which were combined to become the London Borough of Brent. A map of the borough showing the main transport routes can be found in Figure 1 below.

1.1.3 Brent's population is a young one with 40% of residents being under the age of 30 and 25% under 19 years of age. There has been an increase of 20.9% in people aged 65 years and over, an increase of 9.2% in people aged 15 to 64 years, and an increase of 2.8% in children aged under 15 years.

1.1.4 Brent is a multi-ethnic and multicultural borough, with black, Asian and minority ethnic (BAME) people accommodating for 65.0% of the borough's population; the second largest proportion of BAME people in England and Wales. 44.9% of Brent's population are born in the UK, with 37.0% not speaking English as a first language. In 2022, the average income in Brent was £43,241, 6.1% higher than England's national average salary of £40,746[1]. Within London, Brent ranks as the 6th lowest borough in terms of median household income, and there is a wide variation between wards in the borough. The three largest religious groups in the borough are Christians comprising of 41% of the population, followed by Muslims at 19% and Hindus at 18%. About 82% of the residents follow a religion, which is the fourth highest rate in England and Wales. The borough has the second-largest Hindu population in England and Wales and the tenth-highest Muslim population as a percentage of the population.

1.1.6 Currently, there are eighty-three licensed gambling premises in Brent.

[1] https://www.ons.gov.uk/help/localstatistics

1.2 Borough Map

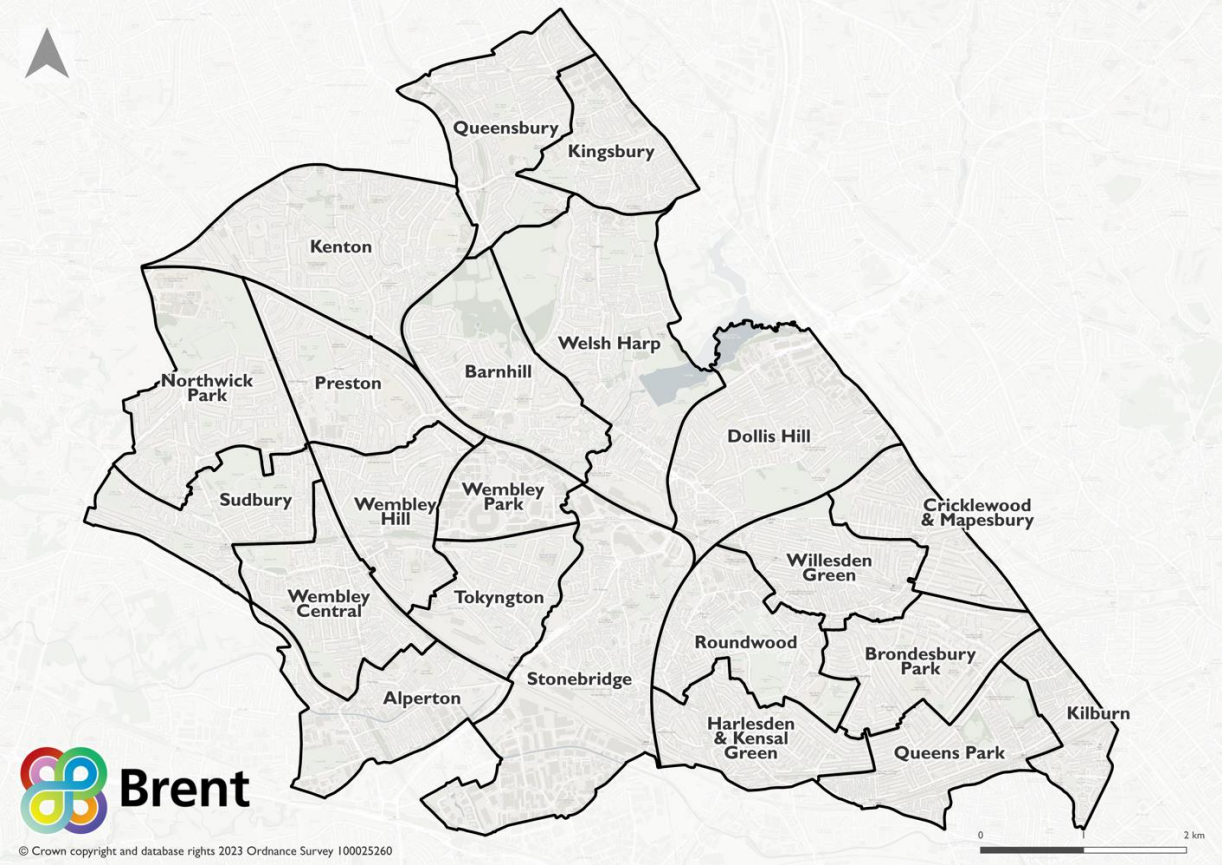

Figure 1: London Borough of Brent Map

1.3 Brent's vision and priorities

1.3.1 Our vision is to build a better Brent together. The current Borough Plan priorities are:

- Prosperity and Stability in Brent
- A Cleaner, Greener Future
- Thriving Communities
- The Best Start in Life
- A Healthier Brent

1.3.2 Each of the five priorities has a set of objectives which define the areas of focus for the Council, its partners, and the community:

Prosperity and Stability in Brent:

- Tackling inequality and easing the pressure of the rising cost of living. This means continuing to work with partners to build on our existing joint plans to reduce poverty, ensuring everyone has access to direct support when they need it.
- Create more accessible and genuinely affordable housing.

A Cleaner, Greener Future:

- Ensuring sustainability is central to the growth of our borough and local economy.
- Investing to make our streets cleaner and healthier.
- Continuing to work with both residents and partners to ensure that Brent is carbon-neutral by 2030.

Thriving Communities:

- We will continue to work with faith leaders, Brent hubs, and other voluntary and community sector partners to engage with underrepresented groups.
- Committing to working hard to prevent crime and anti-social behaviour.

The Best Start in Life:

- Ensuring our children and young people are safe by improving our approach to safeguarding, including for those who are transitioning to adulthood.
- Working with schools and partners to make sure access to education is fair and equal.
- Creating more opportunities and spaces to empower our young people to have their say.

A Healthier Brent:

- Explore inequalities in access, outcome and experience in health and care by ethnicity, deprivation or disability and work with our communities to develop targeted plans to address these.
- Maintain preparedness to cope with public health emergencies.
- Work with NHS and partners to deliver more cross- sector working within services that impact on health, such as housing, mental health, and community safety.

2. Purpose and Scope of this Policy

2.1 Policy Aims

2.1.1 The aim of this policy is:

- To inform licence applicants how this Authority will make licensing decisions and how licensed premises are likely to be able to operate within its area.
- To set out how the local authority intends to support responsible operators and take effective actions against irresponsible operators.
- To inform local residents, businesses and licensed premises users, the protections afforded to the local community within the Act by this Authority.
- To support licensing decisions that may be challenged in a court of law.
- To provide a resource to elected members sitting on the Licensing Committee which clearly sets out the powers available to them as representatives licensing authority.

2.2 Consultation for Statement of Gambling Principles

2.2.1 Licensing Authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement may also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

2.2.2 Brent Council has endeavoured to consult as widely as possible on this statement before finalising and publishing. A list of those persons and/or bodies consulted is attached in Schedules 6 to 9.

2.2.3 The Gambling Act requires that licensing authorities consult the following parties about the statement:

(a) the Chief Officer of Police for the borough.
(b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area; and
(c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

2.2.4 In addition to the consultees mentioned above, the Licensing Authority may also consult the following:

- Responsible Authorities such as the Fire Authority, child protection.
- Gambling Commission.
- Interested parties such as trade associations.
- Interested parties such as residents' associations.

2.2.5 The consultation on this revised statement of principles had due regard to the HM Government Code of Practice on Consultation published July 2008. The full list of comments made and the consideration by the Council of those comments will be made available upon request.

2.3 Licensing Authority functions

2.3.1 Under the Gambling Act 2005, this Authority is responsible for local gambling regulation. This statement of principles deals with the range of regulatory functions in relation to gambling activities. These include:

- the licensing of premises where gambling activities are to take place by issuing premises licences.
- issuing provisional statements.
- regulating members' clubs and miners' welfare institutes that wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits.
- issuing club machine permits to commercial clubs.
- granting permits for the use of certain lower-stakes gaming machines at unlicensed family entertainment centres.
- receiving notifications from alcohol-licensed premises for the use of two or fewer gaming machines.
- issuing licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, where there are more than two machines.
- registering small society lotteries below prescribed thresholds.
- issuing prize gaming permits.
- considering notices given for temporary use of premises for gambling.

- receiving occasional use notices of betting at tracks.

- providing information to the gambling commission regarding details of licences issued (see section above on 'information exchange).

- maintaining registers of the permits and licences that are issued under these functions; and

- exercising its powers of compliance and enforcement under the 2005 act in partnership with the Gambling Commission and other relevant responsible authorities.

2.4 Statutory framework

2.4.1 As a licensing authority, this Council has a broad range of discretionary powers in regulating gambling. These include granting, reviewing, refusing, and attaching conditions to premises licences or revoking them as a result.

2.4.2 In addition to the Act, this licensing authority has responsibilities under the Licensing Act 2003. There are some inter-dependencies between the two Acts in terms of the framework for decision-making and the procedures that must be followed. However, the licensing objectives under the two Acts are not identical. The Council will aim to permit the use of premises for gambling in so far as we believe it is:

- In accordance with any relevant codes of practice.
- In accordance with any relevant Guidance issued by the Gambling Commission.
- Reasonably consistent with the Licensing Objectives; and
- In accordance with the Licensing Authority's Statement of Licensing Principles

2.5 Licensing Authority Decisions

2.5.1 Brent Council's Alcohol and Entertainments Licensing Committee is established to administer functions under the Gambling Act 2005 and is delegated with the powers under the Act to make all decisions relating to premises licences.

2.5.2 To provide a speedy, efficient, and cost-effective service the committee has established a number of sub-licensing committees and delegated certain functions and decisions to those sub-committees.

2.5.3 Many of the decisions are largely administrative in nature such as the grant of non-contentious applications, including, for example, those licences, permits and notices where no representations have been made. These will be delegated to council officers by the licensing committee.

2.5.4 Applications where there are relevant representations will be dealt with by

the licensing committee/sub-committees unless such representations are considered irrelevant, frivolous, or vexatious or unless the council, the applicant and all those persons who have made representations agree that a hearing is not necessary.

2.5.5 The table in Schedule 5 sets out the delegation of functions under the Act to the licensing committee, sub-committees, and officers. Where appropriate, officers may refer any matter to a sub-committee or a sub-committee to a full committee.

2.6 Reviewing and updating the policy statement.

2.6.1 This Statement of Gambling Policy will be effective for a maximum of three years and will be reviewed thereafter. However, it may be reviewed earlier in the event of a change of policy, for example, a change in local planning policy. The Council is required by law to consult on any changes to the policy.

2.6.2 Before the statement or revision comes into effect, the Council is obliged to publish a notice of its intention to publish a statement or revision. Such notice will ensure that applicants and persons wishing to make representations have the necessary information to do so. The Council will make available all necessary information on its website. Such information will:

- include a register of the premises licences that have been issued,
- include where and at what times the register may be inspected.
- specify the date on which the statement or revision is to be published.
- specify the date on which the statement or revision will come into effect.
- specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected.
- be published on the authority's website and in/on one or more of the following places for at least four weeks before it comes into effect: be published in a local newspaper circulating in the area covered by the statement; in a local newsletter, circular, or similar document circulating in the area covered by the statement; on a public notice board in or near the principal office of the authority; on a public notice board on the premises of public libraries in the area covered by the statement.

2.6.3 A database of premises licences is also available on the Commission's website at https://www.gamblingcommission.gov.uk/public-register/premises.

2.7 Human Rights Act 1998

2.7.1 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention Right. Brent Council will have regard to its rights and responsibilities under the Human Rights Act 1998 when determining applications, considering enforcement action, and reviewing this policy.

2.7.2 The council will have particular regard to:

(a) Article 6 – that in determination of civil rights everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(b) Article 8 – that everyone has the right to respect for his home and private life (removal or restriction of a licence may affect a person's private life); and

(c) Article 1 of the First Protocol – that every person is entitled to peaceful enjoyment of his or her possessions (a licence is considered a possession in law), and people should not be deprived of their possessions except in the public interest.

2.7.3 The Council will not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. The Council may request as much information as it requires to satisfy itself that all the requirements as set out in the principles that it applies are met.

2.8 Diversity and equality

2.8.1 Subject to the general requirements of the Act, this Licensing Authority will promote equality of opportunity. In such respects, nothing within this statement of licensing principles shall undermine the right of any individual to apply for any of the licences and/or authorisations provided under the terms of the Act.

2.8.2 Brent is a diverse borough. Certain applications may impact differentially on groups who share and do not share particular characteristics, such as race, gender, age, disability, sexuality, or religious beliefs. Applicants are expected to demonstrate that such impacts have been understood and addressed in their application.

2.8.3 Where applications made by these groups or organisations representing them highlight special needs or customs that may affect their application, the Council, in recognising its duty to eliminate discrimination and promote good relations will consider supporting those needs or customs whilst seeking to promote the three licensing objectives.

2.9 Exchange of Information

2.9.1 Licensing Authorities play an important role in sharing information about gambling activity at a local level. This informs the Commission's overarching view of gambling activity and identifies risks and feeds information and intelligence back to licensing authorities. The Commission has access to a wide pool of intelligence which it can make available to licensing authorities upon request, to support them in carrying out their regulatory responsibilities under the Act.

2.9.2 All licensing authorities are required to submit annual returns to the Commission, providing information on licensed gambling activity and details of compliance and regulatory work undertaken. This includes details of permits and notices issued, premises inspections conducted, and reasons for and outcome of licence reviews.

2.9.3 The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to licensing authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

2.9.4 Should any protocols be established as regards information exchange with other bodies then they will be made available.

2.10 Declaration

In producing the final statement, this licensing authority declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

3 The Licensing Framework

3.1 Introduction to the Gambling Act 2005

3.1.1 The Gambling Act 2005[1] (the "Act") requires this Licensing Authority to draft, consult on and publish a Statement of Gambling Principles in relation to its responsibilities under the Act. Once published, this policy called the Statement of Gambling Principles will be kept under constant review and in any case, will be re-published every three years. Before any revision of the statement of gambling principles is published, this authority will carry out a full consultation exercise. This statement has been revised following the 3-year review.

3.1.2 The London Borough of Brent is a Licensing Authority under the Gambling Act 2005[1] (the "Act") which came into force in 2007 and established a new regime for the regulation of commercial gambling whilst repealing a number of pieces of older law. The overall approach of the Act is to permit the use of premises for gambling in so far as it is satisfying the criteria listed below. However, gambling

is unlawful in Great Britain unless permitted by the measures contained in the Act in relation to most commercial gambling. The criteria that must be fulfilled for gambling are:

- in accordance with any relevant code of practice and guidance issued by the Gambling Commission.
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing principles

3.1.3 The Act requires all licensing authorities to publish a Statement of Principles which it proposes to apply when exercising its functions under the Act. The form of the Statement of Principles is set out in The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. The Gambling Commission's guidance to licensing authorities contains further detail on the format of the council's Statement of Principles.

3.1.4 Section 25(1) of the Gambling Act states that the Gambling Commission shall from time-to-time issue guidance as to the manner in which local authorities are to exercise their functions and in particular, the principles to be applied by local authorities in their functions under this Act.

3.1.5 Section 25(2) states that a local authority shall have regard to the guidance issued under section 25(1).

3.1.6 It must be noted that there must be strong, robust, and evidence-based reasons for departing from this Guidance and these need to be clearly expressed and explained if a licensing authority is to avoid judicial review or challenge on appeal for failing to take this Guidance into account.

3.1.7 This Statement of Principles follows the principles laid down in the Gambling Commission's Guidance to local authorities and can be accessed via https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities.

3.1.8 The council's Statement of Principles is intended to have regard to the three licensing objectives set out in the Act. These objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- ensuring that gambling is conducted in a fair and open way.
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.1.9 Under the Gambling Act 2005 'child' means an individual who is less than 16 years old and 'young person' means an individual who is not a child but who is less than 18 years old.

3.2 The Gambling Commission

3.2.1 The Commission is a statutory body and the national regulator of gambling, with the following statutory functions:

- issuing operating and personal licences to gambling businesses and individuals occupying certain positions in the gambling industry, with appropriate conditions and ensuring that holders of licences adhere to their terms.

- publishing codes of practice; and

- publishing statutory guidance to licensing authorities.

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3.3 Roles and responsibilities

3.3.1 Licensing Authorities have broad discretionary powers to regulate gambling in their areas. These include:

- To issue a statement of licensing policy, setting expectations about how gambling will be regulated in the area.

- Granting, refusing, and attaching conditions to premises licences; and

- Reviewing premises licences and attaching conditions or revoking them as a result.

3.3.2 The Commission has wider functions under the Act, and the Council works in partnership with the Commission as dual regulators. This document does not discuss the role and responsibilities of the Commission and any references in this policy will only be insofar as it impacts, or clarifies, this Council's functions. For example, the Commission is exclusively responsible for issuing operating and personal licences, the former of which is a necessity before the Council can determine an application for a premises licence.

3.3.3 The Commission is also mentioned in this document as being responsible for issuing Codes of Practice and guidance to licensing authorities regarding the manner in which they are to exercise their functions. This Statement of Gambling Policy endorses the principles set out in the Commission's Guidance and key licensing objectives and confirms that the Council will take account of all such guidance.

3.4 The licensing framework

3.4.1 Types of Licence

The Act creates three types of licence:

(a) operating licences, which are required by businesses in order to provide gambling facilities lawfully.

(b) personal licences, which are required by some people working in the gambling industry.

(c) premises licences, which are required to authorise premises to provide gambling facilities.

3.5 Operating licences

These are linked to different types of gambling activity and include:

- Casino operating licence.
- Bingo operating licence.
- General betting operating licence.
- Gaming machine general operating licence for adult gaming centre or for family entertainment centre.

3.6 Personal licences

A holder of a personal licence may be authorised to perform certain functions. It can authorise the holder to perform specified operational function relating to the provision of gambling machines or a person who provides gambling facilities. The Commission can impose licence conditions on personal licences. These licences are usually held by people in key management positions such as strategy, marketing, finance, and compliance. These licences are not specific to one venue.

3.7 Premises Licences

Premises licences are issued by the licensing authority to enable premises to be used for gambling. These include:

- casinos premises
- bingo premises.
- betting premises, including tracks
- adult gaming centres
- licensed family entertainment centres

4 Principles to be applied by Licensing Authorities

4.1 Licensing Objectives

4.1.1 In exercising its functions under the Act, this Council must have regard to the licensing objectives which are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- ensuring that gambling is conducted in a fair and open way.
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.1.2 The Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling."

According to the Gambling Commission[1], 'a customer in a vulnerable situation is somebody who, due to their personal circumstances, is especially susceptible to detriment, particularly where a business is not acting with appropriate levels of care'

4.2 **Objective 1: Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.**

4.2.1 This authority recognises that the Commission takes a lead role in preventing gambling from being a source of crime and will have investigated issues of suitability under the application process for an Operators' licence.

[1] www.gamblingcommission.gov.uk/about-us/guide/page/vulnerability-statement-what-do-we-mean-by-vulnerability

4.2.2 However, the location of a premises is an important factor when determining a premises licence application. Therefore, this Authority will pay particular attention to the location of gambling premises and the local level of crime. Where an area has a high level of crime and/or disorder, careful consideration will be given to whether it is appropriate for gambling premises to be located there and if so, what conditions may be necessary to minimise the risk of crime.

4.2.3 Licensees will be expected to demonstrate that they have given careful and adequate consideration to this objective. In considering whether to grant a premises licence, this Authority will also give appropriate consideration to issues such as:

- The configuration, design, and layout of the premises, paying particular attention to steps taken to 'design out' crime
- The arrangements in place to control access.
- Security arrangements within the premises, including whether CCTV is installed (or intended) and if so the standard of the CCTV and the positioning of the cash registers.
- Training provided to staff around crime prevention measures.
- The level of staff intended to be provided at the premises, including whether door supervisors are employed.
- The arrangements for age verification checks
- Steps proposed to be taken to redress the recurrence of any historical crime and disorder issues
- Steps proposed to prevent disorderly behaviour associated with the premises including by street drinkers outside the premises.
- Consideration of the appropriate placement of externally visible signage, where better lines of sight into the premises would aide in the reduction of crime and anti-social behaviour associated with the premises.
- The likelihood of any violence, public disorder, or policing problems if the licence is granted.

4.2.4 The above list is not exhaustive. Reference will also have to be made to issues raised by the local area profile detailed in section 6 of this policy.

4.2.5 It is noted that the distinction between disorder and nuisance in the case of gambling premises and that disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.

4.2.6 Some UK Police Authorities have trialled screening for gambling addiction as a result of concerns that high-stakes betting activity may be a driver for crime. Although we accept that causality is often difficult to establish in respect of specific crimes, we would expect licence applicants and licence holders to have an awareness of this potential link and to be vigilant in respect of

monitoring customer activity for signs of a link between gambling behaviour and criminal activity. This may include:

- Measures to address the risk of the premises being used for drug dealing.
- Measures to address the risk of the premises being used for the sale of stolen goods.
- Consideration of how to prevent the association of premises with crime and disorder, especially where residents or members of the public may be threatened, verbally abused, or physically abused as a result of persons congregating in or around the premises.

The measures mentioned above may include:

- An upgraded CCTV system includes cameras both inside and outside the premises,
- a monitor at the staff counter area for surveillance,
- the removal of advertising from the window to provide a better view of the exterior of the premises.
- increased staffing
- an SIA licensed security officer at the premises at specific times

4.2.7 The London Borough of Brent has implemented a Public Spaces Protection Order (PSPO) for three years starting on February 1, 2023. Restricted Areas will be identified in three maps, where activities listed under prohibitions are not allowed. Police and council officers have the power to require persons to cease restricted actions. The PSPOs have been implemented due to concerns around specific nuisances affecting the quality of life of residents within the community, including in response to the nuisance that is caused by street-drinking and anti-social behaviour. Where premises are located within such areas, Brent Council would expect that licensees take this into account when implementing risk mitigation measures as part of the Local Area Risk Assessment. Specific measures which may be appropriate include:

- Consideration of how to prevent the breach of Mandatory Licence Conditions by permitting alcohol to be brought onto the licensed premises.
- Use of clear signage which explains that it is prohibited to allow alcohol on the premises.
- Prevention of use of the premises by anyone who is or appears to be under the influence of alcohol, or drugs.
- Consideration of the vulnerability to gambling-related harm of customers who may be under the influence of alcohol or drugs.
- Training for staff in how to deal with customers under the influence of drugs or alcohol.

4.3 Objective 2: Ensuring that gambling is conducted in a fair and open way

4.3.1 The Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is, however, more of a role for licensing authorities with regard to tracks which is explained in more detail below.

4.3.2 Any suspicions raised that gambling is not conducted in a fair and open way will be brought to the attention of the Commission. Similarly, any concerns relating to fair trading legislation will be brought to the attention of Trading Standards.

4.4 Objective 3: Protecting children and other vulnerable persons from being harmed or exploited by gambling

4.4.1 This objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children (except category D machines). The Council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas, restrictions on signage etc.

4.4.2 Licensees and applicants will be expected to demonstrate that they have given careful consideration to measures intended to protect children. This Authority will give appropriate consideration to measures intended to protect children such as:

- Arrangements for age verification
- Arrangements for segregation between gaming and non-gaming areas in premises where children are permitted.
- Arrangements for supervision of machine areas in premises where children are permitted.
- The provision of signage and notices

4.4.3 This Authority will also consider whether the structure or layout and configuration of a premises either inhibits adequate supervision of the premises or prohibits it. In such cases, the applicant for a licence should consider what changes are or might be required to mitigate this. Such changes include:

- The positioning or relocation of staff or CCTV to enable direct lines of sight of entrances/ machines.
- The use of floor walkers to monitor use of machines.

4.4.4 Part 4 of the Act establishes offences related to children and gambling, including participation, entry to premises, and employment. For the purposes of the Act, any person aged less than 16 is a child, any person aged sixteen

or more, but who is not yet eighteen, is a young person. Sections 46 and 48 prohibit inviting children and young persons to gamble and participating in gambling, while sections 47 and 49 prohibit inviting young persons onto gambling premises. The intention of the Act is that children and young persons should not be permitted to gamble and should be prevented from entering the premises which are adult-only environments. This Authority will consider whether staff will be able to adequately supervise the gambling premises to ensure that an offence is not committed.

4.4.5 The Commission's Licence Conditions and Codes of Practice include requirements for holders of Operating Licences that licensees must have and put into effect 'Social Responsibility' policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.

4.5 Protecting vulnerable adults

4.5.1 Since the last Statement of Policy review, the Gambling Commission has provided further guidance on the factors which may make an individual vulnerable to gambling harm as part of the publication of formal guidance to accompany the relevant social responsibility code provisions. The following provides useful guidance when considering vulnerability[1]:

- **personal and demographic** - if the individual is experiencing poor physical or mental health, physical or cognitive impairment, suffering side effects from a brain injury or medication or has an addiction
- **situational** - if the individual is experiencing financial difficulties, is homeless, is suffering from domestic or financial abuse, has caring responsibilities, experiences a life change or sudden change in circumstances
- **behavioural** - if an individual has a higher than standard level of trust or high appetite for risk
- **market-related** - if an individual is engaged in an activity which is highly complex; that they have a lack of knowledge and/or experience of the market
- **access** - if an individual has difficulty accessing information because of poor literacy or numeracy skills, knowledge, dyslexia.

4.5.2 The Commissions general licence conditions and associated codes of practice include requirements as part of Operating Licences that licensees must have and put into effect policies and procedures that promote socially responsible gambling. In particular, the codes of practice place responsibilities on licensees:

[1] https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/page/vulnerability#:~:text=Life%20events%20or%20changes%20to,or%20other%20factors%2C%20as%20follows.

- To make information readily available to customers on how to gamble responsibly and how to access information about and in respect of gambling problems.
- For customer interaction where they have concerns about a customer's behaviour may indicate problem gambling.
- To participate in the national multi-operator self-exclusion scheme
- To take all reasonable steps to refuse service or otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling
- To take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.

4.5.3 In order that this authority may make a proper informed judgement as to the effectiveness of these policies and procedures, it is requested that copies of the relevant documentation are submitted for consideration as part of any application for a new or varied premises licences. These will be considered upon their individual merits. Additional considerations will include the following:

- How staff members are trained to protect customers and provide effective customer interaction
- How staff members are trained to identify and act on markers of gambling harm
- How staff members are trained to be alert to potential signs of vulnerability and to determine whether an individual presents an increased level of risk of experiencing gambling harms

4.5.4 Although the following is not a definitive list, this Authority would expect that staff members have received training to identify and act on potential indicators of gambling harm such as:

- Depositing behaviour – High frequency of deposits, chasing losses, indications that bank transactions have been declined due to insufficient funds
- Bonus seeking behaviour
- Repeated over-riding or ignoring of responsible gambling tools such as session limits
- Spending extended periods of time engaged in gambling on the premises
- Accessing gambling facilities late at night
- Aggressive behaviour
- Frequent complaints

4.5.5 This Authority will want to understand the steps taken by the applicant to monitor the effectiveness of their policies and procedures and to evaluate the impact of their customer interactions.

4.6 Choosing a suitable location

4.6.1 The location of gambling premises has already been raised within this policy under the first licensing objective. However, locations carry broader considerations that can potentially impact on each of the licensing objectives and beyond. This Authority recognises that adult gaming centres are increasingly being opened in densely populated areas of the borough where there may be high numbers of children and young people. This in itself is not a problem where appropriate steps have been taken to minimise the risks of children being attracted to gambling. However, in relation to Adult Gaming Centres, and specifically where they are located within areas involved in provision of the borough's night-time economy and intend to open late at night, this Authority would expect that this would be taken into consideration within the Local Area Risk Assessment.

4.6.2 This Authority will give careful consideration to any application in respect of premises that are located in close proximity to:

- Schools
- Parks, playgrounds, and open spaces
- Stations and transport hubs where large number of children may be expected to congregate.
- Leisure facilities, youth clubs and community centres
- Hostels, emergency accommodation, supported accommodation or other accommodations for vulnerable children, young persons, and adults
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctors' surgeries, council housing offices, addiction clinics or help centres, places where alcohol and drug dependent people may congregate etc.
- Faith premises and places of public worship (including churches, temples, mosques etc.) which may tend to be frequented by children and/or vulnerable people.
- Areas that are prone to young people congregating, including (but not limited to) for the purposes of participating in anti-social behaviour, activities such as graffiti/tagging underage drinking and public drinking etc.

4.6.3 The licensing authority is aware that, in accordance with Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks is:

- in accordance with any relevant code of practice and guidance issued by the Gambling Commission.
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy

5. Brent Profile

5.1 Health in Brent

5.1.1 According to the National Drug Treatment Service Monitoring System (NDTMS), Brent has higher rates of opiate and crack misuse compared to the London or national average. The borough also has higher rates of opiate use and similar rates of crack use compared to the London average and above the national average.

5.1.2 The rate of alcohol-related hospital admissions for minors in Brent is lower than both the London and national averages. Most youths do not abuse drugs, but around 140 young people in Brent access specialist substance misuse services, with the most common referral being from the youth justice system and cannabis being the most commonly used substance.

5.1.3 Regular alcohol use above low-risk levels can cause hospital admissions, most commonly involving high-risk, dependent, or binge drinkers. From 2013/14 to 2017/18, alcohol-related hospital admission rates have increased in Brent, with higher rates for men compared to London and England averages.

5.1.4 Services, both substance misuse treatment services and general physical and mental health services, have identified a need to respond to an aging and older cohort of people misusing alcohol and/or drugs within Brent.

5.1.5 Preventing opiate, crack, and cocaine usage remains a priority in Brent. Addressing new challenges posed by Novel Psychoactive Substance (NPS) is also a current priority.

5.2 Levels of Harm identified within Health Survey for England

5.2.1 The Health Survey for England 2021, published in May 2023, found that 50% of adults participated in gambling within the last year. Men (55%) were more likely than women (45%) to gamble.

5.2.2 Brent Council is keen to reduce gambling-related harm. There is little borough-specific data available, but of those surveyed as part of the Health Survey for England, 2.8% were identified as at-risk or problem gamblers, with men (4.4%) more likely than women (1.1%) to be identified as at-risk or problem gamblers. These individuals are likely to experience negative social, financial, and psychological consequences as a result of their gambling behaviour.

5.2.3 The report suggests that certain types of gambling can be more harmful than others. For instance, the prevalence of rates of problem gambling is higher among those who engage in online gambling compared to those who participate in other forms of gambling such as the National Lottery. Neither of these products is regulated by Brent Council.

5.3 Risk Assessments

5.3.1 In February 2015, the Gambling Commission revised its 'Licence Conditions and Codes of Practice (LCCP)' which formalised the need for operators to consider local risks, specifically the Social Responsibility Code 10.1.1, which requires that all existing and proposed premises licence holders carry out risk assessments in accordance with the licensing objectives. These risk assessments will then underpin the measures required in order to mitigate those risks. The relevant assessments are required to take the licensing authority's statement into consideration in order to alleviate the risks.

5.3.2 From 6 April 2016, the LCCP has required all existing licensees that provide gambling facilities at their premises, to assess risks to the licensing objectives and have policies, procedures, and control measures in place to reduce those risks.

5.3.3 The Gambling Commission believes that gambling-related harm are often not recognised and, in their view, require greater attention[1]. They also identify those who are likely to be more vulnerable to gambling harm. Those with the strongest vulnerability are:

- Ethnic Groups
- Youth
- Neurodivergent
- Low IQ
- Substance abuse/misuse
- Poor mental health

It is also identified that the wider group of people around a gambler may be negatively impacted. This includes the well-being of partners, children, friends, employees, the community, and the economy.

5.3.4 In 2023, harmful gambling cost the UK government approximately £412.9 million in direct financial costs, and between £635 and £1,355.5 million in annual societal health impacts. The combined estimate is around £1.05 to £1.77 billion. Cultural and relationship costs have not been factored in. Although this data referenced above, and summarised within the table below, is national and may not necessarily directly relate to local areas, providers should demonstrate their awareness of the potential for such harms in the locality of their application and propose measures to mitigate them.

[1] [1] Gambling-related harm as a public health issue - Briefing paper for Local Authorities and local Public Health providers February 2018

Table 1. Estimated excess cost of harm associated with gambling in England, by type of harm and type of cost (in 2021 to 2022 prices)[1]

Type of harm (or domain)	Sub-domain	Cohort	Government (or direct) costs (£ millions)	Wider societal (or intangible) costs (£ millions)	All costs (£ millions)
Financial	Statutory homelessness	Adults	£49	N/A	£49
Health	Deaths from suicide	Adults	N/A	£241.1 to £961.7	£241.1 to £961.7
Health	Depression	Adults	£114.20	£393.80	£508
Health	Alcohol dependence	Adults	£3.50	N/A	£3.50
Health	Illicit drug use	17 to 24 years	£1.80	N/A	£1.80
Total health harms	All health sub-domains	All health cohorts	£119.50	£635 to £1,355.5	£754.4 to £1,475
Employment and education	Unemployment benefits	Adults	£77	N/A	£77
Criminal activity	Imprisonment	Adults	£167.30	N/A	£167.30
Excess cost (£ millions)	All sub-domains	All cohorts	£412.90	£635 to £1,355.5	£1,047.8 to £1,768.4

5.3.4 A local risk assessment should be undertaken or updated by a licensee, when applying for:

[1] https://www.gov.uk/government/publications/gambling-related-harms-evidence-review/gambling-related-harms-evidence-review-summary--2#:~:text=Our%202023%20economic%20analysis%20estimated,in%202021%20to%202022%20prices).

- A new premises licences.
- When applying for a variation of an existing premises licence
- To take into account any local significant changes in the local area
- When there are significant changes with their premises that may affect the existing local risk assessment.

5.3.5 Local risk assessments should be kept on the premises and made readily available to all relevant staff and authorised officers in request. Where electronic copies are held, the Licensing Authority would expect to be provided with a digital copy within two working days of the request being received.

5.4 Local Area Profile

5.4.1 The local area profile has been proposed in order to help inform specific risks that operators will need to address in their risk assessments. It ensures gambling operators consider all of the relevant data in order to safeguard anyone who is in direct or non-direct contact with gambling but equally to protect those most at risk.

5.4.2 The following criteria should be considered when carrying out local risk assessments. The current interactive map can be accessed using the following link:

https://maps.brent.gov.uk/map/Aurora.svc/run?script=%5cAurora%5cAurora+-+Gambling.AuroraScript%24&nocache=2097243282&resize=always

5.5 Factors informing the Local Area Profile

5.5.1 Deprivation

5.5.2 Research shows a higher prevalence of problem gambling in deprived areas. In relation to deprivation, both the overall and individual maps should be reflected upon.

5.5.3 It is Brent's position that all areas shaded as the 'most deprived' on the 'Index of Multiple Deprivation (IMD)' map and all areas shaded as the 'most deprived' on 'ASB data map', should be considered as being at high overall risk of gambling-related harm and therefore inappropriate for further gambling establishments. Operators would therefore be asked not to consider locating new premises or relocating existing premises within these areas. Nevertheless, any application made in such an area will be determined on its individual merits.

5.5.4 The following factors have been used to inform the Local Area Profile relating to deprivation:

- Income
- Employment

- Education, Skills & Training
- Health & Disability
- Crime
- Barriers to Housing & Services
- Living Environment
- Income deprivation affecting children.
- Income deprivation affecting older people.

5.5.5 Crime & Disorder Data in relation to Local Anti-social Behaviour (ASB)

5.5.6 The ASB data map should also be used to identify high levels of issues in the Borough in relation to the positioning of the proposed or existing gambling site.

5.5.7 Local Amenities

5.5.8 In terms of local amenities, the above interactive map should be used, taking into account all of the above amenities in relation to the premises.

5.5.9 Where operators do locate areas where they contemplate placing a new premises, the local amenities interactive map can be used to identify specific risks which should be the subject of mitigation or control measures in the form of a local risk assessment.

- Bank/Building Societies
- Education Establishments
- Places of Worship
- Betting Shops, Adult Gaming Centres (AGC's) & Bingo premises
- Premises Licensed under the Licensing Act 2003
- Pay day/Loan establishments/Pawn shops/Cash convertors
- Vulnerable Housing/Emergency accommodation/Supported Housing
- Substance Misuse & Drug & Alcohol recovery services
- GP's/Surgery
- Job Centres

5.6 Risk Assessments - Further Considerations

5.6.1 This Licensing Authority recommends that the following matters are considered by operators when making their risk assessments:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Gaming trends that may reflect receipt of benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends
- Urban settings such as proximity to schools, commercial environment, factors affecting footfall

- Range of facilities in proximity to licensed premises such as other gambling outlets, banks, payday loan shops, post offices, alcohol & entertainment facilities etc.
- Known problems in the area such as problems arising from street drinkers, young people participating in anti-social behaviour, drug dealing activities etc.

5.6.2 For matters related to children and young person risk assessments should address the following:

- Institutions, places, or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds, religious institutions, entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafes, shops, and any other place where children are attracted.
- Areas that are prone to young people participating in anti-social behaviour, including such activities as graffiti/tagging, underage drinking etc.
- Recorded incidents of attempted underage gambling.

5.6.3 For matters relating to vulnerable adults, risk assessments should address the following:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangements for localised exchange of information regarding self-exclusions and gaming trends
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

This list is not exhaustive and other factors not in this list or listed elsewhere in the statement of principles must be taken into consideration.

5.7 Assessing Applications

5.7.1 Whilst applications will continue to be assessed on their own merit, the local area profile maps that have been provided alongside this document must be taken into consideration if an application is to be made to Brent Council.

5.7.2 Where risks are present, mitigation or control measures should be identified in operating schedules and risk assessments when making an application. It is vital that an open discussion on concerns raised by the local authority, are also addressed.

5.7.3 The application should have regard to the three Licensing Objectives.

5.7.4 The following list (which is not exhaustive) shows some of the factors that will be taken into account when considering an application:

- The location of the premises
- How the Local Area Profile map data provided in this document has been addressed.
- Hours of Operation
- The size and layout of the premises
- The level of management oversight to be provided.
- The input from responsible authorities
- The input of interested parties.
- The risk assessment and operating schedule provided.

5.8 Conditions to be added to licence.

5.8.1 In addition to mandatory and default conditions, Brent Council may also impose conditions at its discretion which are relevant, fair, and reasonable in relation to the proposed application.

5.8.2 In addition to this, the Commission's Licence Conditions and Codes of Practice, should be considered by both the local authority and operators. These may be viewed by visiting: https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp

5.9 Summary

5.9.1 New applicants are asked to utilise all of the map data provided in this document relating to deprivation and ASB when making a decision as to whether an application should be made in the first instance.

5.9.2 If operators decide to apply, they should still take into consideration the data relating to deprivation and ASB but should also consider the data relating to local amenities. The data relating to local amenities may also show cause for concern, resulting in the operator deciding against an application at the proposed location.

5.9.3 'Lastly, all operators will need to consider all local risks to the licensing objectives posed by the provision of gambling at their premises. This may include identifying risks which take into account issues which relate to factors present within neighbouring wards and Boroughs. Applicants will be expected to take these into account when making a decision to apply for a new licence and/or writing/modifying risk assessments.'

6 Premises licences

6.1 General principles

6.1.1 This Statement of Principles does not set out to explain the process and procedure for a premises licence, variation, or transfer. However, it does set out for the benefit of applicants and all other interested parties some important matters that this Authority will have regard to when determining applications.

6.1.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission.
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

6.1.3 Applications for premises licences and club premises certificates must be made on the prescribed form and accompanied by

- The prescribed fee
- The prescribed documents, namely a plan of the premises (ideally at 1:100 scale, unless otherwise agreed with the Authority).

6.1.4 Application forms and statutory notices can be downloaded from the Commission's website. An application for a premises licence may only be made by persons (which includes companies or partnerships):

- Who are aged 18 or over
- Who have the right to occupy the premises
- Who have an operating licence or applied for an operating licence which allows them to carry out the proposed activity

The premises licence cannot be determined until an operating licence has been issued.

6.1.5 Applications must be completed in full and signed and dated. Incomplete applications will not be processed.

6.1.6 Similarly, a licence application and any licence subsequently issued is not valid if the relevant 'application notices' have not been made. These include:

- A notice is placed outside the premises for 28 consecutive days in a place where it can be easily seen and read by passers by

- A public notice placed in a newspaper or newsletter of local relevance on at least one occasion within 10 days of application being made.
- Notice is provided to all relevant responsible authorities, including the Commission, within seven days of the application being made.

6.1.7 Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications in relation to premises licences.

6.1.8 Section 135 of the Act identifies the following bodies as responsible authorities:

- The licensing authority in whose area the premises is wholly or partly situated
- The Gambling Commission
- The Chief Officer of Police
- London Fire Brigade
- The local planning authority
- Environmental Health
- Children’s Safeguarding Team
- HM Revenue and Customs
- Any other person prescribed by the Secretary of State

6.1.9 The licensing authority expects applicants for new licences or variations to assess the local risks to the licensing objectives posed by the provision of gambling facilities at the premises, and have policies, procedures, and control measures to mitigate those risks. The licensing authority will request copies of the risk assessments as part of the application process and will consider both the adequacy of the risk assessment and the control measures proposed, and whether it is proportionate to incorporate the control measures as conditions on the licence.

6.1.10 The Commission's Guidance to local authorities states that moral objections to gambling are not a valid reason to reject applications for premises licences (except as regards any 'no casino resolution' (see below regarding Casinos), and also that unmet demand is not a criterion.

6.1.11 Under s.150 of the Act, the Council will issue premises licences, if appropriate, for the provision of facilities on:

- casino premises
- bingo premises
- betting premises, including tracks and premises used by betting intermediaries
- adult gaming centre (AGC) premises (for category B3, B4, C and D machines)
- family entertainment centre (FEC) premises (for category C and D machines).

6.1.12 The Council may also issue a FEC gaming machine permit, which authorises the use of category D machines only.

6.1.13 The gambling activity of the premises should be linked to the premises described. For example, in a bingo premises, the licensed gambling activity will be bingo, gaming machines may be made available for use in licensed bingo premises only where there are also substantive facilities for nonremote bingo, provided in reliance on the licence available in the premises.

6.2 Definition of premises

6.2.1 The Act defines 'premises' as including any 'place'. Section 152 of the Act prohibits more than one premises licence applying to any place. But a single building could be subject to more than one premises licence providing they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises.

6.2.2 Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, this Licensing Authority does not consider that areas of a building that:

- are not clearly distinct and identifiable from each other (including their external and internal appearance and décor); or
- are artificially separated (e.g., by low and/or transparent partitions or barriers); or
- are temporarily separated and can be properly regarded as different premises.

When deciding if parts of a building/place constitute premises in their own right, the Licensing Authority also will take into account the definition of "premises" in the Act.

6.2.3 Any premises that are artificially or temporarily separated by ropes or moveable partitions will not be considered as a separate premises. If the premises are located within a larger venue, this authority will require a plan of the venue in which the premises should be identified as a separate unit.

6.2.4 Each application will be considered on its own merit. However, in cases where a proposal is intended to create separate premises with additional gaming entitlement which impacts on the licensing objectives, then this authority will not automatically grant a licence even where the mandatory conditions relating to access between premises are observed.

6.2.5 In considering licensing applications, the Licensing Authority will particularly take into account:

- the design and layout of the premises.
- the training given to staff in crime prevention measures appropriate to those premises.
- physical security features installed in the premises. this may include matters such as the positioning of cash registers and the standard of any CCTV system.
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks.
- the likelihood of any crime, public order, and anti-social behaviour issues if the licence is granted.
- the steps proposed by an applicant with regard to the licensing objectives, the associated robust risk assessments as well as any licence conditions proposed by the applicant.

6.3 Access to premises

6.3.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 set out the access provision for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18, and with the further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18 can go into FECs, tracks, pubs, and some bingo clubs, so access is allowed between these types of premises.

6.3.2 The relevant access provisions for each premises type is a follows:

Type of premises	Access provisions
Casinos	the principal entrance to the premises must be from a 'street'
	no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
	no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence
AGCs	no customer must be able to access the premises directly from any other licensed gambling premises.

Betting shops	access must be from a 'street' or from other premises with a betting premises licence
	no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.
Tracks	no customer must be able to access the premises directly from a casino or AGC.
Bingo premises	no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track.
FECs	no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track.

6.4 Access to gambling by children and young people

6.4.1 One of the objectives of the Act is protecting children and other vulnerable persons from being harmed or exploited by gambling. It is an offence to invite, cause or permit a child or young person to gamble or to enter certain gambling premises. Children are defined under the Act as under 16s and young persons as 16–17-year-olds. An adult is defined as 18 and over.

6.4.2 Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:

- casinos are not permitted to admit anyone under 18; betting shops are not permitted to admit anyone under 18.
- bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo or play category B or C machines that are restricted to those over 18.
- AGCs are not permitted to admit those under 18.
- FECs and premises with a liquor licence (for example pubs) can admit under-18s, but they must not play category C machines which are restricted to those over 18 years of age.
- clubs with a club premises certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines.

- all tracks can admit under-18s, but they may only have access to gambling areas on days where races or other sporting events are taking place or are expected to take place.

6.4.3 This was extended to other sporting venues under the Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007. Tracks will be required to have policies to ensure that under-18s do not participate in gambling other than on category D machines.

6.4.4 This Council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, the Council is aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised, and that people do not 'drift' into a gambling area. The plan of the premises should clearly denote entrances and exits.

6.4.5 The under-18s must not have access to areas where category B and C gaming machines are located, and this is achieved through default conditions that require the area to be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose supervised at all times to ensure that under-18s do not enter the area, and supervised by either:

- one or more persons whose responsibilities include ensuring that under-18s do not enter the areas.

- CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas.

- arranged in a way that ensures that all parts of the area can be observed.

6.4.6 A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

6.4.7 There are other conditions which attach to each type of premises which are set out in Part 9 of the Commission's Guidance and other Parts relating to each type of premises.

6.5 Multiple activity premises – layout and access

6.5.1 With the exception of bingo clubs, tracks on race days and licensed FECs, children will not be permitted to enter licensed gambling premises. Therefore, businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites.

6.5.2 The third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children

are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling. In considering applications for such premises, this Council will have regard to the following along with other criteria outlined in Guidance from the Commission:

- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not 'drift' into a gambling area; and

- in this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit customers should be able to participate in the activity named on the premises licence.

6.6 Single and combined licences

6.6.1 Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines.

6.6.2 The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track.

6.6.3 To determine whether two or more proposed premises are truly separate, this Authority will consider the following factors in making their decision:

- Is a separate registration for business rates in place for the premises?
- Is the neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

6.7 Premises Plans

6.7.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (as amended) states that a plan must show:

- the extent of the boundary or perimeter of the premises.

- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building.

- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises.

- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises.

- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

6.7.2 The Regulation states (other than in respect of a track) '...the plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'. This includes information on supervision, CCTV, line of sight to all machines and players, Mag locks, use of privacy booths, blue lights etc. However, this minimum requirement is not sufficient to satisfy the licensing objectives, in particular the social responsibility codes, and the Licensing Authority's policy statement. In such a case, this Council will request more information from the applicant.

6.8 Application for premises variation (s.182(b)): 'material change'

6.8.1 When considering an application for variations, this Council will have regard to the principles to be applied as set out in s.153 of the Act.

6.9 Representations

6.9.1 In dealing with an application, the Council is obliged to consider representations from two categories of person, referred to in the Act as Responsible Authorities and Interested Parties.

6.9.2 Representations from other parties are inadmissible. Having determined that the representation is admissible, this Council must consider its relevance.

6.9.3 Only representations that relate to the licensing objectives, or those that raise issues under the licensing authority's policy statement, or the Commission's Guidance or Codes of Practice, are likely to be relevant.

6.10 Additional information to be made available

6.10.1 In order to ensure that applicants and persons wishing to make representations have the necessary information to do so, the Council will make available all necessary information on its website. Such information will include a register of the premises licences that have been issued, where and at what times the register may be inspected. A database of premises licences is also available on the Commission's website at www.gamblingcommission.gov.uk.

6.11 Premises ready for gambling

6.11.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

6.11.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

6.11.3 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, this authority will determine applications on their individual merits, applying a two-stage consideration process as follows:

- first, whether the premises ought to be permitted to be used for gambling; and

- second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

6.11.4 Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

6.12 Location

6.12.1 This Licensing Authority will take into account, for the protection of children and vulnerable persons, the following when determining whether a premises location is suitable for a grant of a licence:

- the proximity of the premises to any recognised schools, centres or establishments for the education, training, or care of young persons and/or vulnerable persons.

- the proximity of the premises to leisure centres used for sporting and similar activities by young persons and/or vulnerable persons;

- the proximity of the premises to any youth club or similar establishment; and

- the proximity of the premises to recognised community, welfare, health, and similar establishments used specifically or to a large extent by young persons and/or vulnerable persons.

6.12.2 Where an area has, or is perceived to have, unacceptable levels of crime and/or disorder, this Licensing Authority will consider carefully whether such an area is suitable for gambling premises and whether licence conditions may be appropriate or successful.

6.13 Planning & Building Control

6.13.1 When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should instead be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. In any event section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building control.

6.14 Duplication with other regulatory regimes:

6.14.1 This Licensing Authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. When considering an application for a premises license, this authority will disregard the likelihood of planning or building regulations being awarded. It will listen to and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

6.14.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

6.15 Responsible Authorities

6.15.1 The Licensing Authority is required to notify all Responsible Authorities of applications and they are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by Responsible Authorities are likely to be relevant representations if they relate to the three licensing objectives.

6.15.2 The Responsible Authorities are defined in the Glossary at Appendix G. The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

6.15.3 The principles are:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and

- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

6.15.4 In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

6.16 Interested Parties

6.16.1 Interested Parties can make representations about licence applications or apply for a review of an existing licence.

6.16.2 The Act states that: "For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities.
(b) has business interests that might be affected by the authorised activities, or represents persons who satisfy paragraph (I) or (II)

6.16.3 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Act 2005 to determine whether a person is an interested party.

6.16.4 The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will take account of the examples of considerations provided in the Commission's Guidance to Licensing Authorities.

- It will however take into account the size of the premises and the nature of the activity that will be taking place in it. Larger premises are likely to affect people over a wider area than smaller premises.

- The widest lawful interpretation will be given to the Gambling Commission's guidance phrase "has business interests" to include partnerships, charities, faith groups and medical practices.

6.16.5 Interested Parties can be persons who are democratically elected such as Councillors and Members of Parliament (provided they satisfy 8.2.3(c)

above). No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these, this authority will generally require written evidence that a person/body (e.g., an advocate/relative) represents someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.

6.16.6 If individuals wish to approach councillors to ask them to represent their views, then care should be taken to ensure that such councillors are not part of the Licensing Sub-Committee dealing with the licence application.

6.17 Body assigned as competent to advise on the protection of children from harm

6.17.1 The Council's local safeguarding Children Board has been identified as competent to advise on the protection of children from harm.

6.17.2 This board is designated as a competent body because the body will be responsible for:

- Providing professional and expert opinion
- Ensure accountability by being answerable to elected members rather than any particular interest group.

7 Premises Licence Conditions

7.1 Introduction

Any model conditions attached by the Licensing Authority to any particular licence will be proportionate and applied when the individual circumstances warrant it and will be:

- relevant to the need to make the proposed building suitable as a gambling facility.

- directly related to the premises and the type of licence applied for.

- fair and reasonable in relation to the scale and the type of premises, and

- in the Licensing Authority's consideration be reasonable in all other respects.

7.1.1 Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of control measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this Policy for each of the different licence types.

7.1.2 The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Commission's current guidance.

7.1.3 The Licensing Authority will also ensure that where category A to C gaming machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.

- only adults are admitted to the area where these machines are located.

- access to the area where the machines are located is supervised.

- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and

- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

7.1.4 The above considerations will apply to premises including buildings where multiple premises licences are applicable.

7.1.5 This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, with each licence relating to a specified area of the track. The Licensing Authority will consider the impact upon the licensing objective that refers to the protection of children. It will require that the entrances to each part of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter. The Licensing Authority will take into consideration any guidance issued by the Commission in this respect.

7.1.6 It is noted that there are conditions that the Licensing Authority cannot attach to premises licences, and these are stipulated in the Act or its statutory regulations.

7.1.7 Applicants shall offer licence conditions to the Licensing Authority as a part of their application. Examples of such conditions are:

- the premises shall be fitted out and operational within 6 months of the issue of the licence.

- the Licensee shall notify the Licensing Authority when the premises have been fitted out and are ready for operation, so that the Licensing Authority can inspect the premises. Such notification to the Licensing Authority shall be given no less than 10 days prior to the premises opening under the licence.

- there shall be a minimum of 2 staff (excluding back-room staff) on duty at the premises at all times that it is open, whose duties are to include the age verification of persons entering the premises who appear to be under the age of 25 years.

- Challenge 25

(a) The Licensee shall have a "Challenge 25" policy whereby all customers who appear to be under the age of 25 are asked for proof of their age.

(b) The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.

(c) The following proofs of age are the only ones to be accepted:
   (i) Proof of age cards bearing the "Pass" hologram symbol
   (ii) UK Photo Driving licence
   (iii) Passport

7.2 Staff competency and training

7.2.1 All staff shall be trained in the premises proof of age compliance scheme and records of the training given shall be retained on the premises and made available for inspection by authorised officers.

7.2.2 The licensee shall ensure that each member of staff authorised to verify the age of customers is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question customers and check evidence of proof of age.

7.2.3 All staff shall be trained in identifying those who may be vulnerable to gambling harm and records of the training given shall be retained on the premises and made available for inspection by authorised officers.

7.3 Refusals Book

7.3.1 The Refusals book shall be used to record details of all age-related refusals. The log shall be reviewed monthly by the nominated responsible member of staff and any action taken recorded in the book and signed off.

7.3.2 The Refusals Book to be reviewed monthly by a nominated responsible member of staff, and date and time of each examination to be endorsed in

the book. This log shall be retained on the premises and made available for inspection by authorised officers.

7.4 CCTV

7.4.1 The CCTV system shall be maintained in a good working order and fully operational covering both internal and external areas when the premises are open to the public. The CCTV shall monitor each entrance, exit and the gaming areas.

7.4.2 The medium on which CCTV images are recorded will be clearly identifiable, stored securely and shall be retained for a period of 31 days and shall be made available for inspection by the Police or an officer of the Licensing Authority, upon request.

7.5 Numbers of staff and door supervisors

7.5.1 The Licensing Authority will consider on a case by case basis whether the numbers of staff proposed to be on duty at a premises at any one time are adequate in relation to the control of the premises and especially with regard to the monitoring of persons using the premises, age verification, vulnerable persons, the ejection of or refusal to serve persons, and the maintenance of good order on the premises.

7.5.2 When making an application for a licence, applicants are recommended to inform the Licensing Authority of the numbers of staff that will be on duty at the premises at any one time and the times that such numbers will be on duty.

7.5.3 The Licensing Authority will consider on a case-by-case basis whether there is a need for door supervisors to meet the licensing objectives of the protection of children and vulnerable persons from being harmed or exploited by gambling and preventing the premises becoming a source of crime.

7.5.4 It is noted that door supervisors at casinos or bingo premises, who are directly employed by the casino or bingo premises operator, are not required to be licensed by the Security Industry Authority. The Licensing Authority's policy expectations for such door supervisors working at casinos or bingo premises are that the Licensing Authority will expect the door supervisors to have:

- a competency qualification of Level 2 for Door Supervision in the National Qualification Framework (NQF), or

- an equivalent qualification or training which would meet the criteria of the Security Industry Authority for the licensing of that person as a Door Supervisor by that Authority.

7.5.5 The above expectations are in recognition of the nature of the door supervisors' work in terms of searching individuals, dealing with potentially aggressive persons, young and vulnerable persons etc.

7.5.6 A book shall be kept at the premises, which is maintained with the following records:

- the full name and address of the door supervisor deployed.
- the time they commenced and finished duty; and
- all incidents that the door supervisors dealt with.

7.5.7 If there are any future changes in the licensing or approval/registration regime administered by the Security Industry Authority that affect door supervisors these will be taken into account by the Licensing Authority.

7.5.8 The term 'door supervisor' means any person:

- guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage; or
- guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.

7.5.9 For premises other than casinos and bingo premises, the Licensing Authority may decide that supervision of entrances/exits/machines is appropriate for particular cases.

8 Protection of children and vulnerable persons - premises other than betting premises

8.1 Advertising of Gambling Products

8.1.1 Brent Council notes that the Commission's Licence Conditions and Codes of Practice require all advertising of gambling products to be undertaken in a socially responsible manner. Licensees should follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.

8.1.2 The following general principles shall apply to advertising:

- Must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited.
- Must not portray, condone, or encourage gambling behaviour that is socially irresponsible or could lead to financial, social, or emotional harm.
- Must not condone or encourage criminal or anti-social behaviour.

8.2 Adult gaming centres

8.2.1 Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a machine gaming machine general operating licence from the Commission and must seek a premises licence from the relevant
licensing authority. The holder of an AGC premises licence that was issued prior to 13 July 2011 is entitled to make available four category B3/B4 gaming machines, or 20% of the total number of gaming machines, whichever is the greater. An AGC licence granted after 13 July 2011 may make available for use a number of category B machines not exceeding 20% of the total number of gaming machines that are available for use on the premises and any number of category C or D machines.

8.2.2 Gambling machines provide a form of gambling which is attractive to children and AGC's will contain machines of a similar format to the category D machines on which children are allowed to play.

8.2.3 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises. Appropriate measures/licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- Entry control system
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.
- notices / signage.
- specific opening hours.
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.2.4 Gaming machines provide opportunities for solitary play and immediate pay-outs and as such are likely to encourage repetitive and excessive play. Therefore, when considering premises licence applications which include gaming machines particular regard will be given to the third licensing objective.

8.3 (Licensed) Family Entertainment Centres

8.3.1 The Act creates two classes of family entertainment centres (FEC). This part of the policy is regarding licensing FECs. Persons operating a licensed FEC must hold a 'gaming machine general operating licence from the Commission and a premises licence from the relevant licensing authority. The FECs make category C and D machines available.

8.3.2 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Appropriate measures/ licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.
- notices / signage.
- specific opening hours.
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

8.3.3 This Licensing Authority will refer to any operating licence conditions, current Guidance or Codes of Practice by the Gambling Commission as to the way in the area's containing category C or higher machines should be delineated and/or separated.

8.3.4 In determining any application for a permit this Authority will have regard to the licensing objectives and will expect the applicant to show that there are policies and procedures in place to protect children from harm, relating not just from gambling but also wider child protection considerations, including the risk of child sexual exploitation. The effectiveness of such policies and procedures will be considered on their merits. The Authority expects measures to train staff on:

- Appropriate action regarding suspected truanting school children on the premises
- Dealing with unsupervised young children being on the premises or children causing perceived problems on or around the premises.
- Staff training on maximum stakes and prizes.

8.3.5 SR 3.2.5(2) requires operators to ensure that employees prevent access and challenge children or young persons who attempt use of category C machines. The licensing authority will ensure that staffing and supervision arrangements are in place to meet this requirement both at the application stage and at subsequent inspections.

8.4 Casinos

8.4.1 Section 166(1) of the Act states that a licensing authority may resolve not to issue casino premises licence. This Authority has not passed such a resolution, but it is aware of the power to do so.

8.4.2 The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises. Appropriate measures/licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.

- notices / signage.
- specific opening hours.
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.5 Bingo Premises

8.5.1 A holder of a bingo licence is able to offer bingo in all its forms. It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the Licensing Authority will require that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective.
- only adults are admitted to the area where the machines are located.
- access to the area where the machines are located is supervised.
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

8.5.2 Appropriate measures/licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.

- notices / signage.
- specific opening hours.
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover.

8.5.3 This Licensing Authority will take account of any current guidance from the Commission as to the suitability and layout of bingo premises.

8.5.4 Bingo premises may only make gaming machines available for use where there are substantive facilities for non-remote bingo, as set out within Section 9.1.2 of the Licence Conditions and Codes of Practice.

8.5.5 Young persons aged 16 and under may be employed in bingo premises provided their duties are not concerned with the gaming or gaming machines. Licences will not be granted unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures that they will undertake to protect young employees.

8.6 Betting Premises

8.6.1 There are two different types of premises that require a betting licence. The licences for these premises are named “Betting Premises Licence (In Respect of Premises Other Than a Track)’ and ‘Betting Premises Licence (In Respect of a Track)’.

8.7 Betting Premises Licence (In Respect of Premises Other Than a Track)

(a) This type of licence allows premises (i.e., betting offices) to provide ‘off course’ betting i.e., betting that takes place other than at a track. There are also betting offices at tracks that have a separate premises licence from the track licence. Tracks and betting offices at tracks are discussed in the following section.

(b) This section of the policy concentrates on ‘off course’ betting that takes place other than at a track and includes an entitlement to provide up to four gaming machines of category B2, B3, B4, Cor D and any number of betting machines. This Licensing Authority may, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at betting premises by imposing a licence condition. When considering whether such a

condition should be imposed, the Licensing Authority will take into account:

- the size of the premises.
- the number and location of the machines.
- the number of counter positions available for person-to-person transactions, and
- the numbers of, and ability of staff to monitor the licensed premises and prevent persons under the age of 18 from entering the premises.

(c) The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises. However appropriate measures / licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.
- notices / signage.
- specific opening hours.
- self-barring schemes.
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(d) There are particular concerns about the use of B2 Fixed Odds Betting Terminals (FOBTs). We recognise that it is permissible for a betting operator to provide solely FOBTs as their allocation of gaming machines, the high prize, high stake gaming provided enables considerable sums of money to be spent in a very short period of time,

which increases the risk of gambling-related harm. Nevertheless, the applicant in each case will be expected to demonstrate that they can offer sufficient facilities for betting alongside any gaming machine provision.

(e) Where FOBTs are provided, these gaming machines shall be located within direct line sight of the supervised counter. Information leaflets and posters shall be provided in close proximity to the location of any FOBTs. These should be aimed at customers/families/friends to provide information on how to identify signs of problem gambling and available pathways to advice and assistance (e.g., helpline numbers and online counselling services.

(f) Where the local area profile identifies any relevant local risk of gambling-related harm, operators may consider additional protections for the vulnerable. This might include:

- Removing Automated Teller Machines (ATM's) from the betting office
- Restricting FOBTs to account-based play

(g) Licensed betting premises are only permitted to offer gambling facilities between 0700 and 2200 hours unless the local authority has agreed an extension of operating hours. We recognise that longer operating hours may attract more vulnerable people, such as those who may be intoxicated or have gambling addictions. Therefore, this Authority is unlikely to grant any extension of operating hours unless it is satisfied that robust measures will be undertaken to protect the vulnerable.

(h) Children and young persons are not permitted to enter licenced betting premises. Social Responsibility (SR) Code 3.2.7(3) in the licence Conditions and Codes of Practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.

(i) As per the Commission's Guidance we will consider restricting the number and location of betting machines in respect of applications for betting premises licences. When considering the number, nature, and circumstances of betting machines an operator wants to offer, the Commission's Guidance will be followed and take into account the size of the premises, the number of counter positions available for person-to-person transactions and the ability of the staff to monitor the use of machines.

(j) This Authority will have regard to the local area profile set out in Section 5 of this policy and to the risk assessment compiled in response to it.

8.8 Betting Premises Licence (In Respect of a Track)

8.8.1 General

(i) Tracks are sites (including football stadium, horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totalisator” or “tote”), and also general betting, often known as “fixed odds” betting.

(ii) The holders of a track premises licence do not need to have an operating licence issued by the Gambling Commission unless they themselves wish to offer betting facilities at the track. Under the legislation the licence allows anyone with an operating licence to offer ‘On course’ betting facilities at a licensed track.

(iii) Tracks are the only class of premises that may be subject to more than one premises licence, provided that each licence relates to a specified area of the track. There can be a ‘main’ premises licence and, in addition, ‘subsidiary’ premises licences for the parts of the track not covered by the main licence.

8.8.2 Children and Young Persons

(a) Children and young persons are allowed to be present on a track licensed premises whilst betting is taking place, although they not allowed to enter areas of the track where gaming machines (other than category D machines) are provided. Therefore, the Licensing Authority will carefully consider the impact of the licensing objective of the protection of children and vulnerable persons in relation to each application for premises licences at a track.

(b) We will expect applicants to demonstrate suitable measures to ensure that children do not have access to adult only gambling/gaming facilities.

(c) Appropriate measures/ licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty.
- door supervisors.
- supervision of entrances/machine areas.
- the physical separation of, and clear distinction of areas.

- location of entry.

- notices/signage.

This list is not mandatory nor exhaustive and is merely indicative of example measures.

8.9 Betting machines (also known as Bet Receipt Terminals) at tracks.

(a) The potential space for betting machines at a track may be considerable, bringing with it significant problems in relation to:

- the proliferation of such machines.

- the ability of track staff to supervise the machines if they are scattered around the track; and

- preventing persons under the age of 18 from being able to use the machines.

8.9.1 This Licensing Authority will, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at a betting premises by attaching a licence condition to a betting premises licence. When considering whether such a condition should be imposed, the Licensing Authority will take into account the:

- size of the premises;

- number and location of the machines.

- number of counter positions available for person-to-person transactions; and

- ability of staff to monitor the licensed premises and prevent persons under the age of 18 from using the machines.

8.9.2 Condition on rules being displayed at tracks.

(a) The Licensing Authority will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

8.9.3 Applications and plans for tracks.

(a) Applicants must comply with any relevant regulations or guidance issued by the Gambling Commission in relation to applications for tracks. Applicants must ensure that the Licensing Authority is made completely aware of what it is being asked to licence.

(b) The information submitted with the application must include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring"). In the case of:

- dog tracks and horse racecourses
- fixed and mobile pool betting facilities operated by the Tote or track operator; and
- other proposed gambling facilities.

(c) The plans should make clear what is being sought for authorisation under the track betting premises licence. It must also be made clear what, if any, other areas are to be subject to a separate application for a different type of premises licence.

(d) Unless there is a compelling reason to not do so, the Licensing Authority will require all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This will ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

8.10 Travelling Fairs

8.10.1 Travelling fairs (as defined in the Act, and in respect of fairs which are 'wholly or principally' providing amusements) may provide an unlimited number of Category D gaming machines and equal chance prize gaming without the need for any authorisation from the Licensing Authority, provided that such facilities amount to no more than an ancillary amusement at the fair.

8.10.2 There is a 27-day per calendar year statutory limit for a piece of land being used as a fair, and this regardless of whether it is the same or different travelling fairs using the land. The Licensing Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries are monitored so that the statutory limits are not exceeded.

9. Other relevant processes

9.1 Provisional Statements

9.1.1 Application for a provisional statement can be made for premises that an applicant expects to be constructed or to be altered or expects to acquire

the right to occupy. Representations can be made against an application for a provisional statement in the same manner as for a premises licence. The process for considering an application for a provisional statement is the same as that for premises licences (with the exception that an applicant need not have the right to occupy the premises and need not have an operating licence).

9.1.2 Once the premises have been constructed, altered, or acquired by the holder of a provisional statement, they can put in an application for the necessary premises licence. If a provisional statement has been granted, the Licensing Authority is constrained in the matters it can consider when an application for a premises licence is subsequently made in relation to the same premises.

9.1.3 No further representations from relevant authorities or interested parties. can be taken into account in relation to the premises licence application unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by way of representations at the provisional licence stage, or
- which, in the authority's opinion, reflect a change in the operator's circumstances, or
- where the premises has not been constructed in accordance with the plan and
- information submitted with the provisional statement application.

This must be a substantial change to the plan and the Licensing Authority will discuss any concerns they have with the applicant before making a decision. Section 210 of the Act (which applies to premises licences and provisional statements) makes it clear that a Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

9.2 Reviews

9.2.1 A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application for a review from interested party or responsible authority. A formal review of a premises licence may result in the Licensing Authority imposing additional conditions or revoking the licence.

9.2.2 Initiation of review by Licensing Authority

- The Licensing Authority may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Whilst officers may be involved in the initial investigations of complaints leading to a review or may (at their discretion) try informal mediation or dispute resolution techniques prior to a review being initiated, the review itself must be heard and determined by Licensing Committee or one of its Sub-Committees.

- In relation to a class of premises, the Licensing Authority may review the use made of premises and, in particular, the arrangements that premises licence general reviews, the Licensing Authority will most likely be acting as a result of specific concerns or complaints about particular types of premises, which would cause them to want, for example, to look at the default conditions that apply to that category of licence.

- In relation to particular premises, the Licensing Authority may review any matter connected with the use made of the premises if it has reason to suspect that premises licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives them cause to believe that a review may be appropriate.

9.2.3 Application for review by responsible authorities and interested parties Whilst, requests for a review of a premises licence can be made by interested parties or responsible authorities, it is for the Licensing Authority to decide whether the review is to be carried out. However, the Licensing Authority recognises that its decision to carry out a review must not amount to prejudging the outcome of the review.

9.2.4 An application for a review may be (but need not be) rejected if the Licensing Authority thinks that the grounds on which the review is sought:

- are not relevant to the principles that must be applied by the Licensing Authority in accordance with section 153 of the Act.

9.2.5 If the application raises issues that are not relevant to the current Commission guidance, current codes of practice, this Policy statement, or the licensing objectives, then the Licensing Authority may reject it. In addition, if the application raises general objections to gambling as an activity, that is likely to be irrelevant to the principles in section 153, given that the Authority is required to permit the use of premises for gambling in so far we think that permission is in accordance with the matters set out in that section.

9.2.6 Examples that are likely to be irrelevant include demand for gambling premises, issues relating to planning, public safety, and traffic congestion.

- that the grounds are frivolous.

- that the grounds are vexatious.

- that the grounds “will certainly not” cause the authority to revoke or suspend a licence or remove, amend, or attach conditions on the premises licence.

- are substantially the same as the grounds cited in a previous application for review relating to the same premises. In these circumstances we will take into account how much time has passed since the earlier application in reaching a judgement about whether it is reasonable to rely on this as a reason not to review the licence; or

- are substantially the same as representations made at the time the application for a premises licence was considered. In these circumstances the Licensing Authority will take into account the period of time that has passed since the representations were made, but the underlying requirement is that the Licensing Authority should not review the licence on the basis of the same arguments considered on the grant of the premises licence.

9.2.7 The matters which will generally be considered relevant for any review are:

- any relevant current code of practice issued by the Commission.

- any relevant current guidance issued by the Commission.

- the licensing objectives.

- the Council’s Statement of Gambling Principles, and

- The Gambling Act 2005 and the regulations made thereunder.

9.2.8 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder.

- the applicant for review (if any).

- the Commission.

- any person who made representations.

- the Chief Officer of Police or Chief Constable; and

- Her Majesty’s Commissioners for Revenue and Customs

9.2.9 There is a right of appeal against the Council’s decision.

9.3 Rights of appeal and judicial review

9.3.1 The Council is required by law to give reasons for a rejection of an application, but it is also good practice for it to give reasons for all decisions. Failure to give reasons may result in an appeal of the decision or the suggestion that the Council did not have regard to all the relevant information when making its decision, in line with its obligation under s.153 of the Act. It is particularly important that reasons should reflect the extent to which the decision has been made with regard to the licensing authority's policy statement and this Guidance. Reasons for decisions should be made available to all of the parties of any process. The Council's decision may be subject to judicial review. Details relating to appeals against decisions by a licensing authority are set out in s.206 - 209 of the Act.

9.4 Who can appeal?

9.4.1 The table below identifies who can appeal different types of premises licence decisions.

Type of decision	**Section of Act**	**Who may appeal?**	
Decision to reject an application for	s.165,	The applicant	
a premises licence or to vary a	s.187 and		
premises licence, or an application for a provisional statement	s.188		
Decision to grant an application for	s.164,	The applicant*	
a premises licence or to vary a	s.187 and	Any person	who
premises licence, or an application	s.188	made representations	
for a provisional statement		on the application	
Decision to take action or to take no	s.202	The applicant	

action following a review		• Any person who made representations on the application • The person, if any, who applied for the review • The Commission

Table 3: Appealing premises licence decisions

9.5 Who to appeal to

9.5.1 An appeal against a decision of a licensing authority is made to the Magistrates' Court, then to the High Court if necessary. As soon as the appeal decision has been notified to all parties, the Council will implement the Court's decision as soon as possible.

10. Other Consents

10.1 Temporary use notices (TUN)

10.1.1 A TUN allows the use of premises for gambling where there is no premises licence but where a licensed gambling operator wishes to use the premises temporarily for providing facilities for gambling. The type of premises that might be suitable for a Temporary Use Notice could include hotels, conference centres and sporting venues.

10.1.2 The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e., a non-remote casino operating licence. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments, dominoes, backgammon, mah-jong or bingo.

10.1.3 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Commission's guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place

falls within the definition of "a set of premises", the licensing authority will need to look at, amongst other things, the ownership/occupation and control of the premises.

10.1.4 The holder of an operating licence must give notice to the licensing authority in whose area the premises are situated. The Secretary of State has prescribed the form of the notice which must specify information including:

- the type of gaming to be carried on.
- the premises where it will take place.
- the dates and times the gaming will take place.
- any periods during the previous 12 months that a TUN has had effect for the same premises.
- the date on which the notice is given.
- the nature of the event itself.

10.1.5 This Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises as recommended in the Commission's Guidance to Licensing Authorities.

10.1.6 Appeals

An appeal against the Licensing Authority's decision may be made by the applicant, or any person entitled to receive a copy of the TUN, to the Magistrates' court within 14 days of receiving notice of the authority's decision. There is a further right of appeal to the High Court or Court of Session on a point of law.

10.2 Occasional use notices

10.2.1 An occasional use notice permits licensed betting operators to use tracks for betting on eight days or fewer in a calendar year, where the event is of a temporary nature. Betting may therefore be permitted by an occasional use notice without the need for a full premises licence. The licensing authority has very little discretion regarding these notices besides ensuring that the statutory limit of eight days a year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

10.2.2 Tracks are usually regarded as permanent racecourses, but the meaning of track not only covers horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place.

Although the track need not be a permanent fixture, land used temporarily as a track providing races or sporting events may qualify.

10.3 Gaming machines

10.3.1 Gaming machines cover all types of machines on which people can gamble, subject to a few exemptions. The Act sets out the categories of gaming machine and the number of such machines that may be permitted in each type of gambling premises. There are four categories of gaming machine: categories A, B, C and D with category B divided into a further five subcategories.

10.3.2 There is a minimum age of 18 for all players for all category A, C and C machines. However, there is no minimum age for players of category D machines. The holder of any permit must comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

10.3.3 The maximum number of machines permitted and in the case of casinos the ratios between tables and machines are set out in Appendix C.

10.4 Permits

10.4.1 Licensing Authorities may issue a range of permits for gambling which are designed as a light touch approach to low level ancillary gambling. They are used where stakes and prizes are subject to very low limits and/or gambling is not the main function of the premises. As a Licensing Authority, this Council may only grant or reject an application for a permit. It may not attach any conditions to the permit.

10.4.2 Holders of alcohol-licensed premises gaming machine permits, and club permits are required to comply with the Commission's codes of practice on the location and operation of machines.

10.4.3 Licensing Authorities may issue the following permits:

- Family entertainment centre gaming machine permits.
- Club gaming permits and club machine permits.
- Alcohol-licensed premises gaming machine permits.
- Prize gaming permits.

10.5 Unlicensed Family Entertainment Centre

10.5.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The

applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (section 238 of the Act).

10.5.2 The Act enables a Licensing Authority to prepare a statement of principles which it proposes to consider when determining the suitability of an applicant for a permit. In preparing this statement and/or considering applications it may have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission. The Commission's guidance advises that given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to child protection issues.

10.5.3 The council may only grant a permit if it is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. The Council cannot attach conditions to this type of permit but may ask applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act).
- that staff are trained to have a full understanding of the maximum stakes and prizes (24.7).
- appropriate measures/training for staff regarding suspected truant school children on the premises; and
- measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.

10.6 Club Gaming and Club Machines Permits

10.6.1 Members Clubs and Miners" welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations.

10.6.2 Members Clubs, Miner's welfare institutes and Commercial Clubs may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

10.6.3 The Commission's Guidance states: "Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes

other than gaming, unless the gaming is permitted by separate regulations". The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

10.6.4 There is a fast-track procedure which prevents objections to be made by the Commission or the police and reduces the grounds on which an authority can refuse a permit. The grounds for refusal are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12.
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

10.6.5 However, the Council may refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' club or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied.
- the applicant's premises are used wholly or mainly by children and/or young persons.
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
- a permit held by the applicant has been cancelled in the previous 10 years.
- an objection has been lodged by the Commission or the Police.

10.6.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

10.7 Premises licensed to sell alcohol

10.7.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to have 2 gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority.

10.7.2 This local authority expects all licensees to adhere to the:

- Code of Practice for gaming machines in alcohol licenced premises
- Code of Practice for equal chance gaming in alcohol licensed premises.

10.7.3 The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.

- gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e., that written notice has been provided to the Licensing Authority that a fee has been provided and that any relevant code of practice issued by the Commission about the location and operation of the machine has been complied with);

- the premises are mainly used for gaming; or

- an offence under the Gambling Act has been committed on the premises.

10.7.4 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives and any guidance issued by the Commission under S.25 of the Gambling Act 2005 and any other relevant matters.

10.7.5 This Licensing Authority considers that such matters will be decided on a case-by-case basis but will consider the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18s do not have access to the adult-only gaming machines. Measures which will satisfy the authority will include that the adult machines be in direct sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage shall be used with regards to age restriction. Applicants shall provide information leaflets/helpline numbers for organisations such as GamCare.

10.7.7 The Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

10.8 Prize gaming and prize gaming permits

10.8.1 Prize gaming relates to gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised

by the gaming. Normally the prizes are determined by the operator before play commences. The Council can issue a prize gaming permit to authorise the licence holder to provide facilities for gaming with prizes on specified premises.

10.8.2 A casino operating licence permits the licence holder to provide all games of chance, except any form of bingo which, is excluded from the scope of the casino licence. If a casino wishes to provide bingo generally, it will need to obtain a bingo operating licence, with the proviso that only one premises licence may be issued for any particular premises at any time, so the premises would need to be distinct.

10.8.3 In making its decision on an application for this permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any guidance from the Commission. (Gambling Act 2005, Schedule 14 paragraph 8(3)).

10.8.4 The permit holder must comply with the relevant conditions in the Act, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with.
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day.
- the game must be played and completed on the day the chances are allocated; the result of the game must be made public in the premises on the day that it is played.
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if nonmonetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

10.8.5 The permit will have effect for ten years, unless it ceases to have effect, lapses, or is renewed. There is no annual fee for prize gaming permits.

10.8.6 An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. A permit will be still valid pending renewal including an appeal against a decision not to renew. The permit must be kept on the premises, and it is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer. There is a right of appeal against a decision not to grant or renew a permit.

11. Non-commercial and private gaming, betting, and lotteries

The Act allows gambling without any specific permissions under limited circumstances as follows:

- non-commercial gambling.
- incidental non-commercial lotteries.
- private gaming and betting.

11.1 Non-commercial gaming

This is allowed if it occurs at a non-commercial event, that is to say, if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if is organised by or on behalf of a charity or for charitable purposes; or it enables participation in or support of athletic or cultural activities. It will therefore be possible to raise funds for a local hospital appeal or a charitable sporting endeavour. Events such as race nights or casino nights are also permitted if they comply with the regulations and profits go to a 'good cause'.

11.2 Incidental non-commercial lotteries

- Licensing Authorities are responsible for registering societies to run Small Society Lotteries.
- Incidental non-commercial lotteries, private lotteries and customer lotteries do not require to be registered.
- The definitions of the above types of lotteries are contained in Schedule 11 of the Act.
- Other lotteries require an operating licence from the Gambling Commission.

11.3 Private gaming

11.3.1 This can take place anywhere to which the public do not have access, for example, a workplace. Domestic and residential gaming may be permitted subject to the following conditions:

11.3.2 Domestic gaming is permitted without the need for permissions if it takes place in a private dwelling; if it is on a domestic occasion; and if no charge or levy is made for playing.

11.3.3 Residential gaming is permitted when it takes place in a hall of residence or hostel not administered in the course of a trade or business, and if more than 50% of the participants are residents.

11.3.4 Private gaming can potentially take place on commercial premises if a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel, or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are members of the club.

12. Poker

12.1 Poker can be played legally in the following circumstances:

- in casinos (including under temporary use notice)
- as exempt gaming in clubs and alcohol-related premises;
- under a club gaming permit
- as non-commercial gaming
- as private gaming

12.2 Poker in casinos

12.2.1 Poker can be played in casinos licensed by the Commission. Casinos can also run poker tournaments at temporary venues for a limited amount of time under temporary use notices (TUNs). Where a third-party organisation is involved in a poker competition held in a licensed casino, the casino operator must bear full responsibility for that competition. Similarly, where an online competition culminates in live competition in a casino, the online partner may provide systems and staff for the event, but responsibility lies with the operator whose premises are being used.

12.2.2 A casino may have a commercial relationship with an agent to promote poker in the casino, but the poker games that result are the responsibility of the casino and not of the agent.

12.3 Poker in alcohol-licensed premises

12.3.1 The Commission actively engages with the larger national and regional organisers of poker leagues to remind them of the limited exemptions that apply to poker being offered in pubs. This authority conducts appropriate enforcement to detect and prevent infringements of such localised requirements as stake and prize limits, because the Council issued the alcohol premises licence in the first place.

12.3.2 In some poker tournaments the organisers offer ‘prizes’ at the end of a series of weekly games for the players with the most points. It is likely that the association of a prize with a monetary value with a game or series of games constitutes gaming. Therefore, if the eventual prize is worth more than the maximum prize set out in regulations then it could be unlawful gaming. For example, if a tournament simply involves a series of straightforward ‘knockout’ qualifying rounds, culminating in a 'final’ game, then the winner’s prize in the final – whether it comprises the stakes laid in that game, a separate prize provided by the organiser, or a combination of the two – must not exceed £100, which is the limit set by the regulations.

12.4 Poker under a club gaming permit

12.4.1 A club gaming permit can only be granted to a members’ club (including a miners’ welfare institute) but cannot be granted to a commercial club or other alcohol-licensed premises. Other than in the case of clubs established to provide facilities for gaming of a prescribed kind (currently bridge and whist), clubs seeking club gaming permits must be established ‘wholly or mainly’ for purposes other than gaming. When a club gaming permit is granted, there are no limits on the stakes and prizes associated with poker.

12.4.2 If a club established to provide facilities for gaming of a prescribed kind (currently bridge and whist) has a club gaming permit, it may not offer any other gaming besides bridge and whist. If such a club does not have a permit, it may provide exempt gaming provided it is not established to function for a limited period of time and it has at least 25 members. If it wishes to offer other non-exempt gaming, it will require a Commission casino operating licence and any relevant personal licences.

12.4.3 The poker which a club gaming permit allows is subject to the following conditions:

(a) In respect of equal chance gaming:

(i) the club must not deduct money from sums staked or won the participation fee must not exceed the amount prescribed in regulations; and

(ii) the game takes place on the premises and must not be linked with a game on another set of premises.

(b) Two games are linked if:

- the result of one game is, or may be, wholly or partly determined by reference to the result of the other game.

- the amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game.

- a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games.

- only club members and their genuine guests participate.

(c) In respect of other games of chance:

- the games must be pontoon and chemin de fer only.

- no participation fee may be charged otherwise than in accordance with the regulations.

- no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

12.4.4 All three types of gaming are subject to the 48-hour rule, meaning that the games may only be played by people who have been members of the club for at least 48 hours, or have applied or been nominated for membership or are genuine guests of a member.

12.5 Poker as non-commercial gaming

12.5.1 This is allowed if it takes places at a non-commercial event, that is to say, if no part of the proceeds is for private profit or gain. One or more persons may benefit from the proceeds of such events if the activity is organised by or on behalf of a charity or for charitable purposes; or to enable participation in or support of athletic or cultural activities.

12.5.2 It would be possible to raise funds for an individual providing the proceeds were for example a wheelchair or to support a sporting endeavour. Events such as poker nights or casino nights are also permitted if the comply with the regulations and are run on a non-commercial basis.

12.6 Poker as private gaming

12.6.1 Poker offered as private gaming can take place anywhere to which the public do not have access, including a workplace. Domestic and residential gaming are two subsets where non-equal chance gaming is allowed.

- Domestic gaming is permitted without the need for permissions if it takes place in a private dwelling o it is on a domestic occasion and no charge or levy is made for playing.

- Residential gaming is permitted when it takes place in a hall of residence or hostel not administered in the course of a trade or business, and more than 50% of the participants are residents.

12.6.2 Private gaming can potentially take place on commercial premises in circumstances where a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are not selected by a process which means that, in fact, they are members of the public rather than members of the club.

12.6.3 The law in this area is complex. It is contained in SI No 3157/2007: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007. Organisers should be advised to seek their own legal advice before proceeding with the event. 29.48 It is a condition of private gaming that no charge (by whatever name called) is made for participation and Schedule 15 to the Act makes it clear that a deduction from or levy on sums staked or won by participants in gaming is a charge for participation in the gaming. It is irrelevant whether the charge is expressed to be voluntary or compulsory, particularly if customers are prevented from playing if they do not make the 'voluntary' donation, or there is strong peer pressure to make the donation.

12.6.4 A relevant decided case in another licensing field is that of Cocks v Mayner (1893) 58 JP 104, in which it was found that an omnibus said to be available free of charge but whose passengers who were invited to (and in some cases did) make a voluntary contribution was 'plying for hire' without the appropriate licence.

12.7 Advertising

12.7.1 The Gambling (Licensing and Advertising) Act 2014 amended the Act so that from 1 November 2014, gambling operators that provide facilities for remote gambling or advertise to consumers in Great Britain will require a licence issued by the Commission. As an example, many poker websites promote other online gambling websites, usually by the provision of a hyperlink to that website. A hyperlink has been deemed to constitute advertising as it brings facilities for advertising to the attention of the person who clicks on the link.

12.7.2 It not an offence to advertise non-remote gambling that is offered by operators not licensed by the Commission. For example, a prize could now include entry into a poker tournament, subject to meeting the appropriate prize limits.

13. Small society lotteries

13.1 Introduction

Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small

society lotteries (as defined). Promoting or facilitating a lottery will fall within two categories:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences.

- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

- The Council will need to know the purposes for which a society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, has been established so as to ensure that it is a non-commercial organisation. S.19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in s.2 of the Charities Act 2006.

- for the purpose of enabling participation in, or of supporting, sport, athletics, or a cultural activity.

- for any other non-commercial purpose other than that of private gain.

13.1.1 Participation in a lottery is a form of gambling, and as such licensing authorities must be aware that the societies they register are required to conduct their lotteries in a socially responsible manner and in accordance with the Act. The minimum age for participation in a lottery is 16 and Social Responsibility (SR) code 3.2.9 requires lottery licences to have effective procedures to minimise the risk of lottery tickets being sold to children, including:

- procedures for: checking the age of apparently underage purchasers of lottery tickets.

- taking action where there are unlawful attempts to purchase tickets.

13.1.2 The licensee must take reasonable steps to ensure that all those engaged in the promotion of lotteries understand their responsibilities for preventing underage gambling, returning stakes, and not paying prizes to underage customers.

13.1.3 Licensing Authorities may propose to refuse an application for any of the following reasons:

- an operating licence held by the applicant for registration has been revoked; or

- an application for an operating licence made by the applicant for registration has been refused within the past five years.

- the society in question cannot be deemed non-commercial.

- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in schedule 7 of the Act.

- information provided in or with the application for registration is found to be false or misleading.

13.2 External lottery managers' licence status

13.2.1 External lottery managers (ELMs) are required to hold a lottery operator's licence issued by the Commission to promote a lottery on behalf of a licensed society. However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors.

13.2.2 Key indicators will include:

- who decides how the lottery scheme will operate.

- who appoints and manages any sub-contractors.

- the banking arrangements for handling the proceeds of the lottery.

- who sells the tickets and pays the prizes.

- who controls promotional aspects of the lottery.

13.2.3 Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences held on its website.

13.3 Lottery tickets

13.3.1 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society.

- the price of the ticket, which must be the same for all tickets.

- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the ELM.

- the date of the draw, or information which enables the date to be determined.

13.3.2 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it. The Commission recommends that licensing authorities require all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority has powers to inspect the records of the lottery for any purpose related to the lottery.

13.3.3 The Act stipulates that lottery tickets may only be sold by persons who are aged 16 or over to persons who are aged 16 or over. With regards to where small society lottery tickets may be sold, this Council will adhere to the Commission's recommendations and apply the following criteria to all small society lottery operators:

- lottery tickets must not be sold to a person in any street, bridge, road, lane, footway, subway, square, court, alley, or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not.

- tickets may, however, be sold in a street from a static structure such as a kiosk or display stand.

- tickets may also be sold door to door.

- licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.

13.3.4 This approach is consistent with the operating licence conditions imposed upon operators of large society lotteries and local authority lotteries.

13.4 Application and registration process for small society lotteries

13.4.1 On receipt of an application for a small society lottery this Authority will check the:

- society status – the society in question must be 'non-commercial'.

- lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values, then they may

need to be licensed with the Commission to operate large lotteries instead.

13.4.2 The promoting society of a small society lottery must be registered with the Licensing Authority where their principal office is located throughout the period during which the lottery is promoted. If this Licensing Authority believes that a society's principal office is situated in another area, it would inform the society and the other Licensing Authority as soon as possible.

13.4.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. Applicants will be asked to provide a copy of their terms and conditions and a declaration, stating that they represent a bona fide non-commercial society.

13.4.4 In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

13.4.5 Because of this possibility, this Licensing Authority will carefully consider any application by a society for more than one registration. If the aims and objectives are the same and therefore the threshold limits for small society lotteries are likely to be exceeded, the applicant will be advised to apply to the Commission for a society lottery operating licence.

13.4.6 By virtue of Schedule 11 paragraph 31(5), societies may not hold an operating licence and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of 3 years during which a large society cannot convert to small society status. Licensing Authorities should check that applicants for registration do not hold (and have not held in the preceding 3 years) a society lottery operating licence granted by the Commission.

13.4.7 This authority will also wish to check with the society at the time the annual fee is paid to renew the registration, to ensure that a society does not hold a duplicate registration with this council or another local authority where the aims and objectives of the societies are the same. If that is the case and the combined proceeds exceed or are likely to exceed the threshold limits for small society lotteries, the society will be advised to apply to the Commission for a society lottery operating licence. This Licensing Authority will also notify the Commission.

13.4.8 Once the application for registration has been accepted and entered on the local register, the Licensing Authority must then notify both the applicant and the Commission of this registration as soon as practicable. The

Commission would prefer to receive this information electronically via email to info@gamblingcommission.gov.uk.

13.4.9 Registrations run for an unlimited period unless the registration is cancelled. If a Licensing Authority cancels the registration of a society, they are required by paragraph 53 of Schedule 11 of the Act to notify the Commission.

13.5 Refusal of an application

13.5.1 Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application. A Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. Licensing Authorities should inform the society of the reasons why it is minded refusing registration and provide it with at least an outline of the evidence.

13.5.2 In summary, Licensing Authorities may propose to refuse an application for any of the following reasons:

- an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years.
- the society in question cannot be deemed non-commercial.
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.
- information provided in or with the application for registration is found to be false or misleading.

13.6 Revocation of a small society's registered status

13.6.1 A Licensing Authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. A revocation cannot take place unless the society has been given an opportunity to make representations at a hearing or via correspondence. In preparation for this, licensing authorities should inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion. Representations that may result after such a decision will be handled in accordance with local procedures.

13.7 Appeals

13.7.1 Following the conclusion of any hearings and receipt of representations, paragraph 51 of Schedule 11 to the Act then requires the authority to notify

the applicant or the society as soon as possible if their registration is still to be revoked, or if their application for registration has still been rejected.

13.7.2 The applicant or society may appeal to the Magistrates' Court against the decision within 21 days following receipt of the notice of the decision to lodge an appeal. On appeal they may choose to affirm the decision of the Licensing Authority, reverse the decision, or make any other order.

13.7.3 The Society or its external lottery managers must submit returns containing certain information to the Licensing Authority. This information allows licensing authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose.

13.7.4 The following information must be submitted:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover.

- the total proceeds of the lottery; the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers.

- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery.

- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds).

- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

13.7.5 This Council requires returns to be submitted electronically at business.licence@brent.gov.uk.

14. Chain gift schemes

14.1 It is an offence to invite others to join a chain gift scheme or to participate knowingly in the promotion or administration of such a scheme. These schemes are similar to pyramid selling schemes but escape the ban on them because they do not involve the sale of any product. If this Council becomes aware of such a scheme operating in the Borough, the Trading Standards team will investigate to ascertain if an offence under the Consumer Protection from Unfair Trading Regulations 2008 has been committed. A person found guilty of the offence could be liable to a fine or imprisonment.

14.2 Street collectors selling game cards

14.2.1 If this Council becomes aware of street sellers in the borough approaching the public to sell them game cards 'to raise money for good causes', it will ask the Trading Standards to investigate. It will be unlikely that the product being sold is a legal lottery. This is because societies selling larger lotteries are not permitted to sell lottery tickets in the street.

15. Compliance and Enforcement Matters

15.1 Good practice in regulation

15.1.1 The Council has a duty to have regard to the statutory principles of good regulation as set out in the Regulators' Code[1]. Regulators whose functions are specified by order under section 24(2) of the Legislative and Regulatory Reform Act 2006 must have regard to the Code when developing policies and operational procedures that guide their regulatory activities.

Regulators have a responsibility to support those they regulate in complying with regulations while also allowing them to grow. To achieve this, regulators must provide straightforward and simple ways for those they regulate to communicate and share their opinions. To ensure that regulatory activities are based on risk, regulators must share information on compliance and risk. Additionally, regulators must provide clear guidance, advice, and information to aid those they regulate in meeting their responsibilities. Finally, regulators must ensure transparency in their approach to regulatory activities.

15.1.2 The Regulator's Code is enshrined in the Council's own Enforcement Policy with which every enforcement officer is required to adhere. As per the Commission's Guidance for licensing authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

15.1.3 This licensing authority has adopted and implemented a risk-based inspection programme based on:

- the licensing objectives.
- relevant codes of practice.
- guidance issued by the gambling commission, in particular at part 36; and
- the principles set out in this statement of licensing policy.

15.1.4 As well as ensuring that all enforcement activity is proportionate, consistent, transparent, and accountable, the policy also requires that activity is targeted

[1] https://assets.publishing.service.gov.uk/media/5f4e14e2e90e071c745ff2df/14-705-regulators-code.pdf

primarily on those activities and premises which give rise to the most serious risks or where risks are least well controlled. This will be intelligence led approach. Regard will also be had to the local area profile set out in this policy.

15.1.5 This risk based approached will also be applied to inspections of premises to ensure that high risk premises requiring greater level of attention will be targeted whilst low risk premises will receive a lighter touch. Premises will be assessed on the basis of

- The type and location of the premises
- The past operating history of the premises
- The confidence in management
- The arrangements in place to promote the licensing objectives.

15.1.6 Where appropriate to do so, this Authority will work with other responsible authorities to promote the licensing objectives through enforcement. Compliance will normally be sought through early engagement, mediation, education, and advice. In cases where this is not possible officers will seek to achieve compliance through the most appropriate route having regards to all the relevant matters. Where appropriate, regard will be given to primary authority directions.

15.1.7 When a decision of whether or not to prosecute is required then this Authority will follow the principal criteria from the Guidance in the Code for Crown Prosecutors which requires the two main tests to be considered:

- Whether the standard of evidence is sufficient for a realistic prospect of conviction
- Whether a prosecution is in the public interest.

15.1.8 The main enforcement and compliance role for this licensing authority in terms of the Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Commission will be the enforcement body for the operating and personal licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Commission.

15.1.9 This Licensing Authority recognises that certain bookmakers and other licensed premises operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual within the organisation/company, and whom the authority may contact first should any compliance queries or issues arise.

15.2 Enforcement Related Fees

15.2.1 Licensing Authorities compliance and enforcement work and the costs of dealing with illegal gambling is covered by fees from premises licences and permits. The Act requires licensing authorities to "aim to ensure that the income from fees … As nearly as possible equates to the costs of providing the service to which the fee relates and work, including the cost of dealing with illegal gambling in a Licensing Authority's area". This Council will closely track its costs to demonstrate how it arrived at the fee and will review such fees annually.

15.3 Application Forms

15.3.1 This Council has provided information on how to make applications for licences and other permissions under the Act. Linked to this information is an online application form as well as a list of 'responsible authorities' and their appropriate contact details. As there are no prescribed application forms for family entertainment centres, prize gaming, or licensed premises gaming machine permits, this Council will accept applications for these licences in the hard copy which can be downloaded from www.brent.gov.uk/business .

15.4 Enforcement officers and authorised persons

15.4.1 S.303 of the Act enables the Commission to designate employees of the Commission and to appoint persons other than employees as enforcement officers for the purpose of the Act. Such persons are deemed to be authorised if:

- the premises are wholly or partly situated in the authority's area; and
- the officer is designated by the authority as an authorised person for the purposes of s.304.

15.4.2 These authorised persons will exercise their inspection powers in accordance with the principles set out in the Licensing Authority's policy statement.

15.5 Powers of entry

15.5.1 The Act states that authorised persons, constables, and enforcement officers may: undertake activities for the purpose of assessing compliance with provisions made under the Act or to assess whether an offence is being committed under the Act; enter premises if they reasonably suspect that facilities for gambling are being, are about to be, or have been provided on the premises. This would include a private club but does not apply if the suspected gambling is private or non-commercial gaming or betting. (s.307).

15.5.2 If in doubt, this Licensing Authority will:

(a) seek legal advice about also securing a warrant issued by a justice of the peace to enter a premises in respect of which an application has

been made for a family entertainment centre (FEC) gaming permit to consider the application, or to enter a premises in respect of which a FEC gaming machine permit has effect, in order to determine compliance with gaming machine permit requirements (s.309).

(b) enter premises with 'on-premises' alcohol licence to determine if any gaming that is taking place satisfies the conditions for exempt gaming in s.279 of the Act, to ascertain that any bingo taking place meets the requirements of the Act, or to ascertain the number and category of gaming machines being made available for use on the premises. (s.310).

(c) enter premises in respect of which an application has been made for a prize gaming permit, to consider the application, or to enter a premises in respect of which a prize gaming permit has effect in order to determine whether prize gaming on the premises complies with the requirements of the Act and regulations under it (s.311).

15.5.3 Where an application for a club gaming permit or club machine permit has been made, enforcement officers or the police may also enter a members' club, a commercial club or miners' welfare institute under for matters connected with consideration of the application, to determine whether gaming is taking place or is about to take place on the premises; and such gaming meets the requirements for exempt gaming in section 269 of the Act, a club gaming permit or a club machine permit.

15.5.4 Only police officers and enforcement officers can enter the premises that have been granted a permit to determine if the things being done are in accordance with that permit (and not primarily because they suspect a crime is taking place/has taken place). Under s.318 of the Act a constable, enforcement officer or authorised person can only enter a dwelling under a warrant issued by a justice of the peace. In all circumstances, only a police officer or enforcement officer can seize evidence.

15.6 Illegal gambling

15.6.1 The prevention of illegal gambling is an enforcement priority for the Council. Combating illegal gambling is of significant benefit to the licensed community as the provision of illegal unregulated gambling impacts upon the reputation of the industry as a whole. The persistent and widespread existence of illegal gambling also reduces the incentive on operators to be correctly licensed. The Council will take formal enforcement action against those providing or facilitating illegal gambling in one premises. But the Commission will generally take the lead in prosecuting the offence of providing facilities for widespread and organised gambling.

15.7 Test purchasing and age verification

15.7.1 The Council will carry out test purchasing to detect whether children and your persons are accessing adult only gambling premises or are engaged in gambling intended for adults. Appropriate enforcement action will be taken against offenders.

15.8 Primary Authority

15.8.1 The PA scheme, administered by the Better Regulation Delivery Office (BRDO) provides for a statutory partnership to be formed between a business and a single authority, e.g., a local authority. That single authority, the PA, can provide a national inspection strategy within which other local regulators can operate, to improve the effectiveness of visits by local regulators and enable better sharing of information between them. The PA scheme therefore aims to ensure that local regulation is consistent at the national level.

15.8.2 Since October 2013, the PA has been extended to include age-restricted sales of gambling in England and Wales. This means local authorities in England and Wales must follow any age restricted sales of gambling national inspection plans and strategies that are published on the PA register when considering proactive age restricted sales (gambling) activity including testing. The inspection plans are designed to be largely uniform and to bring consistency to proactive test purchasing in those betting shops. These arrangements underpin the primary objectives of the Act in relation to protecting children from gambling-related harm and preventing them from accessing gambling facilities. PA plans do not prohibit licensing authorities undertaking reactive test purchasing. PA does not apply to the police or the Commission.

15.9 Prosecutions

15.9.1 The Act gives licensing authorities in England and Wales, the police, and the Commission the power to prosecute the offence of using premises for gambling without the requisite permissions. In exceptional circumstances, such as repeated deliberate breaches of premises licence conditions, licensed operators or permit holders may be prosecuted without any prior regulatory action, such as warnings, suspension or revocation of licence or removal of permit. Most prosecutions will be against those illegally providing gambling without a licence or permit.

15.9.2 There is a distinction between those who conduct gambling operations under a licence or permit but breach the conditions of that, and those who seek to profit from providing facilities for gambling without a licence or permit. While both situations result in unlawful gambling, the latter situation is generally considered by the Council and the Commission to be more serious.

CONTACT

Planning, Transport & Licensing
Licensing Team
London Borough of Brent
Civic Centre
Engineers Way
Wembley HA9 0JF

(020) 937 5262 business.licence@brent.gov.uk www.brent.gov.uk

Schedule 1: Summary of machine provisions by premises

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino(machine/table ratio of 5-1 up to maximum)	Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)	Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act casino(no machine/table ratio)	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead						
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo premises[1]			Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4				No limit on category C or D machines
Adult gaming centre[2]			Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4				No limit on category C or D machines
Licensed family entertainment centre[3]							No limit on category C or D machines
Family entertainment centre (with permit)[3]							No limit on category D machines
Clubs or miners' welfare institute (with permits)[4]					Maximum of 3 machines in categories B3A or B4 to D		
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

Table 4: Summary of machine provisions by premises

Additional Guidance

Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which

are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.[1]

Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

[1]With reference to the proposed changes introduced by the government's 'White Paper', this additional guidance is subject to change within the policy period.

Schedule 2: Summary of gaming machine categories and entitlements

Link to summary of gaming machine categories and entitlements.[1]

https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/gaming-machine-categories

[1] With reference to the proposed changes introduced by the government's 'White Paper', this additional guidance is subject to change within the policy period

Schedule 3: Summary of gaming entitlements for clubs and alcohol-licensed premises

Link to summary of gaming machine categories and entitlements:

https://www.gamblingcommission.gov.uk/authorities/guide/codes-of-practice

Schedule 4: Summary of offences under the Gambling Act 2005 General offences regarding the provision of gambling facilities

Providing gambling facilities in Great Britain without a relevant licence, permit, notice, or exemption included under the Act.	S.33
Using premises to provide gambling facilities from, or causing them to be provided, without a relevant licence, permit, notice or exemption under the Act.	S.37

Offence Regarding cheating at gambling

Cheating, attempting to cheat, or assisting another person to cheat at gambling.	S.42

Offence committed towards or by under 18s.

Inviting, causing or permitting a child (under 16) or young person (16 – 17) to gamble, with the exception of: private / non-commercial gaming and betting participating in lotteries participating in football pools using a category D gaming machine participating in equal chance gaming at premises subject of a prize gaming permit or an FEC premises licence participating in prize gaming at a fair or an unlicensed FEC This offence includes intentional distribution of advertising to under-18s where the intent is to encourage gambling. It is also an offence on the part of a young person to gamble with the exception of situations listed above.	S.46 S.48
Inviting or permitting a child or young person to enter: a casino a betting premises (except for betting areas of horse and greyhound tracks on race days) an adult gaming centre areas of a family entertainment centre where category C gaming machines are situated. This offence is committed at all times when the premises listed above are being used in reliance on the premises licence. It is also an offence on the part of a young person to enter the premises listed above.	S.47 S.49

For a summary list of all offences under the Gambling Act 2005 please use the following link: http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-D-Summary-ofhttp://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-D-Summary-of-offences-under-the-Gambling-Act-2005.aspxoffences-under-the-Gambling-Act-2005.aspx

Schedule 5: Delegations of functions under the Gambling Act 2005

The Council's Licensing Committee is responsible for discharging the majority of the Council's licensing functions under the Gambling Act 2005. The notable exceptions are the final approval of the Council's Statement of Gambling Principles (also known as Statement of Licensing Policy) and policy not to permit casinos. Both of these functions are reserved to full Council.

In practice, and in accordance with relevant statutory provisions, all those decisions which can be, have been delegated to officers. Further, the Alcohol and Entertainment Licensing Sub-Committee is responsible for considering and determining applications and other matters which cannot be determined by officers. That Sub-Committee can also consider and determine any other matters referred to it for determination by officers (e.g., matters which can be considered by officers but which is considered more appropriate for the Sub-Committee to do so).

Schedule 6: Responsible Authorities

- Metropolitan Police
- London Fire and Emergency Planning Authority
- Planning Authority, Brent Council
- Environmental Health, Brent Council
- Safeguarding Children's Board, Brent Council
- HM Customs and Excise

Schedule 7: Persons or Bodies representing the interests of those who are likely to be affected by the exercise of the authority's functions

- London Borough of Brent Councillors
- Brent MPs and Member of the Greater London Authority
- All Brent Council Directorates
- The Safer Brent Partnership
- Gamblers Anonymous
- Alcoholics Anonymous
- New Beginnings
- Youth Offending Service (YOS)
- National Probation Service
- Citizens Advice
- Brent Samaritans
- Salvation Army
- Brent Magistrates' Court
- Brent Mind
- Brent Council's Residents' Association
- Age UK

Schedule 8: Persons or bodies representing the interests of those carrying on gambling businesses in the borough:

- Current holders of licences, permits, registrations etc. in the borough.
- Gaming Machine Suppliers
- Association of British Bookmakers
- British Amusement Catering Trade Association
- British Casino Association
- Casino Operators Association
- The Association of Licensed Multiple Retailers
- British Beer and Pub Association
- British Institute of Innkeeping
- GamCare
- Brent Chamber of Commerce
- The Football Association
- Federation of Licensed Victuallers
- The Bingo Association
- The Working Men's Club & Institute Union
- Responsibility in Gambling Trust
- Remote Gambling Association

- The Lotteries Council
- Betting and Gaming Council
- Gambling Business Group

Schedule 9: Any other individuals or organisations[1]

- General Public - via Council Website and Press Release

Schedule 10: Relevant Strategies and Assessments in Place within Brent Council

Borough Plan 2023 – 2027

https://www.brent.gov.uk/the-council-and-democracy/strategies-priorites-and-policies/brent-borough-plan-2023-2027#boroughplan

Brent Black Community Action Plan

https://www.brent.gov.uk/neighbourhoods-and-communities/community-priorities/brent-black-community-action-plan#bbcap

Brent Health and Wellbeing Strategy

https://legacy.brent.gov.uk/media/16420668/brent_health_and_wellbeing_strategy.pdf?_ga=2.107383937.2044133350.1692864662-782607314.1683191094

Homelessness and Rough Sleeping Strategy

https://www.brent.gov.uk/housing/housing-assistance/homelessness-and-rough-sleeping-strategy

Brent SEND Strategy 2021 – 2025

https://legacy.brent.gov.uk/media/16420000/send-strategy-2021-25.pdf?_ga=2.215917844.2044133350.1692864662-782607314.1683191094

Brent Stronger Communities Strategy

https://legacy.brent.gov.uk/media/16412463/stronger-communities-strategy-2019.pdf

Brent Youth Strategy

https://legacy.brent.gov.uk/media/16420126/brent-youth-strategy.pdf?_ga=2.174490785.2044133350.1692864662-782607314.1683191094

Brent Joint Strategic Needs Assessment (JSNA) 2023

[1] This is not an exhaustive list and may change during the consultation process.

https://data.brent.gov.uk/dataset/emgrl/brent-joint-strategic-needs-assessment-jsna-2023

Schedule 11: Glossary of terms

Applications	Applications for licences and permits
Authorised local	A Licensing Authority Officer who is an authorised person for a
Authority Officer	purpose relating to premises in that authority's area.
Authorised Person	A Licensing Officer, an officer of an authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that authority area. The following are considered authorised persons: Inspectors are appointed under the Fire Precautions Act 1971 Inspector appointed under the Health and Safety at Work, etc. Act 1974. Inspectors of Surveyors of ships appointed under the Merchant Shipping Act 1995. A person in a class prescribed in regulations by the Secretary of State.
Automated Roulette	2 types: (a) Linked to live game of chance, e.g., Roulette (b) Plays live automated game, i.e., operates without human intervention
Automatic condition	Condition attached automatically to premises licences or authorisations. The Licensing Authority has no desecration not to include or modify them.
AWP machines	Amusement with Prizes Machines.
BACTA	British Amusement Catering Trade Association.
Betting Intermediary	Offers services via remote communication, such as the internet.
Betting Ring	An area that is used for temporary „on course" betting facilities.
Bingo	A game of equal chance.

Casino	An arrangement whereby people are given an opportunity to participate in one or more casino games.
Casino Games	Games of chance that are not equal chance gaming.
Casino Premises Licence Categories	(a) Regional Casino Premises Licence (b) Large Casino Premises Licence (c) Small Casino Premises Licence

	(d) Casino permitted under transitional arrangements.
Club Gaming Machine Permit	Permit to enable the preemies to provide gaming machines (3 machines of Categories B C or D).
Code of Practice	Means any relevant code of practice under section 34 of the Gambling Act 2005.
Complex Lottery	An arrangement where: (a) Persons are required to pay to participate in the arrangement; In the course of the arrangement, one or more prizes are allocated to one or more members of a class. (b) The prizes are allocated by a series of processes; and (c) The first of those processes relies wholly on chance.
Council	Brent Council
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.
Default Conditions	Conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub Committee or Licensing Officers.
Disorder	No set interpretation, however, likely to be connected to the way gambling is being conducted. In the case of gambling premises licences, disorder is intended to mean activity that is more serious

	and disruptive than mere nuisance.
Domestic Computer	Definition in forthcoming Regulations. Exempt from a Gaming Machine Permit.
Dual Use Computer	Definition in forthcoming Regulations. Exempt from a Gaming machine Permit.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants
EBT	Electronic Bingo Ticket Minders. Electronic equipment operated by a Bingo Operators Licence for the purposes of playing bingo
Exempt Lotteries	Lotteries specified in the Gambling Act as permitted to be run

	without a licence from the Gambling Commission. There are 4 types: (a) **Small Society Lottery (required to register with Licensing Authorities** (b) **Incidental Non-Commercial Lotteries e.g., Raffle at a dance/church fair** (c) **Private Lotteries e.g., Raffle at a student hall of residence** (d) **Customer Lotteries e.g., Supermarket holding a hamper raffle**
External Lottery	An individual, firm or company appointed by the small Lottery Society
Manager	to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery
Fixed Odds Betting	General betting on tracks,
Gaming	Prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences

Gaming Machine	Machine covering all types of gambling activity, including betting on virtual events. Categories – See Appendix E
Guidance	Guidance issued by the Gambling Commission dated April 2006.
Human Rights Act	Article 1: Protocol 1 – the right to peaceful enjoyment of possessions.
1998 Articles: 1, 6,	Article 6: - the right to a fair hearing
8 and 10	Article 8: - the right of respect for private and family life Article 10: - the right to freedom of expression.
Incidental Non	A lottery promoted wholly for purposes other than private game,
Commercial Lottery	and which are incidental to non-commercial events (commonly charity fund raising event, lottery held at a school fete or at a social event such as a dinner dance)
Information	Exchanging of information with other regulatory bodies under the
Exchange	Gambling Act (Schedule 7)
Interested Party	Interested parties can make representations about licence applications or apply for a review of an existing licence. A person who:

	(a) **Lives sufficiently close to the premises to be likely affected by the authorised activities.** (b) **Has business interests that might be affected by the authorised activities.** (c) **Represents persons in either of the above groups.**
Irrelevant	Where other legislation can cover the representation.
Representations	Demand in premises licensing
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries on one calendar year exceed £250.00. This requires an Operating Licence.

Licensed Lottery	Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission. Operating Licences will be required.
Licensing Authority	The London Borough of Brent
Licensing Committee	A committee of 10 to 15 councillors appointed by the Council to represent the Licensing Authority.
Licensing Sub Committee	A subcommittee of members appointed from the licensing committee to whom the functions of the licensing committee can be delegated under the Act to determine applications.
Live Gaming	Gambling on a live game as it happens (e.g., In-Play Betting).
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.
Lottery Tickets	Tickets that must: (a) Identify the promoting society. (b) State the name and address of the member of Society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and (c) State the date of the draw or enable the date of the draw to be determined.
Mandatory	Conditions that must be attached to a licence. This may apply to all
Condition	Premises Licences, to a class of Premises Licence or licences for specified circumstances.

Members Club	**A club that must:** (a) **have a least 24 members.** (b) **be established and conducted „wholly or mainly" for purposes other than gaming** (c) **be permanent in nature.** (d) **Not established to make commercial profit controlled by its members equally**
Notifications	Notification of temporary and occasional use notices
Non-commercial	An event where all the money raised at the event, including entrance
event	fees, goes entirely to purposes that are not private gain.
Non-Commercial	A society established and conducted:
Society/small	(a) for charitable purposes.
society	(b) for the purpose of enabling participation in, or of
lotteries	supporting, sport athletics or a cultural activity; or (c) for any other non-commercial purpose other than that of private gain
Occasional Use	Betting may be permitted on a „track" without the need for a full
Notice	Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e., at a licensed betting shop.
Off Course Betting –	Betting that takes place in self-contained betting premises within
Tracks	the track premises providing facilities for off course betting, i.e., on other events, not just those taking place on the track. Normally operate only on race days.
On Course Betting – Tracks	Betting that takes place on a track while races are taking place.
Operating Licences	Licence to permit individual and companies to provide facilities for certain types of gambling. They may authorise remote or non-remote gambling.

Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low, or gambling is not the main function of the premises.

Personal Licence	**Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.**
Pool Betting – Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track.
Premises	Defined as „any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.
Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks adult gaming centres and family entertainment centres.
Private Lotteries	3 Types of private Lotteries: (a) Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of
	the Society. (b) Work Lotteries – the promoters and purchasers of tickets must all work on a single set of wok premises. (c) Residents" Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises.
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming	A permit to authorise the provision of facilities for gaming with prizes
Permit	on specific premises.

Provisional Statement	Where an applicant can make an application to the Licensing Authority in respect of premises that he: Expects to be constructed. Expects to be altered. Expects to acquire a right occupy
Racino	Casino located at a racecourse.
Regulations:	Regulations made under the Gambling Act 2005

Relevant Representations	**Representations that relate to the Licensing Objectives or that** raise issues under the Licensing Policy Statement or the Gambling Commission's Guidance or Code of Practice.
Responsible Authorises	Responsible authorises can make representations about licence applications or apply for review of an existing licence. For the purposes of this Act, the following are responsible authorises in relation to premises: (a) The Council Licensing Authority whose area the premises must wholly or mainly be situated. (b) The Gambling Commission. (c) Metropolitan Police (d) London Fire and Emergency Planning Authority, (e) Planning Authority, Brent Council. (f) Environmental Health, Brent Council (g) Brent's Safeguarding Children's Board (h) HM Customs and Excise. N.B. In accordance with the Gambling Commission's guidance for local authorities designates the Brent Safeguarding Children's Board for this purpose.
SIA	Security Industry Authority

Simple Lottery	An arrangement where: (a) Persons are required to pay to participate in the arrangement In (b) the course of the arrangement, one or more prize is allocated to one or more members of a class; and (c) The prizes are allocated by a process which relies wholly chance.
Skills with Prize	A machine on which the winning of a prize is determined only by the Player's skill and there is no element of chance, e.g., trivia game machine Formula 1 simulators, shooting game Skills Machine are unregulated.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less

	and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of non-commercial society, i.e., lotteries intended to raise funds for good causes.
Small Operations	Independent on course betting operators with only one or two employees or a bookmaker running just one shop.
Society	The society or any separate branch of such a society, on whose
Statement of Principles	Matters taken into account when considering an applicant's suitability for an application for FEC Permits etc.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
Small Operations	Independent on course betting operators with only one or two employees or a bookmaker running just one shop.
Totalisator or Tote	Pool betting on tracks.

Touch Bet Roulette	Where a player gambles on a live game of chance without actually being seated.
Track	Sites where races or other sporting events take place e.g., horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that „wholly or principally" provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.
Vessel	Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.
Vessel; and Relevant Licensing Authority	The Licensing Authority for the area in which the vessel is usually moored or berthed.
Virtual Betting	Machine that takes bets on virtual races i.e., images generated by computer to resemble races or other events.
Vulnerable	Include people who gamble more than they want to; people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to mental impairment, alcohol, or drugs. For example, this may include those persons who are under the influence of alcohol and/or are drunk. persons who are under the influence of alcohol and/or are drunk.
Young Person	An individual who is not a child but who is less than 18 years old.

	Football temporary use notice Family entertainment centre gaming machine permit Club/miners welfare institute: equal chance gaming Club gaming permit Club machine permit Equal chance gaming, on – licensed premises Gaming machines: automatic entitlement, on – licensed premises Licensed premises gaming machine permit Travelling fair gaming machine Prize gaming permit Other prize gaming Ancillary equal chance gaming at travelling fairs. Private gaming and betting Non-commercial prize gaming Non-commercial equal chance gaming

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APPENDIX 2

GAMBLING CONSULTATION RESPONSES

Date Received	Agency/ Respondent	Method of response	Summary of Response to Consultation	Action Taken
4 September 2023	Hough and Bollard	Written	Section 4.2.3 refers to a study linking anti-social behaviour and problem gambling. However, recent research found no significant relationship between problem gambling and crime, after accounting for low self-control, past substance use, and juvenile delinquency. More information can be found in https://pubmed.ncbi.nlm.nih.gov/32185650/	Some recent research studies do raise doubts on the link between problem gambling and crime. More data is need on the subject, as outlined by the Gambling Commission, who have asserted that further research is required to understand the association between gambling and criminal activities, the impact of unregulated markets, and crime as a form of gambling-related harm. As a result of this response, the relevant paragraph in the report, and the original cited research, have been removed to ensure that the emphasis remains on the expectations outlined in section 4.2.4, pertaining to the first objective. This will help avoid confusion for the users of the policy.
15 October 2023	Cllr 1 – Point 1	Written	Clear sight lines into AGCs and betting shops improve safety by allowing monitoring of those inside and outside. The balance between obscuring views and providing visibility is crucial. While concerns of attracting children are raised, seeing inside can also make them more visible.	If a betting premises has a clear link to crime and disorder, removal of items that obscure the view into the premises can be implemented. This is usually done as a result of a premises licence review or voluntary measures taken after concerns raised by a multi-agency team. The Gambling Commission's premises assessment toolkit provides some examples of this: https://www.gamblingcommission.gov.uk/authorities/guide/premises-assessments-toolkit#premises-assessments-case-studies. It is important to maintain a balanced view in such situations and to have regard for the potential commercial impact of any decisions made, alongside the need to promote the Licensing Objectives.

				Therefore, we have amended the policy by adding an item for consideration at Section 4.2.4. The item is as follows: "Consider the appropriate placement of externally visible signage if better lines of sight into the premises would assist in reducing crime and anti-social behaviour related to the premises."
	Cllr 1 – Point 2	Written	Online gambling is often overlooked but can be more harmful than physical betting. Lockdowns have caused many to turn to online gambling, leading some into debt.	The regulation of online gambling falls outside the scope of Local Authorities and the Statement of Principles.
	Cllr 1 – Point 3	Written	Public Health and the NHS should monitor depression and other illnesses to assess any correlation with debt and gambling.	The point is accepted, but it is beyond the scope of the Statement of Principles.
	Cllr 1 – Point 4	Written	Drug and alcohol addiction can lead to gambling addiction. Promoting gambling awareness with public health and treatment services is crucial.	The point is accepted, but it is beyond the scope of the Statement of Principles.
	Cllr 1 – Point 5	Written	Betting shops and AGCs have been affected by FOBTs limits. This led to closures of betting shops and rise in AGCs. Identifying the client base for each establishment is important.	The point is accepted, but it is beyond the scope of the Statement of Principles.
	Cllr 1 – Point 6	Written	Betting shops and bingo halls can be important social spaces for some people. Is this also the case for AGCs?	Research may be needed to explore the social benefits of attendance at venues which provide bingo, betting and gaming machine low-stakes gaming. This is not information that is available at the time of redrafting the Statement of Principles.

	Cllr 1 – Point 7	Written	The maps provided showed ASB and crime data. Has there been a breakdown to show the involvement of alcohol? And what is the breakdown of ASB/ crime between Betting shops and AGCs. Are losses on machines the issue?	There is no local data to answer these questions around the involvement of alcohol in crime related incidents, comparisons between betting shops and AGCs or machine losses by premises type. However, the Brent Local Area Plan does show the location of alcohol licensed premises and operators must use this information to inform their Local Area Risk Assessments.
	Cllr 1 – Point 8	Written	Should the National Probation Service be shown separately from Brent Youth Offending Service in Schedule 6, P89?	Schedule 7 (page 93) shows the National Probation Service as separate to Youth Offending Service.
	Cllr 1 – Point 9	Written	Have Age UK and Brent Mind been consulted?	Schedule 7 (page 93) shows that Age UK and Brent Mind have been consulted.
13 October 2023	Luxury Leisure – Point 1	Written	The Authority is subject to the Regulators' Code under the Gambling Act 2005. It must support those it regulates, minimise negative economic impact, regulate compliance costs, and consider compliance records. A reference to the Code would be helpful.	Section 15 of the document discusses 'Good Practice in Regulation'. However, we noticed that the section doesn't mention the importance of minimising economic impact and reducing compliance costs. As regulators, we are committed to following the statutory principles of good regulation as outlined in the Regulators' Code. We also strive to assist those whom we regulate in complying with regulations and ensure that our actions are transparent, as it outlined within the opening paragraph of the policy. To clarify this further, we have revised the wording of Section 15.
	Luxury Leisure – Point 2	Written	Para 4.2.3 deals with the first Licensing Objective. However, it suggests that antisocial behaviour should be taken into account under this Objective. This is misplaced and recommend moving it to the third Licensing Objective due to its alleged correlation with "problematic gambling".	The point is accepted and understood. As anti-social behaviour is specifically covered within 4.2.8 (now renumbered to 4.2.7), is dealt with throughout the policy, and as concerns with the clarity of this paragraph have been raised within other responses, this paragraph has now been removed.

			We question how the provision of adequate sanitation relates to the first objective.	The point is accepted and understood. This was present within the policy before redrafting and its' purpose here is not clear. This has been removed from the relevant list.
	Luxury Leisure – Point 3	Written	There is question over the relevance of Para 5.9.3, and how it would be enforced. The Statement of Principles that applies to the application is determined by the respective authority.	The paragraph that is being referred to currently reads as follows: 'Lastly, all operators will need to take into consideration neighbouring wards and Boroughs when making a decision to apply for a new licence and/or writing/modifying risk assessments. As discussed, the provided list is not exhaustive. If other factors are identified, these should also be reflected upon in risk assessments.' The intention of this paragraph is to highlight that gambling premises are often situated on the border of Local Authority areas, particularly within London Boroughs. To comply with the LCCP (Licence Conditions and Codes of Practice), operators are required to assess the local risks to the licensing objectives and, as part of this, must take into account relevant matters identified in the licensing authority's Statement of Licensing Policy. It is not exclusively limited to the factors identified as part of Brent's Local Area profile and Statement of Policy. As the response received directly below makes clear the importance of partnerships with other Local Authorities, the paragraph has been revised to read: 'Lastly, all operators must consider the risks to the licensing objectives that may arise from offering gambling services within their premises. This includes identifying all potential risks associated with factors present in neighbouring wards and Boroughs. Applicants are expected to consider these risks before applying for a new licence and/or modifying their existing risk assessments.'

15 September 2023	Communities and Regeneration Team, Brent Council – Point 1	Written	Operators should consider neighbouring wards and boroughs while applying for a new licence or modifying risk assessments. This means that when awarding a Brent licence, we will take into account the proximity of licensed premises from neighbouring authorities. It's important to capture and safeguard against this for all neighbouring boroughs in our policy.	Please see amendment detailed directly above which makes the requirement to consider local risk arising from neighbouring boroughs clearer within Section 5.9.3.
	Communities and Regeneration Team, Brent Council – Point 2	Written	It was noticed that the interactive map is missing several Brent businesses in Kilburn.	The interactive map referred to within the response has now been updated with the missing data from Kilburn. The amended map can be viewed here: https://maps.brent.gov.uk/map/Aurora.svc/run?script=%5Caurora%5Caurora+-+Gambling.AuroraScript%24&nocache=2097243282&resize=always
11 October 2023	Merkur Group	Written	The Authority should not decide on a licensee's business model or limit their activities, except in cases where operator control measures fail. All licensees must comply with governing legislation and ensure that permitted gambling activities are socially responsible. Refusal assumptions contradict permissive licensing.	This section was not amended in the most recent policy draft from the previous Statement of Principles and, therefore, has been unchallenged so far. However, it has been recognised that the original paragraph needs modification and has been amended as follows: “Bingo premises may only provide gaming machines for use if there are substantial facilities available for non-remote bingo, as outlined in Section 9.1.2 of the Licence Conditions and Codes of Practice.” To avoid any potential miscommunication, the paragraph above has been written to reflect the current relevant section of the LCCP without any additional commentary.

18 October 2023	Cllr 2 – Point 1	Written	4.2.4 mentions training but not for vulnerable adults at gambling premises.	Concerns raised here will be addressed in a more appropriate section of the policy, as 4.2.4 primarily focuses on crime prevention.
	Cllr 2 – Point 2	Written	How should gambling businesses act on their commitment to protect vulnerable people? Should they provide training on vulnerability awareness?	Additional bullet point added to 4.5.3: Staff training for recognising vulnerability and risk of gambling harms.
	Cllr 2 – Point 3	Written	4.6.2 "Are these categories assessed on a list or case-by-case basis? For example, where do refugee hostels fall? Migrants are a high-risk group for gambling due to deprivation (as per Government communications)."	Emergency and supported accommodation are already included in the category of 'Hostels or other accommodation for vulnerable individuals'. This category has been updated to specifically cover emergency and supported accommodation within the Local Area Profile, hence the new phrase: 'Hostels, emergency accommodation, supported accommodation, or other accommodations for vulnerable individuals'.
	Cllr 2 – Point 4	Written	Para 5.2.2 - Can we have data that is specific to Brent? For example, the Manchester dataset that can be found at https://democracy.manchester.gov.uk/documents/s36131/Appendix%201Gambling%20Related%20Harms.pdf	The work mentioned was supported by the key findings of the PHE Gambling-related Harms Evidence Review and the Greater Manchester Strategic Needs Assessment on Gambling Harms. Though it would have been beneficial for Brent to conduct such an assessment, it was not available during the policy review. The PHE report has contributed to the government's current White Paper proposals, which are currently under consultation and will not be finalised until after policy implementation.
	Cllr 2 – Point 5	Written	Para 5.3.3. specifically mentions neurodiversity and low IQ – so these appear to be areas for training on awareness to avoid staff making assumptions/ stereotyping,	The latest update to section 4.5.3 provides additional guidance for vulnerability training. The definition was kept broad to cover all possible scenarios, as vulnerability is a complex and multi-faceted issue.

			understanding how to communicate with those who have a learning disability (and also respect their independence).	
	Cllr 2 – Point 6	Written	Para 7.2.3 - It is important to provide staff with training on how to work with adults with learning disabilities.	This section pertains to the conditions that operators may offer during the application process. A new section, 7.2.3, has been added, which suggests a model condition for training staff to identify vulnerable individuals who may be susceptible to the harmful effects of gambling. The suggested condition is as follows: "All staff members must receive training on identifying those who may be vulnerable to gambling harm. Records of the training given must be retained on the premises and made available for inspection by authorised officials."
	Cllr 2 – Point 7	Written	Para 8.10.2 - Can you add a definition of what a fair is, so that it doesn't limit what other cultural events can be held in parks?	Section 8.10.1 now includes the legal definition of travelling fairs. These fairs are defined as those that are wholly or primarily dedicated to providing amusements, and they are permitted to offer an unlimited number of Category D gaming machines and equal chance prize gaming without the need for authorisation from the Licensing Authority. However, such gaming facilities must be ancillary to the amusement provided by the fair.
24 October 2023	Health and Wellbeing Brent Council	Written	Issues found: - 1.1.4: Need more recent income data. - 1.3.2: Remove repeated sentence. - 5.3.4: Insert cost of harms data reference on page 28.	The income data has been updated using ONS data available here: https://www.ons.gov.uk/help/localstatistics The repeated sentence has been removed. The reference for this data has now been inserted on page 28: https://www.gov.uk/government/publications/gambling-related-harms-evidence-review/gambling-related-harms-evidence-review-summary--

			- 5.5.3: Need more detailed deprivation breakdown.	2#:~:text=Our%202023%20economic%20analysis%20estimated,in%202021%20to%202022%20prices). Section 5.5.3 relates to the Local Area Profile, and reviewing the data used has not been part of the Statement of Policy review.
13 October 2023	Cllr 3	Online	One of the major issues is the differentiation in planning categories between traditional bookmakers and adult gaming centres, also known as "High Street Casinos." As a result, the policy of restricting the high street to only 3% of AGCs is easily bypassed by opening more bookmakers next to each other, which contain highly addictive gaming machines.	Noted but no policy revision required.
	Cllr 3	Online	The public has limited awareness of council policies and authority.	Noted but no policy revision required. The policy aims to establish the powers of the Local Authority in a clear and concise manner. The general lack of understanding regarding the council's responsibility in regulating gambling is noted, and this feedback will be included as part of the evaluation procedure.
	Cllr 3	Online	Limit new AGC licenses in high-crime areas and reduce operating hours of existing ones. Police concerns are ignored; they can only submit written statements. The 3% target for AGC density is too high and results in excessive establishments in a small area.	Noted but no policy revision required. The police have been consulted as a Responsible Authority on the draft policy. The White Paper amendments to the Gambling Act 2005 may introduce the ability for Local Authorities to introduce 'Cumulative Impact Zones' and this will be an opportunity to explore whether there is a need to put local restrictions

				in place where there are specific issues relating to the licensing objectives.
	Cllr 3	Online	The issue of gambling needs to be addressed as a public health concern, and its regulation should be transferred to the public health department. We should make a greater effort to utilise the insights gained from the Brent Poverty Commission to restrict the presence of gambling establishments in areas with a high level of deprivation.	Noted but no policy revision required. The Local Area Profile takes deprivation into consideration and considers it within the policy. If an area is already facing high deprivation, any application would be evaluated based on its own merit and any risks posed to the Licensing Objectives. Several consultation responses have emphasised the need for a local strategy to tackle gambling-related harms. This has emerged as a theme in the consultation process. Unfortunately, there are limited opportunities to make amendments to the policy, based on this aspect, currently.
	Cllr 3		We prevent fast food establishments near schools, why not do the same for gambling establishments?	Noted but no policy revision required. The Local Area Plan identifies the placement of schools, which gambling operators should consider when conducting their Local Area Risk Assessment. In areas where children are particularly vulnerable, the impact on the licensing objective of protecting children from harm would determine whether a new application is granted and if it aligns with the licensing objectives.
	Cllr 3		It is suggested to grant the police a more prominent role in the planning and licensing process.	Noted but no policy revision required. As responsible authorities under gambling legislation, the police were consulted in the creation of this revised policy.
	Cllr 3		Are we using the Index of Multiple Deprivation to prevent gambling establishments from operating in	Noted but no policy revision required.

			areas where the most vulnerable populations reside?	The Local Area Profile references the index of deprivation as a key companion document within the Statement of Policy.
	Cllr 3		Have the adjacent shops been surveyed to determine whether the gambling establishments are causing any related problems?	Noted but no policy revision required. As part of the broader consultation process, local businesses were consulted.
10 October 2023	Resident 1 - Alperton	Online	The council should consider stopping the issuance of gambling licenses due to the social problems associated with it.	Noted but no policy revision required. The response is noted but lacks a clear definition of the related social problems referenced.
19 September 2023	Resident 2 – Queens Park	Online	The measures taken are inadequate in ensuring the safety of people who are vulnerable.	Noted but no policy revision required. A number of revisions have been made to the policy regarding the protection of vulnerable people. To make further changes, it would be useful to have specific details/ examples of what could be implemented to better protect vulnerable people.
	Resident 2 – Queens Park	Online	Not easy to navigate.	Noted but no policy revision required. This is unfortunate, but further detail would be required to support policy revisions. A table of contents has been added into the policy during this revision to aide navigation.
	Resident 2 – Queens Park	Online	It is necessary to take further action to address the issue of antisocial behaviour occurring outside betting shops.	Noted but no policy revision required. This issue has been raised throughout the consultation process and engagement exercises. Further clarification has been added regarding operator responsibilities in recognising and mitigating the risks of crime associated with gambling premises.

	Resident 2 – Queens Park	Online	There is still much that needs to be done. It is unsettling to walk past these premises.	Noted but no policy revision required. There has been an increased emphasis on ensuring that operators are responsive to crime and disorder issues related to their premises within the policy revision.
	Resident 2 – Queens Park	Online	Betting shops use mosquito devices that emit high-frequency sounds to disperse younger people. A shop in Kensal Rise has this on the high street. Should it be illegal?	Noted but no policy revision required. The policy does not require the installation of such devices, and it does not suggest that such devices would be effective in mitigating risk. Any devices that are installed must comply with relevant laws.
11 September 2023	Resident 3 - Cricklewood and Mapesbury	Online	I don't feel safe walking with my baby due to the high number of gambling shops on Shoot Up Hill and the dodgy people in surrounding areas. The policy doesn't seem to prioritise protecting the vulnerable.	Noted but no policy revision required. Greater focus has been placed on ensuring that operators are responsive to issues of crime and disorder related to their premises.
	Resident 3 - Cricklewood and Mapesbury	Online	I don't understand how having so many gambling spots in Kilburn/Cricklewood contributes to the community's culture and wellness.	Noted but no policy revision required. The policy refers to the Borough Plan's objectives but culture and wellness are not specifically part of the policy aims.
	Resident 3 - Cricklewood and Mapesbury	Online	I don't believe that the current number of gambling businesses in Brent is sufficient to prevent harm to children.	Noted but no policy revision required. The White Paper proposes introducing Cumulative Impact Zones, which could provide an opportunity to investigate whether there is evidence to support limitations on the issuance of new gambling premises licenses.
	Resident 3 - Cricklewood	Online	The number of shops should be strongly reduced.	Noted but no policy revision required.

	and Mapesbury			
	Resident 3 - Cricklewood and Mapesbury	Online	Fast food chains near gambling spots should be reconsidered.	Noted but no policy revision required. Another response has raised concerns regarding the proximity of gambling premises to fast food outlets where children tend to gather. To address this issue, it is recommended that gambling operators include the location of establishments that attract children and young people as a risk factor in their Local Area Risk Assessments, as outlined in Section 4.6.2.
11 September 2023	Resident 4 - Sudbury	Online	The policy fails to balance protection for vulnerable residents and community support. Wembley Central has ten gambling shops on the High Road, 5 meters apart. This is unhealthy and unacceptable.	Noted but no policy revision required.
	Resident 4 - Sudbury	Online	The policy is easy to navigate.	Noted but no policy revision required.
	Resident 4 - Sudbury	Online	The policy is ineffective in preventing gambling, as money seems to be the top priority.	Noted but no policy revision required. The Statement of Principles aims to permit gambling consistent with licensing objectives, not prevent it.
	Resident 4 - Sudbury	Online	Gambling is unfair for vulnerable individuals. Limiting the number of shops on main roads could help address this issue.	Noted but no policy revision required. As mentioned in other parts of this report, the policy cannot decrease the number of gambling establishments.
	Resident 4 - Sudbury	Online	If you open a gambling premises near a fast-food restaurant, you are not protecting children.	Noted but no policy revision required.
	Resident 4 - Sudbury	Online	In Brent there's also a problem with spitting on the floor.	Noted but no policy revision required.

				The policy would not be able to address these specific concerns.
	Resident 4 - Sudbury	Online	Additional rules and on-the-ground police officers are needed to address the issue of fly tipping, which is a big problem in Brent. CCTV cameras have also been installed to help combat this issue.	Noted but no policy revision required. The policy would not be able to address these specific concerns.
	Resident 4 - Sudbury	Online	There is not enough data and the policy does not reach the right amount of people.	Noted but no policy revision required. There have been other responses which suggest that there is a lack of locally available data and so this feedback will be used when evaluating the responses.
	Resident 4 - Sudbury	Online	There is a definition of vulnerability but no action taken to actually protect the vulnerable.	Noted but no policy revision required. The policy has been amended to explicitly state that Brent Council expects operators to train their staff on protecting vulnerable individuals and to implement policies that facilitate the identification of those who may be experiencing gambling-related harm.
	Resident 4 - Sudbury	Online	Stop opening shops in Brent.	Noted but no policy revision required. As referenced elsewhere within this report, the policy would not be able to issue restrictions on issuing new gambling premises, but sets out that we will consider the impact of each application on a case by case basis.
	Resident 4 - Sudbury	Online	The Local Area Plan is hard to read for most people.	Noted but no policy revision required. This comment will be used to explore improvements to the presentation of data.

	Resident 4 - Sudbury	Online	There should be no gambling premises near shops, nurseries, restaurants or places where teenagers congregate.	Noted but no policy revision required. The Local Area Plan identifies areas which are considered of higher vulnerability in terms of the proximity to locations where children and young people would be expected to congregate. Where the risk of harm is very high, operators would have to demonstrate that they have put policies into place to address these risks.

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APPENDIX 3

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	**Statement of Gambling Principles**
DEPARTMENT:	**Resident Services**
TEAM:	**Licensing Team/ Regulatory Services**
LEAD OFFICER:	**Anu Prashar**
DATE:	**1 November 2023**

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.

Brent Council is the licensing authority under the Gambling Act 2005 (the Act) and is responsible for granting premises licences for gambling in the Borough. The Act created the Gambling Commission as a national regulatory body to enforce stronger gambling regulations. S.349 of the Act requires the council to publish a statement of the principles that it proposes to apply when exercising its functions under the Act. This statement must be published every three years. The statement must be reviewed from time to time and if the council thinks it necessary in the light of a review, revise the statement and publish any revision of it before it comes into effect. The council is required to consult widely on the statement and any revision of it. The Statement was last revised in 2020. The policy was extended by Full Council in Nov 2022 for two more years. Brent Council has reviewed its Statement of Principles and undertaken a public consultation exercise in order that the latest version can be agreed by the Full Council in November 2023 and published in January 2024.

Consultees included the chief officer of police, one or more persons representing the interests of persons carrying on gambling businesses in the authority's area, and one or more persons representing the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

Activities covered by legislation and this policy include:

(a) The licensing of premises where gambling activities are to take place by issuing *Premises Licences*
(b) Issue *Provisional Statements*
(c) Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake

certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits

(d) Issue *Club Machine Permits* to *Commercial Clubs*
(e) Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
(f) Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
(g) Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
(h) Register *small society lotteries* below prescribed thresholds
(i) Issue *Prize Gaming Permits*
(j) Receive and Endorse *Temporary Use Notices*
(k) Receive *Occasional Use Notices*
(l) Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange)
(m) Maintain registers of the permits and licences that are issued under these functions

The Council exercise its powers of compliance and enforcement under the Act in partnership with the Gambling Commission and other relevant responsible authorities

The existing policy sets out the general approach the council will take when considering applications for licences. The Act provides a clear focus on the three licensing objectives which are:

(a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

(b) Ensuring that gambling is conducted in a fair and open way;

(c) Protecting children and other vulnerable persons from being harmed or exploited by gambling

This draft Statement of Gambling Principles has been updated using the Gambling Act 2005 which remains unchanged together with the latest guidance issued by the Gambling Commission to local authorities.

Gambling operators are required to produce robust risk assessments using local area profiles to minimise gambling related harm. Local Area Profiles such as deprivation index, unemployment, hostels, housing, pay day loan shops, schools etc. for Brent have been introduced which includes interactive maps for gambling operators to use in order to produce their risk assessments.

Where areas are identified as posing a significant risk of gambling related harm to individuals but especially to children and vulnerable adults, any new operator will be asked to consider relocating their premises to a more suitable location. Examples of such areas include Wembley High Road, Harlesden High Street, Kilburn high Road etc., which have high footfall

as well as those near supported accommodation, addiction treatment centres. This is not an exhaustive list as other factors also affect gambling related harm.

2. Who may be affected by this policy or proposal?

The Statement will affect all residents, businesses and visitors to the Borough who may be affected by premises- based gambling activity.

The Statement will be used by Council to regulate gambling activity within its responsibility, and it aims to balance the needs of all stakeholders to ensure gambling is lawful and the ctivity is safe.

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 Council recognises that many people enjoy gambling as part of their entertainment, leisure and sporting activities from which economic and social benefits arise for businesses. Appropriately licensed and regulated gambling should help to exclude illegal gambling. Gambling creates employment in the borough, but it also presents risks to children, vulnerable adults, existing problem gamblers, and in certain circumstances being the cause of crime and disorder.

Most of the gambling establishments are owned by large businesses. There are very few owned by people from the disadvantaged groups, although they account for a large proportion of users. We will continue to monitor gambling operations to detect any adverse effect on these groups.

The Council in its role as licensing authority recognises the importance of its decision making process, the input of all stakeholders, and the application of this Statement of Principles in relation to the Gambling Policy to deal with the competing interests of business and local communities. The Council will therefore seek to strike a balance between the different aspirations and requirements of businesses, local residents and the many visitors to the borough.

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**	
Sex		**X**	

Race		X	
Disability *		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

Screening Checklist

	YES	NO
Have you established that the policy or proposal *is* relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?		X
Would the policy or proposal change or remove services used by vulnerable groups of people?		X
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.

This policy is consistent with the Council's aim to ensure that the services we provide are relevant to the needs of all sections of the communities. The proposals are not expected to adversely affect any of the protected equalities groups highlighted in this assessment.

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	Applications for licences and permits under the Gambling Act 2005 may not be made by a child (under 18 years old). Applicants are required to declare that they are over the relevant age at the time of making an application, and may be required to provide their date of birth for specific applications. Any application made by a child, where the legislation prohibits this, will be rejected. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's age, will be disregarded as irrelevant. Gambling activities permitted under licences/permits issued under the Gambling Act 2005 are largely restricted to those ages 18 years old and over. The policy details the legal requirements and expectations of licensees and permit holders to uphold the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling.' These requirements and expectations are not beyond what would be considered reasonable by the Gambling Commission. Access by customers to gambling premises / activities may be limited or determined by a customer's age, in circumstances where they are below the legal age to participate in the gambling activities available at that premises. There is no upper age limit on gambling activities, and therefore a refusing a person access to gambling premises / activities on the grounds that they were 'too old' would not be sufficient grounds for refusal.

DISABILITY

Details of impacts identified	The Statement of Principles has no adverse impact on disability. Data regarding applicants' disabilities is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's disability, will be disregarded as irrelevant. Suitability of gambling premises for access/use by disabled persons is dealt with under the Equality Act 2010 and not a relevant consideration in determining gambling applications. An individual may refer to their own disability in a representation with respect to an application, either in passing or as a reason for the proposals adversely affecting them. In determining applications, the Council shall have regard to the Public Sector Equality Duty and ensure consideration is given to relevance of the disability to one or more of the three licensing objectives. Access by customers to gambling premises / activities should not be limited or determined by a customer's disability. As a protected characteristic, disability is not sufficient grounds for somebody to be refused access to gambling premises / activities.

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RACE

Details of impacts identified	The Statement of Principles has no adverse impact on racial groups. Data regarding applicants' or individuals' race/ethnicity is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's race/ethnicity, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by which racial group the customer belongs to. As a protected characteristic, racial group is not sufficient grounds for somebody to be refused access to gambling premises / activities.

SEX

Details of impacts identified	The Statement of Principles has no adverse impact on gender. Data regarding applicants' or individuals' gender is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's gender, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by a customer's gender. As a protected characteristic, gender is not sufficient grounds for somebody to be refused access to gambling premises / activities.

SEXUAL ORIENTATION

Details of impacts identified	The Statement of Principles has no adverse impact on sexual orientation. Data regarding applicants' or individuals' sexual orientation is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's sexual orientation, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by a customer's sexual orientation. As a protected characteristic, sexual orientation is not sufficient grounds for somebody to be refused access to gambling premises / activities.

PREGANCY AND MATERNITY

Details of impacts identified	The Statement of Principles has no adverse impact on pregnancy and maternity. Data regarding applicants' or individuals' pregnancy and maternity is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application.

	Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's pregnancy and maternity, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by a customer's pregnancy and maternity. As a protected characteristic, pregnancy and maternity is not sufficient grounds for somebody to be refused access to gambling premises / activities.

RELIGION OR BELIEF

Details of impacts identified	Data regarding applicants' or individuals' religion is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's religion, will be disregarded as irrelevant. Representations received by or on behalf of religious persons or groups, where the representation cites religion as a reason for the representation, may be considered in the determination of a gambling application provided that it relates to one or more of the three licensing objectives. Access by customers to gambling premises / activities should not be limited or determined by a customer's religion. As a protected characteristic, religion is not sufficient grounds for somebody to be refused access to gambling premises / activities.

GENDER REASSIGNMENT

Details of impacts identified	The Statement of Principles has no adverse impact on gender reassignment. Data regarding applicants' or individuals' on gender reassignment is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's on gender reassignment, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by a customer's on gender reassignment. As a protected characteristic, on gender reassignment is not sufficient grounds for somebody to be refused access to gambling premises / activities.

MARRIAGE & CIVIL PARTNERSHIP

Details of impacts identified	The Statement of Principles has no adverse impact on marriage and civil partnership. Data regarding applicants' or individuals' on marriage and civil partnership is not collected as part of any application process under the Gambling Act 2005, and is not a consideration in the consultation or determination of any application.

	Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's on marriage and civil partnership, will be disregarded as irrelevant. Access by customers to gambling premises / activities should not be limited or determined by a customer's on marriage and civil partnership. As a protected characteristic, on marriage and civil partnership is not sufficient grounds for somebody to be refused access to gambling premises / activities.

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?

There has been consultation with key stakeholders, and a public consultation undertaken as part of the policy review).
Public consultation was conducted via the online consultation portal on the LB Brent website.
The results of this consultation informed the final draft of the Statement of Gambling Principles.

5. Please detail any areas identified as requiring further data or detailed analysis.

None identified.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

N/A

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The Council will continue to monitor any changes to the policy. Any further changes or action to be determined by the Service Manager, Anu Prashar.

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.

There is no adverse impact of this policy on any of the protected characteristics.

SECTION D – RESULT

Please select one of the following options. Mark with an "X".

A	**CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED**	**X**
B	**JUSTIFY AND CONTINUE THE POLICY/PROPOSAL**	
C	**CHANGE / ADJUST THE POLICY/PROPOSAL**	
D	**STOP OR ABANDON THE POLICY/PROPOSAL**	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Anu Prashar
REVIEWING OFFICER:	Simon Legg
HEAD OF SERVICE / Operational Director:	Peter Gadsdon

Brent	**Cabinet** 16 November 2023
	Report from the Corporate Director, Children and Young People
	Lead Member – Cabinet Member for Children, Young People and Schools (Cllr Grahl Grahl)

Consultation on Admissions Arrangements for 2025/26

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
List of Appendices:	Two Appendix 1: List of Primary Community Schools in Brent Appendix 2: Proposed Admissions Arrangements for Brent Community Schools for 2025/26
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Shirley Parks Director, Education, Partnerships and Strategy 020 8937 4529 Shirley.Parks@brent.gov.uk Michelle Gwyther Head of Forward Planning, Performance and Partnerships 020 8937 2499 Michelle.Gwyther@brent.gov.uk

1.0 Executive Summary

1.1 This report sets out proposed amendments to the Admission Arrangements for Brent Community Schools for 2025/26. It seeks Cabinet's view on whether Brent Council should carry out a formal consultation to be completed by 31 January 2024.

2.0 Recommendations

2.1 It is recommended that Cabinet agrees a consultation is undertaken on the following amendments to existing admission arrangements (these proposals are not inter-dependent and can be agreed individually):

a) The reduction of the Published Admission Number (PAN) for Mitchell Brook Primary School from 90 to 60.

b) The reduction of the Published Admission Number (PAN) for Fryent Primary School from 120 to 90.

3.0 Detail

3.1 Cabinet Member Foreword

3.1.1. Brent's school admission arrangements support the Borough Plan Strategic Priority 4: The Best Start in Life. By ensuring there are suitable admissions arrangements for children and young people in Brent, the local authority is meeting its statutory obligations and supporting every child and young person to access high quality education locally to them in the borough.

3.1.2. This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. It includes two proposals for two schools, and no amendments to the existing admissions oversubscription criteria which were consulted on last year.

3.2. Background

3.2.1 Brent Council is the Admission Authority for 30 community primary schools in the borough (listed in Appendix 1). Voluntary aided (VA) and foundation schools, academies and free schools are their own admission authority and determine their own admission arrangements and oversubscription criteria.

3.2.2 The School Admissions Code issued under Section 84 of the School Standards and Framework Act is the legal framework for school admissions matters. The Admissions Code requires that Admission Authorities have a mechanism to rank applications in order of priority. All schools and Admission Authorities must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements for Brent community schools are determined by the council as the Admissions Authority.

3.2.3 Admission authorities are only required to consult on their admission arrangements if they are proposing any changes, or if seven years have passed since the last consultation. Brent Council last consulted on a change to its admission arrangements in 2023 for the 2024/25 offer year. The proposal to consult on admissions arrangements for 2025/26 admission arrangements is required because changes are proposed.

3.2.4 Any consultation to amend or maintain admissions arrangements must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year (which is the school year immediately preceding the offer year).

3.2.5 Admission authorities are required to determine their admission arrangements by 28 February in the determination year.

3.3 Proposals

3.3.1 Two amendments are proposed to the existing admission arrangements. These proposals are not inter-dependent and can be agreed individually.

a) The reduction of the Published Admission Number (PAN) for Mitchell Brook Primary School from 90 to 60

b) The reduction of the Published Admission Number (PAN) for Fryent Primary School from 120 to 90

3.3.2 No amendments are proposed to the existing admissions oversubscription criteria, or to any other explanatory text. Other minor drafting changes may be made to the full admission arrangements text which do not require consultation, such as updates to the dates throughout the document. The proposed oversubscription criteria are included as Appendix 2.

3.4 The reduction of the Published Admission Number for Mitchell Brook Primary School

3.4.1 Mitchell Brook Primary School is a three-form entry school located in Primary Planning Area 4. The planning area has an excessive surplus of capacity in the primary phase, and the council is implementing a number of measures to reduce this capacity.

3.4.2 The latest pupil place planning projections indicate that removing this capacity in the planning area will still leave enough places to meet demand, with at least a 5% surplus available at any time.

3.4.3 The Senior Leadership Team at the school have expressed an interest in supporting the Local Authority in managing the supply of places by suggesting a reduction of their PAN. This would support the school to continue to deliver suitable and effective education by:

- Reducing the number of pupils attending the school which will ease pressure on constrained areas, such as hallways, dining area and the hall.
- Maximise budget opportunities for the school by allowing it to operate at maximum effectiveness. The school is popular, but not full at three-forms of entry. Reduction of the school to two forms of entry would lead to the school to be full in each new year of entry, based on historical demand patterns.

3.4.4 In the context of the measures available to reduce school place capacity in the area, the local authority considers this proposal to have the lowest negative impact, as it is does not affect any pupils currently attending the school.

3.4.5 Reduction of the PAN at the school may limit the likelihood of some parents receiving one of their higher preference schools, where they have chosen Mitchell Brook Primary School but are not ranked highly enough to receive an offer if it is oversubscribed.

3.4.6 If the PAN is reduced and Mitchell Brook becomes an oversubscribed school, there may be an increase in appeals for the school. To put this in context, Uxendon Manor Primary School reduced its PAN in 2020. It has become oversubscribed in the Reception cohort since 2021, and to-date, 4 appeals have been lodged.

3.4.7 In mitigation to this, there is a wide selection of schools available in the planning area and in the surrounding planning areas that are rated good or outstanding by Ofsted. The local authority would still be meeting its obligation to ensure that sufficient schools for providing education are available in its area (Education Act 1996).

3.4.8 The building capacity of the school would remain in place and would be available if there was a future increase in demand in the area that required an increase in the number of places.

3.5 The reduction of the Published Admission Number for Fryent Primary School

3.5.1 Fryent Primary School is a four-form entry primary school located in Primary Planning Area 1.

3.5.2 The school was established as a three-form entry school but was reduced to a two-form entry school in 2003 due to falling demand. In 2012, the school was expanded to four forms of entry at a time of rising demand.

3.5.3 Demand for places at Fryent Primary School is lower than the full capacity of the school. Although 120 places are made available each year for a place in the Reception cohort, demand for the school has not exceeded 90 places since before 2015.

3.5.4 In order to maximise use of the spare capacity, an Additionally Resourced Provision was established in the school in 2017. The ARP now utilises the spare accommodation of the school.

3.5.5 Reducing the PAN will normalise the typical operating approach of the school and will ensure that only a maximum of 90 places will be offered for Reception from 2025. If the PAN remains at 120 and more places than 90 are offered, this could create operational difficulties for the school as it would have to reclaim some capacity from the ARP to establish an additional mainstream classroom.

3.5.6 Primary Planning Area 1 operates with a small surplus of places in most year groups, with a small deficit in some year groups. Projections indicate this is likely to remain the case until 2026/27, after which there will be a small surplus in all year groups in the following year. There is additional capacity in neighbouring planning areas which could meet any demand beyond the number of places available. If the local authority is unable to make an in-year offer of a place to a child who needs a school within a reasonable distance, it can utilise the Fair Access protocol to make an offer at a school that is already oversubscribed.

4.0 Stakeholder and ward member consultation and engagement

4.1. Local Authority officers have consulted directly with ward members in Primary Planning Area 4 that includes Mitchell Brook Primary School to discuss potential measures to reduce spare capacity.

4.2 Local Authority officers have liaised with the Senior Leadership Teams of Mitchell Brook Primary School and Fryent Primary School, including the schools' governing bodies to confirm their agreement to the proposed PAN reductions.

4.3 The Local Authority is required to formally notify the governing boards of Mitchell Brook Primary School and Fryent Primary School of any intention to consult to reduce their PAN following Cabinet approval.

5.0 Financial Considerations

5.1 There are no specific financial costs in relation to changes to the admissions criteria. However, schools receive funding via the Dedicated Schools Grant (DSG) which is driven by pupil numbers. Reducing the PANs will enable the schools to reconfigure their planned spend within the funding available giving the schools more financial stability, as vacant school places can put a school at risk of going into a deficit.

6.0 Legal Considerations

6.1 The School Admissions Code has been issued under Section 84 of the School Standards and Framework Act. The proposed admission arrangements and oversubscription criteria (Appendix 2) adhere to the requirements of the School Admissions Code, revised September 2021.

6.2 Admission Authorities are responsible for admissions and must act in accordance with the School Admissions Code, the School Admissions Appeals Code, other laws relating to admissions and relevant human rights and equalities legislation.

6.3 Any Consultation must take place for a minimum of six weeks between 1 October 2023 and 31 January 2024. The local authority must agree ("determine") admission arrangements for 2025/2026 by 28 February 2024.

6.4 No other amendments are proposed to the admission arrangements which require consultation. Minor drafting amendments and date updates will be made as required and are permissible without a consultation.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 The Public Sector Equality Duty under section 149 of the Equality Act 2010 requires the Local Authority when exercising its functions to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not share that protected characteristic. The Admissions Criteria ensure fair access to school places.

8.0 Climate Change and Environmental Considerations

8.1. The local authority plans school places on the basis of children attending local schools, encouraging children to walk to school and reducing travel by car or public transport to reduce the carbon footprint.

9.0 Human Resources/Property Considerations

9.1 Schools are directly responsible for managing staff recruitment based on the number of teachers required in any year group, in any academic year.

9.2. There are no property implications.

10. Communication Considerations

10.1 Any proposed amendments would be subject to public consultation with parents and stakeholders in accordance with statutory guidance, legal frameworks and the Council's public consultation process.

10.2 The School Admissions Code requires we must consult with:

- parents of children between the ages of two and eighteen – this will be achieved through the consultation portal and details on a dedicated page within the Admissions pages of the Brent website;
- other persons in the relevant area who, in the opinion of the admission authority, have an interest in the proposed admissions – this would be achieved through direct communication with those persons or organisations;
- all other admission authorities in the relevant area – this will be achieved through an article sent in the Headteachers' Bulletin;
- any adjoining neighbouring local authorities – this will be achieved through direct contact with the neighbouring authorities' admissions lead officer.

10.3 A communication will be sent, via the schools, to the parents of children attending the school's whose PANs are proposed to be reduced.

Report sign off:

Nigel Chapman
Corporate Director of Children and Young People

Appendix 1 – List of Primary Community Schools in Brent

Anson Primary School
Barham Primary School
Brentfield Primary School
Byron Court Primary School
Carlton Vale Infant School
Chalkhill Primary School
Donnington Primary School
Elsley Primary School
Fryent Primary School
Harlesden Primary School
Kingsbury Green Primary School
Leopold Primary School
Lyon Park Primary School
Malorees Infant School
Mitchell Brook Primary School
Mora Primary School
Mount Stewart Infant School
Mount Stewart Junior School
Newfield Primary School
Northview Primary School
Oliver Goldsmith Primary School
Park Lane Primary School
Preston Park Primary School
Roe Green Infant School
Roe Green Junior School
Salusbury Primary School
The Stonebridge School
Uxendon Manor Primary School
Wembley Primary School
Wykeham Primary School

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Brent	**PROPOSED ADMISSION ARRANGEMENTS FOR BRENT COMMUNITY SCHOOLS FOR 2025/2026**
	For Consultation

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Brent Community Primary School Published Admission Numbers and Grid Reference Measuring Points for Admission in 2025/2026

Published Admission Numbers indicated in red text are subject to the outcome of the admission arrangements consultation. Fryent Primary School's current PAN is 120 and Mitchell Brook Primary School's current PAN is 90.

Name of School	Published Admission Number	Grid Reference Measuring Point	
		Easting	Northing
Anson Primary School	52	523552	185345
Barham Primary School	120	517506	184655
Brentfield Primary School	90	520541	184537
Byron Court Primary School	150	517133	186955
Carlton Vale Infant School	60	524938	182956
Chalkhill Primary School	60	520005	186210
Donnington Primary School	30	522577	184004
Elsley Primary School	120	518869	184738
Fryent Primary School	90	520385	187897
Harlesden Primary School	60	521141	183461
Kingsbury Green Primary School	90	520010	188549
Leopold Primary School*	120	521640	184310
- Gwenneth Rickus Site		520810	184490
Lyon Park Primary School	120	518820	184115
Malorees Infant School	60	523952	184011
Mitchell Brook Primary School	60	521010	184768
Mora Primary School	60	523141	185939
Mount Stewart Infant School	90	517785	187999
Mount Stewart Junior School	90	517785	187999
Newfield Primary School	60	521890	184050
Northview Primary School	30	521580	185500
Oliver Goldsmith Primary School	60	520809	188559
Park Lane Primary School	60	518380	185490
Preston Park Primary School	120	517930	187200
Roe Green Infant School	120	519772	189316
Roe Green Junior School	120	519772	189316
Salusbury Primary School	90	524528	183518
The Stonebridge School	90	520512	183844
Uxendon Manor Primary School	90	518023	188541
Wembley Primary School	120	518365	186130
Wykeham Primary School	60	521087	186286

*Leopold Primary School is split into two sites – the main site on Hawkeshead Road and a satellite site the Gwenneth Rickus site. Both sites are two-form entry and can accommodate 60 children in each year group. Public consultation is currently underway to close the Gwenneth Rickus site with effect from September 2025, which if implemented would require a variation to the admissions arrangements.

Oversubscription Criteria for Brent Community Schools in 2025/2026

The criteria set out below apply to the 30 Brent community schools listed on page 2.

Voluntary aided or religious faith schools, foundation schools, free schools and academies have their own admission policies. Parents/carers should visit the website of these schools for a copy of their admission arrangements or visit www.brent.gov.uk/admissions

Applications for children with an Education, Health and Care Plan (EHCP) are made by Local Authority Special Educational Need (SEN) teams. The placement of such children is made after a process of consultation between parents/carers, the school and the Local Authority. Children with an EHCP receive priority over others for admission to the school named on their EHCP. An EHCP is a plan made by the Local Authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

Schools should not admit more than 30 pupils in each class for Reception, Year One and Year Two. This is to enable the Local Authority to meet its statutory duty of having no more than 30 pupils in each class at Key Stage One. Three-year-old children should not be admitted to Reception classes.

Whenever and wherever possible, children are offered a school of their parents'/carers' preference and in practice the majority of children go to the school which their parents/carers select for them. Admissions criteria are clear, fair and objective. It is illegal for schools to discriminate against a pupil on the basis of his/her/their ethnicity.

Sometimes, however, there are more applications for a particular school than there are places available. This is described as oversubscription. Whenever this happens, pupils are offered places in the following order of priority:

1. Looked After Children or Previously Looked After Children (including Internationally Adopted Previously Looked After Children)

A looked after child or a previously looked after child, including those children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.

- A 'looked after child' (LAC) is a child who is in the care of a local authority, or being provided with accommodation by a local authority in the exercise of their social services functions at the time of making an application to a school.
- A 'previously looked after child' (PLAC) is a child who was looked after but ceased to be so because they were adopted or became subject to a child arrangements order or a special guardianship order.
- An 'internationally adopted previously looked after child' (IAPLAC) is a child who appears to Brent Council to have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care in a place outside of England if they were accommodated by a public authority, a religious organisation or any other provider of care whose sole purpose is to benefit society.

2. Linked infant school

Children attending an infant school on the same site as a junior school.

- This criterion only applies to Year 3 applications to Mount Stewart Junior School (for children attending Mount Stewart Infant School) and Roe Green Junior School (for children attending Roe Green Infant School).

3. Medical or Social needs

Exceptional circumstances to do with significant medical needs and or social needs which necessitate a child's placement at one particular school.

This criterion relates to the medical and/or social needs of the child or family members with caring or parental responsibility. The application must be supported by written evidence (see below) that sets out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The recommendation for this specific school should demonstrate knowledge of the school in terms of location, resources and organisation which deems it essential that the named pupil be admitted to the specific school. The Council will not give higher priority to children under this criterion if the required documents have not been submitted. Decisions on whether to allow the criterion will be made by an admission panel, based on all the evidence available, and will be consistent.

- *Medical Needs*
  Applications made on medical grounds must be accompanied by compelling medical evidence from a GP/hospital consultant at the time of application. The letter from the GP/hospital consultant must provide information about the medical condition, the effects of this condition and why, in view of this, the child needs to attend the preferred school.
  If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties that may exist if the child had to attend another school. Medical claims will only be considered for one school, and this should be named by the GP/hospital consultant. In assessing these applications, advice will be sought from relevant professionals as required.

- *Social Needs*
  Applications made on social grounds must be accompanied by compelling evidence at the time of application. Social needs claims will be considered where there is involvement from a social worker, or other professional and where it can be demonstrated that the child has exceptional social needs that cannot be met at any other school than the named school. Parents'/carers' circumstances can have an impact on a child's social needs and evidence of this will be considered. In assessing these applications, advice will be sought from relevant professionals as required.

4. Children of staff

Children whose parent/carer is a member of staff:
- who has been employed by the school and has worked predominantly on the school site for two or more years at the time of application; or
- who has been recruited to fill a vacancy at the school for which there is a demonstrable skill shortage.

Siblings

Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.

- This includes half and step brothers and sisters and foster children so long as they live at the same address - but **not** cousins.

5. All other applicants.

'Tie-break' Distance Measurement

Where pupils meet the same criteria, places will be offered in order of the distance from home to school which will be measured by straight-line, from the address point in the property to the address point in the school, as determined by Local Land Property Gazetteer (LLPG) data. Those living nearer the school will have the higher priority. The measuring system is an integral part of the admission software produced by The Access Group Ltd, uses Ordnance Survey maps and LLPG data and is accurate to 1 centimetre.

Where two or more children share the same priority, live equidistant from a community school and only one place remains, the local authority will use a computerised random allocation to determine which child should be given priority.

Home Address

The address used must be the child's permanent home address on the closing date for on-time applications or at the time of application for late or in-year applications.

This cannot be a business address, childminder or relative's address, or any address other than child's permanent home address. Only in circumstances where the relative or carer has legal guardianship, and is the main carer, will a different address be considered as the main residence. Evidence will be requested to support this arrangement.

Proof of address is not required to be sent with an application. The council tax reference number should be supplied on the application if the applicant is responsible for paying it. Brent Council will check internal council databases in order to verify the address. Where it is not possible to verify the address or the applicant has recently moved, the Council will write to the applicant to ask for two proofs of address.

Any offer of a place on the basis of address is conditional upon the child living at the appropriate address on the relevant date. Applicants have a responsibility to notify the local authority of any change of address.

Any applications received containing fraudulent or misleading information, or any offers made based on fraudulent or misleading information may be withdrawn, especially where other applicants have been disadvantaged as a result.

Twins, Triplets and other children of multiple births

In the event that the school has one place to offer and the next child on the waiting list is one of twins, triplets or other children of multiple births, the Local Authority will offer both twins, all triplets or children of multiple birth a place even if this means temporarily going over the published admission number.

In the event that one child from a multiple birth has an Education, Health and Care Plan which names a particular community school, all other children from the same multiple birth will be considered under the third criteria for the same school – medical or social needs – unless a higher criteria should be applied.

Split residence

Where a child lives with parents/carers with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents/carers stating the pattern of residence. If a child's residence is split equally between both parents/carers, then they will be asked to determine which residential address should be used for the purpose of admission to school. If the residence is not split equally between both parents/carers, then the address used will be the address where the child spends the majority of the school week.

If it is not possible to determine which residential address should be used through a joint declaration, then the address of the parent/carer who is in receipt of child benefit will be used for the purpose of the application. In cases where parents/carers are not eligible for child benefit the address will be that of the parent/carer where the child is registered with the doctor. In cases that still cannot be determined, or are open to dispute by parents/carers, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Multiple applications

Only one application can be processed for each child. In the event that the local authority receives more than one application for the same child, whether from the same parent/carer or not, the most recently received application will be processed. This includes applications that have been submitted online and by post.

Parents/carers are responsible for ensuring only one application is received. If multiple applications are received and it is not possible to obtain a joint declaration from both parents/ carers (or those with parental responsibility) regarding which schools should be included as preferences, an admission panel will determine how to proceed with the application in accordance with these arrangements, the Admissions Code and any other relevant legislation or guidance. This will not impact on parents'/carers' right to appeal against any decision not to offer a preference school.

Applications from overseas

Applications with an overseas address will not be accepted for processing by the local authority unless there is evidence of a link to an address in the area and evidence that a child will be living in the area on or before the date of admission.

Where an application is accepted, the address used on the application will be the overseas address until such time as there is evidence of the child's return to the linked address prior to the closing date (or the date for accepting applications as late for good reason). Such evidence received after the closing dates will be considered on the application after National Offer Day.

The local authority is only responsible for making offers for children currently living in the area. If it is not possible to make a preference offer prior to a child's arrival on the relevant offer days, an alternative offer will not be made.

Applications will not be accepted from overseas addresses for in-year applications with the exception of applications for Children of UK Service Personnel (UK Armed Forces) and Crown Servants.

Children of UK Service Personnel (UK Armed Forces) and Crown Servants

Families of service personnel with a confirmed posting to the area, or crown servants returning from overseas to live in the area, can apply to the local authority in advance of their arrival provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address.

The address used on the application will be the postal address or quartering area address provided.

Offers will be made in advance of a child's arrival for in-year applications and on the relevant offer date for normal round applications.

How places will be allocated at Brent community schools for September 2025 in Reception (Primary and Infant schools) and Year 3 (Junior Schools)

There is no automatic transfer from nursery to Reception class, or from Year 2 to Year 3 in a Junior School. Parents/carers wanting to apply for a place at Reception (or to a Junior School) must complete an application which is available online or a paper Common Application Form.

If more applications are received than there are places available, places are offered up to a school's planned admission number to applicants whose application is received by the closing date in accordance with the oversubscription criteria listed on page 3 using an equal preference system (see below).

Equal preferences

Each preference is treated as a separate application. Then using the oversubscription criteria each application is considered and ordered in a list based on how well it meets the oversubscription criteria (page 3).

If applicants qualify for a place at more than one school, a place is offered at the school given the highest ranking by the applicant.

Application forms will be available from September 2024 and the closing date for applications will be 15 January 2025. Offer letters and e-mails will be sent out on 16 April 2025.

Deferred Entry

Parents/carers can request that the date their child is admitted to school is deferred until later in the year for which they apply or until the term in which the child reaches statutory school age. Statutory school age begins the first day of the term after a child's fifth birthday.

Parents/carers wishing to defer entry must contact the school to advise them of this after a place has been offered.

Parents/carers can also request that their child attends part-time until their child reaches statutory school age.

Applications for children outside the normal age group

The Council's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. In general, children should be educated in their normal age group, with the curriculum differentiated as appropriate; they should only be educated out of their normal age group in very limited circumstances.

If parents/carers believe their child should be educated in a different year group they should submit an application for the 'normal' Reception round for their child. With the application they should provide supporting evidence from relevant professionals working with the child and family stating why it is in the child's best interest to be placed outside their normal age appropriate cohort.

For community schools, the Council as the admission authority will decide whether the application will be accepted on the basis of the information submitted. Decisions will be based on the individual circumstances of each case including the view of parents/carers, the relevant head teacher(s), the child's social, academic and emotional development and whether the child has been previously educated out of year group.

There is no guarantee that an application will be accepted on this basis. If the application is not accepted this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly, there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the head teacher and senior leadership of individual schools.

Late Applications and changes after the closing date

Application forms must be received by Brent Council by the closing date of 15 January 2025.

Applications received after the closing date will be considered as late applications and will be processed after places have been allocated to applicants who applied on-time. However, in very exceptional circumstances applications received after the closing date may be considered as on time.

Applicants who consider they have exceptional circumstances that prevented them from applying between applications opening in September 2024 and the closing date of 15 January 2025 should provide independent written evidence explaining why the application was late no later than 5pm on Wednesday 12 February 2025.

Additionally, any changes to the application (e.g. order of school preference or change of preferences) received after the closing date will be treated in the same way as late applications.

Changes of Address after the closing date

Changes of address will only be considered after applicants are resident at the new address and evidence to demonstrate this has been supplied. Applications will not be processed from an intended future address except in the case of Crown servants and UK service personnel.

Evidence must be received by 5pm on Wednesday 12 February 2025 for the new address to be used when processing the application and calculating home to school distances. Any change of address evidenced after 5pm on Wednesday 12 February 2025 will not be included until after National Offer Day 16 April 2025.

Waiting Lists

If the school place allocated is not the first preference, the child's name will automatically be placed on the waiting list for schools which have been ranked higher than the offer made. Community school waiting lists will then be maintained by the Council whilst voluntary aided, foundation and academy schools' waiting lists will be maintained by the relevant schools.

Waiting lists are not maintained on a 'first come - first served' basis. Waiting lists are kept in the priority order as explained in the oversubscription criteria.

Places are offered from the waiting list throughout the year. When a place becomes available, it is offered to the first child on the list and, if it is accepted, all other children will move up the list. Children may also move down the waiting list if another family, with a higher priority under the oversubscription criteria, ask for their child's name to be added to the list.

Applicants, who ask for their child's name to be placed on the waiting list for another school after a school place has been allocated, are indicating they prefer this school to the other school already allocated. If at a later date a place is offered from the waiting list, this new offer will supersede any previous offer, which will then be withdrawn.

Looked after children and previously looked after children, and those allocated a place at the school in accordance with Brent's Fair Access Protocol, will take precedence over those on a waiting list.

Lists will be maintained throughout the school year. A child's position on the waiting list does not depend upon the time they have been on the list but will be determined by how they meet the oversubscription criteria.

This means that a child's position on the list can go down as well as up, depending upon the child's circumstances and those of other applicants.

The waiting list will be closed each year and will not roll over. A new application will have to be made for a new academic year.

Appeals

Parents/carers can appeal against any decision made by Brent Council about the school where they would like their child to be educated.

When an appeal form is requested, the child's name is automatically placed on the waiting list for that school, if it is not already included.

A child admitted to a school as a result of a successful appeal will be admitted in precedence to those on the waiting list.

There is no right of appeal against any decision not to offer a place in a nursery.

Admission to community school nurseries

The timeline and oversubscription criteria for a place in a nursery class in a community school are the same as for a Reception place. The council does not co-ordinate applications for nursery places. Applications for a nursery place in a community school must be made directly to the school by 15th January 2025. Offers will be made on 16th April 2025 by the school. If the nursery is oversubscribed the Community Schools' Oversubscription Criteria will be applied.

In-Year Applications

Applications received outside the normal admission round will be considered in line with the oversubscription criteria.

A place will be offered at the school requested provided there is a vacancy in the appropriate year group. Where the year group is full and it is not possible to meet the parental preference, a place will be offered at the nearest primary school with a vacancy in the year group, if the child does not already attend a suitable school.

The address used to process the application will be the address where the parent/carer and child normally live and they must be living there at the time of application.

Admission of one child to a primary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.