

Notice of Meeting

CABINET

Tuesday, 21 March 2023 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Darren Rodwell (Chair); Cllr Saima Ashraf (Deputy Chair) and Cllr Dominic Twomey (Deputy Chair); Cllr Sade Bright, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Jane Jones, Cllr Elizabeth Kangethe and Cllr Maureen Worby

Invited: Cllr John Dulwich (non-voting)

Date of publication: 13 March 2023

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Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

1. Apologies for Absence

2. Declaration of Members' Interests

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

3. Minutes - To confirm as correct the minutes of the meeting held on 20 February 2023 (Pages 3 - 12)

4. Revenue Budget Monitoring 2022/23 (Period 10, January 2023) and Quarter 3 Capital Programme Update (Pages 13 - 67)

5. Dynamic Purchasing System for Disabled Adaptation Works and Services (Pages 69 - 84)

6. **Secure Children's Home for London and the Pan-London Commissioning Vehicle (Pages 85 - 116)**
7. **Renovation of Borough Tennis Courts via LTA Renovation Fund (Pages 117 - 168)**
8. **Welfare Support Funding 2023/24 (Pages 169 - 201)**
9. **Contract with Barking & Dagenham School Improvement Partnership (BDSIP) 2023/24 - 2025/26 (Pages 203 - 219)**
10. **Street Naming and Numbering Policy (Pages 221 - 241)**
11. **Partnership Agreement for the Provision of a Children's Out-of-Hours Emergency Duty Service (Pages 243 - 253)**
12. **Local London - New Inter-Authority Agreement (Pages 255 - 283)**
13. **Debt Management Performance 2022/23 (Quarter 3) (Pages 285 - 290)**
14. **Any other public items which the Chair decides are urgent**
15. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend/observe Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. ***There are no such items at the time of preparing this agenda.***

16. **Any other confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

MINUTES OF CABINET

Monday, 20 February 2023
(7:00 - 8:48 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Jane Jones, Cllr Elizabeth Kangethe and Cllr Maureen Worby

Also Present: Cllr John Dulwich

Apologies: Cllr Saima Ashraf

75. Declaration of Members' Interests

There were no declarations of interest.

76. Minutes (17 January 2023)

The minutes of the meeting held on 17 January 2023 were confirmed as correct.

77. Revenue Budget Monitoring 2022/23 (Period 9, December 2022)

The Cabinet Member for Finance, Growth and Core Services introduced the Council's revenue budget monitoring report for the 2022/23 financial year as at 31 December 2022 (period 9).

The Council's General Fund revenue budget for 2022/23 was £183.06m and the forecast outturn position at the end of December projected a net overspend of £11.707m after an in-year increase in corporate funding had been taken into account.

The Cabinet Member referred to the continual underfunding from the Government and ongoing inflationary pressures as reasons for the substantial overspend. Whilst the Council's Budget Reserve was sufficient to cover the overspend, the current level of overspend was not sustainable and the position would continue to be closely monitored.

The report also included proposals relating to Car Club fees and charges. It was noted that there was no clear permit structure in place for car clubs operating in the Borough and it was important to rectify that position as the number of car club bays was anticipated to increase in the near future, due to the expected rise in future developments with planning obligations to provide car club spaces.

Cabinet **resolved** to:

- (i) Note the projected revenue outturn forecast for the 2022/23 financial year as set out in section 2 and Appendix A of the report;
- (ii) Approve the pay award virement between Corporate Management and all other Directorates as set out in section 4 and Appendix B of the report; and

- (iii) Approve the proposed Car Club fees and charges as set out in section 5 of the report.

78. Budget Framework 2023/24 and Medium Term Financial Strategy 2023/24 to 2026/27

The Cabinet Member for Finance, Growth and Core Services introduced the Council's proposed budget framework for 2023/24 which incorporated the following:

- Proposed General Fund revenue budget for 2023/24;
- Proposed level of Council Tax for 2023/24;
- Medium Term Financial Strategy (MTFS) 2023/24 to 2026/27;
- Draft capital investment programme 2023/24 to 2026/27;
- Housing Revenue Account budget 2023/24.

The General Fund net budget for 2023/24 was £203.568m, which incorporated decisions previously approved by Members in the Medium Term Financial Strategy, including the savings approved by Assembly in previous years, together with changes in Government grants and other financial adjustments. The Council proposed to increase Council Tax by 4.99%, made up of 2.99% for general spending and 2% that would be ringfenced as an adult social care precept.

The Cabinet Member stated that the budget framework was prepared in the context of high inflation, the cost-of-living crisis, the ongoing impacts from the Covid-19 pandemic and the continued uncertainty around public sector finances. In addition to the volatility and complexity of delivering Council services in that economic setting, there was continued uncertainty facing the sector in light of plans to delay Fair Funding reforms and 75% business rates retention until 2025/26 at the earliest, against a backdrop of anticipated increases in demand and pressures.

The Government issued an Autumn Statement in November 2022 and the provisional Local Government Finance Settlement for 2023/24 was published on 19 December 2022. The Government had reaffirmed their ambition to 'level-up' funding across the country, however that had not yet been translated into the revision of funding formulae for 2023/24. Instead, as an interim measure, an indicative two-year funding settlement had been provided for 2023/24 and 2024/25.

The Cabinet Member expressed dismay that, even in the current volatile climate, the Government had announced its political intention to reduce public spending in the next parliamentary period after 2024/25, resulting in an extremely uncertain environment within which the MTFS had been prepared.

Cabinet Members acknowledged that the pressures of the current financial climate were being felt across all local authorities. It was emphasised, however, that the Council and its residents faced a disproportionate level of risk due to the very high levels of deprivation and disadvantage that already existed in the Borough. It was felt that the Government had failed to acknowledge how reliant it was on the local government sector and the creative ways the sector had found to continue

supporting children, young people and the most vulnerable in the community, despite years of continual underfunding. Rather than working with local government to make holistic, system wide changes to achieve the best outcomes, the Government's approach felt punitive and meant that the Council had to increase Council Tax in order to maintain services that supported the local community, especially those most in need.

Cabinet **resolved** to:

- (i) Approve the approach to updating the stock condition survey for the Council's housing stock, as referred to in paragraphs 11.5 - 11.8 of the report, and delegate authority to the Strategic Director, My Place, as advised by the Council's Procurement Board and in consultation with the Cabinet Member for Community Leadership and Engagement, the Strategic Director, Finance and Investment and the Chief Legal Officer, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements with the successful bidders; and
- (ii) **Recommend the Assembly** to:
 - (a) Approve a base revenue budget for 2023/24 of £203.568m, as detailed in Appendix A to the report;
 - (b) Approve the adjusted Medium Term Financial Strategy (MTFS) position for 2023/24 to 2025/26 allowing for other known pressures and risks at this time, as detailed in Appendix B to the report, including the revised cost of borrowing to accommodate the capital costs associated with the implementation of the MTFS;
 - (c) Delegate authority to the Strategic Director, Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Core Services, to finalise any contribution required to or from reserves in respect of the 2023/24 budget, pending confirmation of levies and further changes to Government grants prior to 1 April 2023;
 - (d) Approve the Statutory Budget Determination for 2023/24 as set out at Appendix D to the report, which reflects an increase of 2.99% on the amount of Council Tax levied by the Council, an Adult Social Care precept of 2.00% and the final Council Tax proposed by the Greater London Assembly (9.7% increase), as detailed in Appendix E to the report;
 - (e) Note the update on the current projects, issues and risks in relation to Council services, as detailed in sections 8-10 of the report;
 - (f) Approve the Council's Housing Revenue Account budget for 2023-24 as set out in Section 11 to the report;
 - (g) Approve the Council's draft Capital Programme for 2023/24 totalling £388.126m, of which £43.909m are General Fund schemes, as detailed in Appendix F to the report;

- (h) Note the update on the Flexible Use of Capital Receipts Strategy as set out section 13 of the report; and
- (i) Note the Chief Financial Officer's Statutory Finance Report as set out in section 15 of the report, which includes a recommended minimum level of reserves of £12m.

79. Treasury Management Strategy Statement 2023/24

The Cabinet Member for Finance, Growth and Core Services introduced a report on the Treasury Management Strategy Statement 2023/24 which set out the Council's borrowing, investment and funding plans for the year ahead.

Members noted the achievements of the Council in attracting large amounts of investment into the Borough and praised the Treasury Management team for delivering positive outcomes, despite the very difficult financial climate of high inflation and interest rates.

Cabinet **resolved to recommend the Assembly** to:

- (i) Note the current treasury position for 2023/24 in section 4 and prospects for interest rates, as referred to in section 8 of the report;
- (ii) Approve the Annual Investment Strategy 2023/24 outlining the investments that the Council may use for the prudent management of its investment balances, as set out in Appendix 1 to the report;
- (iii) Approve the Council's Borrowing Strategy 2023/24 to 2025/26, as set out in Appendix 2 to the report;
- (iv) Note that the Capital Strategy 2023/24, incorporating the Investment and Acquisitions Strategy, shall be updated and presented for approval in April 2023;
- (v) Approve the Capital Prudential and Treasury Indicators 2022/23 - 2024/25, as set out in Appendix 3 to the report;
- (vi) Approve the Operational Boundary Limit of £1.85bn and the Authorised Borrowing Limit of £1.95bn for 2023/24, representing the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003, as referred to in Appendix 3 to the report;
- (vii) Approve the revised Minimum Revenue Provision Policy Statement for 2023/24; the Council's policy on repayment of debt, as set out in Appendix 4 to the report;
- (viii) Note that changes made to the Prudential Code and Treasury Management code, published in December 2021, have been fully implemented for the 2023/24 TMSS;

- (ix) Note the Liability benchmark data in section 11 of the report, including the impact of schemes agreed in 2022 but also the impact of pipeline schemes on the amount of borrowing required by the Council; and
- (x) Delegate authority to the Strategic Director, Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Core Services, to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement to consider the increase in short-term cash held from borrowing.

80. Contract for Provision of New Community Equipment Service

The Cabinet Member for Adult Social Care and Health Integration introduced a report on a contract for the provision of a new community equipment service, which the Council had a statutory duty to provide.

The current contract to provide the service with Medequip was due to end on 31 March 2023. The Royal Borough of Kensington and Chelsea (RBKC) had led on the retender of the new service for provision from 1 April 2023 onwards; however, that procurement was subject to a legal claim which triggered an automatic suspension preventing RBKC from entering into a contract with the successful bidder.

As a consequence, the Council had sought alternate provision to ensure continuity of service for vulnerable residents and resilience for the health and social care system. Having considered the options available and given the background context and associated time constraints, a Direct Award to Medequip via Framework Agreement Y21006 let by KCS Procurement Services was considered the most appropriate course of action.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the direct award of a four-year contract, with the option to extend for a further two years, to Medequip via the KCS Framework Agreement Y2100 for a new Community Equipment service, in accordance with the strategy set out in the report; and
- (ii) Authorise the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Adult Social Care and Health Integration, the Cabinet Member for Children's Social Care and Disabilities and the Chief Legal Officer, to award and enter into the contract and all other necessary or ancillary agreements, including extension options, with the chosen supplier.

81. Retail, Hospitality and Leisure Business Rates Relief Scheme 2023/24

The Cabinet Member for Finance, Growth and Core Services introduced a report on the Retail, Hospitality and Leisure Business Rates Relief Scheme 2023/24.

Retail rate relief was introduced in 2019 and subsequently expanded to cover the hospitality and leisure sectors during the pandemic. It was noted that the retail,

hospitality and leisure sector received a 50% rate relief for 2022/23 and the Government had increased the level of relief to 75% for 2023/24.

Cabinet **resolved** to:

- (i) Approve the Council's policy for the Retail, Hospitality and Leisure Business Rates Relief Scheme for 2023/24, as set out at Appendix 1 to the report; and
- (ii) Delegate authority to the Director of Support and Collections , in consultation with the Cabinet Member for Finance, Growth and Core Services and the Strategic Director, Finance and Investment, to make any necessary variations to the scheme in line with the guidance issued by the Department for Levelling Up, Housing and Communities.

82. Leaseholder Charging Policy - Fire Door Programme at High Rise Blocks

The Cabinet Member for Regeneration and Economic Development presented proposals for a Leaseholder Charging Policy in respect of the Council's fire door programme at high-rise blocks.

The Cabinet Member advised that the Council had an ongoing programme of replacing front entrance fire doors, which included both Council tenanted properties as well as leaseholders. Phase 1 of the works were completed in 2020/21 and resulted in the replacement of 351 front fire doors within three high-rise blocks and one medium-rise block. At that time, no leaseholders were recharged the cost of their front fire door due to the timescale associated with the works. Having reviewed those arrangements for Phase 2 of the programme, it was proposed to continue that approach which would mean 'gifting' front entrance fire doors to leasehold properties within high rise blocks as a means of ensuring that the Council continued its proactive approach to fire safety compliance across all of its high-rise stock.

Cabinet **resolved** to:

- (i) Adopt Option 2 as the policy of recharging leaseholders for front entrance doors (FEDs), communal doors and associated works, replaced as part of the Council's ongoing fire door (high-rise) replacement programme at the 21 blocks listed in Appendix 1 to the report; and
- (ii) Note the current projected cost of £638,000 of adopting the new policy over the lifespan of a typical FED and the funding arrangements via the HRA Capital Stock Investment Programme.

83. LBBD Statement of Gambling Licensing Policy 2023-2026

The Cabinet Member for Enforcement and Community Safety introduced a report on the Statement of Gambling Licensing Policy 2023-2026.

The Council, as the local licensing authority for gaming and betting, was required under the Gambling Act 2005 to have in place a statement of the principles (a 'policy') by which it would abide in carrying out its licensing responsibilities, in

accordance with a statutory three-year cycle. The Cabinet Member confirmed that a period of formal public consultation had been undertaken in respect of the draft Gambling Policy Statement 2023-2026 and the proposals had also been considered by the Licensing and Regulatory Committee on 31 January 2023.

The policy was based on the promotion of the three statutory licensing objectives and the Local Area Profile, which referred to areas in the Borough most at risk of gambling related harm in the context of risk factors such as high levels of deprivation. The Cabinet Member stated that the Government was expected to release a White Paper on gambling reform in the near future; however, whilst the current legislation was in place, all the Council could do was produce a policy that was as localised as possible and aimed at putting the onus on applicants of gambling premises licenses to demonstrate how they would mitigate the risks of gambling related harm as part of their application.

Members discussed the significant detrimental impacts of gambling on individuals and society and the difficulty in managing residents' expectations regarding the limited powers the Council had to control the number of gambling premises licences in the Borough. The potential to use planning legislation and permitted development rights as a means to control the number of gambling premises licences in the Borough was also raised and the Strategic Director, Inclusive Growth agreed to provide further information on the issue to Cabinet Members.

Cabinet **resolved to recommend the Assembly to:**

- (i) Adopt the London Borough of Barking and Dagenham Statement of Gambling Licensing Policy 2023-2026, as set out in Appendix 1 to the report; and
- (ii) Note that the policy statement shall take effect following the expiry of the statutory period of advertising after publication, in accordance with the provisions of the Gambling Act 2005.

84. Maintenance and Support Contract for the Capita Academy System

The Cabinet Member for Finance, Growth and Core Services introduced a report on the proposed procurement arrangements for the maintenance and support contract for the Capita Academy System, the current contract for which was due to shortly expire.

The Cabinet Member advised that the new contract would cover existing maintenance and support services as well as three additional products that are business-critical for the Revenues and Benefits service.

Cabinet **resolved to:**

- (i) Agree that the Council proceeds with the procurement of maintenance and support services for the Capita Academy product via the Kent Commercial Services Software Products and Associated Services Framework, in accordance with the strategy set out in the report; and

- (ii) Delegate authority to the Strategic Director, Finance and Investment, in consultation with the Chief Legal Officer, to award and enter into the contract and all other necessary or ancillary agreements, including contract extensions, with Capita.

85. Pay Policy Statement 2023/24

The Cabinet Member for Finance, Growth and Core Services introduced a report on the Council's Pay Policy Statement for 2023/24, which the Council was required to agree annually in accordance with the Localism Act 2011.

The Cabinet Member referred to the various elements that made up the Pay Policy Statement and he drew particular attention to the pay ratios which showed that Barking and Dagenham's pay arrangements for its highest and lowest earners compared very favourably against the London average. He stressed, however, the importance of setting pay at adequate levels in order to retain and attract the most skilled and talented workforce that would deliver the best services for residents and pointed out that the Council's Chief Officer pay structure had last been reviewed in 2013.

Cabinet **resolved to recommend the Assembly** to approve the Pay Policy Statement for the London Borough of Barking and Dagenham for 2023/24 as set out at Appendix A to the report, for publication on the Council's website with effect from April 2023.

86. Sale of Land Adjacent to 1044 Green Lane, Dagenham

The Cabinet Member for Finance, Growth and Core Services introduced a report on the proposed sale of a small area of Council-owned land which was deemed surplus to Council's requirements.

The area in question was approximately 112.75 square metres belonging to the Council but incorporated into the rear garden of the property at 1044 Green Lane, Dagenham RM8 1BT. The Cabinet Member referred to the history of discussions with the property owners and the provisional terms of the sale that had been agreed between the parties.

Cabinet **resolved** to:

- (i) Approve the sale of the Council-owned land to the rear of and currently incorporated into the rear garden of 1044 Green Lane, as shown edged red in site plan 1 at Appendix 1 to the report, on the terms set out in Appendix 2 to the report;
- (ii) Delegate authority to the Strategic Director, My Place, in consultation with the Chief Legal Officer and the Cabinet Member for Finance, Growth and Core Services, to agree the final terms and contract documentation to fully implement the sale of the site; and
- (iii) Authorise the Chief Legal Officer, or an authorised delegate on her behalf, to execute all the legal agreements, contracts, and other documents on behalf of the Council.

87. Waste Strategy - Food Waste Legislation Update

(The Chair agreed that this report could be considered at the meeting under the provisions of Section 100B(4)(b) of the Local Government Act 1972 as a matter of urgency in order for the Cabinet to be made aware of issues relating to the Council's future obligation to provide separate food waste collections to all households, flats and shops.)

The Cabinet Member for Public Realm and Climate Change introduced a report that provided an important update on the potential impact of statutory obligations upon local authorities to provide separate food waste collections to all households, flats and shops by March 2025.

The Cabinet Member explained that the Department for Environment, Food and Rural Affairs (DEFRA) had set a deadline of 28 February 2023 for waste disposal and collection authorities to present evidence to justify a deferment of the March 2025 implementation deadline. The report explained, however, that the East London Waste Authority (ELWA) had not received sufficient evidence from its disposal contractor, Renewi, to support a deferral application to DEFRA on behalf of the four constituent Boroughs of ELWA.

Cabinet **resolved** to:

- (i) Agree to receive a further report on options for the Council to adhere to legislative requirements to provide separate weekly food waste collections in the future; and
- (ii) Note that, without a deferment, the Council would be required to provide a separate weekly food waste collection service to all households, flats and flats above shops by March 2025.

88. Private Business

Cabinet **resolved** to exclude the public and press for the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

89. Acquisition of Site in Village Ward

The Cabinet Member for Finance, Growth and Core Services presented a report on the proposed acquisition of a site in the Village Ward, referring to the financial arrangements associated with the proposed purchase and the future development potential of the site.

Cabinet **resolved** to:

- (i) Agree the acquisition and lease-back arrangements in respect of the site shown edged yellow in the site plan at Appendix 1 to the report, on the terms detailed in section 2 of the report;

- (ii) Note that a resources budget for Be First of £81,000 had been established to enable required teams and consultants to be appointed to undertake technical and legal work relating to the acquisition and progression of redevelopment options;
- (iii) Delegate authority to the Strategic Director, Finance and Investment, in consultation with the Cabinet Member for Finance, Growth and Core Services and the Chief Legal Officer, to finalise terms and enter into all necessary contract documents and ancillary agreements to fully implement and effect the purchase and leasing arrangement of the site; and
- (iv) Note that should the circumstances of the project change from those set out in the report, a further report will be presented to Cabinet.

CABINET**21 March 2023**

Title: Revenue Budget Monitoring 2022/23 (Period 10, January 2023) and Quarter 3 Capital Programme Update	
Report of the Cabinet Member for Finance, Growth and Core Services	
Open Report	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: Katherine Heffernan and Philippa Farrell, Heads of Service Finance David Dickinson, Head of Capital and Investments	Contact Details: E-mail: Katherine.heffernan@lbbd.gov.uk Philippa.farrell@lbbd.gov.uk David.dickinson@lbbd.gov.uk
Accountable Strategic Leadership Director: Philip Gregory, Strategic Director, Finance & Investment	
Summary	
<p>This report sets out the Councils revenue budget monitoring position for 2022/23 as at the end of January 2023, highlighting key risks and opportunities and the forecast position.</p> <p>The Council's General Fund budget for 2022/23 is £183.060m – a net increase from the previous year's position of £9.4m.</p> <p>Since the budget was approved in March 2022, the Council has faced significant increases in costs as a result of inflation, for example the cost of the Local Government pay award and higher energy costs, as well as increasing demand and costs for social care services.</p> <p>The Council has received no additional funding from Government to fund the increased costs and demand placing the burden of meeting these unforeseen costs on the Council. The current forecast outturn position, including movements to and from reserves and the income position, is £193.795m which would be an overspend of £10.734, a 5.9% overspend of budget, or £10.440m after an in-year increase in corporate funding is taken into account.</p> <p>There is also an overspend of £3.422m on the HRA largely driven by inflation especially on energy and repairs costs and an increased programme of compliance and safety works.</p> <p>These are a significant forecast overspends for the year. Key drivers linked to inflation are outside of the control of the Council. We must respond to the market in the same way as any other organisation. This is seen in the cost of provision, energy prices, and the pay award. In addition, a review of the charges between the HRA and GF has seen an impact of a changing balance of costs between the HRA and the General Fund. This has resulted in increased costs being felt within the General Fund.</p>	

This period does continue the trend of management actions driving down the overspend and significant movements can be seen within Care and Support, Community Solutions and Strategy.

There remains some potential for risks and opportunities to materialise and for management action to be taken to reduce overspends in the remainder of the year. In addition, as in recent years, Central Government has made additional funding available at short notice in the final quarter of the year. Furthermore, the overspend can be managed by use of the budget support reserve. However, the current level of overspend would deplete the reserve, increasing the risk in future years. The position will continue to be closely monitored and risks and opportunities recognised as soon as certain.

This report also provides an update on the Capital Programme as at quarter three. The proposed revised 2022-23 programme is £464.9m, made up of £374.29m for the Investment and Acquisition Strategy, £57.276m for General Fund, £2.354m for Transformation and £30.983m for the Housing programme. There is currently £73.0m underspend/slippage forecast against this total.

Recommendation(s)

Cabinet is recommended to:

- (i) Note the projected revenue outturn forecast for the 2022/23 financial year as set out in section 2 and Appendix A of the report;
- (ii) Approve the revenue budget changes (virements) as detailed in Appendix D to the report; and
- (iii) Approve a net increase of £12.3m to the 2022/23 Capital Programme, resulting in a revised Capital Programme for 2022/23 of £464.9m, made up of £374.29m for the Investment and Acquisition Strategy, £57.276m for General Fund, £2.354m for Transformation and £30.983m for the Housing programme, as detailed in section 5 and Appendices B and C to the report.

Reason(s)

As a matter of good financial practice, the Cabinet should be informed about the Council's financial risks, spending performance and budgetary position. This will assist in holding officers to account and inform further financial decisions and support the objective of achieving Value for Money as part of the 'Well Run Organisation'.

1. Introduction and Background

- 1.1 This is the final revenue budget monitoring report to Cabinet for the 2022/23 financial year. There was a net £9.4m of growth added to the budget for 2022/23 as part of the Council's budget setting process in February and March in order to meet the then known pressures, especially those in Care and Support. This was funded from Council Tax increases, commercial returns and Government grants.
- 1.2 Despite the growth, this year has a high level of financial risk including inflation and the cost-of-living crisis, the impact of the Covid pandemic and its aftermath, the

potential impacts of Brexit, which have all compounded the long-standing pressures that impact across the Local Government sector . These risk factors are beyond the Council's control and are being felt across all local authorities but they are at risk of impacting LBBB more significantly as a result of the high levels of deprivation and disadvantage that already existed for residents of the Borough.

- 1.3 As part of our ongoing improvement programme, a new financial system and budget monitoring process was introduced in April 2022. This has resulted in some changes to the format of the budget monitoring report. This report is a high-level summary with key information and action points with more detail being contained within the appendices.
- 1.4 The implementation of the new finance system empowers budget holders to own their financial information and to work alongside finance. This has resulted in several deep dives and data cleanses, particularly within the area of People and Resilience creating a more robust data position from which to forecast and is allowing greater analysis of trends.

2. Overall Financial Position

- 2.1 The 2022/23 budget was approved by the Assembly in March 2022 and is £183.060m – a net increase of £9.4m from last year. Growth funding was supplied to most services to meet known demand and cost pressures and a central provision was made for the expected Local Government pay award. In addition, there were £5.3m of savings included in the budget.
- 2.2 As **Appendix A** shows, the expenditure forecast is £193.795m after planned transfers to and from reserves resulting in a net overspend of £10.734m. In addition, there is a small overachievement in income from additional section 31 grants of £0.294m giving a final variance of £10.440m. There are still risks and opportunities that could be realised, as well as the possibility that this overspend can be managed down further. This level of overspend can be fully met from the budget support reserve without taking the General Fund below the minimum level of £12m. However, this would reduce the Council's ability to absorb further financial risks or support new investment in transformation in future years.
- 2.3 A proportion of the additional pressures are driven by the Covid pandemic. However, as time has passed, some of the additional costs have now become the "new normal" and it is becoming increasingly hard to draw a sharp distinction between Covid costs and business as usual. There are now increasing pressures from the impact of inflation including pay inflation and the cost-of-living crisis. In addition, there has been a review of costs recharged to the HRA which has resulted in a reduction of income from the HRA to the General fund.
- 2.4 The position has improved since last month. The largest movement is in Care and Support and is the result of several factors such as additional income and a review of placements data.
- 2.5 In addition there is a forecast overspend of £3.422m on the Housing Revenue Account mostly driven by inflation on energy and the costs of compliance and safety works. There is also a shortfall on rent income from voids and dwellings being

taken out of use as part of estate renewal. This is partly offset by underspends in repairs where there have been delays in recruiting additional workers to the DLO.

3. Savings and Commercial Income

- 3.1 There is a new savings target of £6.219m for 2022/23 including those brought forward from previous years. £3.408m of these savings are either fully achieved or expected to be achieved in year. £2.354m are at high risk of not being achieved at all with the remaining £0.457m being uncertain or only part achieved in year.

4. Virements

- 4.1 The Cabinet is asked to approve a number of budget virements that are proposed to support services in managing their budgets. Details are provided in **Appendix D**.

5. Capital Programme

- 5.1 Cabinet is asked to approve a net increase in the in-year capital programme of £12.3m made up as follows:

- an increase in the IAS of £21.5m, primarily for the purchase of Maritime House,
- an increase of £9.4m in the budget for Parks Commissioning, largely for Parsloes Park.
- a reprofiling of the Education budget, with £17.3m being re-allocated to future years.

- 5.2 Following those changes the Capital Programme for 2022/23 is £464.9m, made up of £374.29m for the Investment and Acquisition Strategy, £57.276m for General Fund, £2.354m for Transformation and £30.983m for the Housing programme £374.3m for the Investment and Acquisition Strategy, £57.3m for General Fund, £2.4m for Transformation and £31.0m for the Housing programme.

- 5.3 The forecast spend in year is now £391.9m – a reduction since the Q2 forecast of £38.8m. This is mainly due to delays in some schemes. This will result in around £73.0m being slipped into future years. Further information on the schemes and variances is given in **Appendix B** to the report and further detail is contained in **Appendix C**.

6. Financial Implications

Implications completed by: Katherine Heffernan, Head of Service Finance

- 6.1 This report is one of a series of regular updates to Cabinet about the Council's financial position.

7. Legal Implications

Implications completed by: Dr Paul Feild, Senior Standards & Governance Lawyer

- 7.1 Local authorities are required by law to set a balanced budget for each financial year. During the year, there is an ongoing responsibility to monitor spending and ensure the finances continue to be sound. This does mean as a legal requirement

there must be frequent reviews of spending and obligation trends so that timely intervention can be made ensuring the annual budgeting targets are met.

- 7.2 Nevertheless, the unique situation of the aftermath of Covid 19 combined with the hostilities between the Russian Federation and the Ukraine presents the prospect of the need to purchase supplies and services with heavy competition for the same resources together with logistic challenges which is causing scarcity and inflationary rising costs. Still, value for money and the legal duties to achieve best value still apply. There is also the issue of the Councils existing suppliers and service providers also facing issues of pressure on supply chains and staffing matters of availability. As a result, these pressures will inevitably create extra costs which will have to be paid to ensure statutory services and care standards for the vulnerable are maintained. We must continue careful tracking of these costs and itemise and document the reasoning for procurement choices to facilitate grounds for seeking such additional support funds as the Authority may be able to access.

8. Other Implications

- 8.1 **Risk Management** – Regular monitoring and reporting of the Council’s budget position is a key management action to reduce the financial risks of the organisation.
- 8.2 **Corporate Policy and Equality Impact** – regular monitoring is part of the Council’s Well Run Organisation strategy and is a key contributor to the achievement of Value for Money.

Public Background Papers used in preparation of this report

- The Council’s MTFs and budget setting report, Assembly 2 March 2022

<https://modgov.lbbd.gov.uk/Internet/documents/s152346/BF%202022-23%20Report.pdf>

List of appendices:

- **Appendix A:** Revenue Budget Monitoring Pack (Period 10)
- **Appendix B:** Capital Programme Q3 Update
- **Appendix C:** Capital Programme Detail
- **Appendix D:** Virements

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APPENDIX A



London Borough of Barking and Dagenham Budget Monitor: Period 10

Content Links

[Overall Summary](#)

[Savings](#)

[Community Solutions](#)

[Corporate Management](#)

[Inclusive Growth](#)

[Law and Governance](#)

[My Place](#)

[People and Resilience](#)

[Strategy](#)

[HRA](#)

Revenue Outturn - There is a forecast overspend of £10m as at P10 on Council Services

This period has seen the result of in year mitigations, additional government income and a deep dive on spend resulting in a reduction in the overspend. An overall positive movement from last month of £1.7m

The 2022-23 pay award was implemented in December and is now reflected in the actuals and forecasts. The budgets have also been updated.

Key Movements

People & Resilience:

- The overall position has moved by £1.1m, despite Disabilities increasing by c£0.43m, Commissioning has reduced by £0.574m, Children's has reduced by £0.42m, Adults has reduced by £0.28m, other minor movements add to the £1.1m.

Corp Management:

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The overall position has moved by £0.417m, due to changes in forecast for bad debt and other contingencies offset by reductions across Pension, Treasury, and Finance make up the remainder.

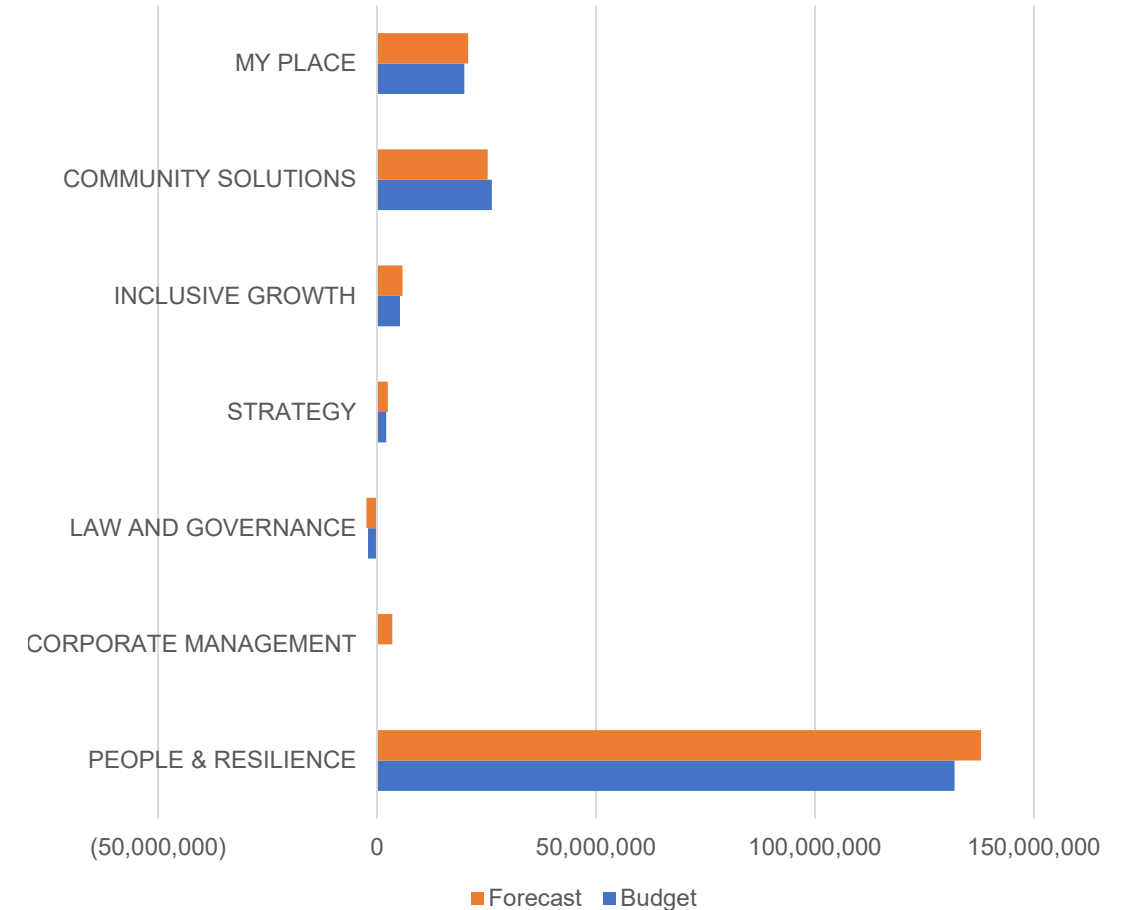
Community Solutions:

- The overall position has improved by £0.9m mostly within Support and Collections. This is due to vacancies and some costs reducing – in particular security costs across all Hostels are now back to pre-pandemic levels. This reduction has been inline with National Guidelines.

Inclusive Growth:

- A favourable movement of £0.1m. This is driven by good news in Culture and Heritage where the NNDR review has reduced costs for Eastbury.

Forecast v Budget by Service



London Borough of Barking and Dagenham Revenue Forecast – Period 10

	This Years Budget	Actuals/Forecast			Variances Inc Reserves			Transfers to/from Reserves	%
	Revised	YTD Actuals	Current Forecast	Forecast After Reserves	Variance	Last Period Variance	Movement in Variance	Net Reserves	
PEOPLE & RESILIENCE	131,900,126	86,302,677	140,052,386	137,916,845	6,016,719	7,157,655	(1,140,936)	(1,904,238)	4.6%
CORPORATE MANAGEMENT	(254,848)	21,887,483	6,678,513	3,518,652	3,773,500	3,356,313	417,187	(4,162,243)	-1480.7%
LAW AND GOVERNANCE	(2,052,273)	1,336,912	(3,015,118)	(2,426,798)	(374,525)	(438,085)	63,560	588,320	18.2%
STRATEGY	2,120,949	4,877,319	3,254,141	2,491,649	370,700	644,490	(273,790)	(601,853)	17.5%
INCLUSIVE GROWTH	5,227,068	2,427,428	6,286,543	5,794,654	567,586	668,560	(100,974)	(491,889)	10.9%
COMMUNITY SOLUTIONS	26,192,409	19,558,240	27,109,492	25,723,247	(469,162)	377,821	(846,983)	(1,818,245)	-1.8%
MY PLACE	19,926,700	42,168,561	20,489,340	20,776,340	849,640	235,189	614,451	287,000	4.3%
GENERAL FUND I&E	183,060,131	178,558,621	200,855,296	193,794,588	10,734,457	12,001,943	(1,267,486)	(8,103,148)	5.9%
CORPORATE FUNDING	(183,060,131)	(181,964,896)		(183,354,401)	(294,270)	(294,270)	0	(2,100,000)	0.2%
GENERAL FUND REVENUE	0	(3,406,275)	200,855,296	10,440,187	10,440,187	11,707,673	(1,267,486)	(10,203,148)	5.7%

The main drivers of the variance to budget are the change in HRA policy, which is seen across several areas within the Council, most notably Community Solutions, Inclusive Growth and Law and Governance.

Aside from this People and Resilience is the most significant area of overspend of £7m, 5.4% of the overall budget. This is primarily driven by the overspend within Children's and Disabilities. The area has received £5m in growth in 2021/22 to their base budget. This is a key area of risk for the Council as a small % variance can have a significant impact on the overall position. Mitigation action and deep dive work with the service is ongoing and has already resulted in a reduced overspend this period. There has been considerable work in this area to also provide a stable data position to enable better forecasting and an increased ability to identify areas of concerns and respond with mitigations.

Community Solutions is a volatile area that is demand driven and has £2m of pressures driven by the HRA. This is a key area of risk, but in-year mitigations have been developed in direct response to the financial challenge and overspend, reducing the forecast to an underspend of £0.47m. A continued reduction as a result of mitigations.

Corporate Management has been reduced to allocate budgets to services. There is less availability of this resource to cover other overspends. The area is forecasting an overspend as a result of the forecasted 6% pay award. In addition, a mid year forecast of bad debt provision has added £1.6m of pressure. This is offset by underspends in IT

BDTP is not expected to make £2m in dividend payment this year, which has reduced funding. The Be First contribution is currently assumed to be secure as a result of the Mueller site profits. It has now been agreed to take the £2m from the IAS smoothing reserve so it will not hit the General Fund or Budget Support Reserve this year.

London Borough of Barking and Dagenham Budget Monitor: Period 10 Risk and opportunities

Risk

- There are still some data and reporting issues arising from the implementation of the new ERP and Financial Systems which are making it harder for Finance and budget holders to gain full and up to date financial information. This has been improving over time but remains a significant financial risk with incomplete data available to make financial decisions, or to take remedial action if spend profiles are driving an overspend or under achievement in income. Particular remaining issues are the backlog of payroll/agency miscodings and some issues with income. More detailed is noted in the CP completion slide.
- This month is the fifth time budget holders have used CP. Although good progress is being made we do not yet have full compliance and it may take some time before all managers are confident using the system. This adds an extra degree of risk into the forecast – although Finance carry out reviews and QA to mitigate the risk.
- HRA and General Fund recharge policy change has resulted in an increase of costs of c£2.7m within the General Fund. This will drive an overspend to be managed in year as this was not built into the budget. The services across the board are struggling to mitigate the level of reduced income.
- The income for PRPL is forecasting a shortfall of c£0.9m and will require a drawdown from reserve. This will leave a balance of c£0.9m on the reserve. The scheme is currently in year 3 of 5. A full review of the scheme will be carried out in the current year.
- Recruitment is being reported as increasingly difficult across the Council and with delivery partners. This is driving up the usage of agency staff at a higher wage bill than budgeted permanent staff. There are several issues currently with departments being able to get position numbers when trying to appoint which is resulting in services reporting losing candidates. The market is extremely competitive across the board currently.

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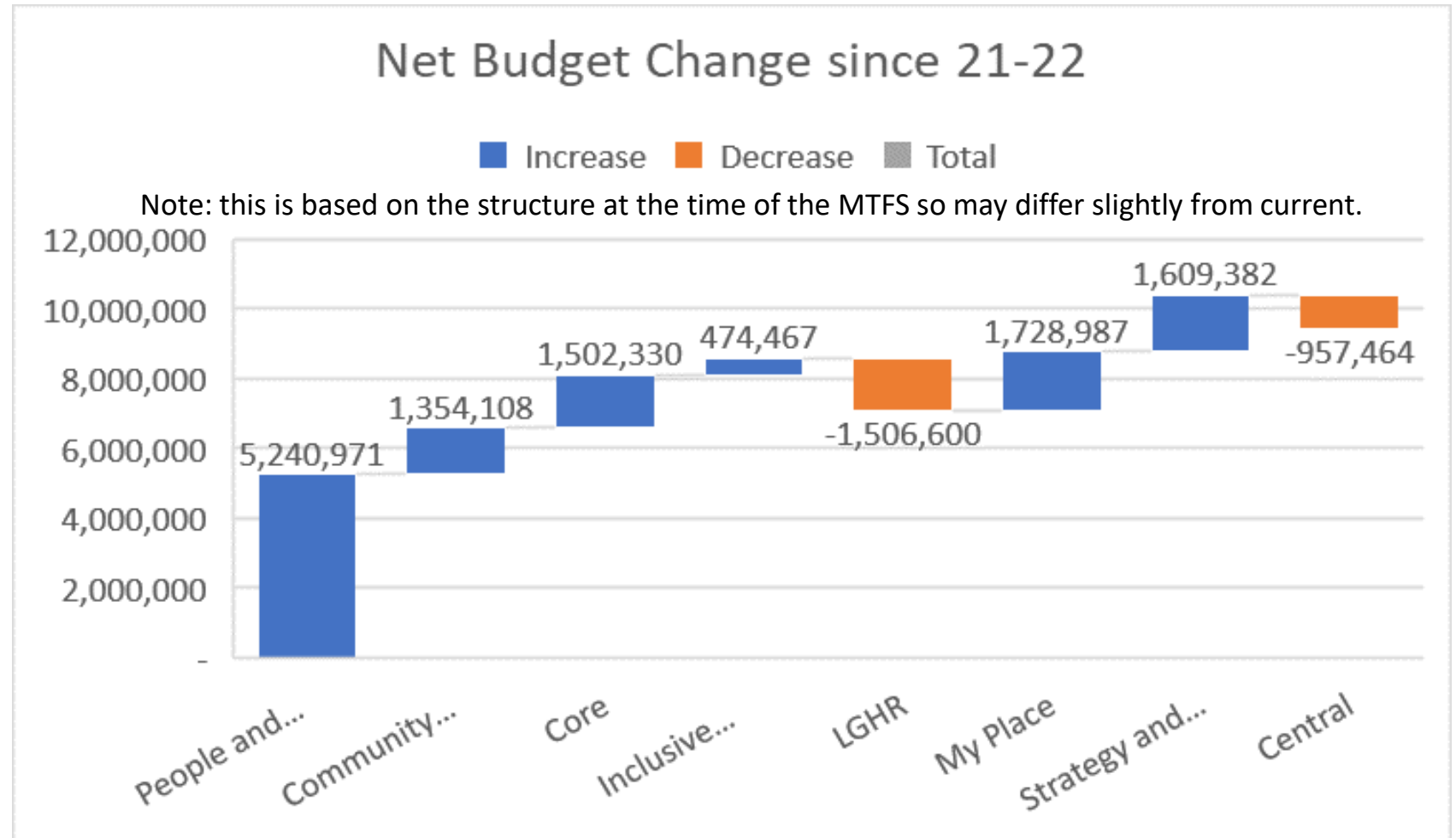
Opportunities

- We are continuing to implement mitigations and management actions to drive down the forecast overspend for the current year. We would therefore anticipate that this forecast will reduce as the year progresses and mitigations take effect.
- Income for Parking is forecasting a c£2m surplus. This is in-line with prior year income. The income target has been increased by c£3.5m in the current year. There is a likelihood that the income will be higher than forecast. This will be a result of introduction of new CPZ schemes and Safer School Streets, but this is currently difficult to quantify.

Budget Increase: The Budget has increased by a net £9.4m from £173.6m to £183.1m since 2021-22

Several areas have received growth since 2021/22.

- **People & Resilience:**
 - Demographic and Inflation growth and investment in Early Help, Coroners
- **Community Solutions**
 - Concessionary Fares (-), debt strategy, NRPF, Core savings written off, loss of Brocklebank income, community hubs
- **Law and Governance:**
 - Increased income
- **Inclusive Growth**
 - Foyer written off; old income written off
- **Core:**
 - Investment in IT and HR
- **My Place**
 - Improving waste and recycling
- **Strategy and Culture**
 - Realignment of Leisure fees post Covid, small increase in Policy/strategy team
- **Central**
 - Distribution of centrally held contingency budgets to support services



2022- 23 Savings – including brought forward savings. Small Improvement this month

	2022-23 MTFS Savings	TOTAL SAVING '£000s	RAG RATING	Target for 22-23	Expected Achieved 22-23	Comments
EYC	Fixed Penalty Income	50	Green	50	50	Finance estimate based on rag rating
ComSol	Working with VCS in community centres	90	Achieved	90	90	albeit by other means
LGHR	Parking Income	250	Achieved	250	250	
LGHR	Other Income - fines and market	70	Green	70	70	Income running slightly under profile but forecast to be achieved
LGHR	Further Parking Income	1,498	Green	1,498	1498	Income very robust
IT	Cyber Security	40	Achieved	40	40	
ComSol	Debt and Affordable Credit	580	Green	580	580	
My Place	Property Management	154	Red	154	0	Won't be achieved in 22/23 as dependent on restructure.
IT	various efficiencies	167	Amber	167	167	MPLS and Mobile Telephony achieved. Digital postroom and IT Procurement in progress
Disabilities	New CHC Monies from Transition clients	240	Amber	240	0	
Disabilities	Brocklebank	1,100	Red	1,100	0	Plans still being decided, timeline not achieved
Childrens	Efficient TOM	1,100	Red	1,100	0	Implementation postponed
		5,339		5,339	2,745	
	Brought Forward from previous years					
Inclusive Gr	Central Parks Landscaping Income	400	Green	400	400	Anticipated total income is £825k across 3 years
Adults	Transformation Income Generation	400	Green	400	400	
Enforcemen	Barking Market Additional Day	80	Green	80	80	
	TOTAL	6,219		6,219	3,625	

Community Solutions: Period 10

Forecast Position: £27.1m (underspend of £0.5m)

		This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
		Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
10F	COMMUNITY SOLUTIONS	26,192,409	20,357,369	5,835,040	19,558,240	27,541,492	190,000	(2,008,245)	(469,162)	377,821
10FA	SUPPORT AND COLLECTIONS	9,288,385	4,654,215	4,634,170	8,293,829	10,573,351		(889,323)	395,642	1,048,511
10FB	COMMUNITY SOLUTIONS	6,888,076	7,040,626	(152,550)	5,683,005	7,129,190	130,000	(215,000)	156,114	206,070
10FC	COMMUNITY PARTICIPATION & PREV	10,015,948	8,662,528	1,353,420	5,581,406	9,838,952	60,000	(903,922)	(1,020,918)	(876,760)

Key Drivers of the Position:

The total overspend pressure for Community Solutions is **£3.4m.**

The HRA recharge has been recalculated and this has resulted in an income shortfall of **£1.9m.** There are historic budget pressures of **£0.8m** and in-year budget pressures of **£0.7m.**

Following on from the MTFs session in September, Community Solutions held a DMT session to identify one-off in-year mitigations to help reduce their impact on the forecast outturn position. Community Solutions have taken a number of difficult decisions and identified one-off mitigations of **£2.4m** to reduce the outturn variance, which are listed in the mitigations table. It is to be noted that these mitigations come with their own level of risk/impact and this will be closely monitored. The forecast was reduced further in period 8 by **c£0.25m** as security returned to pre pandemic levels in Hostels. The forecast was then reduced further in period 9 by **c£0.32m.** The Homes for Ukraine scheme is being delivered by existing resources which has freed up general fund (one-off) and the successful recruitment drive in Customer Services has resulted in a reduction in agency staff cost.

The forecast has been reduced further in this period by **c£0.8m** this largely relates to **c£0.5m** miscoded staffing costs and staffing recharges of **c£0.3m.**

There may be potential to reduce the outturn variance further, and this is listed in the opportunities below.

Community Solutions: Period 10 Mitigations Table

Forecast Position: £27.1m (underspend of £0.5m)

In Year Mitigation	Amount	Comments
Service Development Salary underspend	166,000	There has been a high staff turnover in 2022/23 within Service Development and a decision has been taken to not fill the Transformation Manager Position until the substantive post holder returns from secondment.
Strategic Director Salary underspend	150,000	The Strategic Director position was covered by agency on an interim basis. It is assumed the post will remain vacant from Oct-Mar and there will be no further consultants.
Customer Service Salary underspend	297,000	There have been a number of resignation over the summer and the transfer from Elevate to LBBB contracts has meant there are more than x13 vacancies. Currently we have x5 agency staff and the remain positions will not be filled before April 2023.
Triage Salary underspend	290,000	There are x4 vacancies within the NRPF team which will be held till April 2023.
Participation & Engagement	238,000	Release of reserve
Universal underspend	188,000	Vacancies across libraries, which have been covered using Kickstart trainees.
Household Support Fund Admin Fee	400,000	Confirmation of HSF allocation and fee received at the end of September for Oct-Mar
Butler Court (Reserve draw down)	89,000	Drawdown of reserve to offset R&M
TA Modular (No MRP)	440,000	We have received confirmation in September that there will be no MRP payments on the modulars in 2022/23. MRP payments will commence from 2023/24.
Reduce TA Buffer	150,000	A decision has been taken to reduce the buffer in TA from £250k to £100k.
Total Mitigations	2,408,000	

Community Solutions: Period 10 Risk and Opportunities

Forecast Position: £27.1m (underspend of £0.5m)

Risks: (These are risks that are NOT in the forecast that we are monitoring)

- It is assumed COVID-19 related costs c£100k will be funded from COMF and other COVID Grants.
- The Ethical Collection Service Fee Income of c£650k is impacted due to delay in data and recruitment.
- The creation of a Parking Contact Centre has caused grading difference with existing staff within the Contact Centre. This creates an equal pay issue and is currently being investigated by HR. Further details will be provided in due course.

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

- A £100k gatekeeping buffer has been set-aside for Temporary accommodation due to Voids and demand, if unused will reduce the forecast outturn.

Corporate Management: Period 10

Forecast Position: Overspend of £3.5m

	This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
	Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
CORPORATE MANAGEMENT	(254,848)	4,414,742	(4,669,590)	21,887,483	7,426,047	0	(4,162,243)	3,518,652	3,356,313
STRATEGIC LEADERSHIP	(330,281)	416,339	(746,620)	354,239	(396,539)	0	0	(66,258)	(59,389)
FINANCE	5,883,856	12,477,586	(6,593,730)	14,684,386	4,460,128	0	(32,768)	(1,456,496)	(1,223,905)
IAS	(4,164,180)	(4,175,900)	11,720	(5,627,855)	(4,254,773)	0	0	(90,593)	(90,550)
CENTRAL EXPENSES	(1,644,243)	(4,303,283)	2,659,040	12,476,712	7,617,230	0	(4,129,475)	5,131,998	4,730,158

Key Drivers of the Position:

There is a forecast overspend of £3.5m on Corporate Management which is an adverse movement of £162,000 on the Period 9 forecast of £3.3m.

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Strategic Leadership is forecast to underspend by (£66,000). This is due to a senior leadership vacancy saving of £146,000 less the HRA recharge shortfall of £71,000 (Procurement Gainshare £103,000 less Managing Director £32,000) plus a £9,000 overspend on non-pay budgets.

Finance forecast an underspend of (£1.46m), due to the following areas underspending.

IT is reflecting an underspend of (£1.2m):

(£616,000) projected underspend in IT Third Party Contracts of which 87% is attributable to savings from the Oracle to Advanced E5, Itrent and Brent Hosting contract costs of £540,000.

(£779,000) projected underspend on IT Staff and Agency, largely attributable to staff vacancies.

£170,000 projected overspend on IT Projects. Most of the project resource is recharged out to services for which the projects are being delivered. The Projects Team are in the process of reviewing the GTT Projects system to ensure all recharges are captured and implemented.

(£16,000) projected net underspend on the IT Telephony linked to the 8x8 Telephony system with recharges to services and entities currently being reviewed; and £38,000 overspend reflecting on Azure cloud due to virtual machines.

Corporate Finance is reflecting a projected underspend of (£346,000) primarily due to staff vacancies offset by £122,000 overspend in **Service Finance** due to agency costs.

- **IAS - Investment Strategy** - is reflecting a surplus on the (£4.1m) budget of £91,000, largely due to projected commercial rental income exceeding budget.
- **Central Expenses** - £5.1m overspend: The budget has changed significantly as the funding for the pay award has now been distributed to services. The difference between the cost and the budget is shown here as a pressure. (£3m) There is also a pressure on the estimated bad debt provision. Currently other contingencies and provisions are assumed to be fully used. It should be noted that these are much lower than in previous years as funds have been transferred to services.

Corporate Management: Period 10 Risk and Opportunities

Risks: (These are risks that are NOT in the forecast that we are monitoring)

- There are risks from the Senior Leadership review and also a number of services are reporting recruitment/retention issues that mean result in other upwards pressures on pay in addition to the pay award.
- Debt management improvement savings have reduced the budget available for providing against bad debt. The forecast currently assumes an overspend despite this as debt continues to rise in some areas as a result of the wider economic situation.
- Finance recruitment and staff retention becoming increasingly difficult
- Insufficient engagement within the Council over risk management & Internal audit practices

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

- Currently the forecast includes estimated spend against several contingency budgets including the central redundancy pot and insurance. If these are not required, then this will contribute further underspends the Council position.

Law and Governance: Period 10

Forecast Position: -£3.1m (underspend of £375k). Underspend is after transfer of c£1.8m parking surplus to reserves and drawdown c£0.9m PRPL from reserve

	This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
	Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
LAW AND GOVERNANCE	(2,052,273)	460,467	(2,512,740)	1,336,912	(3,015,118)	1,779,000	(1,190,680)	(374,525)	(438,085)
WORKFORCE CHANGE / HR	755,711	2,518,231	(1,762,520)	2,381,161	1,082,255	0	0	326,544	340,262
LEGAL	1,886,764	3,363,024	(1,476,260)	4,519,214	2,349,227	0	(252,200)	210,263	131,802
ENFORCEMENT	(4,709,269)	(5,693,759)	984,490	(5,832,629)	(6,512,313)	1,779,000	(938,480)	(962,524)	(951,822)
LEADERS OFFICE	14,521	272,971	(258,450)	269,165	65,713	0	0	51,192	41,674

Key Drivers of the Position (Summary):

The HRA recharge has been recalculated and this has resulted in an income shortfall across Law and Governance of £616k.

There has been a marginal movement of £64k across Law and Governance from the position reported in P9.

There are delays in the recruitment process for a number of positions within Law & Governance, predominantly within Enforcement where there have been difficulties with recruitment. There are currently 80 vacancies, and It is unlikely that these positions will be filled before April 2023. There are currently 61 agency staff covering permanent roles at a forecast cost of £3.7m. This spend is offset by a £4.1m underspend against permanent salary budgets.

Parking income is forecast to be around £1.8m above the expected level as traffic levels have increased after lockdown and the introduction of new CPZ schemes. This additional income will be taken to the Parking reserve at year end while proposals for its use to improve local transport, highways management, community safety, mobility and environmental concerns are developed. The focus of investment will be to generate future improvements for residents of the Borough. The option to clear current borrowing for the implementation of CPZ of c£1.6m is being explored. The Private Sector Property Licensing (PRPL) scheme income target will not be met and a drawdown of c£0.9m will be required from reserves.

Law and Governance: Period 10 Risk and Opportunities

Forecast Position: -£3.1m (underspend of £375k). Underspend is after transfer of c£1.8m parking surplus to reserves and drawdown c£0.9m PRPL from reserve

Risks: (These are risks that are NOT in the forecast that we are monitoring)

- The Private Sector Property Licensing (PRPL) scheme has a challenging income target across five years and so there is a long term risk that it might not generate sufficient net income to meet the income target of £1.924m. This is not currently assessed as high risk but must be monitored.
- Parking income is volatile and depends on driver behaviour and compliance. There is a risk that actual income will be lower than the current forecast. Performance will be closely monitored, and the forecast will be updated over the course of the year based on actuals. The income for December was lower than forecasted due to adverse weather. If there are further weather disruptions, this will impact on the forecast income.

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

- Barking Market Income: The current income level is influenced by post COVID activities. The monthly income can increase or decrease in future. An extra day was added based on a return to pre COVID levels, this is not being achieved yet and it depends on how COVID impact develops.

Inclusive Growth: Period 10

Forecast Position: £6.3m (Overspend of £567,000)

	This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
	Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
INCLUSIVE GROWTH	5,227,068	2,287,358	2,939,710	2,427,428	6,286,543	0	(491,889)	567,586	668,560
COMMERCIAL	517,549	(108,411)	625,960	(1,084,346)	1,222,394	0	0	704,845	686,488
INCLUSIVE GROWTH	4,709,519	2,395,769	2,313,750	3,511,774	5,064,149	0	(491,889)	(137,259)	(17,928)

Key Drivers of the Position (Summary):

The Inclusive Growth Directorate is forecast to overspend by £567,000 at the end of Period 10. The reduction in the HRA Recharge, results in an income shortfall of £312,000 which equates to 55% of this overspend.

Commercial Services – Forecast an overspend of £704,800

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The Core Commercial Team is projecting a (£67,000) underspend on staffing costs and non pay budgets.

Procurement is reflecting £407,000 overspend. Procurement has the greatest HRA impact within the directorate where there was a historic fixed fee of £331,000 chargeable by Agilisys to the HRA. As this recharge no longer takes place, there is a budget gap of £331,000 plus £64,000 overspend on salaries. Likewise, there is a net £38,500 HRA income shortfall in relation to Accounts Payable.

The Film Office is projecting a £191,000 overspend due to a shortfall in income generation. The service is finding it increasingly difficult to meet the income target, as the number of filming locations dwindles as the borough is being regenerated. A growth bid has been submitted to reduce this target and has been approved.

- **The CR27** Investment forecast £171,000 shortfall in the budgeted net income due to the increased rent payable by LBBB, whilst tenant is on a rent free period.

Inclusive Growth – Forecast an underspend of (£137,000)

- **Parks Commissioning** is forecasting an underspend of (£30,000). £24,000 relates to a budget pressure on energy and services for Eastbrookend Discovery Centre and Park Commissioning core team plus £9,000 shortfall on projected Licence & Permit, schools and events income. The overspend is offset by (£18,000) income over achievement on the Central Park Soil importation and (£44,000) underspend on staffing.
- **Culture and Heritage** is reflecting a £78,000 overspend mainly due to £44,000 NNDR (Business Rates), £49,000 on projected Income underachievement largely relating to Eastbury Manor House Closure for most of the financial year offset by salaries underspend due to a recent restructure implementation. The **Inclusive growth core team** is reflecting an underspend of (£222,000). The main contributing factor is (£108,000) net projected underspend due carrying staff vacancies offset by agency costs. The remainder is attributable to (£58,000) HRA recharge contribution increase, (£45,000) expected CIL admin fee income.
- **Development Planning** reflects a projected overspend of £37,000 due to Added Years Compensatory payments.

The £492,000 transfer from Reserves represents a drawdown from Inclusive Growth reserves: Made in Dagenham Endowment programme (155,500), Employment & skills net overspend (£93,000) and (£243,000) grants drawdown from reserves.

Inclusive Growth: Period 10 Risk and Opportunities

Risks: (These are risks that are NOT in the forecast that we are monitoring)

Food Sector, Make it Here, Employment & Skills

- Key risk is that the film studios operator MBS/Hackman do not continue to fund the existing post or the programme beyond the initial endowment, which is projected to last 5 years.
- There is a risk that the City of London does not re-locate the wholesale markets to the borough, in which case we will not receive additional funding beyond the s106 funding received to date. This would shorten the impact and length of the programme to 2 years. Longer term, there is a risk that the City of London does not provide funding to support the ongoing nature of the programme beyond the s106 funding.
- There are inherent risks associated with expected grants for Works & Skills (Employment Team), as there is the possibility for the bids not being approved.

Heritage and Culture

- Heritage income remains at risk with Eastbury Manor House only open 1 day per week, making it difficult to meet income targets. This is largely due to delays in the restructure implementation being built in Itrent to allow for vacant posts to be advertised and filled.

Inclusive Growth: Period 10 Risk and Opportunities

Risks: (These are risks that are NOT in the forecast that we are monitoring)

Commercial

- There is an inherent risk that external market factors may make it more difficult for tenants of the Council's hotel investments to meet their rent payments.

Parks Commissioning

- There is an unquantified risk to the Parks Commissioning budget overspending due to Capital projects revenue related expenditure not capitalizable being charged to the revenue budget.
- Income targets – the F14450 Parks Commissioning cost centre includes historical commercialisation income targets (Large commercial events £100k and small-scale commercial activities £33k). These targets are unachievable and must either be relocated to the appropriate team or removed.
- Contaminated land adjacent to Eastbrookend Country Park – risks:
 - - Remaining risk of prosecution from Thames Water.
 - - Lack of clarity about the future management and maintenance of the contaminated land.
 - - Vehicular access – the current AXA licence expires on 1st March 2023. If alternative vehicular access to the site can't be secured this will severely impact on the future management and maintenance of this land parcel.
 - - Electricity supply – a permanent electricity supply is essential to avoid future dependency on generator use and diesel deliveries.

Inclusive Growth: Period 10 Risk and Opportunities

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

Food Sector, Make it Here, Employment & Skills

- The opportunity is to establish ongoing sponsorship from MBS/Hackman for the film studios, as well as using the endowment to leverage additional funding and resources from the sector and visiting productions. There are also opportunities to commercialise/self-fund elements of the programme, to ensure long term
- Sustainability, including by creating a training space that can be leased to different providers to deliver sector-specific training.
- The opportunity for the food sector is to establish ongoing sponsorship from the City of London, and leverage further additional funding from external sponsors.
- There are long term opportunities to generate commercial income from apprenticeships and recruitment support, which could be used to cross-subsidise employment support for the harder-to-reach, if resource can be identified to pursue them.

Heritage and Culture

- The Business Rates bills for Eastbury Manor and Valence House have been appealed. and, if successful, may result in a refund of up to £200k.

Parks Commissioning:

- Tennis Development Proposal – as per the report presented to ACB on 09.11.22, if adopted this proposal could attract significant external investment from the Lawn Tennis Association (c£395k) if the Council contributes c£132k.
- External funding – Parks commissioning has submitted (or has prepared) bids to the Grow Back Greener Fund (c£50k) and 3 x Rewild London Fund (c£40k, c£44k and c£18k). If successful these projects will deliver significant social, environmental, and economic benefits for the borough and residents.
- Green and Resilient Spaces Fund (Round 2) – funding round opens (i.e. project delivery grants from £250k up to £750k) in December and the application deadline is likely to be the beginning of February for projects which can start in April 2023 and be completed by March 2025 (i.e. over a 2 year period). As in round one GLA is looking for projects which are exemplary in quality with a focus on climate resilience and access to green space. Subject to the completion of the current Development Phase and obtaining Council support, Parks Commissioning is planning on submitting a bid for the Parsloes Park ‘Gores Brook Living Landscape Project’.

My Place: Period 10

Forecast Position: £20.5m (£850,000 overspend)

		This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
		Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
10G	MY PLACE	19,926,700	38,574,263	(18,647,563)	42,168,561	20,489,340	287,000		849,640	235,188
10GA/B	MY PLACE (HOMES & ASSETS)	9,343,149	24,525,892	(15,182,743)	28,457,537	9,678,293	0	0	335,144	534,154
10GC	PUBLIC REALM	10,583,551	14,048,371	(3,464,820)	13,711,024	10,811,047	287,000	0	514,496	(298,966)

Executive Summary

- **Property and Commercial Portfolios £1.217m** net overspend driven by inflation (maintenance and energy), under recovery of income and savings.
- **Compliance £284,000** net overspend, however, increased HRA recharging for Caretaking and other areas reduce this (**£1,170m**).
- **Public Realm overspend of £515,000, this is a reversal of last months improvement (see next slide).**
- Quantifiable **Risks** stand at **£1.6m (see slide 25)**.
- **Public Realm:** intends to carry forward **£287,000** due to delayed activity on Waste and Street Cleansing Strategies.

My Place – Homes & Assets: Forecast Position: £9.7m (£335,000 overspend, 3.6% variance)

Commercial Portfolio is reflecting a **£609,000** overspend. £242,200 removal of HRA Fixed Recharge, £226,000 income under recovery. The income budget was profiled on the expectation of increased rental income due to rent reviews, however, this has not occurred due to limited capacity. £141,000 from insurance, repairs and maintenance have exacerbated the position. There is also uncertainty over repairs and maintenance charges.

Property Assets is overspending by **£613,000**. **Highways** is projecting a **£897,000** overspend made up of Energy £400,000, £235,000 on contract inflation, £206,000 range of activities such as income recovery, £150,000 non-deliverable 2022/23 savings offset by (£94,000) increase charge to HRA. This is offset in part from an underspend in staffing on **Asset Management (£64,000)**. **Major Works, the main reason for the positive movement, is due to reduced Agency cost expectations (£239,000)**.

Compliance expenditure is rising sharply due to the various programmes currently ongoing. The majority of the cost relates to the HRA but the current estimate for General Fund is **£163,000**. There is also a redundant HRA Fixed Recharge cost **£120,720** removed as the Housing Energy Team doesn't exist.

Caretaking will break even due to the HRA Fixed Recharges review, credit variance of (**£604,000**). The **My Place HRA Recharge** is reflecting a (**£517,000**) increase in charges to the HRA. The remaining budgets contain a variance of (**£49,000**).

My Place - Public Realm: Period 10

Forecast Position: £10.8m, (£515,000 overspend, 4.9% variance)

The adverse movement in Period 10 of **£814,000** was predominantly linked to an increase in staffing related costs (£600,000) across Waste Operations, Street Cleansing, Parks and Fleet. This was driven by a more significant increase in Agency costs in January which effectively reversed last month's positive movement. Other factors were in Fleet with adjustments to Fuel expenditure for the Council fleet £120,000 plus motor insurance £168,000.

Waste Operations is reflecting an overspend of **£1.013m**. The environment has played a factor in putting pressure on the 2022/23 staffing budgets. The overspend is due to £395,000 where agency and overtime expenditure exceeds the staffing budget, £457,000 for Fleet recharges related to increased costs on fuel, repairs and maintenance and the hire of two additional refuse vehicles plus £161,000 on other costs such as purchasing new bins.

Fleet is reflecting a **(£234,000)** underspend. Fleet Management **(£25,000)** due to improved income recovery **(£226,000)** offset by Fleet costs of £64,000. However, a HRA Fixed Recharge has been removed £137,000 following review. Frizlands Workshop also reflects a **(£209,000)** underspend primarily due to projected income over recovery.

Parks and Environment is reflecting a **(£248,000)**. Ground Maintenance **(£92,000)** mainly after positive changes in the planned HRA Fixed Recharges. Arboriculture and Cemeteries are reflecting a **(£188,000)** underspend which relates to Cemeteries forecast income and reduced expenditure commitments. Parks is reflecting a £32,000 pressure mainly related to increased compliance costs on FRA's.

Compliance (£286,000) underspend on PEST Control and Compliance, Projects and Administration (CPA). CPA is underspending due to vacancies held ahead of restructure at **(£275,000)**, PEST Control **(£129,000)** improved income partly offset by £116,000 on Trade and Garden Waste. The position has improved on recent months due in part to Trade Waste expenditure review identifying a double count and PEST Control income.

Street Cleansing £337,000 overspend. £201,000 relates to Agency costs exceeding staffing budget and Fleet recharges where fuel, vehicle repair costs are exceeding budget. The position has mainly reversed the Period 9 improvement.

PR Director has released its purchasing budget to reduce the impact of Operations above **(£62,000)**. **Passenger Transport** is reflecting a forecast underspend of **(£21,000)** due to staffing and **ELWA** is **£15,000**.

My Place: Period 10 Risk and Opportunities

Forecast Position: £20.5m (£850,000 overspend)

Risks: **£1.625m** (These are risks that are NOT in the forecast that we are monitoring)

- £1.4m Total of outstanding invoices with BD Management Services relating to Fleet running costs **plus** forecast for 2022/23 built into Public Realm.
- £150,000: Highways is facing inflationary pressures (26% indexation costs in current year) on maintenance contracts.
- £75,000: Ward Budget expenditure should only be capital in nature. However, sometimes schemes are progressed that do not meet the definition and this expenditure must be charged to the general fund revenue budget. The value is based on last years impact.
- Unquantifiable Risks:
 1. **Corporate Repairs and Maintenance charges from BDMS for 2022/23 are now overdue for Quarter 3.** The company has provided Quarter 1 and 2 information to Budget Managers.
 2. Energy Budget uncertainty now starting to be reflected in the Outturn. Prices increased significantly in the 2nd half of 2022/23.
 3. Further HRA Fixed Recharges are expected to be reviewed which could generate further adverse variances until funding is identified from the general fund.
 4. Arboriculture planned works relies on one FTE, therefore it is a recognised point of failure. This could impact forecast income recharges in Parks & Environments. Succession planning and the reduction in overreliance to the post is being factored into the future establishment structure.
 5. Food Waste collection is to be introduced from March 2025. This will involve a major change in service provision and will have an impact on all residents. The costs are unquantified but will be significant.

Opportunities: **Nil** (These are opportunities that are NOT in the forecast that we are monitoring)

- There may be other areas were it is appropriate to recharge costs to the HRA or to Reside (unquantifiable).

People and Resilience: Period 10 – Variance Analysis

Forecast Position: £141.2 (overspend of £6.0m, 4.26% variance) before Education adjustment

	This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
	Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
People & Resilience	131,900,126	109,503,836	22,396,290	86,302,677	140,052,386	0	(2,135,541)	6,016,719	7,157,655
Disabilities Care & Support	30,543,650	29,750,890	792,760	27,830,004	35,736,703	0	0	5,193,053	4,942,722
Adults Care & Support	22,734,298	20,043,118	2,691,180	15,357,690	23,173,554	0	(1,910,000)	(1,470,744)	(517,678)
Commissioning	15,374,973	14,409,653	965,320	3,655,310	15,247,308	0	0	(127,665)	(1,400,456)
Public Health	(318,250)	(381,250)	63,000	(3,788,451)	(318,250)	0	0	0	45,387
Childrens Care & Support	41,491,329	40,275,029	1,216,300	34,503,935	44,485,667	0	0	2,994,338	3,441,871
Ed, Youth & Child Care	20,668,651	4,060,921	16,607,730	8,108,545	20,894,169	0	(225,541)	(23)	(0)
Early Help Service	1,405,475	1,345,475	60,000	635,644	833,235	0	0	(572,240)	645,809

Key Drivers of the Position (Summary):

- **Disabilities Service: - £5.193m**
 - **Adults** - Short Term Care £0.165m, Residential £0.461m, Nursing (£0.153m), Supported Living £1.440m, Day Care £0.250m, Package Reviews (£0.230m), NEET Funding (£0.150m), DP Refunds (£0.248m), CHC Income £0.137m. = **Total £1.663m**
 - **Children** – Day Care £0.572m, Bed & Breakfast (£0.165m), Legal Fees £0.200m, DSG Cont' (£0.200m), Residential £2.990m, Internal Fostering (£0.389m), Internal Services (£0.973m) Life Planning Team B £0.602m,, Out of Borough Transport £1.045m = **Total £3.530m**
- **Adults Care and Support – (£1.471m)**
 - **Over 65** – Resi / Nursing £1.1101m, Home Care £1.694m, Direct Payments (£1.550m)
 - **Under 65** – Home Care (£0.783m), Direct Payments (£1.875m), Supported Living £0.620m, Direct Payment Refunds £0.425m, Health Funding to support package pressures (£3.312m), MTFs Growth to be allocated (£0.600m),
 - **Mental Health**
 - **Over 65** – Resi / Nursing £0.701m, Home Care £0.489m, Direct Payment £0.112m
 - **Under 65** – Resi / Nursing £0.384m, Home Care (£0.372m), Direct Payments £0.273m, Supported Living £1.242m
 - **Reserves Drawdown – (£1.910m)**
- **Commissioning Care and Support – (£0.127m)**
 - DP Support Salaries - (£0.219m), Children's Commissioning (£0.682m), Safeguarding Ofsted preparedness £0.788m,
- **Public Health** - PH is grant funded and is expected to remain within its allocation.
- **Children's Care & Support - £2.994m**
 - Agency £3.056mm, Staffing (£2.495m), Running Costs (£0.581m). Placements £3.011m, which includes the following material variances Asylum (£1,584m), Leaving Care £1.321m, Secure (£0.508m), Residential £3,115m, Family Ass £0.330m, Int Fostering £1.199m, Adoption (£0.955m).
- **Education, Youth & Childcare** - Reporting breakeven (Manual adjustment to report £0.227m)
- **Early Help - (£0.572m)** delay in filling of Target Operating Model.

People and Resilience: Period 10 – Material Movements

Disabilities - £0.250m

Whilst the overall variance is not material, there are a number of movements that should be reported.

- Residential £0.127m Largely due to two sizeable uplifts in client packages
- DP Adults £0.106m Largely due to 1 new large package of care and 2 sizeable uplifts

Adults – (£0.953m)

- Residential & Nursing £0.213m Following a review of the forecasting model.
- Discharge to Assess (£0.411m) Release of funds to support costs already incurred.
- Savings Credit Provision Release - (£0.800m) Following a review of the potential liability, the provision has been accordingly reduced.

Children – (£0.549m)

- Secure Units - £0.164m - Secure Accommodation Grant was lower than previously anticipated and 1 additional client.
- Residential - (£0.860m) - Reduction of costs due to movements of 9 leavers, 4 package reductions, 6 starters and 1 package uplift (£0.286m) Review High Needs Block Funding from the Dedicated Schools Grant (£0.574m).
- Family Assessment Units - £0.161m Whilst there was a net movement of zero, with 3 starters and 3 leavers, the packages for starters was substantially higher.
- Internal Fostering - £0.184m - 24 leavers (£0.153m), 25 new £0.159m, 6 non placements costs £0.014m, 7 rate reductions (£0.079m), 20 rate uplifts £0.203m.

People and Resilience: Period 10 – Risks and Opportunities

Risks: (These are risks that are NOT in the forecast that we are monitoring)

The impact of the pandemic and the increased level of inflation are having an adverse and significant financial impact on base costs, market rates, equipment, materials, and staffing. There are concerns that the lack of D2A and additional contributions in 22/23 from the ICB will negatively impact the local authority as these financial increases are being felt. Additionally, short term funding streams such as the Winter Funding or the Adult Social Care Discharge Fund, although welcome, make long-term planning more difficult and stifle innovation.

Early Help service TOM has yet to be finalised and it is expected that costs will significantly rise once this is complete. The service is currently significantly understaffed.

Market stabilisation and Fair Cost of Care is now complete. However, the government have now postponed its implementation, and this has caused market instability as providers are aware of what is deemed "Fair" in the local market.

Cap on Care Costs legislative change will mean that more costs will fall on the LA rather than the individual within Adults Care and Support.

The Home Office has not paid the Prevent Grant claim of £85k for quarter 4 of 2021/22 despite several reminders. There is potential budget pressure stemming from loss of the grant.

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

The use of Care Technology is the biggest opportunity care and support has to exploit and the service is now implementing and client reviews starting to take place, where we hope to see savings/cost avoidance this year and in the future.

If the interim resources projected in Children's care and support are not brought in immediately this could potentially improve the position with some of the cost falling into the next financial year.

We have now received additional funding from Health to support Winter Pressures and we are in a good place to deliver services within sum being provided.

People and Resilience: Data Analysis

Overall Position

Total forecast spend of £139.3 against a budget of £131.9m, giving an overspend of £7.4m

- An increase in spend of £22.3m from 21/22

Gross Cost of Placements costs forecast at £97.6m, an increase of £9.6m from 21/22, against a budget of £79.9m for an overspend of £17.7m. Placement numbers remaining steady between months

- Placements budget has remained static between years
- Service provision has started to increase, in particular for residential placements, after two years of impact from COVID

Children's Services

Reduction in forecast of £0.549m, a result of a more in-depth review and detailed forecasting

956 active placements showing for January, with the number of active placements remaining relatively flat between months

Gross Cost of Placements forecast variance of £4.2m to budget

A year-on-year increase in placement costs of £0.500m, due to an increased in the overall number of placements

50% of all children's placements are with the Adoption service accounting for 14% of total placement costs

Residential placements account for 28% of the total placement costs and has been driven by an increase in total number of placements. High-cost placements have ended through the year replaced with more over all placements at a lower weekly cost.

People and Resilience: Data Analysis

Adults Services

Reduction in forecast variance of £1.1m, draw down from reserves of £2.1m

2,053 active placements showing for January, with a small increase of £0.4m to the forecast giving a placements variance of £6.9m to budget.

A year-on-year increase of £4.9m in gross placements spend, this is in part due to the impact of COVID in 21/22, with provision picking back up this year and a number of clients with complex needs.

79% of adult's placements are within physical support accounting for 72% of the total placement costs. These are typically complex cases with a higher cost of provision

Disabilities Services

A small increase in forecast variance of £0.4m

1,079 active placements showing for January, with an increase of £0.4m to the forecast giving a placements variance of £6.7m to budget.

A year-on year increase of £4.4m in placements spend, due to the complex needs of clients resulting in a higher cost per placement

49% of disabilities placements are for adult learning disabilities accounting for 67% of the total placement costs

[Further Information](#) can be found at the end of these slides.

Strategy: Period 10

Forecast Position: Overspend of £370,700

	This Years Budget			Actuals/Forecast		Transfers to/from Reserves		Variances Inc Reserves	
	Revised	Controlled	UnControlled	YTD Actuals	Current Forecast	Transfers to	Transfers from	Variance	Last Period Variance
STRATEGY	2,120,949	2,927,119	(806,170)	4,877,319	3,093,502	0	(601,853)	370,700	644,490
STRATEGY & TRANSFORMATION	1,183,619	1,495,909	(312,290)	3,273,900	1,687,477	0	(601,853)	(97,995)	143,117
COMMUNICATIONS	937,330	1,431,210	(493,880)	1,603,419	1,406,024	0	0	468,694	501,373

Key Drivers of the Position (Summary):

The Strategy directorate is forecast to overspend by £370,700 at the end of Period 10, a significant reduction of £273,000 from Period 9. The overspend is due to expenditure in Community Events, Civic Events, and Communications and the reduced HRA recharge, which accounts for £259,000 (70%) of the overspend.

The forecast contribution from the HRA is £107,000 – this is under review to establish if an increased contribution can be justified.

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Strategy and Transformation – Forecast Position: (£97,995) underspend

- **The Insight hub** is reflecting a £9,000 overspend due to £50,000 overspend on subscriptions (Gartner, LG Inform, borough Data Explorer), consultancy fees and IT recharges, offset by an increased forecast underspend on staffing of £43,000. **Advertising** is also anticipated to exceed the £236,000 income target, overachieving by (£53,000).
- **The PMO** is forecast to overspend by £96,000 due to the HRA income pressure of £116,000 offset by a (£20,000) underspend on salaries.
- **Transformation programme**, consisting of the ERP and Transformation programmes which are fully funded and reflecting (£49,000) underspend due to an unused pay budget.
- **Strategy** is forecast to underspend by (£101,000). The favourable movement of (£143,000) from P9 is mainly attributable to a reduction of (£147,000) in spending expectations within the core Strategy team, offset in part by £44,000 overspend on subscriptions, and a reduction in the HRA recharge of £25,000. There is also a forecasted underspend of (£7,000) on the Director cost centre due to a period of vacancy and net (£16,000) underspend on other budget areas.
- The £602,000 transfer from Reserves represents a drawdown of £498,000 Shielding grant and £104,121 towards the Scan it, Scrap it, Store project costs now concluded.

Strategy: Period 10

Forecast Position: Overspend of £370,700

Communications, Campaigns and Events – Forecast Position: £469,000 overspend

- **Community Events** are forecast to overspend by £273,000 a favourable reduction of £53,000 from Period 9. £75,000 overspend is on pay budgets made of £26,000 on staffing and agency costs and £49,000 on overtime, £558,000 on non-pay budgets less forecast income of £360,000. The forecast net expenditure for events is close to £1m, which is an increase of £300,000 or 43% on 2021/22 Financial Year.
- **Civic Events** are reflecting £33,000 over budget, relating to staff costs and events.
- **Marketing & Communications** is forecast to overspend by **£163,000**. £50,000 overspend is reflected on pay budgets, primarily driven by agency costs exceeding staffing budget and £33,000 net overspend relating to non - pay budgets. The £117,000 reduced HRA is a large contributing factor to the given position plus recharged income of (£36,000).

Strategy Period 10 Risk and Opportunities

Risks: (These are risks that are NOT in the forecast that we are monitoring)

- There is the risks of continued overspend on Strategy on membership and subscription fees. A growth bid has been submitted to bring the budget back in line with these uncontrollable costs in FY 2023/24
- There is a risk of continued overspend on Community events and Civic events in 2023/24 if an affordable programme cannot be agreed. A draft programme, designed within budget, has been ready since December, but requires some adaptations to secure political sign off. This is being worked on currently, with the aim to have this approved before the end of February. Work cannot progress until this is agreed.

Opportunities: (These are opportunities that are NOT in the forecast that we are monitoring)

- Income from Digital Advertising is an area of opportunity. There is potential for new units to generate additional income of around £15k per annum. This is less than previous estimates which have been affected by the recent economic downturn. Despite this, negotiations are in progress with providers to establish the best possible position for the council. If we cannot achieve a good deal we may decide to wait a year before going to market again. This would delay the income stream. The service is currently in discussions with procurement, finance and external advisers to decide the best route.

HRA: Period 10

Executive Summary

The HRA position should always be brought online at Provisional Outturn. The equivalent comparison to the Period 9 overspend position is **£3.422m**, an improvement of **(£298,000)**.

The overspend is driven by Recharges from the General Fund, Energy and insurance increases and inevitably leaves less funding available to fund Capital Improvements. The Period 10 Capital Programme is projected at £19.6m, with only £5.8m (29%) projected to be available from residual rental income. That means a considerable increase in borrowing costs for the HRA. This is not sustainable in the long term.

PERIOD 9		2022/23 FORECAST OUTTURN (PERIOD 10)			
VARIANCE	REPORT LEVEL	BUDGET	FORECAST	VARIANCE	CHANGE
		£'000	£'000	£'000	£'000
£1,722	SUPERVISION & MANAGEMENT	43,523	46,674	£3,152	£1,430
(£666)	REPAIRS & MAINTENANCE	24,215	22,685	(£1,529)	(£864)
£105	RENTS, RATES ETC	950	1,290	£341	£236
£0	INTEREST PAYABLE	10,944	11,300	£356	£356
£0	DISREPAIR PROVISION	0	0	£0	£0
(£1,309)	BAD DEBT PROVISION (BDP)	3,309	2,000	(£1,309)	£0
£0	CDC RECHARGE	1,003	1,003	£0	£0
(£148)	TOTAL EXPENDITURE	83,942	84,953	£1,010	£1,158
£1,302	DWELLING RENTS	(£88,255)	(87,403)	£852	(£450)
£27	NON-DWELLING RENTS	(£770)	(768)	£2	(£25)
£161	CHARGES FOR SERVICES & FACILITIES	(£22,186)	(22,954)	(£768)	(£930)
£0	INTEREST & INVESTMENT INCOME	(£299)	(350)	(£51)	(£51)
£1,490	TOTAL INCOME	(£111,509)	(£111,475)	£34	(£1,456)
£255	TRANSFER TO HRA RESERVE	£1,281	1,536	£255	£0
£1,597	NET TOTAL	(£26,286)	(£24,986)	£1,300	(£298)
£2,122	DEPRECIATION	17,088	19,210	£2,122	£0
£0	TRANSFER TO MAJOR REPAIR RESERVE (MRR)	9,198	5,776	(£3,422)	(£3,422)
£2,122	CAPITAL PROGRAMME FUNDING	£26,286	£24,986	(£1,300)	(£3,422)
£3,720		(£0)	(£0)	(£0)	(£3,720)

Forecast Position: Online (see Executive Summary)

Key Drivers of the Position (Summary):

- **Supervision & Management: £3.152m overspend**
Recharges **£1.668m** from the General Fund mainly driven by My Place HRA Recharge due to increased costs projected for Compliance and Consultancy, **Energy £530,000, accounting treatment £813,000** are the main factors.
- **Repairs and Maintenance: (£1.529m) underspend**
Following restatement of the HRA Budget, the forecast for the **HRA BDMS Contract** is online at **£11m** for 2022/23. The main drivers for the underspend are **Out of Scope Works (£699,000)**, **DLO Agency Operatives (£560,000)** and the **DLO (£340,000)**. BDMS have not been able to recruit sufficiently to the roles within the DLO.
- **Other Expenditure Lines: (£612,000) underspend**
The **BDP** was reviewed in September and the revised estimate changed **(£1.309m)**. **Interest Payable £356,000** is due to expectations of increased Capital Programme borrowing and **Rents, Rates £341,000** reflects Building Insurance Premium increases which have been significant.
- **Income: £34,000 under recovery**
Rents represent a **£854,000** shortfall on a budget of **(£89.025m)** representing **1.0%** variance. The most notable cause is due to the increased RTB sales which had reached 93% of budgeted sales by end of Qtr 2 alone plus estate regeneration plans beyond budgeted assumptions. **Service Charges (£768,000)** over recovery, the main contributing factor is the other side of the **accounting treatment** in S&M, whilst **Interest Receivable (£51,000)** recognises the rising **interest rates** available for sums on account.
- **Capital Programme & Financing: (£1.300m)**
This essentially finances the HRA element of the Capital Programme alongside the Transfer to MRR (Major Repairs Reserve). **Depreciation** is expected to increase by **£2.122m** compared to budget.

As the HRA in year position must balance, the overspend mainly attributed to Supervision & Management, means there is less funding left over from rental income to finance this years Capital Programme.

HRA: Period 10 Risk and Opportunities

Forecast Position: **Online**

Risks: £1.6m (These are risks that are NOT in the forecast that we are monitoring)

- **£1.6m** Backlog of repairs and maintenance jobs within Housing based on BDMS volumes and My Place costing estimates. The timing of this delivery is uncertain, as the valuation and approach to be undertaken. Much of this is likely to fall in 2023/24 now.
- There is uncertainty over energy budgets due to the world market. However, much of this has now been reflected in new contract prices and so what has gone up is within the Forecast Outturn.
- Further Compliance costs are expected above budget with the plan to complete Compliance of assets over 3 years. Some of this has been built into the forecast.
- Uncertainty over what repairs and maintenance activities are in scope of the existing contract and what are not means a lack of assurance. This could be creating additional costs to the HRA.
- Insufficient backing information from BDMS leaves Leasehold Services unable to apply the true cost of R&M to Leaseholders, reducing cost recovery to the HRA.
- Contracts between the water companies and Council's predating 2016 have been challenged through various legal routes (e.g. Southwark). There is a risk that partial compensation maybe required.
- The Disrepair Provision may require additional resources due to the ongoing backlog and future claims coming forward.

Opportunities: (£1.4m) (These are opportunities that are NOT in the forecast that we are monitoring)

- **(£500,000)** the Bad Debt Provision budget is set at £3.309m and currently forecast at £2m. The opportunity value allows for some growth in the overall BDP but should be seen as a maximum figure.
- **(£900,000)** Revenue voids is in dispute between My Place and BDMS as to whether or not it falls within the current BDMS HRA contract.

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Quarter 3 Capital Programme Update

1. 2022/23 Capital Programme

1.1 The Q3 capital budget has increased by £12.3m to £464.9m from £452.6m. The breakdown in budget is £374.3m for the IAS, £57.3m for the GF, £2.4m transformation and £31.0m for the HRA. The forecast spend has decreased by £38.8m to £391.9m, with the largest decrease in forecast within the IAS, with the spend on some schemes being delayed.

Strategic Function	22/23	22/23	22/23	22/23	22/23	22/23	22/23
	Q2	Adjust	Q3	Spend to	Q3	Q3	Change
	Budget	ment	Budget	31/12/2022	Forecast	Variance	in
	£000s	£000s	£000s	£000s	£000s	£000s	£000s
ADULTS CARE & SUPPORT	1,456	0	1,456	695	617	-839	0
INCLUSIVE GROWTH	10,009	1,007	11,016	956	8,047	-2,969	-2,969
CIL	932	-201	731	216	731	0	0
TFL	1,529	21	1,550	350	1,550	0	0
IT	1,409	-1	1,408	467	1,408	0	1
PARKS COMMISSIONING	8,416	9,450	17,866	3,048	12,073	-5,793	-9,333
CULTURE & HERITAGE	643	0	643	34	421	-222	393
ENFORCEMENT	2,254	0	2,254	43	418	-1,836	0
MY PLACE	8,486	-21	8,465	4,278	5,522	-2,943	-184
PUBLIC REALM	1,334	0	1,334	1,071	1,373	39	205
EY&C	27,876	-17,338	10,538	7,672	10,537	-1	18,177
Other	2,055	-2,055	0	0	0	0	1,048
Community Solutions	15	0	15	0	0	-15	0
General Fund Total	66,414	-9,138	57,276	18,831	42,696	-14,580	7,337
HRA STOCK INVESTMENT	18,691	0	18,691	10,266	18,691	0	0
HRA ESTATE RENEWAL	10,247	0	10,247	2,701	10,247	0	0
HRA NEW BUILD SCHEMES	2,122	-77	2,045	919	1,611	-434	-434
HRA Total	31,060	-77	30,983	13,886	30,549	-434	-434
IAS RESIDENTIAL	321,794	918	322,712	185,979	264,567	-58,145	-58,145
IAS Temp. Accom.	36	-36	0	0	0	0	0
IAS COMMERCIAL	30,948	20,630	51,578	44,150	51,754	176	176
Investments Total	352,778	21,512	374,290	230,129	316,321	-57,969	-57,969
Transformation Total	2,354	0	2,354	2,354	2,354	0	
Capital Programme Total	452,606	12,296	464,902	265,200	391,919	-72,983	-51,066

2. General Fund

2.1 Adult Care and Support.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C00106	DISABLED FACILITIES GRANT-PRVT	1,456	695	617	839
CAP01	GF - ADULTS CARE & SUPPORT	1,456	695	617	839

Disabled Facilities Grant is used for adaptations to older and disabled people's homes to help them live independently and safely.

2.2 Inclusive Growth (Be First)

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C03028	Corporate Retrofit	2,969	-	-	2,969
C03099	ABBAY GREEN & BTC CONS HLF	1,006	573	1,007	-0
C05084	DECARBONISATION	7,040	383	7,040	0
CAP02	GF - INCLUSIVE GROWTH	11,016	956	8,047	2,969

The Corporate Retrofit Programme aims to undertake energy efficiency measure which will reduce energy consumption and decrease carbon emissions as part of LBBD's Net Zero Carbon Strategy. The Abbey Green and Barking Town Centre Conservation Area Townscape Heritage project aims to deliver heritage-led shopfront and building improvements.

Decarbonisation funding consists of Social Housing Decarbonisation Fund and Green Homes grant. In 2020 LBBD led a successful consortium bid for £9m on behalf of six councils for the Social Housing Decarbonisation Fund (Demonstrator) Scheme –the Energiesprong deep retrofit scheme.

2.3 Community Infrastructure Levy (CIL) Schemes

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C05028	BOX UP CRIME	214	52	214	0
C05029	EAST END WOMEN'S MUSEUM	175	-	175	0
C05031	BECONTREE CENTENARY	61	8	61	-0
C05027	KINGSLEY HALL	30	-	30	-
C05062	LITTER IN PARKS (CIL)	96	-	96	-
C05108	Studio 3 arts	156	156	156	-
CAP03	GF - CIL	731	216	731	0

CIL is charged to new developments, with income recouped to deliver infrastructure needed to support new developments in the borough. These projects have utilised CIL income for third party delivery benefitting LBBD, including Studio 3 Arts (£156k CIL), Box Up Crime and East End Woman's' Museum enhancements.

2.4 Transport for London (TfL) Schemes.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02898	LOCAL TRANSPORT PLANS (TFL)	136	30	136	0
C04094	BECONTREE HEATH LOW EMISSION	-88	-21	-88	0
C05052	HEATHWAY [HEALTHY STREETS]	130	-	130	-
C05058	TFL MINOR WORKS - VARIOUS LOCS	99	-	99	-
C05079	CYCLE ROUTE CFR10	265	-	265	-0
C05080	LOW TRAFFIC NEIGHBOURHOODS	548	302	548	-0
C05083	BUS PRIORITY	459	39	459	-
CAP04	GF - TFL	1,550	350	1,550	0

The TfL programme aims to improve the borough's transport networks in line with the Mayor's Transport Strategy objectives. This includes Corridors funding that is allocated by a formula reflecting transport need across London, and bus and cycling project funding. The TfL programme is forecast to spend in full.

2.5 IT (Core).

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02877	ORACLE R12 JOINT SERVICES	-	5	0	-0
C03052	KEEP THE LIGHTS ON	1,209	297	1,209	0
C03059	CUSTOMER SERVICE CHANNEL SHIFT	-64	-48	-64	0
C03068	ICT END USER COMPUTING	263	212	263	0
CAP06	GF - CORE	1,408	467	1,408	0

Keep the Lights On is a fund to maintain existing IT infrastructure requirements. ICT End User Computing is primarily a fund for laptop replacement. The Oracle and Customer Service channel shift projects are no longer live.

2.6 Parks Commissioning.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C03032	PARSLOES PARK (CIL)	13,600	2,473	10,392	- 3,208
C03090	LAKES	293	5	141	- 152
C04013	PARK INFRASTRUCTURE ENHNCMTS	30	30	30	- 0
C04017	FIXED PLAY FACILITIES	96	7	55	- 41
C04018	PARK BUILDINGS BLDNG SUR	92	1	92	- 0
C04080	CHILDRENS PLAY SPCS & FAC (CIL)	214	118	145	- 69
C04081	PARKS & OPEN SPCS STRAT 17 (CIL)	219	70	247	- 28
C05060	SAFER PARKS (CIL)	84	32	84	-
C04084	CENTRAL PARK MASTERPLAN IMP	982	170	332	- 650
C04085	PLAY FACILITY AT VALENCE PARK	5	5	5	-
C05061	B & D LOCAL FOOTBALL FACILITY (CIL)	157	-	-	- 157
C05089	DE-CONTAMINATION AT ECP	2,094	138	550	- 1,544
CAP07	PARKS COMMISSIONING	17,866	3,047	12,073	- 5,793

The investment in Parsloes Park is to upgrade the the pitch and pavilion facilities at as part of the nationwide Parklife Football Hubs programme for key strategic sport sites. Overall project costs have been steadily rising through protracted procurement exercises, and inflation in construction and component costs has more than doubled the total project cost to £13.6m. In July 2022 Cabinet agreed to increase the project budget – some of this funding may need to be carried forwards into 2023/24.

In October 2018, Cabinet approved the procurement of a design and build contract for landscaping and sports facilities at Central Park. The importation of inert material from building sites across London and the South East is being utilised to create a new landscape in the park, deliver biodiversity enhancements and provide improved infrastructure and leisure and recreation facilities.

A sum of £2.5m was allocated for costs arising from Decontaminated Land, of which £406k was incurred in 2021/2. This project is to be reviewed to determine the extent of anticipated costs and whether costs should be treated as revenue rather than capital.

2.7 Culture and Heritage

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C04031	RE IMAGINING EASTBURY	4	-	4	0
C04033	REDRESSING VALENCE	250	19	28	- 222
C04043	THE ABBEY: UNLOCKING BARKING	389	16	389	-
CAP07	CULTURE & HERITAGE	643	34	421	- 222

Unlocking Barking Abbey is a part Heritage Lottery funded project. The vision for the project is to ‘unlock’ the heritage of Barking Abbey, ensuring a sustainable future, and includes the post excavation assessment of the archaeology from the Barking Abbey site to better understand, interpret and make accessible the heritage of the Abbey.

2.8 Enforcement

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02982	CONTROLLED PRKNG ZONES (CPZs)	2,154	110	345	1,809
C04015	ENFORCEMENT EQUIPMENT	100	-67	73	27
CAP08	GF - ENFORCEMENT	2,254	43	418	1,836

The CPZ project aims to improve road safety and air quality, reduce traffic congestion, provide improved parking for residents and businesses, and better access for pedestrians. Consultation on the second phase of the project is due to commence in May 2023 with an estimated go live date of April 2025.

The Enforcement equipment project is a contribution to a £4m scheme for a new CCTV control room. Tenders are currently being evaluated.

2.9 My Place. PM:

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02811	WARD CAPITAL BUDGETS	666	76	127	-539
C03011	STRUCT REP'S & MAINTCE-BRIDGES	33	6	33	-0
C03064	STREET LIGHTING PROG	-	72	-	-
C03065	HIGHWAYS INV PROG	3,016	2,962	3,117	102
C04019	REPLACEMENT OF WINTER EQUIP	3	-	-	-3
C04029	ENGINEERING WORKS (RD SAFETY)	99	99	-	-99
C04032	Habitat for Humanity	574	302	-	-574
C04063	FLOOD SURVEY	84	23	-	-84
C04064	BRIDGES AND STRUCTURES	1,124	178	1,124	-0
C05018	STOCK CONDITION SYRVEY	1,596	120	560	-1,036
C05038	82A AND 82B OVAL ROAD SOUTH	325	-	-	-325
C05055	ROAD SAFETY AND ACCESS	457	198	160	-297
C05077	DISPERSED WORKING (PHASE 1)	488	242	400	-88
CAP09	GF - MY PLACE	8,465	4,278	5,522	-2,943

The ward capital allocation comprises an allocation of £340k for 22/23 plus £326k brought forwards from previous years. Although the £340k for 22/23 has largely been committed to projects, the expenditure forecast for 22/23 is just £127k.

2.10 Public Realm.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C04012	BINS RATIONALISATION	34	11	11	-23
C04070	VEHICLE FLEET REPLACEMENT	1,052	1,060	1,156	104
C03083	CHADWELL HEATH CEMETRY EXT	149	-	-	-149
C04028	REDUCE HAND ARM VIBRATIONS	5	-	-	-5
C05048	PROCURING IN CAB TECH	205	-	205	-
C04016	ON-VEHICLE BIN WEIGHING SYS	16	-	-	-16
C05039	Tree planting	-127	-	-	127
CAP10	GF - PUBLIC REALM	1,334	1,071	1,373	39

In 2018 Cabinet approved an investment of £10.7m for fleet replacement. This programme is anticipated to complete in 2023/24. Any overspend in 22/23 will be deducted from the 23/24 budget. The remaining £149k budget for Chadwell Heath cemetery will finance further landscaping, cemetery vaults and columbaria.

The In Cab Technology project will automate the current business processes for waste collection planning, recording and administration and will provide an automated routing facility for all rounds. The system will go live in 23/24.

2.11 Community Solutions

These works comprise a new boiler at Village Hall and electrical works and door replacement at Fanshawe Community Centre.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C04042	Community Halls	15	-	-	-
CAP05	GF - COMMUNITY SOLUTIONS	15	-	-	-

2.12 Education Youth & Childcare.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02959	ROBER CLACK EXPANSION EXISTING	-	-	-	0
C03018	EASTBURY SECONDARY	156	-	156	0
C03020	DAGENHAM PARK	-	-	-	0
C03022	GREATFIELD SECONDARY SCH	451	406	451	0
C03042	ADDITIONAL SEN PROVISION	-	-	-	0
C03053	GASCOIGNE PRMRY - 5FE TO 4FE	60	-	60	0
C03054	LYMINGTON FIELDS SCHOOL 2016	236	51	236	0
C04052	SEND 2018-21	292	267	292	0
C04053	SCA 2018-20	-	19	-	0
C04058	MARKS GATE INFS & JNRS 18-20	831	788	831	0
C04071	RODING FIRE	34	34	34	0
C04072	SCHOOL CONDITION ALCTNS 18-19	25	20	25	0
C04087	SCA 2019/20 (A)	-	3	-	0
C04097	TRINITY SPECIAL SCH EXPANSION	-	-	-	0
C04098	RIPPLE PRIMARY SUFFOLK ROAD	6	1	6	0
C05033	SCA PRIORITY WORKS 20/22	100	33	100	0
C05034	SCHOOLS EXPANSION PROG 20/22	375	138	375	0
C05040	HEALTHY SCHOOL	121	-	121	0
C05069	SCA 20-21	800	648	800	0
C05078	GREATFIELDS PRIMARY	1,000	18	1,000	0
C05098	SCA 21-22	2,500	2,317	2,500	0
C05099	SEN SMALL PROJECTS	1,100	917	1,100	0
C05105	BASIC NEED SMALL PROJECTS	450	428	450	0
C05107	SCA 22-23	2,000	1,584	2,000	0
CAP20	GF - EDUCATION, YOUTH & CHILD	10,537	7,672	10,537	0

The Council has the legal duty to ensure that there are sufficient school places within the borough for the pupils who need them. Expenditure is designed to improve the fabric of buildings using Basic Needs Grant and/or make them more inclusive for children with special educational needs (SEN) or a physical impairment. The service is making use of its SEN Capital Grant, School Condition Allocation Grant and sourcing funding from Section 106 and Community Infrastructure Levy to ensure schools remain in good condition. Government Grant of Schools Conditions allocation is being utilised for condition maintenance covering the fabric of school buildings, roofs, brickwork, windows and internal works. Schools Capital and Investment.

The budgets have been revised to profile the budgeted spend over a number of years. As a result the budget has been reduced by £17.3m, with the remaining budgets profiled into 2023/24 and 2024/25.

3. HRA – Stock Investment, Estate Renewal and New Build Schemes

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C00100	AIDS & ADAPTATIONS	1,000	391	1,000	-
C02933	VOIDS	1,242	1,002	1,242	-0
C04002	LIFT REPLACEMENT PROG 18/19	453	90	453	-0
C04003	DOMESTIC HEATING REPLACEMENT	993	334	993	-0
C04004	BOX-BATHRM REFURB	35	35	35	-0
C04006	MINOR WORKS & REPLACEMENTS	144	33	144	-0
C05000	INTERNALS - ELECTRICALS	2,481	926	2,481	-0
C05002	EXTERNALS 1 - HOUSES & BLOCKS	2,317	3,748	2,317	0
C05003	EXTERNALS 2 - HOUSES & BLOCKS	3,011	1,261	3,011	0
C05004	DOOR ENTRY SYSTEM 19/20	298	623	298	0
C05005	COMM/COMP - COMPLIANCE	324	14	324	0
C05006	COMM / COMP - FIRE SAFETY	54	54	54	0
C05007	COMM/ COMP - FIRE DOORS	200	103	200	-
C05008	COMM/ COMP - DE-GASSING	27	27	27	-0
C05011	COMMUNAL BOILERS 19/20	245	32	245	-
C05013	ESTATE ROADS RESURF 19/20	3,000	1,145	3,000	-
C05014	ENERGY EFFICIENCY 19/20	2,000	69	2,000	-
C05015	LANDLORD WORKS - CONTIGENCY	641	285	641	0
C05068	ADAPTATIONS - NEW BUILDS	225	93	225	0
CAP30	HRA STOCK INVESTMENT	18,691	10,266	18,691	0
C02820	ESTATE RENEWAL	10,247	2,701	10,247	0
CAP31	HRA ESTATE RENEWAL	10,247	2,701	10,247	0
C03071	MELISH AND SUGDEN	299	40	-15	314
C05102	MELLISH CLOSE - AUSTIN HOUSE	1,746	879	1,626	120
CAP32	HRA NEW BUILD SCHEMES	2,045	919	1,611	434
	HRA TOTAL	30,983	13,886	30,549	434

3.1 Stock Investment.

The Council is engaged in a development programme within the HRA with the primary driver £18.7m towards investment in existing stock including fire safety and energy efficiency works. Work is being carried out to provide a detailed, strategic HRA business plan and the outcome of the HRA Business Plan Review will inform future decision making on investment and capacity within the HRA.

The 2022/23 budget was revised mid-year and could end up with an overspend. This will likely require an in year budget adjustment but this will be done after consultation on the impact on the HRA. In addition to 2022/23 spend increase, there are also discussions with BDTP on outstanding invoices relating to 2021/22 and earlier than may need to be paid. If they are paid then there will be a further spend of £3m that has not been included in the forecast.

3.2 Estate Renewal and HRA New Build.

In addition to stock investment the HRA has a small new build programme of £2m.

A stock renewal budget of £10.2m has been allocated to redevelop and regenerate existing estates. The HRA will play a significant role in the delivery of the Housing Programme and will work with the Council's General Fund and the wholly owned subsidiaries to ensure the aspiration of the housing plan is delivered. A revised forecast of £3.5m has been used, with the remaining budget likely to slip into 2023/24, totalling £6.75m

The HRA Business plan will include the analysis of the impact of the loss of stock from both decanting and Right to Buy purchases and will also forecast the ability for the HRA to fund future decanting costs. It will also look at prioritising stock that is in the poorest state.

Pressures from inflation and the lower than inflation rent increases will also be included to help forecast the likely net surplus available to fund the stock investment programme. This will help set the budget and profiling for 2023/24 and 2024/25.

4.1 IAS - Commercial & Other.

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C03088	14-16 Thames Road	-	1,596	-	-
C04057	TRAVELODGE DAGENHAM	-	1	6	-6
C04086	TRAVELODGE ISLE OF DOGS	-	31	-	-
C04091	PURCHASE OF WELBECK WHARF	1,018	770	770	249
C05024	FILM STUDIOS	117	139	117	-
C05042	26 THAMES RD	-	385	401	-401
C05067	DAGENHAM HEATHWAY	-	43	42	-42
C05072	INDUSTRIA	29,930	20,565	29,676	254
C05110	Purchase of Maritime House	20,513	20,518	20,513	-
C05074	BARKING BUISNESS CENTRE	-	19	229	-229
C05112	Purchase of Edwards Waste Site	-	83	-	-
CAP42	IAS COMMERCIAL	51,578	44,150	51,754	-176

During October, the strategy completed the purchase of Maritime House in Barking. This is part of a longer-term strategy to redevelop the area, including Roycraft House and London Road Car Park. Trocoll costs have been included as they represent costs related to the monitoring and contingency for a lease and leaseback. Industria is likely to complete during this financial year and work is being carried out to carryout soft market testing and prepare for the site to be let.

The purchase of Edwards Waste was completed in January, with an initial deposit paid. The sale of Welbeck wharf has stalled and the sale in 2022/23 now seems unlikely.

4.2 IAS Residential. Project Managed by Be First

Project Code	Project Name	P9 Revised Budget	YTD Actuals	P9 Forecast	Variance
C02985	GASCOIGNE WEST (HOUSING ZONE)	-	-22	-	-
C02986	GASCOIGNE EAST	918	1	-	918
C03072	PURCHASE OF SACRED HEART	173	29	159	14
C03080	ACQSTN OF ROYAL BRITISH LEGION	1,073	28	-11	1,083
C03084	SEBASTIAN COURT - REDEVELOP	1,128	-11	345	783
C03086	LAND AT BEC - LIVE WORK SCHEME	104	30	119	-16

C03089	BECONTREE HEATH NEW BUILD	-233	-328	2	-235
C04062	GASCOIGNE EAST PH2	1,261	1,158	1,076	185
C04065	200 BECONTREE AVE	154	35	154	-0
C04066	ROXWELL RD	5,052	2,636	5,392	-340
C04067	12 THAMES RD	33,019	23,444	31,420	1,599
C04068	OXLOW LNE	6,063	3,769	7,103	-1,040
C04069	CROWN HOUSE	4,005	1,306	1,998	2,007
C04090	SITE LONDON RD/NORTH STREET	-	133	-	-
C04099	GASCOIGNE WEST P1	970	3,026	1,640	-670
C05020	WOODWARD ROAD	9,866	5,617	7,844	2,022
C05025	GASCOIGNE WEST PHASE 2	72,843	55,159	75,239	-2,396
C05026	GASCOIGNE EAST PHASE 3A	28,534	13,129	26,091	2,443
C05035	PADNALL LAKE PHASE 1	9,210	3,306	3,662	5,548
C05041	TRANSPORT HOUSE	10,167	207	1,233	8,934
C05065	CHEQUERS LANE	-	223	-	-
C05066	BEAM PARK	22,489	387	71	22,418
C05071	BROCKLEBANK LODGE	1,129	38	51	1,078
C05073	GASCOIGNE EAST 3B	13,691	5,094	8,530	5,161
C05076	GASCOIGNE EAST PHASE 2 (E1)	26	-98	368	-343
C05082	TROCOLL HOUSE	762	39	-	762
C05090	GASCOIGNE EAST 3A - BLOCK I	7,543	7,930	14,191	-6,648
C05091	GASCOIGNE EAST PHASE 2 F	39,545	27,572	38,647	898
C05092	GASCOIGNE EAST PHASE 2 E2	24,203	17,436	27,031	-2,828
C05093	PADNALL LAKE PHASE 2	19,363	13,430	10,495	8,868
C05094	PADNALL LAKE PHASE 3	3,469	1,099	772	2,697
C05100	BARKING RIVERSIDE HEALTH	806	66	777	29
C05103	TOWN QUAY WHARF	5,379	25	166	5,213
C05106	GASCOIGNE ROAD	-	88	-	-
CAP40	IAS RESIDENTIAL	322,712	185,979	264,567	58,145

The Investment and Acquisition Strategy (IAS) is made up of predominantly residential and commercial investments. A number of residential schemes have completed during the year and are now operational. There have been handover issues but these are being addressed.

Due to increased build costs and borrowing costs, a number of schemes are currently not viable and have been removed from the monitor. A more detailed report on the IAS is provided as part of the Treasury and IAS reports to Cabinet and Assembly.

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APPENDIX C

Project Code	Project Name	Q2 Budget	Adjustment	Q3 Budget	Actuals to M9	P9 Forecast	Variance	Funding	Borrow	23/24 Budget	24/25 Budget
C00106	DISABLED FACILITIES GRANT-PRVT	1,456	-	1,456	695	617	- 839	1,456	-	1,857	-
CAP01	GF - ADULTS CARE & SUPPORT	1,456	-	1,456	695	617	- 839	1,456	-	1,857	-
C03028	Coporate Retrofit	2,969	0	2,969	-	-	- 2,969	2,969	-	-	-
C03099	ABBEY GREEN & BTC CONS HLF		1,007	1,007	573	1,007	- 0	674	332	-	-
C05084	DECARBONISATION	7,040	0	7,040	383	7,040	- 0	7,040	-	-	-
CAP02	GF - INCLUSIVE GROWTH	10,009	1,007	11,016	956	8,047	- 2,969	10,683	332	-	-
C05028	BOX UP CRIME	214	0	214	52	214	- 0	214	-	-	-
C05029	EAST END WOMENS MUSEUM	175	0	175	-	175	- 0	175	-	-	-
C05030	GREEN COMMUNITY	1	1	-	-	-	-	-	-	-	-
C05031	BECONTREE CENTENARY	61	0	61	8	61	- 0	61	-	-	-
C05027	KINGSLEY HALL	30	-	30	-	30	-	30	-	-	-
C05062	LITTER IN PARKS (CIL)	96	-	96	-	96	-	96	-	-	-
C05108	Studio 3 arts	356	200	156	156	156	-	156	-	-	-
CAP03	GF - CIL	932	201	731	216	731	- 0	732	-	-	-
C02898	LOCAL TRANSPORT PLANS (TFL)	136	0	136	30	136	- 0	136	-	-	-
C04094	BECONTREE HEATH LOW EMISSION	88	0	88	21	88	- 0	88	-	-	-
C05052	HEATHWAY HEALTHY STREETS	130	-	130	-	130	-	130	-	-	-
C05056	VALENCE AVE HEALTHY STREETS	1	1	-	-	-	-	-	-	-	-
C05057	EATBURY MANOR HOUSE ACCESS	20	20	-	-	-	-	-	-	-	-
C05058	TFL MINOR WORKS - VARIOUS LOCS	99	-	99	-	99	-	99	-	-	-
C05079	CYCLE ROUTE CFR10	265	0	265	-	265	- 0	265	-	-	-
C05080	LOW TRAFFIC NEIGHBOURHOODS	548	0	548	302	548	- 0	548	-	-	-
C05083	BUS PRIORITY	459	-	459	39	459	-	459	-	-	-
CAP04	GF - TFL	1,529	21	1,550	350	1,550	- 0	1,549	-	-	-
C02877	ORACLE R12 JOINT SERVICES	-	-	-	5	0	0	-	-	-	-
C03052	ELEVATE IT INVESTMENTS	1,209	-	1,209	297	1,209	- 0	-	1,209	-	-
C03059	CUSTOMER SERVICE CHANNEL SHIFT	64	0	64	48	64	- 0	-	64	-	-
C03068	ICT END USER COMPUTING	263	0	263	212	263	- 0	-	263	2,100	200
CAP06	GF - IT	1,408	0	1,408	467	1,408	- 0	-	1,408	2,100	200
C04031	RE IMAGINING EASTBURY	4	0	4	-	4	0	-	4	-	-
C04033	REDRESSING VALENCE	250	0	250	19	28	- 222	-	250	-	-
C04043	THE ABBEY: UNLOCKING BARKING	389	-	389	16	389	-	104	285	-	-
CAP07	CULTURE & HERITAGE	643	0	643	34	421	- 222	104	539	-	-
C03032	PARSLOES PARK (CIL)	3,880	9,720	13,600	2,473	10,392	- 3,208	7,595	6,005	-	-
C03090	LAKES	293	0	293	5	141	- 152	-	293	150	-
C04013	PARK INFRASTRUCTURE ENHNCMTS	30	-	30	30	30	-	-	30	-	-
C04017	FIXED PLAY FACILITIES	83	13	96	7	55	- 41	-	96	-	-
C04018	PARK BUILDINGS BLDNG SUR	92	0	92	1	92	0	-	92	-	-
C04080	CHILDRENS PLAY SPCS & FAC (CIL)	214	0	214	118	145	- 69	214	-	-	-
C04081	PARKS & OPEN SPCS STRAT 17 (CIL)	97	122	219	70	247	- 28	48	171	100	-

Project Code	Project Name	Q2 Budget	Adjustment	Q3 Budget	Actuals to M9	P9 Forecast	Variance	Funding	Borrow	23/24 Budget	24/25 Budget
C05060	SAFER PARKS (CIL)	84	-	84	32	84	-	84	-	-	-
C04084	CENTRAL PARK MASTERPLAN IMP	982	- 0	982	170	332	- 650	-	982	-	-
C04085	PLAY FACILITY AT VALENCE PARK	5	-	5	5	5	-	-	5	-	-
C05061	B & D LOCAL FOOTBALL FACILITY (CIL)	157	-	157	-	-	- 157	157	-	-	-
C05089	DE-CONTAMINATION AT ECP	2,500	- 406	2,094	138	550	- 1,544	2,094	-	-	-
CAP07	PARKS COMMISSIONING	8,417	9,449	17,866	3,047	12,073	- 5,793	10,192	7,674	250	-
C04042	COMMUNITY HALLS	15	-	15	-	-	- 15	-	15	-	-
	COMMUNITY SOLUTIONS	15	-	15	-	-	- 15	-	15	-	-
C02982	CONTROLLED PRKNG ZONES (CPZ'S)	2,154	0	2,154	110	345	- 1,809	2,154	-	-	-
C04015	ENFORCEMENT EQUIPMENT	100	- 0	100	67	73	- 27	-	100	-	-
CAP08	GF - ENFORCEMENT	2,254	0	2,254	43	418	- 1,836	2,154	100	-	-
C02811	WARD CAPITAL BUDGETS	666	0	666	76	127	- 539	-	666	340	-
C03011	STRUCT REP'S & MAINTCE-BRIDGES	33	- 0	33	6	33	0	-	33	-	-
C03064	STREET LIGHTING PROG 2015-2019	657	- 657	-	72	-	-	-	-	-	-
C03065	HIGHWAYS INV PROG 2016-17	3,117	- 101	3,016	2,962	3,117	101	-	3,016	3,820	-
C04019	REPLACEMENT OF WINTER EQUIP	- 3	6	3	-	-	3	-	3	-	-
C04029	ENGINEERING WORKS (RD SAFETY)	- 55	154	99	99	-	99	-	99	-	-
C04032	HABITAT FOR HUMANITY	-	574	574	302	-	574	574	-	-	-
C04063	FLOOD SURVEY	84	-	84	23	-	84	57	141	-	-
C04064	BRIDGES AND STRUCTURES	1,124	- 0	1,124	178	1,124	0	-	1,124	-	-
C05018	STOCK CONDITION SYRVEY	1,596	0	1,596	120	560	- 1,036	-	1,596	1,000	-
C05038	82A AND 82B OVAL ROAD SOUTH	-	325	325	-	-	325	-	325	-	-
C05055	ROAD SAFETY AND ACCESS	457	- 0	457	198	160	- 297	-	457	-	-
C05077	DISPERSED WORKING (PHASE 1)	808	- 320	488	242	400	- 88	-	488	-	-
CAP09	GF - MY PLACE	8,485	- 19	8,466	4,278	5,522	- 2,944	517	7,948	5,160	-
C04012	BINS RATIONALISATION	34	-	34	11	11	- 23	-	34	-	-
C04070	VEHICLE FLEET REPLACEMENT	1,052	0	1,052	1,060	1,156	104	1,052	-	1,131	-
C03083	CHADWELL HEATH CEMETRY EXT	149	0	149	-	-	149	-	149	-	-
C04028	REDUCE HAND ARM VIBRATIONS	5	- 0	5	-	-	5	-	5	-	-
C05048	PROCURING IN CAB TECH	205	-	205	-	205	-	-	205	30	-
C04016	ON-VEHICLE BIN WEIGHING SYS	16	-	16	-	-	16	-	16	-	-
C05039	Tree planting	- 127	- 0	127	-	-	127	127	-	-	-
CAP10	GF - PUBLIC REALM	1,334	- 0	1,334	1,071	1,373	39	925	409	1,161	-
C02959	ROBER CLACK EXPANSION EXISTING	- 662	662	0	-	0	-	0	-	0	0
C03018	EASTBURY SECONDARY	156	0	156	-	156	-	156	-	0	0
C03020	DAGENHAM PARK	77	- 77	0	-	0	-	0	-	77	0
C03022	GREATFIELD SECONDARY SCH (NEW)	471	- 20	451	406	451	-	451	-	418	0
C03042	ADDITIONAL SEN PROVISION	4	- 4	0	-	0	-	0	-	0	0
C03053	GASCOIGNE PRMRY - 5FE TO 4FE	60	0	60	-	60	-	60	-	0	0
C03054	LYMINGTON FIELDS SCHOOL 2016	236	0	236	51	236	-	236	-	0	0

Project Code	Project Name	Q2 Budget	Adjustment	Q3 Budget	Actuals to M9	P9 Forecast	Variance	Funding	Borrow	23/24 Budget	24/25 Budget
C04052	SEND 2018-21	330	- 38	292	267	292	-	292	-	38	0
C04053	SCA 2018-20	38	- 38	0	19	0	-	0	-	0	0
C04058	MARKS GATE INFS & JNRS 18-20	831		831	788	831	-	831	-	0	0
C04059	CHADWELL HEATH ADDI CAPACITY									0	7,000
C04071	RODING FIRE	84	- 50	34	34	34	-	34	-	0	0
C04072	SCHOOL CONDITION ALCTNS 18-19	531	- 506	25	20	25	-	25	-	506	0
C04087	SCA 2019/20 (A)	37	- 37	0	3	0	-	0	-	0	0
C04097	TRINITY SPECIAL SCH EXPANSION	39	39	0	-	0	-	0	-	0	0
C04098	RIPPLE PRIMARY SUFFOLK ROAD	6	0	6	1	6	-	6	-	0	0
C05033	SCA PRIORITY WORKS 20/22	303	- 203	100	33	100	-	100	-	277	0
C05034	SCHOOLS EXPANSION PROG 20/22	2,207	- 1,832	375	138	375	-	375	-	1,500	382
C05040	HEALTHY SCHOOL	122	0	122	-	122	-	122	-	0	0
C05069	SCA 20-21	939	- 139	800	648	800	-	800	-	139	0
C05078	GREATFIELDS PRIMARY	9,598	- 8,598	1,000	18	1,000	-	1,000	-	7,515	3,000
C05098	SCA 21-22	3,718	- 1,218	2,500	2,317	2,500	-	2,500	-	1,218	0
C05099	SEND 21	1,677	- 577	1,100	917	1,100	-	1,100	-	581	0
C05105	BASIC NEEDS 21/22	1,964	- 1,514	450	428	450	-	450	-	1,514	0
C05107	SCA 22-23	5,188	- 3,188	2,000	1,584	2,000	-	2,000	-	2,000	1,188
	MONTEAGLE DINING HALL EXTENSION									500	700
	SPECIAL SCHOOL FEASIBILITY STUDIES									100	0
	MAYESBROOK ADDITIONAL CLASSROOM									400	0
CAP20	GF - EDUCATION, YOUTH & CHILD	27,876	- 17,338	10,538	7,672	10,538	-	10,538	-	16,783	12,270
	Other	2,055	- 2,055	-						-	-
	GF TOTAL	66,413	- 9,136	57,277	18,831	42,697	- 14,580	38,850	18,425	-	-
C00100	AIDS & ADAPTATIONS	1,000	-	1,000	391	1,000	-	1,000	-	1,000	1,000
C02933	CAPITAL VOIDS	1,242	- 0	1,242	1,002	1,242	0	1,242	-	1,500	1,500
C04002	LIFT REPLACEMENT	453	- 0	453	90	453	0	453	-	1,400	1,400
C04003	DOMESTIC HEATING	993	- 0	993	334	993	0	993	-	500	500
C04004	BOX-BATHRM REFURB (APPRENTICE)	35	- 0	35	35	35	0	35	-	-	-
C04006	MINOR WORKS & REPLACEMENTS	144	- 0	144	33	144	0	144	-	300	300
C05000	DH INTERNAL	2,481	- 0	2,481	926	2,481	0	2,481	-	1,000	1,000
C05002	EXTERNALS 1 - HOUSES & BLOCKS	2,317	0	2,317	3,748	2,317	- 0	2,317	-	3,000	3,000
C05003	EXTERNALS 2 - HOUSES & BLOCKS	3,011	0	3,011	1,261	3,011	- 0	3,011	-	2,000	2,000
C05004	DOOR ENTRY SYSTEM 19/20	298	0	298	623	298	- 0	298	-	500	500
C05005	COMPLIANCE	324	0	324	14	324	- 0	324	-	500	500
C05006	FIRE SAFETY IMPROVEMENT WORKS	54	0	54	54	54	- 0	54	-	500	500
C05007	FIRE DOORS	200	-	200	103	200	-	200	-	1,500	1,500
C05008	COMM/ COMP - DE-GASSING BLOCKS	27	- 0	27	27	27	0	27	-	-	-
C05009	ELECTRICAL PROGRAMMES									250	250

Project Code	Project Name	Q2 Budget	Adjustment	Q3 Budget	Actuals to M9	P9 Forecast	Variance	Funding	Borrow	23/24 Budget	24/25 Budget
C05011	COMMUNAL BOILERS	245	-	245	32	245	-	245	-	200	200
C05013	ESTATE ROADS RESURFACING	3,000	-	3,000	1,145	3,000	-	3,000	-	1,000	1,000
C05014	ENERGY EFFICIENCY	2,000	-	2,000	69	2,000	-	2,000	-	3,000	3,000
C05015	LANDLORD WORKS - CONTIGENCY	641	0	641	285	641	- 0	641	-	1,200	1,200
	ESTATE IMPROVEMENT									450	450
C05068	ADAPTATIONS and EXTENSIONS	225	0	225	93	225	- 0	225	-	200	200
CAP30	HRA STOCK INVESTMENT	18,691	0	18,691	10,266	18,691	- 0	18,690	-	20,000	20,000
C02820	ESTATE RENEWAL	10,247	0	10,247	2,701	10,247	- 0	10,247	-	-	-
CAP31	HRA ESTATE RENEWAL	10,247	0	10,247	2,701	10,247	- 0	10,247	-	-	-
C03071	MELISH AND SUGDEN	299	-	299	40	15	- 314	299	-	-	-
C05102	MELLISH CLOSE - AUSTIN HOUSE	1,746	-	1,746	879	1,626	- 120	1,746	-	-	-
	Other	77	- 77	-	-	-	-	-	-	-	-
CAP32	HRA NEW BUILD SCHEMES	2,122	- 77	2,045	919	1,611	- 434	2,045	-	-	-
	HRA TOTAL	31,060	- 77	30,983	13,886	30,549	- 434	30,982	-	20,000	20,000
C02985	GASCOIGNE WEST (HOUSING ZONE)	-	-	-	22	-	-	-	-	-	-
C02986	GASCOIGNE EAST	-	918	918	1	-	- 918	-	918	-	-
C03072	PURCHASE OF SACRED HEART CONT	173	- 0	173	29	159	- 14	5,421	- 5,248	-	-
C03080	ACQSTN OF ROYAL BRITISH LEGION	1,073	0	1,073	28	11	- 1,083	-	1,073	22,128	6,913
C03084	SEBASTIAN COURT - REDEVELOP	1,128	- 0	1,128	11	345	- 783	4,239	- 3,111	-	-
C03086	LAND AT BEC - LIVE WORK SCHEME	104	- 0	104	30	119	16	250	- 146	-	-
C03089	BECONTREE HEATH NEW BUILD	233	- 0	233	328	2	235	-	233	-	-
C04062	GASCOIGNE EAST PH2	1,261	0	1,261	1,158	1,076	- 185	4,590	- 3,329	368	-
C04065	200 BECONTREE AVE	154	- 0	154	35	154	0	3,168	- 3,014	-	-
C04066	ROXWELL RD	5,052	0	5,052	2,636	5,392	340	3,188	1,864	15,190	9,143
C04067	12 THAMES RD	33,019	- 0	33,019	23,444	31,420	- 1,599	9,818	23,202	20,300	2,009
C04068	OXLOW LNE	6,063	- 0	6,063	3,769	7,103	1,040	-	6,063	9,876	256
C04069	CROWN HOUSE	4,005	0	4,005	1,306	1,998	- 2,007	18,971	- 14,966	33	-
C04090	SITE LONDON RD/NORTH STREET	-	-	-	133	-	-	-	-	-	-
C04099	GASCOIGNE WEST P1	970	- 0	970	3,026	1,640	670	15,320	- 14,350	-	-
C05020	WOODWARD ROAD	9,866	0	9,866	5,617	7,844	- 2,022	-	9,866	1,943	323
C05025	GASCOIGNE WEST PHASE 2	72,843	0	72,843	55,159	75,239	2,396	-	72,843	53,579	5,306
C05026	GASCOIGNE EAST PHASE 3A	28,534	- 0	28,534	13,129	26,091	- 2,443	-	28,534	10,755	654
C05035	PADNALL LAKE PHASE 1	9,210	0	9,210	3,306	3,662	- 5,548	-	9,210	528	-
C05041	TRANSPORT HOUSE	10,167	0	10,167	207	1,233	- 8,934	3,870	6,297	21,859	10,001
C05047	GASCOIGNE WEST PHASE 3	-	-	-	223	-	-	6,955	- 6,955	3,744	307
C05065	CHEQUERS LANE	-	-	-	223	-	-	6,955	- 6,955	307	-
C05066	BEAM PARK	22,489	- 0	22,489	387	71	- 22,418	-	22,489	36,184	56,699
C05071	BROCKLEBANK LODGE	1,129	0	1,129	38	51	- 1,078	-	1,129	-	-
C05073	GASCOIGNE EAST 3B	13,691	- 0	13,691	5,094	8,530	- 5,161	-	13,691	43,143	68,169

Project Code	Project Name	Q2 Budget	Adjustment	Q3 Budget	Actuals to M9	P9 Forecast	Variance	Funding	Borrow	23/24 Budget	24/25 Budget
C05076	GASCOIGNE EAST PHASE 2 (E1)	26	- 0	26	- 98	368	343	-	26	19,872	32,639
C05082	TROCOLL HOUSE	762	0	762	39	-	762	-	762	668	558
C05090	GASCOIGNE EAST 3A - BLOCK I	7,543	0	7,543	7,930	14,191	6,648	-	7,543	28,612	5,137
C05091	GASCOIGNE EAST PHASE 2 F	39,545	0	39,545	27,572	38,647	- 898	-	39,545	20,700	1,235
C05092	GASCOIGNE EAST PHASE 2 E2	24,203	0	24,203	17,436	27,031	2,828	903	23,300	1,436	-
C05093	PADNALL LAKE PHASE 2	19,363	- 0	19,363	13,430	10,495	- 8,868	-	19,363	4,891	89
C05094	PADNALL LAKE PHASE 3	3,469	- 0	3,469	1,099	772	- 2,697	5,610	2,141	15,541	29,546
C05100	BARKING RIVERSIDE HEALTH	806	- 0	806	66	777	- 29	-	806	10,860	23,066
C05103	TOWN QUAY WHARF	5,379	- 0	5,379	25	166	- 5,213	-	5,379	7,170	3,566
C05106	GASCOIGNE ROAD	-	-	-	88	-	-	-	-	-	-
CAP40	IAS RESIDENTIAL	321,794	918	322,712	185,979	264,567	- 58,145	82,302	240,410	349,687	244,697
	IAS Temporary Accommodation	36	- 36	-			-				
C03088	14-16 Thames Road	-	-	-	1,596	-	-	-	-	-	-
C04057	TRAVELODGE DAGENHAM	-	-	-	1	6	6	-	-	-	-
C04086	TRAVELODGE ISLE OF DOGS	-	-	-	31	-	-	-	-	-	-
C04091	PURCHASE OF WELBECK WHARF	1,018	- 0	1,018	770	770	- 249	-	1,018	-	-
C05024	FILM STUDIOS	-	117	117	139	117	0	-	117	-	-
C05042	26 THAMES RD	-	-	-	385	401	401	-	-	-	-
C05067	DAGENHAM HEATHWAY	-	-	-	43	42	42	-	-	-	-
C05072	INDUSTRIA	29,930	- 0	29,930	20,565	29,676	- 254	267	29,663	-	-
C05110	Purchase of Maritime House	-	20,513	20,513	20,518	20,513	- 0	-	20,513	-	-
C05074	BARKING BUSINESS CENTRE	-	-	-	19	229	229	400	400	-	-
C05112	Purchase of Edwards Waste Site	-	-	-	83	-	-	-	-	-	-
CAP42	IAS COMMERCIAL	30,948	20,630	51,578	44,150	51,754	175	667	50,911	-	-
	IAS TOTAL	352,778	21,512	374,290	230,129	316,321	- 57,970	82,969	291,321	349,687	244,697
C05019	CCS TRANSFORMATION	-	-	-	1	-	-	-	-	-	-
	Core Transformation	114	-	114	-	114	-	114	-	-	-
	ERP Transformation	2,240	-	2,240	-	2,240	-	2,240	-	-	-
CAP50	TRANSFORMATION	2,354	-	2,354	1	2,354	-	2,354	-	-	-
	TOTAL CAPITAL PROGRAMME	452,604	12,299	464,904	262,844	391,920	- 72,983	155,155	309,746	369,687	264,697

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- 1) **Set up Early Help as separate budget** Permanent Virement
 £2m growth funding for Early Help was being held in Commissioning until the service was set up as a separate budget. This now needs to be transferred
- | | | | | |
|----|--------|-------------------------|-----------|-------------|
| Dr | F19740 | Targeted Early Help | 2,000,000 | |
| Cr | F18900 | Childrens Commissioning | | - 2,000,000 |
- 2) **Interest Costs for new Temporary Accommodation** Temporary Virement
 Interest costs on borrowing for construction of new temporary accommodation units
- | | | | | |
|----|--------|--------------------------|---------|-----------|
| Dr | F30590 | Interest Payable | 637,684 | |
| Cr | F26050 | Weighbridge Modular Unit | | - 312,589 |
| Cr | F26530 | Greys Court Modular Unit | | - 208,976 |
| Cr | F26540 | Wivenhoe Modular Unit | | - 116,119 |
- 3) **Allocating Parking Income** Temporary
 Allocating Parking Income to fund transport and community safety schemes
- | | | | | |
|----|--------|-----------------------------------|---------|-----------|
| Dr | F12100 | Community Safety Enforcement | 400,000 | |
| Dr | F26290 | Private Rented Property Licensing | 139,000 | |
| Dr | F29620 | Community Safety Partnership | 120,000 | |
| Dr | F27000 | Enforcement | 90,000 | |
| Dr | F27040 | Environmental Protection | 86,000 | |
| Dr | F28040 | Parking Design | 100,000 | |
| Cr | F28200 | On Street Parking & Enforcement | | - 935,000 |
- 4) **Central Park Mounds** Temporary
 There was an income target for this project that needed to be realigned this year to match the
- | | | | | |
|----|--------|---------------------|---------|-----------|
| Dr | F14450 | Parks Commissioning | 231,000 | |
| Cr | F30670 | Central Expenses | | - 231,000 |

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CABINET

21 March 2023

Title: Dynamic Purchasing System for Disabled Adaptation Works and Services	
Report of the Cabinet Member for Adult Social Care and Health Integration and the Cabinet Member for Children’s Social Care & Disabilities	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Lewis Sheldrake, Lead Commissioner – Innovation and Personalisation	Contact Details: E-mail: lewis.sheldrake@lbbd.gov.uk
Accountable Director: Chris Bush, Commissioning Director	
Accountable Strategic Leadership Director: Elaine Allegretti, Strategic Director Children and Adults	
Summary:	
<p>The Council is required, under the Equality Act 2010 and Care Act 2014, to make reasonable adjustments to meet identified needs of persons living in council properties. Additionally, the Council has a statutory duty to approve mandatory Disabled Facilities Grants (DFG’s) for adaptations to the home environment to promote independence and keep people living in their own homes in safety and with dignity for longer. Adaptations can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014; where adaptations cannot be progressed quickly, this can significantly impact upon resident outcomes and wellbeing. It is therefore critical that adaptations are provided quickly and efficiently to support residents to stay living in their homes, reducing unnecessary reliance on hospital beds and residential placements and the associated decline in independence and quality of life.</p> <p>Since 2019, the Council have successfully used the Plymouth City Council Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC) to facilitate and manage Barking and Dagenham’s Disabled Facility Grants (DFG) for disabled adaptation works and services within private properties, providing a cost-efficient solution enabled by flexibility, economies of scale and increase competition amongst suppliers to drive down prices to offer savings. Additionally, since 2021, approval was granted to expand the use of the DPS for disabled adaptation works and services to Council properties to expedite clearing the backlog of jobs which has accumulated throughout the Covid-19 pandemic with the incumbent provider. This has provided a more efficient and cost-effective means for new jobs to be completed.</p> <p>To ensure that the Council meets its legal duties and strategic priorities in the most efficient and economically advantageous way, approval is sought to renew the access and use of the DPS for disabled adaptation works and services to both private and Council properties. This will support better service equity across the borough, ensuring</p>	

that vulnerable residents will receive disabled adaptations in a timely way and to a high-quality standard irrespective of tenure.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that the Council enters into an access agreement in respect of the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC) for the provision of disabled adaptation works and services, in accordance with the strategy set out in the report; and
- (ii) Authorise the Strategic Director, Children and Adults, in consultation with the Chief Legal Officer, to award and enter into the call-off contracts and all other necessary or ancillary agreements with the chosen suppliers over the duration of the access agreement.

Reason(s)

To accord with the Council's Contract Rules and assist the Council in achieving its priority of 'Prevention, Independence and Resilience'.

The DPS is compliant with Public Contracts Regulations 2015 (PCR 2015) and has been advertised in the Official Journal of European Union (OJEU) as well as the UK government Contracts Finder. The DPS is compliant for all contracting authorities to use, negating the need for a new competitive procurement exercise.

1. Introduction and Background

- 1.1 The Council is required, under the Equality Act 2010 and Care Act 2014, to make reasonable adjustments to meet identified needs of persons living in council properties. Additionally, the Council has a statutory duty to approve mandatory Disabled Facilities Grants (DFGs) for adaptations to the home environment to promote independence and keep people living in their own homes in safety and with dignity for longer.
- 1.2 Through consultation with the Core Commercial Team, it was agreed to award the Disabled Adaptations service for Council properties to the incumbent provider in September 2018. At the outset of this arrangement, it was anticipated that the incumbent provider would develop this area of business specialism in order for it to be delivered directly by them, however this has not manifested. Instead, the incumbent provider has sub-contracted services to third party suppliers due to it not having the specialism in-house and has therefore acted as a go-between by managing and administering the works to other suppliers once the Equipment and Adaptations team provide the detail of the adaptation that is required.
- 1.3 The Council's requirement under this arrangement was for disabled adaptation works and services including the supply, installation, servicing and maintenance of stair lifts, through floor lifts, hoists and step lift equipment. The service also provides

major adaptations that are valued above the £1000 threshold. This includes, ramps, level access showers, extensions or any other general building works to make the existing property accessible to disabled residents in Council owned properties.

- 1.4 Equivalent provision within private properties has been successfully managed and administered through the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC). The recommendation to use and access the ARMI DPS for this purpose was approved in October 2019 for a maximum contract term of five years.
- 1.5 Due to the Covid-19 pandemic and significant resourcing issues, a backlog of disabled adaptation works and services to Council properties developed which could not be feasibly cleared by the incumbent provider. Consequently, there was a significant risk that the authority was unable to meet its statutory obligations, in addition to the wider implications which may exacerbate the ongoing challenges within the health and care system.
- 1.6 To address this issue and mitigate the associated risks to the Local Authority and prospective service recipients, approval was granted to expand the use of the DPS for disabled adaptation works and services to Council properties to expedite clearing the backlog of jobs which had accumulated. Using the DPS has provided an efficient and cost-effective means for new jobs to be completed, delivering a better quality of service to residents and the health and social care system at a reduced cost.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured

- 2.1.1 The DPS set up for Adaptations, Repairs, Maintenance and Improvements all relates to the home environment needs of the elderly and disabled communities. The DPS consist of 20 Lots as detailed below:

- Bathroom Adaptations & Associated Building Works
- Bathroom Adaptations & Associated Building Works including Design
- Provision and Installation of Shower and/or Bathroom Cubical (Prefabricated Cubicles)
- Hoists
- Kitchen Adaptations & Associated Building Works
- Kitchen Adaptations & Associated Building Works including Design
- Minor Building Works
- Ramps, Paths and Hard-standing including Handrails
- Stair lifts (Internal and External)
- Through floor lifts (Internal)
- External Mechanical Access Lifts (e.g. step lifts)
- Disabled Living Equipment (e.g. raised WC seats, bath lifts etc.)
- Disabled Living Equipment Requirements/Assessment
- Assistive Technology Services
- Door openers and entry systems
- Major Adaptations Extensions, Conversions
- Home Repair & Maintenance including handyperson service

- Disabled Living Home Design Services
- Occupational Therapy and Trusted Assessors Services
- Case Management Service

- 2.1.2 This list of Lots provides the authority with a 'one stop shop' style procurement exercise on a case-by-case basis. The DPS offers constant refreshing of contractors and products and seeks response from the market to meet the need of elderly and disabled people. Individual or packages of work can be awarded through the 'Lots' on the DPS via an online system that offers robust Consumer protection and insurance backed warranty of work.
- 2.1.3 Unlike a traditional framework, Contractors /Suppliers (Providers) can apply to join at any time. It is an 'open market' solution designed to provide buyers with access to an unlimited group of pre-qualified providers. Suppliers can apply to single or multiple lots within a DPS. The rules relating to the usage and creation of a DPS come from The Public Contracts Regulations 2015 (PCR2015).
- 2.1.4 The 'open market' nature of a DPS supports micro business, Small and Medium sized enterprises (SMEs), or businesses with little or no experience in tendering for work with the public sector subject to adherence with the associated selection requirements set out on the DPS. The selection stage is less onerous, as the provider only has to compete this stage on entry to the DPS (and thereafter periodically reconfirm its status) instead of having to do so separately for all procurements.
- 2.1.5 As the DPS is open to providers throughout its duration, new start-ups, or businesses that wish to expand into new public-sector markets will not be frozen out of the market. The division of DPS into category by type of requirement or size of contract can be arranged to ensure that niche suppliers and SMEs have maximum opportunity to compete. LBBD have worked closely with Independence CIC (INCIC) to continuously improve the number and quality of local providers who can deliver across the respective Lots supporting the Council's Social Value Policies.

2.2 **Estimated Contract Value, including the value of any uplift or extension period**

- 2.2.1 There is no upfront cost to access the DPS, nor minimum annual cost that the Council would be committed to. INCIC will be paid a management fee of 1% of the completed adaptation works total on a monthly basis in arrears.
- 2.2.2 Given the volatile nature of this service area, it is impossible to specify the precise amount of adaptation works that would go through the DPS but based upon activity in recent years this is not expected to exceed £1M annually for Council Properties, and £1.5M annually for DFGs (private properties). Based on these figures, the contract value to Independence CIC for the maximum eight-year contract term across both strands is not estimated to exceed £200,000 (1% fee).
- 2.2.3 The formalisation of this new arrangement would amalgamate both strands (Council and DFGs/Private) and commence 01 April 2023. Consequently, this new arrangement, once approved through respective governance, would supersede the existing provisions referred to within this report – specifically any remaining term for the DFG strand.

2.3 **Duration of the contract, including any options for extension**

2.3.1 A four-year contract with the option of a two further two-year extension options at the sole discretion of the Council (4+2+2) to access and use the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC).

2.3.2 Given the nature of the DPS, the council will award and enter into the call off contracts and all other necessary or ancillary agreements with the chosen suppliers through the DPS over the duration of the access agreement for the purpose of Disabled Adaptation to Council Properties

2.4 **Is the contract subject to (a) the (EU) Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?**

2.4.1 The contract is above the (EU) Public Regulations threshold for works and therefore subject to the (EU) Public Regulations. The DPS is compliant with Public Contracts Regulations 2015 (PCR 2015) and has been advertised in the Official Journal of European Union (OJEU) as well as the UK government Contracts Finder.

2.5 **Recommended procurement procedure and reasons for the recommendation**

2.5.1 Enter into an access agreement for four-years with the option of two further two-year extension options at the sole discretion of the council to access and use the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC) via the Contracting Authority Access Agreement.

2.5.2 To then award and enter into the call off contracts and all other necessary or ancillary agreements with the chosen suppliers over the duration of the access agreement for the purpose of Disabled Adaptation Works and Services to Council Properties

2.5.3 This agreement is for the Management and Operation of an Adaptations, Repair, Maintenance, and Improvement (ARMI) Dynamic Purchasing System (DPS). The primary focus of this DPS is to facilitate and manage disabled adaptations within Barking and Dagenham for both Council properties and Disabled Facility Grants (DFG). The DPS has been configured to be very flexible and can accommodate most organisations who might wish to join it and operates through tailored software specifically developed for this service area.

2.5.4 The DPS is compliant with Public Contracts Regulations 2015 (PCR 2015) and has been advertised in the Official Journal of European Union (OJEU) as well as the UK government Contracts Finder. The DPS is compliant for all contracting authorities to use, negating the need for a new competitive procurement exercise. We will follow the requirements that all awards over £25k are published in accordance with prevailing regulations, e.g. Contracts Finder.

2.6 The contract delivery methodology and documentation to be adopted

2.6.1 The DPS Customer Access Agreement and accompanying terms and conditions will be used for the delivery of this service.

2.6.2 The management responsibility for the contract lies with Care and Support Commissioning and the contract will be managed in line with a contract management plan to be set out within the final specification.

2.6.3 Service performance will be monitored through a series of Key Performance Indicators (KPIs) that includes quantitative and qualitative data, service user, practitioner and provider feedback, led by the Enabling Independence Team.

2.6.4 For private properties, the contract for any works awarded via the DPS will be between the successful appointed contractor and the DFG Grant Recipient.

2.6.5 For Council properties, the contract for any works awarded via the DPS will be between the successful appointed contractor and LBBB.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract

2.7.1 There are significant cost efficiencies which may be realised as a consequence of awarding the proposed contract and utilising the DPS for disabled adaptations for Council Properties pertaining to the difference in the management and administrative fees of the DPS in contrast to the fees charged by the incumbent. As referenced at Section 2.2.2, the nature of disabled adaptations is subject to several variables which can impact upon demand, activity and associated spend. Based on the annual budget of £1m for disabled adaptations to Council properties, the management and administrative fees of using the DPS would be £10k per year, in contrast to £70k for the incumbent provider – facilitating a potential annual cost efficiency of £60k, or £480k over the course of the maximum recommended contract term.

2.7.2 Additionally, the access and use of the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC will enable the Council to improve its current capacity and processes in its procurement and delivery of disabled adaptations as well as the associated costs and choice that is provided to residents.

2.7.3 The DPS provides additional cost-effective benefits once set up for a wider use than a traditional framework, due to ordering and monitoring methods, potential adaptation design efficiencies and economies of scale and will enable the Council to provide adaptations to the home environment which promote independence and keep people living in their own homes in safety and with dignity for longer. Wherever possible, LBBB will signpost local providers to join the DPS to support local business to access work within boroughs utilising the DPS.

2.8 **Criteria against which the tenderers are to be selected and contract is to be awarded**

2.8.1 Award criteria will be set by the Council when conducting the call for competition as set out for this DPS. Given the nature of works, there are minimum quality standards which need to be satisfied before jobs are evaluated on price.

2.9 **How the procurement will address and implement the Council's Social Value policies**

2.9.1 Applications to the DPS would be encouraged from providers able to demonstrate potential to muster additional social value through the development of local employment opportunities as well as training and development of local volunteers and students/trainees.

2.9.2 The Council will encourage applications from local providers to join the DPS who are able to demonstrate an ability to meet the Council's strategic aims to protect vulnerable people whilst developing sustaining services and building resilient communities. Those able to demonstrate an ability to interface with other services of a similar nature to resolve the causes and symptoms of referrals would also be welcomed.

2.9.3 We will be discussing social value commitments with both Independence CIC as the organisation running the Dynamic Purchasing System, as well as with contractors undertaking the adaptation works, particularly where contractors have a combined value of jobs over £100k.

2.10 **Contract Management methodology to be adopted**

2.10.1 The contract will contain specific service requirements and expected outcomes. Key performance indicators will be outlined in the service specification and agreed with the provider. Commissioners will undertake performance management of the service.

2.10.2 Contract monitoring meeting will take place each quarter to review performance reports and contribute to the continuous development of the service. In addition, annual reviews will be required to be completed by the provider, to include feedback on contract outcomes.

3. **Options Appraisal**

3.1.1 **Option one – continue with the incumbent provider for disabled adaptations to council properties.** This is not a recommended option due to several cost and quality issues. For example, in FY21/22 the incumbent provider completed 16% of adaptations jobs within 3 months. By contrast, 90% of jobs put through the DPS were completed within the same timeframe. Additionally, in FY 21/22, almost one third of adaptations jobs given to the incumbent provider resulted in complaints from residents due to delays or were handed back by the provider due to resourcing issues. In comparison, for DFG cases put through the DPS, 2% of jobs were returned (due to the resident no longer wanting the adaptation) and 4% of jobs had complaints (all of which were due to incorrect OT specifications, and not due to the

contractors involved). In addition, as outlined above, the DPS offers significant cost efficiencies to Council budgets compared to the incumbent provider.

3.1.2 **Option two – procure a new framework.** The cost to procure a new disabled adaptations framework for the Council would be anticipated to cost in excess of £50,000 and would potentially increase existing risks to the Council. Accessing an existing framework would be limited to the availability of existing Contractors/Suppliers as well as the products available from when originally tendered. A new framework would not allow for the admission of new Providers, when the market or customers demanded as such. Whilst there are recognised benefits in the use of a frameworks, there are important limitations in terms of choice and compliance for disabled adaptations, in particular DFGs, as well as increased risk to be considered. In view of the above, this option is not recommended.

3.1.3 **Option three (recommended) – renew the access and use of the DPS for disabled adaptation works and services to both private and Council properties.** This will support better service equity across the borough, ensuring that vulnerable residents will receive disabled adaptations in a timely way and to a high-quality standard irrespective of tenure. The DPS will allow for wider procurement and flexibility in the market which is in turn anticipated to deliver better value for money given the continuous market competition facilitated through the platform on a project-to-project basis. This option would not preclude the incumbent provider from being added to the DPS to compete for jobs in both Barking and Dagenham and other Local Authority areas who use the DPS. Other benefits of utilising the DPS:

- Improved cost efficiencies in relation to the reduced management and administrative fees
- Higher quality provision, resulting in reduced waiting times for vulnerable residents, greater customer satisfaction, and improved outcomes for the health and care system.
- Increased opportunities for local SMEs, supporting the Council's Social Value Policies

4. Waiver

4.1 Not applicable.

5. Consultation

5.1 The proposals in this report have been consulted upon with both the Commercial Director and with the incumbent provider.

5.2 The proposals have also been considered and endorsed by the Corporate Performance Group on 26 January and the Procurement Board on 20 February 2023.

6. Corporate Procurement

Implications completed by: Euan Beales, Head of Procurement

- 6.1 The Council's Contract Rules require all spend over £50,000 to be conducted in an open market, however this requirement can also be satisfied where the Council can access and use a pre-procured route to market. A Dynamic Purchasing System (DPS) is a recognised way of working and is compliant with the Council's Contract Rules as well as the Public Contract Regulations 2015, as long as the process used to complete the requirement is followed as stated by the owning Authority.
- 6.2 From a procurement perspective, the use of a DPS is a satisfactory method of engaging with a wide variety of suppliers, which can be scaled with suppliers being added and removed, which allows for greater market saturation unlike a standard framework where the supplier numbers are fixed. The DPS also allows for any capable local suppliers to be signposted to gain access and the opportunity that may not be available to them if a larger/wider framework was procured based on volume and turnover criteria.
- 6.3 The contract term to access the DPS as stated in the report is a 4-year initial term with the option to extend by two further periods each for 2 years so a potential total of 8 years. It is my recommendation that towards the end of year 3 a benchmarking exercise should be undertaken to ensure the service delivery matches the Councils and the end users' expectations and if the costs are reflective of the market at this time. This should be repeated prior to the agreement of the extension periods.

7. Financial Implications

Implications completed by: Philippa Farrell, Head of Service Finance

- 7.1 The paper outlines a series of options for the delivery of adaptations for disabled people. The financial comments will focus on the preferred option, which is to renew the access and use of the DPS for disabled adaptation works and services to both private and Council properties and terminating the use of the incumbent provider for the delivery of this service.
- 7.2 Adaptations for Council properties are funded from the Housing Revenue Account (HRA). It is capital expenditure as an enhancement to the property. There are two projects under this heading the Adults Care and Support capital program that relates to non-HRA properties and HRA stock investment that relates to HRA properties. The incumbent provider's work relates to the HRA stock investment properties. The capital budget to spend with the incumbent provider is £1m to deliver these works. The budget to spend with the incumbent has not been fully utilised in the last two years. In 20/21 & 21/22 we spent on average 25% of the budget allocation. This is due to delays on the side of the incumbent that have resulted in a backlog. In 22/23 we've only spent £274k which would indicate an out-turn of £350k/£375k. If we were following the same trend as the two previous years, you would anticipate that we would be forecast to spend £750k/£800k. This demonstrates that works have fallen significantly behind. Because this work is of a capital nature the outstanding work and budget is rolled into future years. It is noted by the service that DPS has a good record of delivery of jobs and at the current time has delivered 100% of allocated jobs within this financial year.

- 7.3 Although overall the DPS contract will overall cost less in terms of the management fee, it is likely that they will be able to complete jobs at a rate that the incumbent provider has not been able to and therefore in year spend will be higher on the capital program, which is a positive result for delivery. Most significantly works will be completed for disabled individuals and this is likely to prevent escalation of conditions to require higher levels of Council intervention. As outlined above the contractual saving will be the difference in the management fee of 1% with DPS compared to 7% of the incumbent, against a £1m budget this is a saving of £60k per annum. It is not assumed that there will be a timeframe of enhanced levels of activity to catch up on the backlog. Therefore, there is no forecasted year of inflated cost and activity.

8. Legal Implications

Implications completed by: Kayleigh Eaton, Principal Contracts and Procurement Solicitor

- 8.1 This report seeks approval to use the Plymouth City Council Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) managed by Independence CIC (INCIC). This DPS has been procured in accordance with the Public Contracts Regulations 2015 for use by all local authorities, LBBB is therefore permitted to use this DPS. This also ensures compliance with the Council's own Contract Rules which requires a competitive tendering exercise be undertaken for any contract above £50,000.
- 8.2 This report states that the intention is for LBBB to sign up to the access agreement allowing it to use the DPS for a period of 4 years with the option to extend for 2 further periods of 2 years. During this period the Council will be able to enter into various call-off contracts as and when a need arises for the Council. This ensures a compliant route to market for all respective works and service requirements within this area.
- 8.3 It is understood that there is a possibility that this arrangement will result in the transfer of an employee from the incumbent provider to the Council under TUPE regulations. Once this is known, the client department will need to factor this into the new procurement timeframe. Therefore, there is a possibility that the commencement date for this arrangement will need to be pushed back to allow sufficient time to comply with those obligations. Enquiries to determine this are ongoing.

9. Other Implications

- 9.1 **Corporate Policy and Equality Impact** - Awarding this contract will allow the Council to improve its current capacity processes and compliance in its procurement and delivery of its disabled adaptations as well as the associated costs and choice that is provided to service recipients. This will build resilience and improved well-being in people that receive care and support services from the Council.
- 9.2 **Safeguarding Adults and Children** - The providers delivering works through the DPS must have in place the necessary Safeguarding protocols, in line with Council

Policy and must demonstrate a good working knowledge of the Working Together to Safeguard Children 2018 document and the 6 principles of adult safeguarding.

- 9.3 **Health Issues** - The provision of the services facilitated through the DPS can help improve the effectiveness of treatment and, in some cases, help early intervention or prevent the need for treatment and so ensuring the best use of resources. The proposal is in line with the outcomes and priorities of the joint Health and Wellbeing Strategy. The proposal will have a positive effect on our local community.

Public Background Papers Used in the Preparation of the Report: None.

List of appendices:

- Appendix 1: EIA Screening Tool

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Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	Dynamic Purchasing System for Disabled Adaptation Works and Services
Service Area	Commissioning, Adults Care & Support
Officer completing the EIA Screening Tool	Louise Hider-Davies, Head of Commissioning
Head of Service	Louise Hider-Davies, Head of Commissioning
Date	07/02/2023
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	The London Borough of Barking and Dagenham are required, under the Equality Act 2010 and Care Act 2014, to make reasonable adjustments to meet identified needs of persons living in council properties. Additionally, the Council has a statutory duty to approve mandatory Disabled Facilities Grants (DFG's) for adaptations to the home environment to promote independence and keep people living in their own homes in safety and with dignity for longer. Adaptations can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014; where adaptations cannot be progressed quickly, this can significantly impact upon resident outcomes and wellbeing. It is therefore critical that adaptations are provided quickly and efficiently to support residents to stay living in their homes, reducing unnecessary reliance on hospital beds and residential placements and the associated decline in independence and quality of life.

	<p>Since 2019, the Council have successfully used the Plymouth City Council Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC) to facilitate and manage Barking and Dagenham's Disabled Facility Grants (DFG) for disabled adaptation works and services within private properties, providing a cost-efficient solution enabled by flexibility, economies of scale and increase competition amongst suppliers to drive down prices to offer savings. Additionally, since 2021, approval was granted to expand the use of the DPS for disabled adaptation works and services to Council properties to expedite clearing the backlog of jobs which has accumulated throughout the Covid-19 pandemic within the Barking and Dagenham Management Service (BDMS). This has provided a more efficient and cost-effective means for new jobs to be completed.</p> <p>To ensure that the Council meets its legal duties and strategic priorities in the most efficient and economically advantageous way, approval is sought to renew the access and use of the DPS for disabled adaptation works and services to both private and Council properties. This will support better service equity across the borough, ensuring that vulnerable residents will receive disabled adaptations in a timely way and to a high-quality standard irrespective of tenure.</p>	
Protected characteristic	Impact	Description
Age	Positive impact (L)	The DPS itself is a mechanism by which adaptations jobs can be compliantly procured. However, the use of the DPS for adaptations works will support residents of all ages to live independently and delay the need for long-term care. There is no age range, jobs relating to adaptations will be placed on the DPS and will apply to any resident, adult or child. Eligibility will be subject to the assessment of an OT.
Disability	Positive impact (L)	The use of the DPS will enable adaptations to be made to the home environment as quickly as possible to promote independence and keep people living in their own homes in safety and with dignity for longer. Adaptations can help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014; where adaptations cannot be progressed quickly, this can significantly impact upon resident outcomes and wellbeing. It is therefore critical that adaptations are provided quickly and efficiently to support residents to stay living in their homes, reducing unnecessary reliance on hospital beds and residential placements and the associated

		<p>decline in independence and quality of life. The DPS will facilitate the quick and efficient procurement of contractors to undertake jobs. During 22/23 the majority of jobs were turned around within 6 weeks.</p> <p>The 2021 Census suggested that 1 in 11 people (9%) were identified as being disabled and limited a lot in Barking and Dagenham. The DPS will assist with adaptations for these individuals.</p>
Gender re-assignment	Not applicable (N/A)	There is lack of available data around gender-reassignment in LBBB, but there are no perceived negative impacts on this protected characteristic.
Marriage and civil partnership	Not applicable (N/A)	There are no perceived negative impacts on this protected characteristic
Pregnancy and maternity	Not applicable (N/A)	<p>There are no perceived negative impacts on this protected characteristic.</p> <p>A resident's pregnancy is not considered unless it is contributing to their disability.</p>
Race	Positive impact (L)	There are no perceived negative impacts on this protected characteristic. The borough has a diverse population. The OT service and the Equipment and Adaptations service offer a language translation service by the language shop at the point of assessment and during the installation of adaptations within properties.
Religion	Not applicable (N/A)	There are no perceived negative impacts on this protected characteristic
Sex	Not applicable (N/A)	There are no perceived negative impacts on this protected characteristic.
Sexual orientation	Not applicable (N/A)	There is lack of available data around sexual orientation in LBBB, but there are no perceived negative impacts on this protected characteristic.
Socio-Economic Disadvantage¹	Not applicable (N/A)	The DPS itself is a mechanism by which adaptations jobs can be compliantly procured. The DPS therefore has no perceived negative impacts on this protected characteristic. However, adaptations can be subject to a means test as part of the Disabled Facilities Grant process. The associated EIA screening tool which covers this (as part of the Aids and Adaptations Policy 22-25)

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

		can be found by accessing: Aids and Adaptations - App B.pdf (lbbd.gov.uk)
How visible is this service/policy/project/proposal to the general public?		Low visibility to the general public (L)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		Medium risk to reputation (M)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

<p>As a result of this screening tool, no negative or high risks have been identified. It has therefore been concluded that a full EIA is not relevant for this procurement.</p> <p>There is a higher risk to the Council if the DPS is not implemented which could impact upon the number, speed, efficiency and quality of adaptations that can be procured and installed for disabled people.</p> <p>The DPS itself is a mechanism by which adaptations jobs can be compliantly procured. However, the use of the DPS for adaptations works will support residents of all ages to live independently and delay the need for long-term care. There is no age range, and adaptations can be installed for an adult or a child, subject to an OT assessment.</p> <p>Eligibility will be subject to the resident's disability and needs. The focus of using the DPS is to ensure that adaptations works can be installed quickly and efficiently for disabled residents using quality contractors, thereby enabling residents to continue living independently at home.</p> <p>There are no perceived negative impacts, only positive impacts, to the protected characteristics of the Equality Act 2010 and to the socioeconomically disadvantaged of using the DPS for adaptations works. However, as stated above, the Aids and Adaptations Policy outlines the approach to the means testing of adaptations for Disabled Facilities Grants and this can be found in the EIA screening tool for that policy, here: Aids and Adaptations - App B.pdf (lbbd.gov.uk)</p> <p>Feedback will be sought from residents to ensure continuous service improvement. This will be done via a 2-tier referral process, the first being feedback of the assessment itself and the second being comprehensive feedback of the adaptation that was installed and the contractors procured via the DPS.</p> <p>The DPS will be reviewed to ensure it is working well. Data will be stored regarding the adaptations jobs and the ages, tenure and ethnicity of applicants. This data can then be used to review the success of the policy and review who are benefiting from it the most and to ensure service equity.</p>
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CABINET

21 March 2023

Title: Secure Children's Home for London and the Pan-London Commissioning Vehicle	
Report of the Cabinet Member for Children's Social Care and Disabilities	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Valerie Tomlinson, Lead Commissioner, Children's Care and Support	Contact Details: Tel: 07966445487 E-mail: valerie.tomlinson@lbbd.gov.uk
Accountable Director: Chris Bush, Director of Care and Support Commissioning	
Accountable Strategic Leadership Director: Elaine Allegretti, Strategic Director of People and Resilience	
<p>Summary:</p> <p>Children with particularly complex needs, including those who are at significant risk of causing harm to themselves or others, including risk to life, can be placed in a secure children's home to protect their welfare when no other type of placement would keep them safe. There is a significant shortage of national secure children's home provision, as highlighted by OfSTED, and London has no provision. Children who are placed in secure welfare are often placed the furthest from their home local authorities at an average distance of 192 miles disrupting stability and positive family and community relationships.</p> <p>The numbers of children placed are small, but the placements expensive. Further, where places are not available, the alternatives, often requiring multiple ratios of staff for each child, are amongst the costliest placements for children's services. For example, the Association of Directors of Children's Services (ADCS) recently highlighted more than twenty local authorities paying over £20,000 per week (equivalent to £1 million per year) and one case of £49,680 per week (equivalent to over £2 million per year).</p> <p>There are few children requiring secure welfare provision and in the eight months to July 2022 the numbers per local authority in London ranged from zero to three, with further children being referred but unable to be placed as a result of lack of capacity. There is an opportunity now to develop and establish secure children's home (SCH) provision in London to bring additional capacity to the market, with capital provided by the Department for Education, but this requires a pan-London approach.</p> <p>It is proposed that a company, known as a Pan-London Vehicle (PLV) and owned by London local authorities, should be established to oversee the development and running of the new secure children's home (SCH) provision. In the long term, it is intended that the PLV's remit will include other key pan-London commissioning arrangements that will improve the lives of London's children and young people.</p> <p>The PLV will initially oversee the development of the operating model for the new SCH provision, then the build and commissioning arrangements to run the service. The PLV</p>	

will be a means to share the risks and benefits associated with developing and running the SCH, with a key benefit being that places at the new provision will be prioritised for the London local authorities who opt in to join the PLV.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree in principle that the London Borough of Barking and Dagenham becomes a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan London Vehicle, to:
 - (a) develop and then oversee the running of London's secure children's home provision for a five-year period from 1st April 2023 to 31st March 2028, with a break-point after three years once the refreshed business case has been developed as well as the service pricing structure, commissioning approach, operating model, practice model and the SCH's location is confirmed. Once the provision has launched, membership will be at a fixed annual cost of £20K (subject to inflation adjustment), unless an alternative model for funding the PLV, that does not require annual subscription, is agreed by members during the development phase, and
 - (b) collaborate with other PLV members on future joint commissioning programmes.
- (ii) Commit in principle to joint oversight and risk/benefit sharing of the secure children's home provision, through the PLV, for a five-year period to 31 March 2028 (with three-year break point), that includes the build, service development and service commissioning phases, subject to ratification from Legal and Corporate procurement after the revision of the SCH business case, and renewable on a 10-year cycle thereafter, with break-point after five years; and
- (iii) Delegate authority to Strategic Director, Children and Adults, in consultation with the Cabinet Member for Children's Social Care and Disabilities and the Chief Legal Officer, to make the final determination on the Council's membership of the PLV, following completion of the revised SCH business case and, if appropriate, enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement and run any aspect of the PLV arrangements, including exercising any break clause on behalf of the Council; and

Reason(s)

The Pan-London Vehicle for commissioning will help the council to fulfil existing sufficiency concerns for our children and young people whilst also providing a mechanism for future provision to be developed. Securing appropriate sufficiency will allow Barking and Dagenham to meet and exceed statutory requirements and expectations set by Ofsted.

This project will align to several Council strategies such as the Joint Health and Wellbeing Strategy through ensuring vulnerable children who come into our care and meet the requirements for secure welfare can access the right type of placement with therapeutic support to build resilience. The theme of building resilience of children and young people

spans across many strategies such as the Education and Participation Strategy and Sufficiency Strategy for Children's Care and Support.

1. Introduction and Background

London's Need for Secure Welfare

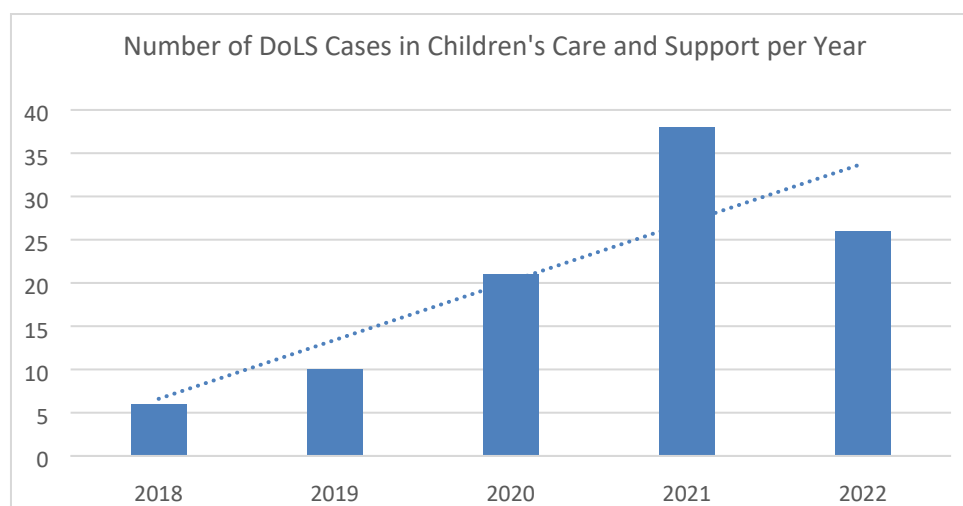
- 1.1 Children with particularly complex needs, including those who are at significant risk of causing harm to themselves or others, including risk to life, can be placed in a secure children's home when no other type of placement would keep them safe. Children placed in SCHs are likely to have experienced a number of placements that have broken down, missed a lot of education, have unmet emotional and physical health needs and have suffered a great deal of trauma in their lives. SCHs provide a safe place where these very vulnerable children can receive the care, education, and support that they need. A secure children's home is a locked environment, where their liberty is restricted, and they are supported through trauma aware and psychologically informed integrated care, health and educational services.
- 1.2 Across London, a relatively small number of children require a secure welfare placement, which is very high-cost provision and despite their complex needs, these children are often placed the furthest from their home local authorities, an average distance of 192 miles, which impacts detrimentally on children who lose contact with family and the community. Additionally, the loss of local contacts and pathways in education, training and employment has a negative impact on their development post-placement.
- 1.3 Further, there is a national shortage of provision and places are often not available when referrals are made so children are then placed in less suitable but higher cost alternatives. This shortfall in provision is particularly acute in London where there is not any Secure Provision – over three years London referred 295 children to Secure Provision but only 159 received places. The majority of requests (72%) are for children from Black, Asian and Multi-Ethnic (BAME) groups, well in excess of the London comparable profile of 41%. The current arrangements are exacerbating poorer outcomes for this group and racial disparities.
- 1.4 Pan-London analysis pre-Covid (eight-month period October 2017 to May 2018) highlighted that an average of 21 London children were in Secure Welfare provision at any one time.
- 1.5 Snapshot data taken at the end of each month, in the period between December 2021 and September 2022 shows that there is, on average, 12 of London's children in a secure welfare placement at the end of each month – this includes 3 children each month who are living in a secure welfare provision in Scotland - over 450 miles away. Although this looks like a fall in numbers compared to pre-Covid, in the same period, the data shows that 29 referrals were made but a placement was not offered. In a September 2022 survey, London local authorities reported that due to the known shortage of provision, they often do not make a formal referral at all. This indicates that the national shortage of provision is impacting even more of London's children than the data suggests.

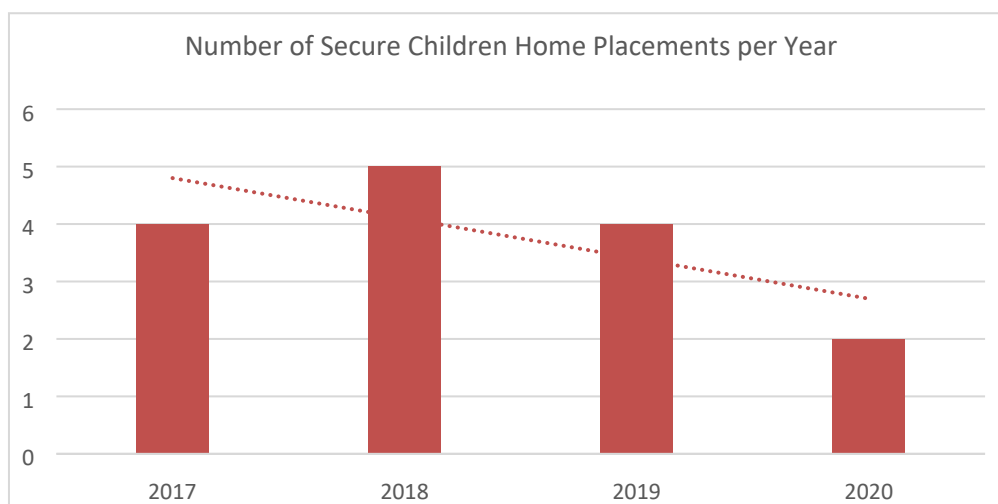
- 1.6 For example, the Association of Directors of Children’s Services (ADCS) recently highlighted more than twenty local authorities paying over £20K per week (equivalent to £1 million per year) and one case of £49,680 per week (equivalent to over £2 million per year). Of a sample of 50 ‘alternative to secure’ placements reported in a September 2022 survey, 17 related to children with a deprivation of liberty order in place. Instead of being placed in a secure children’s home, as required by the court order, these children were placed in settings that are not specifically designed to keep them safe and 10 of these placements were in unregulated settings or in provisions that are not legally registered to operate as a children’s home. This means these vulnerable children would be at risk of not receiving the care, education and support that they needed.
- 1.7 Financial data provided by London local authorities in the September 22 survey shows that the average cost of a secure welfare placement has increased; the average being £7K per week in 2019, rising to £10.5K per week in 2022 and some local authorities have paid up to £25K per week for secure welfare placements in that period. In the same period, local authorities have also paid up to £30K per week for placements made as an alternative to secure.
- 1.8 The numbers of children are too small and the investment required too great for any one local authority to run its own provision, but there is potential for a pan-London approach, which would enable the benefits to be shared whilst also jointly managing the risks of developing such provision. A pan-London approach also fits with recent reports from the Competition and Markets Authority (<https://www.gov.uk/government/publications/childrens-social-care-market-study-final-report/final-report>) and the Independent Review of Children’s Social Care (<https://childrensocialcare.independent-review.uk/>) which recommended multi-authority approaches to develop greater understanding of need, engage with the market and stimulate new provision.
- 1.9 The need for provision was also highlighted through Her Majesty’s Chief Inspector’s Annual Report to Parliament (2020) which stated – *The national capacity of Secure Children’s Homes remains a significant concern, with approximately 20 children awaiting a placement on any given day and the same number are placed in Scottish secure units. This increases pressure to use unregulated provision. Provision is not always in the right place, so that some children are placed a long way from their home and family.*
- 1.10 The Association of London Directors of Children’s Services (ALDCS), working with NHS England and the Mayor’s Office for Policing and Crime (MOPAC) commissioned a review in 2018 of the use of Secure Children’s Homes by London’s children and young people. This review provided detailed evidence of the need for provision in London, which has informed this report.
- 1.11 There is also a shortfall of high-cost low incidence provision in London, estimated as at least 225 places, which drives up costs resulting in overspends across London local authorities which exceed £100 million. The Competition and Markets Authority highlighted the lack of suitable local provision nationally, but particularly in London citing – *‘lack of placements of the right kind, in the right place...materially higher prices...and providers carrying very high levels of debt.’*

- 1.12 In February 2022, DfE confirmed the funding to take a proposal forward for Secure Children’s Home provision in London with 24 places, alongside step-down provision. The step-down provision will provide for much improved transition after placement. Over £3 million has been allocated for development, with capital of over £50+ million expected subject to completion of the development phase. The development funding is currently being held by the London Borough of Barnet on behalf of all London local authorities. DfE is reviewing progress against gateway milestones, one of which is the commitment of local authorities in London.
- 1.13 The DfE development grant will cover the PLV’s costs during the development period, therefore local authorities will not be required to make a financial contribution to the running of the PLV until the SCH provision launches. During this development phase, PLV members will work collaboratively to agree how the SCH provision will be run and managed. This includes:
- developing and approving the pricing strategy and revenue model for generating financial income;
 - developing the practice model and operating model including but not limited to:
 - the approach to working with children, young people and their families,
 - safeguarding and risk management arrangements,
 - quality assurance arrangements,
 - the commissioning approach / staffing model,
 - the process for managing referrals and placement allocation.
 - Inputting into and approving a refreshed business case which will
 - revisit and update the ‘case for change’,
 - provide up to date and well-developed costings, informed by the final model of practice and operating model,
 - identify the benefits that will be delivered by the new model (financial and non-financial),
 - consider the most suitable route for appointing a service provider.
- 1.14 During the development period, member local authorities will also explore alternative models for covering the cost of running the PLV that does not require annual subscription.
- 1.15 Following decisions by London local authority Cabinets or equivalent decision-making bodies across London, the Pan-London Vehicle will be formed as a legal entity with members from the London local authorities who have agreed to opt in.
- 1.16 Subject to a sufficiently large number of London local authorities opting in, then the development of the London Secure Children’s Home will proceed, with planned opening between 2025 and 2026.
- 1.17 Following revision of the business case, local authorities will be asked to confirm their commitment for the remainder of the five-year period based on the commitment in principle sought in this paper. At this stage, it will be possible for local authorities to opt out, but this is considered unlikely as risks are low given the demand for provision.

Barking and Dagenham's Need for Secure Welfare

- 1.18 Since 2011 our population has rapidly grown, increasing by 17.7% between the 2011 and 2021 census, the second fastest growing borough across London. This is far greater than the increase for London (7.7%) and England (6.6%), which presents a significant challenge for services that deliver locally to reach and support more residents with existing resources and funding. Barking and Dagenham's Children's Social Care needs are unique due to our local demographic, we have a high level of demand and need to take particular care that our services are equitable and accessible for all in our communities. To illustrate this Barking and Dagenham has the highest proportion of under 16s across London and a highly diverse population in terms of ethnicity and highly diverse population (67.1% BAME as per the mid-2021 population estimates).
- 1.19 Barking and Dagenham has a high rate of looked after children of 63 children per 10,000 population aged under 18, the highest of our neighbouring boroughs. The high level of entry into care is likely due to the level of socio-economic deprivation locally. Deprivation and poverty is known to correlate with the increased frequency of Adverse Childhood Event (ACEs) which result in poorer health outcomes for children and young people and increase the likelihood of entering into care. Barking and Dagenham unfortunately faces the highest Indices of Multiple Deprivation across London. The incidence of ACEs and our unique demography may increase children and young people's vulnerability to extra-familial harm due to having fewer self-protective factors, placing them at greater risk of multiple traumas which increases the complexity of need of those entering Children's Social Care. As a local authority we must ensure that both the strengths and nuances of diversity are understood and taken into consideration as best practice when delivering trauma-informed responses.
- 1.20 Where a child has a history of absconding and is likely to continue to abscond from any other description of accommodation and is likely to suffer significant harm, such as criminal or sexual exploitation or they pose a harm to themselves or others the court can agree for a Deprivation of Liberties Safeguard (DoLS) Order to be put in place. The level of complexity Children's Care and Support in Barking and Dagenham is increasing, indicated by the high number of DoLS in place this year, forecast to correlate with the previous years increasing trend.





- 1.21 Despite the greater number of DoLS in place we have fewer placements within Secure Children's Homes, unfortunately this is not likely to be due to a reduction in demand. Currently the Secure Welfare Coordination Unit manages all referrals for Welfare Secure Placements, the process is laborious and sits outside our normal commissioned arrangements. There are currently between 55 – 65 referrals at any one time, with the current availability as of 4th November 2022 as 5 beds in Secure Children's Homes available for 54 referrals. Despite having beds available placements cannot be made due to matching requirements to ensure the children already placed would not cause harm to the young person being referred and vice versa.
- 1.22 To accommodate such complex needs, our placement budget is strained through finding innovative ways to accommodate them, illustrated through the two case studies below. We requested our data from the Secure Welfare Coordination Unit to provide us with a data set
- 1.23 **Case Study A:** Child A came into our care due to challenging behaviour and her family being unable to manage their needs and behaviour at home, they have a history of absconding and can demonstrate behaviour that place both themselves and those around them at risk of harm through aggressive or violent behaviour. Child A has a severe mental health diagnosis and has been exposed to exploitation. Since the most recent placement breakdown with a foster carer a new placement is to be sought to support the family and maintain relationships. The placement must provide therapeutic care with at least 2:1 staffing. Child A would be eligible for a Secure Placement however due to the demand is unlikely to receive one, we have been quoted approximately £32k per week, £1.7M per year, for her placement in a residential home with wrap around support. Due to the high cost, the placement was refused, and the search is still ongoing at present.
- 1.24 **Case Study B:** Child B currently has a deprivation of liberties order in place and is currently in a solo placement to best meet their needs. Child B has a history of absconding from placement and has been hospitalised under the mental health act. Child B has mental health diagnoses and suspected Autism Spectrum Disorder. Child B has a live referral to the Secure Welfare Coordination Unit, however they are currently placed in a residential home with 4:1 staffing costing over £10k per week, it is anticipated that if provision stays the same, the placement for Child B will cost £975,470 for the financial year 2023/24. The current placement has given

notice and we are currently struggling to find an alternative placement due to the lack of sufficient provision nationally to meet these needs

Project Journey

- 1.25 The Association of London Directors of Children's Services (ALDCS), London Councils, NHS and London Innovation and Improvement Alliance (LIIA) have expressed unanimous support for the development of secure children's home provision and developed a business case for secure children's home provision in London. This business case, which is available on request, has formed the basis of a successful bid to Department for Education and funding has been allocated to develop the required provision for London children.
- 1.26 As well as ALDCS members, a range of stakeholders were engaged throughout the development of the business case including:
- London Councils' Executive, Leaders' Committee and Lead Members;
 - Society of London Treasurers;
 - Local authorities (children's social care and youth offending teams);
 - Central government (Department for Education, the Mayor's Office for Policing and Crime, OFSTED, Ministry of Justice);
 - Clinical experts and practitioners within the field of children's services and health;
 - Third sector organisations delivering children's services and
 - Children and young people with lived experience of SCH
- 1.27 A Secure Children's Home and Community Project Steering Group has been established, comprising London Directors of Children's Services, together with Health, Mayor's Office for Policing and Crime (MOPAC) and the Department for Education. This group is providing oversight until the formation of the proposed Pan-London Vehicle.
- 1.28 The development funding is currently being held by the London Borough of Barnet on behalf of all London local authorities. DfE is reviewing progress against gateway milestones, one of which is the commitment of local authorities in London.
- 1.29 The DfE development grant will cover the PLV's costs during the development period, therefore local authorities will **not** be required to make a financial contribution to the running of the PLV until the SCH provision launches. During this development phase, PLV members will work collaboratively to agree how the SCH provision will be run and managed.
- 1.30 A site search has been conducted, based on the statutory criteria for a Secure Children's Home. From a long list of over 400 sites initially considered, two preferred options have been identified, one of which is being taken forward first for more detailed assessment.
- 1.31 The proposed provision will be designed specifically for London, with purpose-built accommodation. This will reduce the risk of beds needing to be held vacant after a high-risk child is placed there to maintain a safe environment. The provision is being designed with co-located step-down facilities with wrap-around support, which is an innovative approach to supporting the children post-placement. This will enable a

smoother transition and a return to the family or to the most appropriate long-term placement that will meet the child's needs. This will also prevent use of emergency placements following a 72-hour placement in secure, when the local authority may not have enough time to identify best next placement or prepare child and family for safe return home. This can lead to placement breakdowns or return to care, which incur avoidable costs and impact detrimentally on outcomes for the child

2. Proposal and Issues

2.1 The Pan-London Vehicle:

- 2.1.1 The Pan-London Vehicle will be structured as a new legal entity which will allow any provision developed to be jointly owned and managed by London Local Authorities, this will share the risk and benefits across authorities.
- 2.1.2 The Pan-London Vehicle will be established as a Company Limited by Guarantee. This model will allow for joint ownership, with limited liability to its member organisations. Any profits held within the Company must be used for the development of future provision. The tax implications of the PLV are to be outlined at a later date subsequent to tax advice to avoid unnecessary VAT consequences.
- 2.1.3 The Pan-London Vehicle will employ a small number of staff to be hosted by a larger organisation such as a lead local authority so the company can limit overheads and benefit from existing organisational capacity. The key options are for it to be hosted in the London Borough of Barnet as the current fund-holding body or to be hosted in the local authority where the new Secure Children's Home is located, which is yet to be finalised. The location of the PLV will be agreed after the location of the Secure Children's Home has been finalised.
- 2.1.4 The governance arrangements will provide for a joint committee of the PLV member LAs to comprise the Directors of Children's Services or similarly senior and appropriately skilled officers of the members' local authorities. The members of the joint committee will each act as a representative of their respective local authority at "shareholder/owner" level. The joint committee will be involved in approving the PLV's business plan, budget and the other reserved matters to be decided on behalf of the PLV member local authorities.
- 2.1.5 The PLV will subsequently oversee the development period of the secure provision for the first two years of the contract term prior to the mobilisation of an operational service.
- 2.1.6 The legal structure, governance and membership of the PLV is outlined in more detail in Appendix 1.

2.2 The Provision

- 2.2.1 This options analysis has led to the recommendation for Secure Welfare Children's Homes provision for London with capacity for 24 placements, alongside facilities for step-down accommodation and support to support the children after placement.

- 2.2.2 The proposed provision will be designed specifically for London, with purpose-built accommodation. This will reduce the risk of beds needing to be held vacant after a high-risk child is placed there in order to maintain a safe environment.
- 2.2.3 The provision is being designed with co-located step-down facilities with wrap-around support, which is an innovative approach to supporting the children post-placement. This will enable a smoother transition and a return to the family or to the most appropriate long-term placement that will meet the child's needs. This will also prevent use of emergency placements following a 72-hour placement in secure, when the local authority may not have enough time to identify best next placement or prepare child and family for safe return home. This can lead to placement breakdowns or return to care, which incur avoidable costs and impact detrimentally on outcomes for the child.
- 2.2.4 The development costs (c£3 million) and the capital costs (c£50+ million) will be provided by Department for Education, subject to completion of agreed project milestones. This is a significant investment in provision for London's most vulnerable children which will be secured for London with the commitment of London local authorities
- 2.2.5 The total annual of cost of placements at Secure Children's Homes that the new provision would replace was estimated in the original business case (2019 figures) as £7.8 million per annum. The new provision overseen by the PLV has an estimated cost of £7.5 million (2019 figures), based on the original business case – note that these costs have not been adjusted for inflation. See Appendix 2 for inflation adjusted financial modelling.
- 2.2.6 The full business case will be revised and updated following site confirmation and local authority confirmation of participation. In the meanwhile, the costs have been updated using the Consumer Price Index (CPI) and evidence from London local authorities, with summary modelling in Appendix 2.
- 2.2.7 The financial commitment by each local authority is £20K per year (payable only once the provision has launched) for the operating costs of the PLV, with an opt-out facility after three years, informed by the revised business case, detailed model and confirmed location. Additionally, once launched; each participating local authority will share in the risk and benefits of operating the Secure Children's Home provision estimated to be £8 million per year (adjusted from 2019 for inflation). As demand for provision exceeds the capacity of the new London Secure Children's Home provision, the risks are minimal and the benefits across London are significant. A range of scenarios are modelled in Appendix 2, setting out the financial impact in each case.
- 2.2.8 Provision at Secure Children's Homes costs between £7k and £10.5K per week, based on sample London data. Where Secure Children's Home provision is not available, alternative provision is very costly, typically £12k+. Nationally, the Association of Directors of Children's Services (ADCS) has highlighted more than twenty local authorities paying £20K+ per week (equivalent to £1m per year) and one example of a local authority paying just under £50k per week (equivalent to over £2m per year). Some London local authorities have no children on Secure places currently, but these are very significant costs even if only experienced once every few years.

3. Options Appraisal

3.1 The Secure Children's Home Steering Group conducted an options appraisal. For the legal basis for setting up and running the Pan-London Vehicle the following options were considered:

- Company Limited by Shares
- Company Limited by Guarantee
- Limited Liability Partnership
- Charitable Status
- Community Interest Company

3.2 Following expert legal analysis of these options, their recommendation is that the PLV should be established as a Company Limited by Guarantee. This enables joint ownership, with limited liability and any profits being held within the Company for future provision.

3.3 The business case to address the need for Secure Welfare Provision, considered a range of options as listed below:

- Do nothing
- One small Secure Children's Home (8-12 places)
- One large Secure Children's Home (20-24 places)
- Two small Secure Children's Homes (8-12 places each)
- Enhancing existing resource
- Specialised community team
- Step-down facility
- Specialised open facility

3.4 These were evaluated through stakeholder engagement and assessment against the following criteria:

- Impact on early intervention and prevention
- Accessibility of a secure placement
- Continuity of care and relationships
- Care and education in the placement
- Transition from secure to community
- Value for money
- Initial investment
- Deliverability

3.5 This options analysis has led to the recommendation for Secure Welfare Children's Homes provision for London with capacity for 24 placements, alongside facilities for step-down accommodation and support to support the children after placement. The key reasons are summarised below:

- Provision for 24 places would meet the demand in London
- Step-down provision would enable better exit planning and work to take place to support children and young people within the community, reducing the likelihood of repeat placements in secure welfare

- Step-down facilities will enable more holistic support to be provided to prevent unnecessary transitions into secure provision for children and young people on the edge of a secure placement
- The following options were rejected for the reasons given:
- Enhancing existing resource - rejected due to the complexity of allocating resource to disparate CAMHS, social care and YOT teams across London and the lack of a joined-up approach across London.
- Specialised community team - rejected due to the risk of duplicating the role of Community Forensic CAMHS teams and fragmenting care pathways

4. Consultation

- 4.1 The proposals in this report were considered and endorsed by the Procurement Board on 19 December 2022.

5. Corporate Procurement

Implications completed by: Francis Parker – Senior Procurement Manager

- 5.1 The proposed consortium approach to delivering this service will increase capacity and lead to a reduction in placement costs for the service. Officers are satisfied that this approach will offer the best value for money to the Council.
- 5.2 The exact procurement procedures have not been agreed at this stage, so further reports will need to be presented for comment and scrutiny.
- 5.3 Officers will need to ensure that all procurement rules and processes are followed if they are applicable.

6. Financial Implications

Implications completed by: Sharon Ring, Finance Business Partner, Children's Care and Support

- 6.1 Barking and Dagenham faces the highest Indices of Multiple Deprivation across London leaving the borough vulnerable to volatile price rises for very high-cost provision of secure placements for which there is a national shortage. Above inflation price increases driven by scarcity over demand have seen costs of £7K per week in 2019, rise to £10.5K per week in 2022 with some local authorities paying £25K for secure welfare placements.
- 6.2 Whilst demand is unpredictable a sample of 2 case studies revealed potential placement provision costs of £32k and £10k per week respectively due to staffing ratios and complexities for just 2 of our recent cases.
- 6.3 PLV development costs (c£3 million) and the capital costs (c£50+ million) will be covered by the Department for Education.
- 6.4 The host organisation is anticipated to be either London Borough of Barnet or the premises locality. Development funding is held by London Borough of Barnet.

- 6.5 Local authorities will not be required to make a financial contribution to the running of the PLV until the SCH provision launches.
- 6.6 Financial commitment by each local authority is £20K per annum from 1st April 2023 to 31st March 2028 for the operating costs of the PLV, with an opt-out facility after three years on 31 March 2026. The contract will then have an opportunity to extend for a further 10 years with a 5-year break clause.
- 6.7 During the development phase, PLV members will work collaboratively to agree how the SCH provision will be run and managed, including developing and approving the pricing strategy and revenue model.
- 6.8 The local authority will be responsible to cover placement cost and liable for an equal share of any losses.
- 6.9 The annual LBBD budget for secure units is currently £409,700, with a forecast underspend for 2022/23.

7. Legal Implications

Implications completed by: Kayleigh Eaton, Senior Contract Lawyer

- 7.1 This report is seeking an in-principle approval for the Council to participate in a Pan London Vehicle (“PLV”) which will be jointly owned by London local authorities with the aim of developing and establishing a secure children’s home. This vehicle will take the form a Company limited by guarantee with any profit being reinvested back into the company’s activities. Each Council joining the PLC will be a member and will appoint directors to the board of the Company.
- 7.2 The Council has power to enter into the arrangement by virtue of the general power of competence provided by s1 of the Localism Act 2011. This enables the Council to do anything that individual generally may do. This report states that securing appropriate provision will allow Barking and Dagenham to meet and exceed statutory requirements under the Children Act 1989 and provide a suitable cost-effective place for vulnerable children to receive the care, education and support that they need. Section 111 of the Local Government Act 1972 enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge or any of its functions. This power combined with the duty under the Children Act permits the establishment of this company.
- 7.3 It is noted a business case was drafted at the original stages and this is the basis on which the DFE funding was secured. This business case will be revised and updated following site confirmation and local authority confirmation of participation in year 3 for the subsequent 5 years.
- 7.4 This report sets out that the Council will need to contribute £20,000 per annum. The development and capital costs will be provided by the Department for Education, subject to completion of agreed project milestones. The Council will bear any risks associated with the vehicle along with the other local authority owners.
- 7.5 Consideration will need to be given to the Subsidy Control Act 2022 throughout the process when any financial assistance is provided to the PLV.

7.6 Legal advice has been sought and the Council should ensure that it can rely on this advice. It is also recommended that the advice is updated to reflect various legislative changes post Brexit due to this being drafted in 2019, updates to the Subsidy Control regime, current and prospective procurement regulations, power to enter into the arrangement taking account of 10.2 above, the business case and the risk to Council members of the PLV if contracting parties require guarantees because of the nature of the vehicle.

8. Other Implications

8.1 **Risk and Risk Management** - There are risks associated with joining the vehicle and oversight of the London Secure Children’s Home. The wider project risks and mitigations are outlined below and will be overseen by the Secure Children’s Home Steering Group. Any specific risk to the Local Authority will be escalated through internal governance and presented at the Joint Committee meeting which will have local authority representation. Commissioners will remain involved with the task and finish group to advocate for our specific needs locally and raise awareness internally to ensure it is a resource that operational colleagues will utilise.

Risk	Mitigating action
Failure to achieve expected occupancy levels leading to significant revenue loss	The shortfall in provision in London and nationally makes this a very unlikely risk, although it could be experienced temporarily such as in the initial operating period or other scenarios highlighted below. Lower occupancy in the initial operating period has been modelled. Governance, management oversight, and adequate levels of experienced staff will be key to ensuring good occupancy and these are built into current plans. The PLV and London provision will work closely with the central SCH co-ordination unit to proactively sell places to UK local authorities at a cost that will recover the loss / potential loss of revenue.
Unsatisfactory outcome from statutory inspections	Recruitment of experienced Registered Manager and other managers with experience of managing a similar provision. Regular monitoring and quality reviews will reduce this risk. Robust management and swift turnaround would be required if an inspection was less than satisfactory.
Child serious injury or death	Robust risk management policies, procedures and training. Strong practice model, safeguards, rigorous performance reviews and effective oversight, with experienced managers and staff who will be in place to minimise this risk.
Temporary closure of the provision or changes to its registration conditions that limit the full use of places – in response to safeguarding or child protection concerns	Ofsted use enforcement powers proportionately and there are a range of options open to them before the closure of a provision. Closure happens only in exceptional circumstances. Mitigation actions include robust safeguarding and child protection arrangements, policies, and training; recruitment of suitably qualified staff and robust quality assurance and monitoring arrangements.
Permanent closure of the provision	Ofsted use enforcement powers proportionately and there are a range of options open to them before the closure of a provision. Closure happens only in exceptional circumstances.

	<p>Mitigation actions include: robust safeguarding and child protection arrangements, policies, and training; recruitment of suitably qualified staff and robust quality assurance and monitoring arrangements.</p> <p>In the unfortunate and unlikely event that permanent closure happens robust business continuity arrangements will outline the steps to be followed with regards to children placed at the provision.</p> <p>Should the PLV be wound up: PLV members will agree to be liable for the debts of the PLV up to a nominal amount e.g., £1. Prior to the launch of the PLV, members will agree, with legal advice, what will happen to the SCH and other related assets and this will be included in the articles of association.</p>
Adverse publicity/Reputational damage from failure of the centre linked to the above or other factors	Proactive communications, strong practice model, safeguards, rigorous performance reviews and effective oversight, management and staffing will be implemented to minimise this risk.
Unnecessary costs through duplicate tax payments or higher tax burden as part of the arrangement.	The steering group is anticipated to commission additional tax advisory resource to review and put in place mitigations to prevent this occurring, this will be shared with legal colleagues on request during the development phase.

8.2 **Contractual Issues** - Ordinarily the services that are commissioned in relation to a child might be reasonably categorised as “Social work services with accommodation” (CPV Code 85311000-2) – these are subject to what is known as “the light touch regime” (“LTR”). LTR services benefit from a significantly higher competitive tendering threshold (£663,540) than for other services and greater flexibility in the design and operation of public procurement processes.

However, it is worth exploring the establishment of a joint vehicle that will not be subject to the competitive tendering requirements that councils would otherwise be subject to.

There are two exceptions in PCR 2015 to the requirement for competitive tendering that enable the commissioning of services directly from either one or more lead authority or a jointly owned vehicle. These are set out in Regulation 12 PCR 2015:

- public services co-operation arrangement;
- a “Teckal” vehicle

It is likely dependent on the findings and conclusions from the development phase and will need to be confirmed by the legal advice and the company will need to be structured in such a way to satisfy the Regulations. this will be then shared with internal procurement and legal colleagues for approval as discussion progresses.

8.3 **Corporate Policy and Equality Impact** – The proposal is aimed at improving a range of outcomes for Barking and Dageham's most vulnerable children and young people, including health and education. The current arrangements for secure welfare provision are exacerbating poorer outcomes for this group, particularly those from Black, Asian and Multi-Ethnic (BAME) groups who, based on Pan-London analysis, are overrepresented in secure welfare provision. As well as

securing better outcomes for Barking and Dagenham's BAME children and young people, a new London based SCH provision will help address the racial disparities and issues relating to their overrepresentation in secure welfare provision.

In partnership with other London local authorities, the Council will design the SCH provision, and any other services developed and managed through the PLV, to ensure the specific needs of Barking and Dagenham's children and young people are taken into consideration. As part of the work to develop the new SCH provision and other PLV services, an Equalities Impact Assessment (EIA) will be undertaken to consider the impact of these services on children, young people and their families, in terms of protected characteristics. We have also completed our own internal EIA screening tool which has determined a wider assessment is not necessary, Appendix 3.

Any consultation responses received as part of the EIA that raise matters related to equalities, diversity and inclusion will be addressed in the final service delivery model and kept under review, this includes any impacts to staff.

- 8.4 **Safeguarding Adults and Children** - The establishment of a legal vehicle responds directly to the recommendations set out within the Independent Inquiry into Children's Social Care and addresses an area of insufficiency for London through a collaborative and innovative manner. The retail of additional bed spaces will support to future proof sufficiency across London as funds build for future investment.

This work will support our local strategy to provide young people the best start in life through providing the right placements and quality of care in the right places to meet our needs.

- 8.5 **Health Issues** - The proposal is anticipated to better meet the health needs of those who require secure placements through improved maintenance of positive familial and peer relationships from placement closer to home. This reduced disruption to home life combined with the therapeutic wraparound support and stepdown accommodation will aim to support the resilience of young people and maintain better health outcomes, particularly in relation to mental health.

- 8.6 **Property / Asset Issues** - There is no available asset that would meet the requirement to host the provision locally due to the size of the property required and that will meet the required safeguarding threshold due to the high incidence of gang related crime within the borough.

Public Background Papers Used in the Preparation of the Report:

- London Innovation and Improvement Alliance "Improving Quality, Choice and Cost in Children's Placements 2021-2022"
<https://liia.london/search/search?query=improving+quality>

List of appendices:

- **Appendix 1:** Pan-London Legal Structure and Membership
- **Appendix 2:** Financial Modelling for the Secure Children's Home and Pan-London Vehicle
- **Appendix 3:** Equalities Impact Assessment Screening Tool

PLV legal structure and membership

1. Powers and Duties

There are a number of statutory provisions that local authorities can rely upon when setting up the PLV. The Council's main relevant functions in relation to the setup and operation of a company are:

- i) The General Power of Competence (GPOC) – section 1, Localism Act 2011 (“LA11”);
 - (1) Section 1 The GPOC authorises the Councils to do anything that an individual with full capacity may do. This can include setting up and participating (including borrowing/investment/provision of loans) in a company this would, prima facie, provide the powers for the Councils to do likewise.
 - (2) GPOC can be used even if there is another power that overlaps with it. However, GPOC is limited by any limitations on the powers of the Councils that existed prior to GPOC coming into force and by any new limitations that are stated to apply specifically to GPOC or to all Councils' powers (unless GPOC is specifically excluded).
 - (3) GPOC can be used for commercial purposes.
 - (4) See also the additional restrictions in the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009/2393 that apply by virtue of the overlap with Section 95, Local Government Act 2003.
 - (5) Section 5 - 7 The use of GPOC can be restricted by the Secretary of State but to date no restrictions relevant to the establishment and operation of the company have been put in place.
- ii) The Incidental Power – Section 111, Local Government Act 1972
 - (1) This authorises the local authorities to “to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”. The Incidental Power combined with the Councils' functions under the Children Act 1989 potentially authorises the establishment of a joint company to facilitate the delivery of those functions. The Council's functions here would be those under Section 25 of the Children Act. Further, Part III of the Children Act 1989, Section 27, supports collaborative approaches between local authorities for the benefit of discharging their responsibilities for children
 - (2) The Councils' functions in relation to placing children in a secure Children's Home
- iii) Further, the use of a company to build, develop and operate the Secure Children's Homes does not amount to trading or acting for commercial purpose because any such company will be focused on providing services and goods to the vehicle's members, especially if a way can be established for that company to operate principally for the London Boroughs to meet their statutory responsibilities.

2. Legal form of the PLV

2.1 The Pan-London Vehicle (“PLV”) will be a company limited by guarantee (“CLG”) and owned by the London local authorities. The PLV will not be focussed on profit generation and it is intended that any surplus generated by the PLV will be reinvested into its activities.

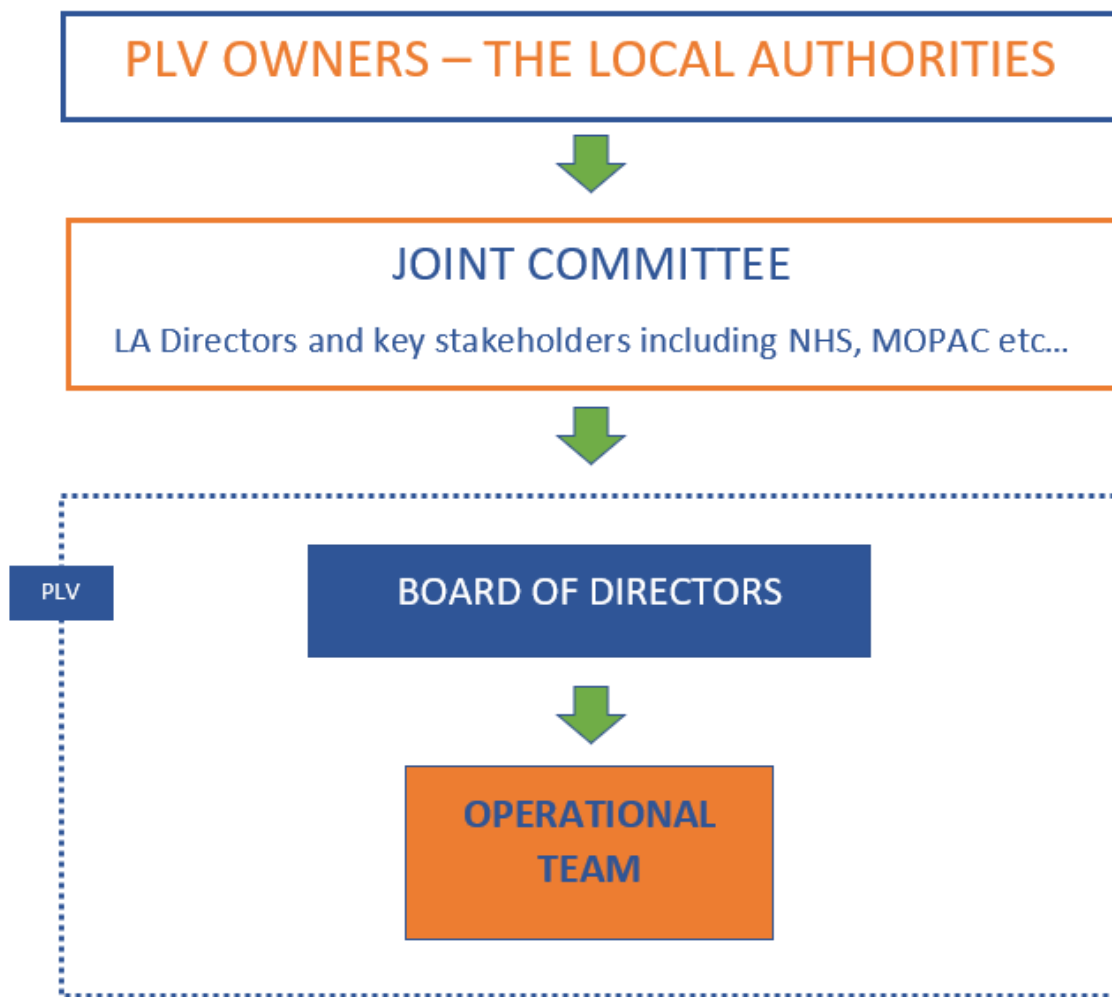
2.2 The CLG structure will –

- a. Enable Teckal compliance and as such will enable the PLV member LAs to contract freely with the PLV for its services without a competitive public procurement process being undertaken;
- b. Provide for London LAs to join and become members of the PLV, and
- c. subsequently leave if they desire. The process for joining and leaving the PLV will be set out in the company’s Articles of Association (“Articles”) and governance agreement to cover issues such as notice periods, the treatment of on-going costs and liabilities etc;
- d. For the first five years of the PLV’s existence, “lock in” the PLV member local authorities (including any local authority who joins the PLV during this period) for a term of five years with a break clause at three years and at the end of the term, and from year six onwards, “lock in” the PLV members (including any LA who joins the PLV during this period) for a term of ten years with a break clause at the end of the fifth year of the ten-year term (see ‘onboarding and exiting arrangements’);
- e. Provide sufficient flexibility for the PLV to extend to activities provided in other areas related to children and young people, subject to agreement of the local authorities.

2.3 As a CLG, the PLV will be registered at Companies House and will be subject to the Companies Act 2006. The PLV member LAs will be the equivalent of the shareholders of a company limited by shares and as such will in effect ‘own’ the PLV. In turn, the PLV will own its assets (i.e. the SCHs). The PLV member local authorities will only guarantee the PLV’s debts if it is wound up, up to a limit usually of £1 or a similarly nominal amount (this is separate from any specific guarantees on liabilities that may arise for specific arrangements). The PLV member local authorities will appoint the PLV’s directors who will then hold to account the officer team of the PLV, which will have delegated responsibility for the PLV’s day to day operations.

2.4 How the PLV will be governed

2.4.1 An organogram showing the proposed structure is set out below. The rest of this section explains the different components.



- 2.4.2 The PLV's governance arrangements will be set out in:
- 2.4.2.1 Bespoke Articles which will be filed at Companies House and as such will be publicly available;
 - 2.4.2.2 An additional, parallel PLV member local authority governance agreement setting out collaboration arrangements between local authorities; and
 - 2.4.2.3 Any other agreement which may be appropriate or necessary for the effective governance of the PLV (Such as a funding agreement, information sharing protocols etc).
- 2.4.3 The PLV members'/governance agreement and any additional agreements will remain confidential to the parties concerned but will be subject to the Freedom of Information Act 2000 and the Environmental Information Reporting Regulations 2004 as any company wholly owned by a local authority is subject to the same regime as applies to the local authority which owns it.
- 2.4.4 The PLV will also be required to operate in accordance with its business plan and operational plan which will be reviewed in accordance with the PLV member LA/governance agreement.

- 2.4.5 The PLV's constitution will seek to ensure that its board directors are provided with sufficient freedom to achieve the PLV's objectives, while providing for the PLV member LAs to have sufficient control over, and involvement in, the PLV, its delivery of the SCHs and commissioning of services provided by a third-party operator.
- 2.4.6 Legal documents to establish the PLV (and not confined to its governance) will include, but are not limited to
- Memorandum of Association and Articles of Association;
 - Governance Agreement;
 - Member Committee and Stakeholders' Board Terms of Reference (see below for discussion);
 - Funding Agreement(s);
 - Support Services Agreement/Service Level Agreements;
 - Access to Information/Information Sharing Agreement (including as pertains to the Freedom of Information Act 2000 and Environmental Information Reporting Regulations 2004
 - Data Protection Act protocol
 - New member joining agreement

2.5 The Member Local Authorities and their roles

- 2.5.1 There will be a single class of membership for the PLV, rather than different classes split between initial local authority members and any others subsequently joining. Between them, the PLV member LAs will appoint six "representative" directors to the PLV board of directors (out of a total of eleven PLV directors – see The Board of Directors section below). All these directors will be non-executive directors. A lead officer on the PLV operational team (e.g. the "Senior Lead") will not be appointed as a PLV board director, but may be invited to join with observer status, in order to give the PLV board of directors the space to develop a strong forum for holding the operational team to account.
- 2.5.2 The constitution of the PLV will be drafted to provide for the rotation of the PLV directors. The directors will serve a term of five years. In relation to the six PLV member local authority representative directors, should a director leave their post at their employing LA during the five-year term of their PLV directorship, their incumbent will take on the role of PLV director for the remainder of the term. At the end of the first five-year term, two directors will stand down, with a further two directors standing down each year thereafter.
- 2.5.3 Financial contributions to the working capital of the PLV will be provided for in specific funding agreements. Following the initial 5 year year period, the financial contribution required of the PLV member local authorities to the working capital (to ensure cash flow) will be dependent upon the number of member local authorities at any time.

2.6 On-boarding and exiting arrangements

- 2.6.1 The initial PLV member local authorities will have to obtain the requisite internal authority to establish the PLV and contribute financially to its working

- capital. Those London local authorities which join the PLV subsequently will need to obtain the requisite internal authority to do so and also to incur the ensuing costs of membership (a financial contribution to the working capital).
- 2.6.2 The PLV Articles and members'/governance agreement will be drafted to provide for non-member London local authorities to subsequently join the PLV by way of written application to the board of directors of the existing members, with no such application being unreasonably refused. Membership will be contingent upon an agreed financial contribution to the working capital, which will recognise previous contributions made by existing member local authorities.
- 2.6.3 To ensure operational and financial stability for the PLV, during the first five years of the PLV's existence, PLV member local authorities (including any local authority who joins the PLV during this period) will be 'locked in' as financially contributing PLV member local authorities for a term of five years with a break clause at three years and at the end of this term. From year six onwards, the PLV member local authorities (including any local authority who joins the PLV during this period) will be 'locked in' for a term of 10 years, with a break clause at the end of the fifth year of the 10-year term.
- 2.6.4 The Articles and governance agreement will be drafted to provide for a membership 'application window' whereby those non-PLV member LAs wishing to join the PLV are able to apply to do so in the September of each year, with their membership commencing on the 1st April of the following year (if the application is approved) to coincide with the commencement of the local authority financial year. This is assuming the applying LA will have completed its internal decision-making and governance processes prior to applying to join the PLV.
- 2.6.5 The Articles and governance agreement will also provide for PLV member LAs wishing to terminate their membership of the PLV to serve 18 months' notice, with their membership terminating on the 31st March in a year to coincide with the end of the local authority financial year (subject to the fixed minimum membership period). This gives the PLV the opportunity to agree a transition plan and adjust its budgets with adequate notice.
- 2.6.6 The Articles, governance and finance agreement(s) will provide for the PLV member LAs to provide a contribution to the working capital of the PLV to coincide with the local authority financial year.
- 2.6.7 Exit arrangements will need to provide for settlement of outstanding and/or any on-going financial contributions and liabilities of PLV member LAs which have terminated their membership of the PLV.
- 2.7 Decision-making**
- 2.7.1 The Articles and the governance agreement will be drafted to reserve certain activities and key decisions to the PLV member LAs. Such an arrangement would ensure the PLV member LAs retain control and influence over the PLV. The 'reserved matters' will be limited to:

- Adopting the initial and subsequent business plans and approving any material changes to them, including which decisions are to be reserved decisions
- Appointing and removing directors;
- Borrowing capital outside of the business plan; and
- Approving material changes to the nature of the PLV's business.
- The reserved matters will be subject to a simple majority of all those members who vote (to enable decision-making on an effective basis). The responsibility to vote within the relevant time period for each decision will be with the voting LA. The PLV member LAs, by 75% majority of those that vote, can also direct the board to take, or refrain from taking, a specified action (this is common with a company that is structured to enable "Teckal" treatment). All other non-operational decisions in relation to the PLV will be made by the PLV directors, or if appropriate for certain decisions, the PLV operational team.

2.7.2 The reserved matters will not include decisions which are otherwise covered by company law e.g. amendment of the Articles by special resolution (75% of those voting at a general meeting or entitled to vote if by written resolution).

2.8 PLV Joint Committee

2.8.1 The governance arrangements will provide for a joint committee of the PLV member LAs to comprise the Directors of Children's Services or similarly senior and appropriately skilled officers of the members' local authorities. The members of the joint committee will each act as a representative of their respective local authority at "shareholder/owner" level. The joint committee will be involved in approving the PLV's business plan, budget and the other reserved matters to be decided on behalf of the PLV member local authorities as listed in paragraph 2.7.1 (not including matters covered by company law e.g. amendment of the Articles which requires a special resolution), without the conflicts of interest that board directors can face.

2.8.2 The joint committee will operate under agreed terms of reference. The PLV board's regular reporting to the joint committee will be provided for in the governance agreement, which will also provide for directors or officers of the PLV (e.g. the operational team), in exceptional circumstances, to attend and answer questions at appropriate meetings of the PLV member local authorities, their executive and committees.

2.9 Additional public bodies involved in the project, such as NHS bodies and the Mayor's Office for Policing And Crime, will be able to sit on the joint committee as observers. The observers' role will be subject to the Terms of Reference and governance agreement and the observers will be able to attend and participate in meetings of the joint committee but will not be able to vote. It is intended that the facilitation of the observers in this way will provide for the engagement and involvement in the project of relevant public bodies, while ensuring the PLV has the freedom it needs to achieve its objectives and marking a distinction between the LAs, as owners of the PLV and the legitimate interests of the other stakeholders.

2.10 The Board of Directors

2.10.1 The board will be comprised of 11 directors:

2.10.1.1 A chairperson - to provide for political ownership, the board's chairperson will be the London Councils' Lead Executive Member for Schools and Children's Services at any given time. The chairperson will have a casting vote to guard against deadlock in board decisions.

2.10.1.2 Six representative directors, these will comprise senior officers of the PLV member local authorities appointed to bring oversight, experience and particular skills which would be advantageous to the PLV. They would not be full time, not remunerated or employed by the PLV and, as detailed above, will serve a fixed term of up to five years. The directorship shall be automatically terminated upon the cessation of their employment with the PLV member local authority and their incumbent will take on the role of PLV director for the remainder of the five-year term. An officer placed on the board can be provided with an indemnity pursuant to the Local Authorities (Indemnities for Members and Officers) Order 2004 for their actions in the role as long as their actions are taken legally, honestly and in good faith.

2.10.1.3 Three independent directors shall be appointed following a recruitment process. They will not be full-time, not remunerated (beyond reasonable expenses) or employed by the PLV and they will serve for a fixed term for up to five years. The PLV will have to take out indemnity insurance for them; and

2.10.1.4 A director appointed from the members of the London Society of Treasurers. This is to provide for the financial oversight of the board.

2.11 Public Procurement

2.11.1 Ordinarily the services that are commissioned in relation to a child might be reasonably categorised as "Social work services with accommodation" (CPV Code 85311000-2) – these are subject to what is known as "the light touch regime" ("LTR"). LTR services benefit from a significantly higher competitive tendering threshold (£663,540) than for other services and greater flexibility in the design and operation of public procurement processes.

2.11.2 However, it is worth exploring the establishment of a joint vehicle that will not be subject to the competitive tendering requirements that councils would otherwise be subject to.

2.11.3 There are two exceptions in PCR 2015 to the requirement for competitive tendering that enable the commissioning of services directly from either one or more lead authority or a jointly owned vehicle. These are set out in Regulation 12 PCR 2015

- public services co-operation arrangement;
- a "Teckal" vehicle

2.12 It is perfectly possible for the participating councils to establish an administrative arrangement under which one of the authorities undertakes the lead role in delivering the Secure Children's Homes, using mechanisms under the Local Government Act 1972, section 101 in particular. These

would be outside the EU procurement rules as these arrangements are not public contracts that are subject to their competitive tendering requirements.

- 2.13** One arrangement that does allow for councils and other contracting authorities to have delivered to each other services that are subject to the tendering requirements of the EU procurement regime is the public service co-operation arrangement (in large measure now defined in regulation 12(7) PCR 2015). The key test (of the 3) for our purposes is that the contract creates a co-operation between them with the aim of ensuring that the public services they have to perform are provided with a view to achieving objectives that they have in common. In order for such an arrangement to be effective there has to be genuine reciprocity between participating public bodies – however, with 32 London Boroughs potentially participating, a public service co-operation arrangement between them is likely to be unwieldy, with risk and management falling predominantly on the London Borough(s) hosting the new Secure Children’s Home provision, resulting in unnecessarily complex arrangements.
- 2.14** This leaves us with the other option for delivering and sharing services between the Councils without triggering competitive tendering requirements of the EU procurement rules – the “Teckal” vehicle now governed by Regulation 12 PCR 2015 (except Regulation 12(7)). It would accommodate direct placements by all its member councils but will need to leave open potential adjustment to its structure if the Centralised Commissioning Framework is established and a single national commissioner is in place.
- 2.15** Participating councils and other public bodies should be able to establish a single vehicle that meets the relevant tests i.e. in particular it is established so that:
- they jointly exercise a decisive influence over the strategic objectives and significant decisions of the vehicle;
 - the board of directors comprises representatives of the entity’s member authorities; and
 - the vehicle does not pursue any interest’s contrary to those of the Member authorities.

Financial Modelling for the Secure Children’s Home Project and PLV

There is a clear need to create more Secure Children’s Home provision for London. Detailed analysis supports the creation of 24 secure welfare beds.

These beds will allow London children to be placed within London.

The funding commitment from the Department for Education of £50+ million offers London an opportunity to invest significantly in improving outcomes for our most vulnerable children and young people.

Even with this additional funding, the financial, operational, and reputational risk required to take on this project is more than any single LA could manage. The case for creating this provision relies on collaboration between London LAs, and to this end, the establishment of the PLV will allow London LAs to share both the risks and benefits of the project. The PLV is the required infrastructure for the project to succeed.

This financial modelling outlines some predicted costs and estimated benefits for London local authorities. To compile these figures, we have used data submitted by London LAs on their use of secure placements and alternatives to secure, as well as detailed modelling from 2019-20. The figures from 2019-20 have been inflated to 2022 prices using the Consumer Price Index (CPI). *Please note, these figures are used to illustrate different scenarios - they do not represent the final placement prices or actual operating costs for the new provision.*

1. Annual Running Costs for the Secure Children’s Home and Pan-London Vehicle

The costings in the tables below are taken from the NEL business case. These final totals are then updated to 2022 prices using the CPI.

1.1: Secure Children’s Home

The current plan is for the proposed Secure Children’s Home provision to contain 24 beds, in one site. The below table from the business case shows the estimated annual running costs of various sizes of SCH in 2019/20 prices.

Table 1	Indicative annual running costs 2019
Accommodation Size	
1 x 12 bed	£3.63m
1 x 18 bed	£5.11m
2 x 12 bed	£7.26m
2 x 18 bed	£10.22m

Shows indicative annual running costs for various sizes of SCHs.

Taking the proposal for 2 x 12 bed homes (24 beds), and updating this figure to 2022 prices, the current annual running cost for the Secure Children’s Home proposed is **£8.06m**.

1.2: Pan-London Vehicle

PLV operational costs	Year 1 – start-up costs	Ongoing costs	
Staff costs	£286,000	£286,000	The assumption is that hosting costs and start-up costs are likely to be lower if a London LA hosts the PLV
Hosting costs	£133,000	£133,000	
Start-up costs	£79,000	-	
Total	£498,000	£419,000	

Shows estimated costs of running the PLV annually and in the first year in 2019/20

Note: figures are rounded to the nearest £1k

PLV operational costs in 2022	Year 1	Ongoing
Total	£553,000	£465,000

1.3: Transport Costs

Current transport costs (with no London SCH) in 2019/20 were estimated in the NEL business case to be £126,000. Updated to 2022 prices, this is £140,000.

The NEL business case suggested that LAs could expect the current transport costs to be halved by the creation of a London SCH. On this basis, transport costs in 2022, with the creation of a Secure Children's Home in London, would be: **£70,000**.

1.4: Total Indicative Cost to London

	Estimated costs for 2022
Running cost for 24 beds <i>including provider profit margin</i>	8060000
PLV Annual Cost	465000
Secure Transport Cost	70000
Total	£8,595,000

2. Costs and Benefits to Participating Local Authorities

The next section of the report compares a variety of scenarios to suggest estimated surplus or loss for different weekly costs of placement. Three sample costs of placements are used: £8.25k as mid-point of current secure children's home provision; £10k; and £12k, the latter recognising the often very high cost of alternative provision when Secure Children's Home places are not available. The outcomes of each scenario are compared at varying levels of occupancy and the effect of different numbers of local authorities signing up. The scenarios

consider occupancy at: 100%; 90%; 85%; and a final scenario (A4, B4, and C4) with occupancy of 50% in year 1 followed by 85% in each of years 2 and 3.

2.1: Scenario A

In these scenarios, the weekly placement cost which the SCH charges the LAs is £8250 across all years (no inflation factored in). *Please note, placements that could be made by other LAs, charged at a higher cost, have not been factored in.*

Scenario A	A1	A2	A3	A4			
				Year 1	Year 2	Year3	Over 3 years
Occupancy Rate	100%	90%	85%	50%	85%	85%	Surplus / Loss
Annual Revenue Raised	£10,296,000	£9266400	£8751600	£5,148,000	£8,751,600	£8,751,600	N/A
Running Cost	£8,595,000	£8,595,000	£8,595,000	£8,683,000	£8,595,000	£8,595,000	N/A
Surplus/Loss	£1,701,000	£671,400	£156,600	£-3,535,000	£156,600	£156,600	£-1,073,930
Surplus/Loss per LA with 33 members	£51,550	£20350	£4,750	£-107,120	£4,750	£4,750	£-32,540
Surplus/Loss per LA with 25 members	£68,040	£26856	£6,264	£-141,400	£6,264	£6,264	£-42,960
Surplus/Loss per LA with 16 members	£106,310	£41960	£9,790	£-220,940	£9,790	£9,790	£-67,120
Surplus/Loss per LA with 8 members	£212,625	£83925	£19,575	£-441,875	£19,575	£19,575	£-134,240

2.2: Scenario B

In this scenario, the weekly placement cost is £10,000 across all years (no inflation factored in). *Please note, placements that could be made by other LAs, charged at a higher cost, have not been factored in.*

Scenario B	B1	B2	B3	B4			
				Year 1	Year 2	Year3	Over 3 years
Occupancy Rate	100%	90%	85%	5%	85%	85%	Surplus / Loss
Annual Revenue Raised	£12,480,000	£11,232,000	£10,608,000	£6,240,000	£10,608,000	£10,608,000	N/A
Running cost	£8,595,000	£8,595,000	£8,595,000	£8,683,000	£8,595,000	£8,595,000	N/A
Surplus/Loss	£3,885,000	£2,637,000	£2,013,000	£-2,443,000	£2,013,000	£2,013,000	£527,670
Surplus/Loss per LA with 33 members	£117,730	£79,910	£61,000	£-74,030	£61,000	£61,000	£15,990
Surplus/Loss per LA with 25 members	£155,400	£105,480	£80,520	£-97,720	£80,520	£80,520	£21,110
Surplus/Loss per LA with 16 members	£242,810	£164,810	£125,810	£-152,690	£125,810	£125,810	£32,980
Surplus/Loss per LA with 8 members	£485,625	£329,625	£251,625	£-305,375	£251,625	£251,625	£65,960

2.3: Scenario C

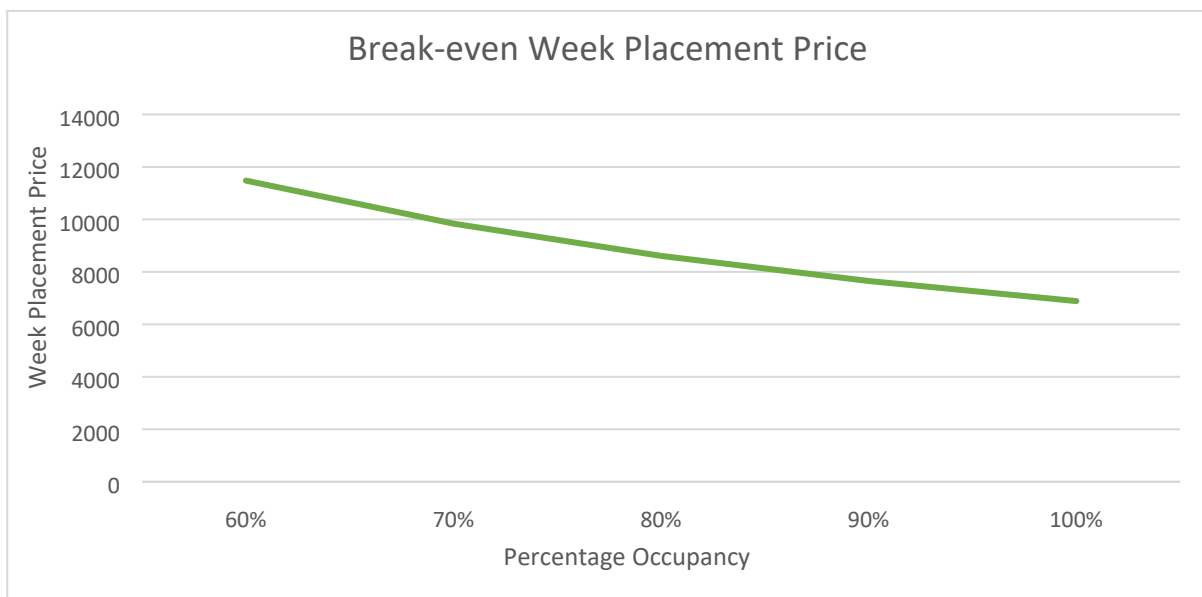
In this scenario, the weekly placement cost is £12,000 across all years (no inflation factored in). *Please note, placements that could be made by other LAs, charged at a higher cost, have not been factored in.*

Scenario C	C1	C2	C3	C4			
				Year 1	Year 2	Year 3	Over 3 years
Occupancy Rate	100%	90%	85%	50%	85%	85%	Surplus / Loss
Annual Revenue Raised	£14,976,000	£13,478,400	£12,729,600	£7,488,000	£12,729,600	£12,729,600	N/A
Running Cost	£8,595,000	£8,595,000	£8,595,000	£8,683,000	£8,595,000	£8,595,000	N/A

Surplus/Loss	£6,381,000	£4,883,400	£4,134,600	-£1,195,000	£4,134,600	£4,134,600	£2,358,070
Surplus/Loss per LA with 33 members	£193,360	£147,980	£125,290	-£36210	£125,290	£125,290	£71,460
Surplus/Loss per LA with 25 members	£255,240	£195,336	£165,384	-£47,800	£165,384	£165,384	£94,320
Surplus/Loss per LA with 16 members	£398,810	£305,210	£258,410	-£74690	£258,410	£258,410	£147,380
Surplus/Loss per LA with 8 members	£797,625	£610,425	£516,825	-£149,375	£516,825	£516,825	£294,760

3. Break Even Costs

The below graph demonstrates the weekly placement price the SCH would have to charge to break even at different levels of occupancy. This includes covering the costs of the PLV and secure transport. We can see that at below roughly 70% occupancy, the cost of a week placement in the secure children's home needed for the home to break even rises above £1000. Of course, the running costs of the SCH will change with the number of children who are housed there, as staffing and food costs will vary. Therefore, we can expect that this model significantly overestimates the week-placement costs needed to break even at lower rates of occupancy.



The exact break-even weekly placement prices are shown in the table below, rounded to the nearest £10.

Occupancy	Break Even Placement Price
10%	£68,870
20%	£34,440
30%	£22,960
40%	£17,220
50%	£13,770
60%	£11,480
70%	£9,840
80%	£8,610
90%	£7,650
100%	£6,890

Cost of PLV

These estimates are taken from the NEL business case. We have included an updated cost for 2022.

Estimated Year 1 PLV Costs

The following Table shows the estimated costs of the PLV in Year 1 of operation based upon the assumption the PLV would be a standalone organisation. These costs have been separated out into set-up (A) and on-going (B) costs.

Expenditure	A: Year 1 set-up	B: Year 1 on-going	C=A+B: Total Year 1 costs
Staff Costs: Management	£0	£285,795	£285,795
Professional Fees	£9,203	£24,961	£34,164
Office rent, rates and service charges	£0	£58,286	£58,286
Contracts	£0	£18,108	£18,108
Fit-out and Furniture	£51,240	£0	£51,240
IT and Hardware	£18,995	£9,030	£28,025
Sundries and Supplies	£0	£3,422	£3,422
Training	£0	£10,500	£10,500
Other	£0	£8,418	£8,418
Total	£79,438	£418,520	£497,958

Totals in 2022 (CPI)	£81,187	£433,00	£514,819
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Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	The Pan-London Vehicle for Commissioning & Secure Children's Home	
Service Area	Children's Care and Support	
Officer completing the EIA Screening Tool	Lydia Freeman, Commissioning Manager	
Head of Service	Philip Williams, Interim Head of Children's Care and Support Commissioning	
Date	13/11/2022	
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	Click or tap here to enter text.	
Protected characteristic	Impact	Description
Age	Positive impact (L)	Describe the impact.
Disability	Positive impact (L)	Describe the impact.
Gender re-assignment	Low negative impact (L)	Describe the impact.

Marriage and civil partnership	Not applicable (N/A)	Describe the impact.
Pregnancy and maternity	Low negative impact (L)	Describe the impact.
Race	Positive impact (L)	Describe the impact.
Religion	Not applicable (N/A)	Describe the impact.
Sex	Not applicable (N/A)	Describe the impact.
Sexual orientation	Not applicable (N/A)	Describe the impact.
Socio-Economic Disadvantage¹	Positive impact (L)	Describe the impact.
How visible is this service/policy/project/proposal to the general public?		Low visibility to the general public (L)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		Medium risk to reputation (M)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

Click or tap here to enter text.

Please submit the form to CE-strategy@lbbd.gov.uk and include the above explanation as part of the equalities comments on any subsequent related report.

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

CABINET

21 March 2023

Title: Renovation of Borough Tennis Courts via LTA Renovation Fund	
Report of the Cabinet Member for Community Leadership and Engagement	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Authors: Neil Pearce, Head of Sustainability, Net Zero & Parks Commissioning Andy Johnson, Lead Commissioner Parks	Contact Details: Tel: 020 8227 5733 E-mail: neil.pearce@lbbd.gov.uk Tel: 0797 200 3773 E-mail: andy.johnson@lbbd.gov.uk
Accountable Strategic Leadership Director: James Coulstock, Strategic Director for Inclusive Growth	
Summary:	
<p>Six of the borough's twenty-eight parks currently include tennis court facilities. If all the facilities were in a suitable condition and available to residents, the provision in the borough would equate to 19 tennis courts in total. However, the two tennis courts at Parsloes Park were decommissioned several years ago and the four courts at Central Park are currently closed due to the poor condition of the surfaces, absence of equipment (i.e. nets and posts) and concerns about inadequate drainage and periodic flooding. The remaining 13 courts across Barking Park, Greatfields Park, Old Dagenham Park and St Chads Park are open for use but each site requires upgrading and ongoing maintenance to continue to be fit for purpose.</p> <p>Without significant investment and an alternative approach to the management and maintenance of the borough's tennis facilities, the courts and associated infrastructure would continue to deteriorate and closure of additional courts would be inevitable.</p> <p>The Lawn Tennis Association (LTA) has launched a Renovation Fund, supported by £21.9m of funding directly from the Department for Digital, Culture, Media and Sport (DCMS) and an additional £8.4m from the LTA Tennis Foundation, aimed at refurbishing tennis court facilities in parks across the UK and generating 1 million more players by 2024. This provides the Council with a 'once in a generation' opportunity to reverse the steady and inevitable decline in the borough's tennis court provision.</p> <p>The Lead Commissioner, Parks, has been working in partnership with LTA's Parks Investment Delivery Partner to investigate the opportunities that the Renovation Fund creates for Barking and Dagenham. LBBd is an eligible authority and the results of penetration analysis (the process the LTA uses to determine the local demand and potential tennis players in any given area) confirm that there is sufficient demand to support a bid for investment in the courts located in all six of the borough's parks.</p>	

Surveys of all 19 courts undertaken by the LTA's Technical Services Team in July/August 2022 identified tennis facility improvements totalling £527,678. These project costs are based on the LTA's independent tennis facility inspections/surveys. LTA preliminary works and contingency have been included in the estimated costs of the scope of works already to allow for increased costs and if there is further movement in the costs this will be considered by the LTA's funding panel at Stage 2 of its process. The potential for cost increases has also been identified as a project risk later in the report.

The LTA has provisionally agreed to support a funding bid of £394,778 towards the necessary works at all six parks. The remaining £132,900, which relates to ground works not covered by the Fund, would need to be met by the Council.

An assessment of the overall project by the Council's Assets and Capital Board has supported the allocation of £75,400 from the Council, made up of a £50,000 s106 contribution associated with Padnall Open Space residential development and £25,400 from the 2023/24 Strategic Community Infrastructure (SCIL) allocation for the delivery of the Padnall Open Space Strategy (POSS) Action Plan. However, the current funding shortfall of £57,500 means that Parsloes Park would not be included in the overall project, thereby reducing the total LTA Fund grant by £58,163, from £394,778 to £336,615.

The report also sets out proposed changes to the current tennis court management, maintenance and operational arrangements, as well as plans for public consultation.

Recommendation(s)

The Cabinet is recommended to:

- (i) Support the partnership with the LTA and the tennis development proposals set out in the report, to deliver high quality court provision for the local community and increase tennis participation in the borough, and enter into an agreement with a tennis operator to manage and maintain the borough's tennis courts;
- (ii) Support the proposed funding arrangement (Option 6) including £50,000 s106 and £25,400 SCIL to support the delivery of 17 x tennis court improvements in 5 of the Borough's parks (i.e. excluding Parsloes Park) to secure £336,615 funding from the LTA's Renovation Fund;
- (iii) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Strategic Director, Finance and Investment, to approve the inclusion of the Parsloes Park tennis courts in the Council's application in the event of additional internal funding of £57,500 being identified;
- (iv) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Chief Legal Officer, to let the tennis court facilities to a tennis operator on the terms detailed in the report, subject to compliance with s123 of the Local Government Act 1972; and
- (v) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Chief Legal Officer and on the advice of the Procurement Board, to procure

and enter into all necessary contracts and agreements to ensure completion of the tennis development proposals in accordance with the strategy set out in the report.

Reason(s)

The Council has responsibility for the management and improvement of parks and open spaces in the Borough and the associated sports pitch and court provision. The proposals in this report are aligned to the Council's strategic priorities included in its Parks and Open Spaces and Playing Pitch strategies, public health aims and sport and physical activity targets and deliver the following benefits:

- A sport for everyone, regardless of their age, gender, background, ability, or disability;
- Opportunities to be active;
- Significant physical and mental health benefits;
- Brings communities together;
- Significant interest in playing as a result of high-profile British success;
- An effective way to help the Council achieve its objectives;
- A project with capital investment from the LTA and DCMS that can provide good value for the local community, is easy to sign-up for and will be sustainable in the long term.

1. Introduction and Background

- 1.1 In late February/early March 2022 the Lead Commissioner Parks identified a potential source of funding for the renovation of tennis courts in the borough's parks via the Lawn Tennis Association (LTA) Renovation Fund.
- 1.2 The LTA park investment programme will refurbish park courts across the UK having received £21.9m of funding directly from DCMS and an additional £8.4m from the LTA Tennis Foundation to deliver the program by March 2024. As a direct outcome of this investment the LTA aims to generate 1 million more players by 2024.
- 1.3 Subsequent meetings and discussions with the LTA's Parks Investment Delivery Partner (covering the London borough's north of the Thames) confirm that there is demand for tennis in the borough and LTA support for significant investment in the borough's tennis courts.
- 1.4 This report provides further details of the Renovation Fund and the opportunity to renovate the borough's parks tennis courts and increase tennis participation.

2. LBBD tennis courts – Current arrangements

Tennis court provision

- 2.1 Six of the borough's twenty-eight parks currently house tennis court facilities. Sites include:
 - Barking Park x 6 courts

- Central Park x 4 courts
- Greatfields Park x 1 court
- Old Dagenham Park x 2 courts
- St Chads Park x 4 courts
- Parsloes Park x 2 courts

- 2.2 In terms of past and more recent court improvement works, four of the six Barking Park tennis courts were renovated in 2013 with the support of a LTA grant (£64,475) (i.e. court surface replaced, new court lines, nets and perimeter fencing and gates). In December 2021 the single court in Greatfields Park was improved (i.e. new perimeter fencing and gates, court surfaced cleaned and new lines).
- 2.3 Unfortunately, the 4 x courts in Central Park are currently closed due to the poor condition of surfaces, absence of equipment (i.e. nets and posts) and concerns about inadequate drainage and periodic flooding. These issues are being investigated as part of the Central Park Master Plan and Soil Importation Project. However, there is no allocation in the project cost plan for the tennis courts, and previous budget estimates indicate that renovation of the courts will cost c£50,000 (excluding any associated the drainage works).
- 2.4 The two tennis courts in Parloes Park were decommissioned several years ago and merely exist as a vacant site.
- 2.5 Therefore, in total the borough currently has 13 operational courts (excluding the Central Park x 4 and Parsloes Park x 2 courts). If the Central Park and Parsloes Park courts were brought back into service, the local community would have access to 19 tennis courts.

Court repair and maintenance

- 2.6 The borough's park tennis courts are currently managed and maintained by Public Realm (Parks and Environment). According to financial data supplied by Parks and Environment, the average annual cost to the Council associated with managing and maintaining the borough's tennis courts is c£6,000 pa. This expenditure covers the following work/operations: court surface repairs, line marking, jet washing and moss treatment, boundary fence and access gate repairs.
- 2.7 In general, hard tennis courts require relatively little time and effort to maintain. However, some routine proactive court maintenance is essential, including sweeping, spraying and periodic repairs to court surfaces and infrastructure (i.e. nets, posts, perimeter fencing and gates). Failure of removal of litter, debris and organic matter can result in discoloration and premature wear and deterioration of the court surface and lines, and problems with mould and mildew especially where courts are under heavy cover from adjacent trees and shade.
- 2.8 Unfortunately, due to budget and resources pressures the level of operational repair and maintenance is below the desired level, and the availability of capital funding to deliver major facility upgrades is limited. Without additional investment and a sustainable revenue budget the quality of the borough's tennis court facilities has declined, and the condition will continue to deteriorate over time. To illustrate this point, recent photographs of the Central Park courts are shown below.



Court access

- 2.9 When operational, all the borough's tennis courts are available without charge when the parks are open, and there is no formal booking system in place.

3. Proposal and Issues

- 3.1 The Lawn Tennis Association (LTA) has launched a Renovation Fund, supported by £21.9m of funding directly from the Department for Digital, Culture, Media and Sport (DCMS) and an additional £8.4m from the LTA Tennis Foundation, aimed at refurbishing tennis court facilities in parks across the UK and generating 1 million more players by 2024.
- 3.2 This provides the Council with a 'once in a generation' opportunity to reverse the steady and inevitable decline in the borough's tennis court provision.
- 3.3 The Lead Commissioner, Parks, has been working in partnership with LTA's Parks Investment Delivery Partner to investigate the opportunities that the Renovation Fund creates for Barking and Dagenham. LBBDD is an eligible authority and the results of penetration analysis (the process the LTA uses to determine the local demand and potential tennis players in any given area) confirm that there is sufficient demand to support a bid for investment in the courts located in all six of the borough's parks.
- 3.4 Surveys of all 19 courts undertaken by the LTA's Technical Services Team in July/August 2022 identified tennis facility improvements totalling £527,678. These project costs are based on the LTA's independent tennis facility inspections / surveys. Appendix 1 sets out the LTA Renovation Fund Report for Barking and Dagenham and Appendix 2 contains a copy of the draft LBBDD application form.
- 3.5 In terms of delivering for the local community, the benefits of this Fund include:
- Significant resources including capital investment available
 - Human resources and expertise to deliver these projects
 - Seeking to simplify the procurement process

- Secure best value
- National operators with capacity to manage the Council's courts
- Where these initiatives have been implemented, LTA has seen significantly increased participation

3.6 The LTA Parks Investment Delivery Partner has confirmed LBBD is an eligible authority and the results of penetration analysis (Table 1) also confirm that there is sufficient demand to support a bid for investment in all 6 LBBD parks.

Penetration analysis

3.7 The LTA use a Periscope mapping tool which was created by working with a behavioural research company to determine the local demand and potential tennis players in any given area. The tool uses multiple data sources in its algorithm including ONS and census data and allows them to input a specific postcode which produces a report on the potential demand in that area. They consider that 8% of the local demand, within a 10-minute drive time radius, are likely to attend their local park court and this is known as the Penetration number. Any site that has a penetration number above 1,000 gives them real confidence that there is a local demand and sufficient people with a propensity to play tennis in a given area. All six LBBD sites have a penetration of over 1,000 with Barking Park having the largest demand with over 3,148 people in a 10-minute drive time with a propensity to play tennis.

Table 1: LTA Penetration Analysis

Park Name	Park Address	Number of Courts	Penetration
Barking Park	Longbridge Rd, Barking, IG11 8SS	6	3148
Central Park	Wood Ln, Rainham Rd N, Dagenham, RM10 7EU	4	1726
Greatfields Park	Greatfields Rd, Barking, IG11 7TX	1	1565
Old Dagenham Park	Vicarage Rd, Dagenham, RM10 9SS	2	1723
St Chads Park	Park Ln, Dagenham, Romford, RM6 6UL	4	2959
Parsloes Park	Ivy Walk, Dagenham, RM9 5SB	2	2546

3.8 However, a successful funding bid and securing Renovation Fund support will require a fundamental change to the way in which the Council has historically managed (i.e. freely accessible) and maintained (i.e. c/o the Public Realm (Parks and Environment) parks R&M revenue budget) the borough's tennis courts.

3.9 Therefore, although the LTA's Penetration Analysis confirms that there is sufficient local demand to warrant the LTA's investment in the tennis court facilities, additional resident consultation will be undertaken in 2023. It is anticipated that the results will confirm that there is resident demand for tennis as a sport/pastime in the borough

and overall support for the tennis development proposal. An update on the results of this consultation will be provided in due course.

Technical Surveys

3.10 In August 2022 the LTA's Technical Services Team visited each park and surveyed the tennis court facilities. The result of these inspections and the associated costs of the intervention works are summarised below:

Table 2: LTA Technical Survey Results

Park Name	No. of Courts	No. of Gates	Proposed Renovation / Interventions	Proposed Intervention Costs (<i>costs from LTA Technical Survey facility inspections</i>)	Funding Committed by Local Authority (TBC)	Total Cost to the LTA
<i>Barking Park</i>	6	2	Recolour Crts 1-4, resurface crts 5&6, remove double gate & infill, reconstruct 3m2, 85m fencing, 3 pedestrian gates, 2 Lite gates, prelims & contingency	£69,180		£69,180
<i>Central Park</i>	4	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 186m fencing, 1 pedestrian gate, 1 Lite gate, prelims & contingency	£191,750	£75,400	£116,350
<i>Greatfields Park</i>	1	1	Resurface crt 1, remove rigid net, reconstruct 30m2, 1 Lite gate, Prelims & contingency	£26,150		£26,150
<i>Old Dagenham Park</i>	2	1	Resurface 2 crts, remove rigid nets, reconstruct 20m2, 1 Lite gate, prelims & contingency	£38,150		£38,150
<i>St Chads Park</i>	4	2	Resurface crts 1-4, remove rigid nets, reconstruct 131m2, re clad roll weld mesh 73m, 2 Lite gates, Prelims & contingency	£86,785		£86,785
<i>Parsloes Park</i>	2	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 133m	£115,663	£57,500	£58,163

			fencing, 1 pedestrian gate, cut back vegetation, 1 Lite gate, prelims & contingency			
				£527,678	£132,900	£394,778

- 3.11 The LTA's Parks Delivery Investment Partner has confirmed support for a bid of £394,778 to the LTA's Funding Panel (Note: Stage 1 application submitted in August/September) if the Council can confirm a commitment to providing the investment to deliver the facility improvement works at Central Park (£75,400) and Parsloes Park (£57,500). Therefore, the total funding required from the Council is £132,900.
- 3.12 The improvement works at Central Park and Parsloes Park involve sub-base works which the LTA will not fund as part of the Renovation Fund. Therefore, as stated above, if the Council wants to include these sites in the proposal, then a contribution of £132,900 is required towards the total cost (£307,413) of the works at these two sites.
- 3.13 However, the LTA's Parks Investment Delivery Partner has confirmed that the Council could decide to omit sites (e.g. Central Park and Parsloes Park) entirely from the proposal. The LTA would still consider providing funding to deliver the works at the remaining sites. This would obviously reduce the available LTA funding. Consequently, the tennis courts (x4) in Central Park would remain closed. The facility will continue to deteriorate, and it will detract from the Central Park Master Plan improvements. Ultimately the Council would need to find the money to properly decommission the courts and remove any associated health and safety hazards.
- 3.14 Similarly, without the LTA investment it would not be possible to reinstate the Parsloes Park tennis courts (x2) and the residual infrastructure would need to be removed by the Council.
- 3.15 A £50,000 s106 contribution (i.e., associated with Padnall Open Space residential development. Planning reference 20/01686/FULL) has been secured to support the tennis court works in St Chads Park. This can be offset this against the £75,400 LBBB contribution required for Central Park and would release the £116,350 LTA funding required to deliver the work to the 4 x tennis courts (total cost: £191,750).
- 3.16 The balance of £25,400 can be met from the 2023/24 SCIL allocation (£100k) for the delivery of the POSS Action Plan. This approach represents good value for money as it will release a total of £336,615 LTA funding for investment in the borough's tennis court assets which would otherwise continue to slowly deteriorate.
- 3.17 At this point in time however, the match funding of £57,500 required from the Council to support the renovation of the two tennis courts in Parsloes Park is not available.

New Tennis Court Management and Maintenance Arrangements

- 3.18 If the Council wants to benefit from the Renovation Fund it must agree to provide the required funding support and accept that fundamental changes to the current tennis court management and maintenance arrangements will be required.
- 3.19 LTA Parks Investment Delivery Partner has offered to provide further details and a detailed explanation, but in summary the changes include (refer to **appendix 1**):
1. **Court access controls** – smart access gate and digital keypads installed at court entrances.
 2. **LTA booking platform** – introduction of a formal court booking system, Clubspark.
 3. **Fees and charges** – introduction of fees and charges for court hire.
 4. **Revenue funding** – to support the booking platform, court access systems, LTA venue registration (c£720 pa for all sites) etc.
 5. **Sinking fund** – c£1,200 per court/per annum. So, 19 courts = £22,800 pa.
 6. **Court maintenance schedule** – maintain a high standard of court R&M.
- 3.20 **Court access controls:** The installation of smart gate access systems will ensure that courts are available for players when they turn up for their game. Having booked their court online they will receive a unique Pin code which will be input on to a keypad at the gate, allowing them entry to the courts. This gate system removes the need for park rangers to manually go round locking/unlocking courts every day as they self-close and lock automatically. The system improves data collection for usage of the courts and also secures the courts for tennis players, preventing dog walkers from allowing dogs to foul on court and other sports such as skateboarding and cycling to occur which should prolong the court life expectancy.
- 3.21 **LTA booking platform:** The introduction of an online booking system (Clubspark) will enable players to book a court at a day and time that suits them ensuring they can guarantee their slot in advance. The system is mobile friendly allowing players to book and pay on the go. By introducing an online booking platform, players will no longer have to queue or hang around until a court is free – vastly improving the customer journey to court.
- 3.22 **Fees and charges:** To generate sufficient monies for an annual sinking fund the introduction of affordable pay and play fees would help to sustain the courts long term. Many other Local Authorities across London charge for tennis and evidence has shown that the number of ‘no shows’ dramatically reduces when paying for a court.

The court hire fees and charges will be set by the Council in partnership with the tennis operator and with reference to the London benchmarking of prices currently being charged. On average £5 per court per hour seems to be fair in London but the Council will also have the option of introducing reduced/concessionary rates for off peak hours if it wants to.

Season ticket options will also help to ensure that regular players can continue to play for a minimal cost and to get good value for money. For example, Richmond has a season ticket for £55 per year where residents can play tennis 1 hour per day, up to 5 times per week.

The LTA is also seeking to ensure that the tennis operator delivers one hour of free coaching sessions in 100% of park sites each week that the LTA invests in (which can be activator led for 1 hour per week e.g., a Saturday at 10am). This will ensure that access to tennis is fair across all sites and for people unable to afford to pay they can still access an hour free tennis every week. This will be the responsibility of the tennis operator to implement but should help with messaging to residents when introducing pay and play at other times.

The option to introduce a profit share arrangement also exists. However, the emphasis is on long term sustainability, investment, facility improvement, and increasing participation, rather than maximising income generation through the introduction of fees and charges.

- 3.23 **Revenue funding:** The booking platform is free to use (as LTA registered venues it is a free benefit). The tennis operator would pay the gate maintenance fees and the £720 LTA annual venue registration fee would be the responsibility of the tennis operator. This annual fee will also be waived for 15 years due to the LTA providing LBBD with grant monies as part of this programme. This is highlighted in the T&C's. In essence as long as the Council maintains the sinking fund (which will be provided by the tennis operator as a minimum) then the Council should have no other funding outlays.
- 3.24 **Sinking fund (e.g., court repairs and equipment replacement):** The LTA suggests that £1,200 per court, per year is put aside (i.e. from the income raised by the tennis operator) in order to cover the court works required when necessary (e.g. these monies can also be used to cover the resurfacing costs at the end of a courts life expectancy).
- 3.25 **Court maintenance schedule (e.g., routine operational):** Courts will need to be maintained on a regular basis to ensure their longevity and sustainability for future years. A schedule will be put in place for daily, weekly, monthly, and annual court maintenance and guidance on recommendations will be provided by the LTA. This will be the responsibility of the tennis operator.
- 3.26 **Operational Models:** As detailed in **appendix 1** two clear operating models have been tested:
- a) In house (with coaching provision tendered)
 - b) Fully outsource to tennis operator

The Fully Outsourced model is recommended as it has many advantages over the In-House model. It must be emphasised that this is not privatisation of the borough's tennis courts. Model 2 has many advantages. There is less risk to the Council as the responsibility for the managing and maintaining the asset and delivering tennis activity programmes etc will pass to the tennis operator.

If the tennis operator is preferred, then an appropriate procurement process will need to be followed. LTA Parks Investment Delivery Partner has confirmed that LTA will provide associated support and assistance with the procurement of a tennis operator.

The Council must decide whether it is prepared to change its approach to the management and maintenance of its tennis courts and wants to bid for Renovation Fund investment. In anticipation of the Council's commitment and support for this proposal, a Stage 1 Application Form (**appendix 2**) was completed and submitted for consideration to the LTA's Funding Panel in August/September. The Funding Panel has confirmed 'in principle' agreement to proceed on the basis of what is recorded on the Stage 1 application form (i.e. provide funding of £336,615 if the Council contributes £75,400 to cover the costs at Central Park).

- 3.27 The LTA's Investment Terms and Conditions will be part of a wider grant agreement which will include details of the funding, individual summaries for each park (which includes the scope of works) and DCMS standard T's & C's around public monies. The specific final T's and C's for the borough will be issued to the Council once we have got past the stage 2 sign off (this is when we have final contractor costs and the project has reached the mobilisation stage).

4. Procurement Strategy

Procurement: Park tennis court refurbishment

- 4.1 **Appendix 3** contains a copy of the LTA's Procurement Strategy document for the delivery of the Parks Refurbishment Program.
- 4.2 This document provides a summary of the Framework procured by the LTA to deliver the tennis court refurbishment programme. As stated in the document, Football Foundation (FF) have been appointed as the "Contracting Authority" and the LTA will act as the Agent. LBBB falls into Lot 3.

Procurement: Tennis Operator

- 4.3 The procurement and documentation for the tennis operator will be agreed following subsequent discussion between the Council and the LTA.
- 4.4 The LTA can provide further details and explanation of the procurement strategies, and the LTA's Parks Investment Delivery Partner will attend a meeting with the Council's Procurement Team if required.

5. Options Appraisal

- 5.1 The options are set out in the appraisal below:

Option 1: Do not submit a bid to the LTA's Renovation Fund and continue with the current tennis court management and maintenance arrangements.

- 5.2 The Council would be left with responsibility of managing and maintaining 17 (19 if the decommissioned courts in Parsloes Park are included) tennis court facilities for which there is an inadequate revenue budget and nil capital funding to improve the quality of the courts.
- 5.3 The Parsloes Park tennis courts have already been decommissioned and the Central Park courts are closed due to the poor condition of the facilities and concerns for public safety. Without substantial investment and a sustainable

revenue budget the condition of these assets will continue to deteriorate and in time closure of additional courts will be inevitable.

- 5.4 The current condition of the tennis courts and potential closure of facilities will have a negative impact on participation levels and consequently the physical health and mental well-being of residents. So, the tennis courts are unlikely to attract the expected usage or deliver the expected community outcomes. Relationships with residents and local stakeholders looking to utilise the tennis court facilities will be severely strained with associated reputational damage to the borough.
- 5.5 The 'do nothing' option isn't recommended as it doesn't provide a sustainable future for tennis in the borough.

Option 2: Decommissioning some or all the borough's tennis court facilities

- 5.6 As confirmed by the LTA's Technical Surveys the borough's tennis court facilities need refurbishment to reverse a spiral of decline and years of under investment. However, alternatively the Council could decide not to invest in these recreational assets and instead decommissioning some or all the tennis courts.
- 5.7 This course of action will still require significant capital funding (i.e., to fund court demolition, removal and disposal of material, and ground reinstatement). The loss of tennis courts in the borough's parks will also deprive residents of access to a popular leisure and recreational pastime and will have a detrimental impact on residents' physical health and mental wellbeing, and the social value and benefits of playing tennis will also be lost.
- 5.8 Therefore, the court decommissioning option is not recommended.

Option 3: Alternative use of the existing tennis court facilities

- 5.9 Some or all the existing tennis court facilities could be repurposed and used to support different activities.
- 5.10 However, the Council has not received any viable requests/proposals for alternative uses, or the offer of investment to support the repurposing of the tennis courts.
- 5.11 Therefore, there is no business case or funding to support this option and therefore it is not recommended.

Option 4: Submit a bid to the LTA's Renovation Fund but omit the tennis court facilities at Central Park and/or Parsloes Park

- 5.12 The improvement works at Central Park and Parsloes Park involve sub-base works which the LTA will not fund as part of the Renovation Fund. Therefore, as stated above, if the Council wants to include these sites in the proposal, then a contribution of £132,900 is required towards the total cost (£307,413) of the works at these two sites.
- 5.13 However, the Council could decide to omit Central Park (LBBD contribution £75,400) and/or Parsloes Park (£57,500) from the proposal (subject to LTA agreement).

- 5.14 If the Council selects this option the LTA funding for these sites (£116,350 and £58,163 respectively) will also be 'lost'.
- 5.15 Obviously consequently the tennis courts (x4) in Central Park will remain closed. The courts will continue to deteriorate, and the facility will detract from the Central Park Master Plan improvements. Ultimately the Council will need to find the money to properly decommission the courts and remove any associated health and safety hazards. Similarly, without the LTA investment it will not be possible to reinstate the Parsloes Park tennis courts (x2) and the residual infrastructure will need to be removed by the Council.
- 5.16 Therefore, whilst the merits of this option must be considered is not recommended.

Option 5: Submit a bid to the LTA's Renovation Fund and invest £132,900 in the borough's tennis court facilities.

- 5.17 The Renovation Fund and LTA's court refurbishment program presents a once in a generation opportunity for the Council to transform the way it manages and maintains its tennis court facilities, to secure significant investment to deliver facility improvements, increase participation, raise playing standards, and provide health and wellbeing outcomes for residents.
- 5.18 The Council will need to contribute match funding of c£132,900 to support the delivery of essential ground works at Central Park and Parsloes Park. In turn, this will help secure £394,678 funding from the LTA's Renovation Fund.
- 5.19 Unfortunately the Council cannot identify the £132,900 need to support option 5 so this option has been discounted.

Option 6: Submit a bid to the LTA's Renovation Fund and invest £75,400 in the borough's tennis court facilities.

- 5.20 Unfortunately, the Council is currently unable to contribute the £132,900 required to deliver improvements to all 6 sites (19 tennis courts). However, if Parsloes Park (2 x courts) is removed from the programme and the £50,000 s106 and £25,400 SCIL contributions are approved, then improvements to the remaining 5 sites (17 tennis courts) can be delivered.
- 5.21 This £75,400 LBBB contribution will release the £336,615 LTA funding required to deliver the improvements to the remaining 5 sites (17 tennis courts). Therefore, this option represents good value for money. Without the LTA investment the borough's tennis court assets will continue to slowly deteriorate.
- 5.22 Inevitably option 6 will involve significant changes to the way in which the Council has historically managed and maintained the borough's tennis court facilities. These changes are described earlier in this report (section 6: Implications). However, unless these changes are accepted and embraced the condition of the borough's tennis courts will continue to deteriorate and this will have a detrimental impact on residents' health and wellbeing.

5.23 Therefore, option 6 is the recommended option. It is also proposed that authority be delegated to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Strategic Director, Finance and Investment, to approve the inclusion of the Parsloes Park tennis courts in the Council's application in the event of additional internal funding of £57,500 being identified.

6. Consultation

6.1 The borough's tennis court facilities need investment otherwise they will continue to deteriorate. Therefore, urgent action is required to reverse this decline. The LTA's Renovation Fund provides a solution which minimises the cost to the Council.

6.2 Parks Commissioning team will work in partnership with colleagues in the Council's Communications and Campaigns team and the LTA to ensure that residents are adequately involved and informed of the tennis development proposal and are aware of the implications for the management and maintenance of the borough's tennis courts.

6.3 The LTA's Penetration Analysis confirms that there is sufficient local demand to warrant the LTA's investment in the tennis court facilities. However, additional local community consultation will be undertaken in 2023. It is anticipated that the results will confirm that there is resident demand for tennis as a sport/pastime in the borough and overall support for the tennis development proposal. An update on the results of this consultation will be provided undue course.

6.4 The proposals in this report were considered and endorsed by the Assets and Capital Board on 8 February 2023 and the Corporate Strategy Group on 16 February 2023.

7. Financial Implications

Implications completed by: Anmol Mahmood, Capital and Investments, and Sandra Pillinger, Group Accountant

7.1 The report seeks out to renovate Tennis courts across 5 parks in the borough. With the request of LBBDD contributing £75,400 as a one-off cost to support the essential ground works at Central Park and the LTA will support a funding bid of £336,615 to the LTA's Renovation Fund to deliver the remaining improvements required to get all 5 sites (17 tennis courts) playable and ready for a tennis operator to take on.

7.2 Option 6 incorporates opportunities of allocating CIL/S106 provisions to support this proposal as requested by Assets and Capital Board on 9 November 2022.

7.3 There will be a requirement for a c£22,800 pa sinking fund to be set up in order to finance resurfacing and non-day-to-day repairs and maintenance. The operator will contribute to the sinking fund from the fees charged for use of the courts. The fees would be set by the Council in partnership with the tennis operator. The operator will provide one hour of free coaching sessions in 30% of park sites each week and will also offer concessionary rates.

- 7.4 The detailed financial arrangements are yet to be agreed, but there does not appear to be any requirement for the Council to contribute revenue funding for this proposal. There will be no loss of income as there is no fee charged currently for use of the courts. Day-to-day maintenance will be the responsibility of the operator.

8. Legal Implications

Implications completed by: Lauren van Arendonk, Locum Contracts & Procurement Lawyer

- 8.1 The report seeks to recommend the refurbishment of public tennis courts in the Borough. It is proposed that a bid is submitted to the LTA's Renovation Fund, which will enable the refurbishment and consequently an investment in the borough's tennis court facilities. The LTA intend to set up a framework Agreement, from which Local Authorities can call off from to refurbish local tennis courts in the area.
- 8.2 The Renovation Fund and Local Tennis Association's court refurbishment program would provide the Council with a grant for the renovation works and the Council would contribute funding itself, in the amount of around £75,400, with a £50,000 s106 contribution associated with the Padnall Open Space residential development and £25,400 from the 2023/24 SCIL allocation (£100k) for the delivery of the POSS Action Plan. LBBB's contribution will trigger the LTA's contribution of £336,615, for the refurbishment of 17 x tennis courts. LTA's contribution will take the form of a grant payment.
- 8.3 The Lawn Tennis Association (LTA) park refurbishment program will refurbish park courts across the UK having received £21.9m of funding directly from Department for Digital, Culture, Media and Sport and an additional £8.4m from the LTA Tennis Foundation to deliver the programme by March 2024. It will procure the works by way of a Framework and deliver the Parks Refurbishment Programme.
- 8.4 The procurement is in accordance with the PCR 2015, using an open procedure for both frameworks. Local Authorities will then be able to access the frameworks to undertake the process of obtaining site specific costs and establish delivery timetables of the works.
- 8.5 The use of a framework compiles with rule 33 of the Contract Rules. LTA will be setting up the framework in joint partnership with the Football Foundation, so there is no need for Local Authorities to procure the works. This elevates all procurement risk and the time burden of a Framework set up.

9. Procurement Implications

Implications completed by: Euan Beales, Head of Procurement

- 9.1 The Councils Contract Rules require all spend over £50,000 to be procured in the open market, however this requirement can also be satisfied by using pre-procured open and accessible frameworks.
- 9.2 The report states that the preferred procurement route is to use frameworks that have been procured by the LTA which will comply with the Contract Rules, it is also stated that the LTA will conduct the procurements on behalf of the Council, again

this is permissible as long as the requirements are reviewed and agreed by the responsible commissioners to ensure all of the required outputs and timescales are considered.

10. Other Implications

- 10.1 **Risk Management Issues** – The main body of the report addresses in detail the risks associated with not proceeding with a bid to the LTA's Renovation Fund.

Project costs: The project costs are based on the LTA's independent tennis facility inspections/surveys. LTA Prelims and contingency have been included in the estimated costs of the scope of works already to allow for prices rising. If there is further movement in the costs this will be considered by the LTA's funding panel at Stage 2.

Tennis Operators: as covered in section 6.10 the report recommends that the Council pursues the Fully Outsourced Operating Model. Obviously, the level of interest can't be guaranteed or quantified until we initiate the procurement process. However, the LTA has details of potential tennis operators, including those that have previously expressed an interest in operating in the borough. And, based on experience of other London boroughs, we are confident that we will be able to appoint an operator. But obviously no guarantees or certainties can be offered at this stage.

Central Park and Parsloes Park tennis court facilities: refer sections 5 and 8 above. If the Council decides not to contribute towards the costs (£132,900 in total) of works at Central Park (£75,400) and Parsloes Park (£57,500) these facilities will continue to deteriorate and ultimately the courts will need to be removed. The cost of removing the courts, disposing of the equipment and materials, and reinstating the land could potentially exceed the £132,900 investment required.

- 10.2 **Contractual Issues** – If Cabinet approves 'option 2' then a conversation about the procurement of the improvement works and tennis operator will be initiated involving Council's Procurement team and the LTA. If necessary, commissioners will report back monthly to the Assets & Capital Board.
- 10.3 **Corporate Policy, Customer and Equality Impact** – Tennis participation contributes to improving the physical and mental well-being of residents. Anyone can pick up a racket and therefore tennis is sport for everyone, regardless of their age, gender, background, ability, or disability. Where the LTA has implemented similar schemes, participation has increased. Therefore, this initiative directly supports the LTA's aim of generating 1 million more players by 2024.
- 10.4 **Health Issues** – Access to good quality tennis courts and coaching programmes will lead to increased physical activity and opportunities for all residents regardless of their age, gender, background, ability, or disability.
- 10.5 **Crime and Disorder Issues** - There are no general crime and disorder issues, but the improved tennis courts will provide a programme of positive and diversionary activities for children and young people. High quality and accessible sports facilities with extensive operating hours will have a positive impact on levels of anti-social behaviour and wider perceptions of safety in the borough's parks.

10.6 **Property / Asset Issues** – The scheme replaces deteriorating and life-expired facilities and removes their ongoing management and maintenance costs, which will be passed onto the tennis operator and covered by the sinking fund.

Public Background Papers Used in the Preparation of the Report:

- LBBB Playing Pitch Strategy approved by Cabinet on 20 September 2016 (<https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=180&MID=8805>)

List of appendices:

- **Appendix 1:** LTA Renovation Fund Report - LBBB
- **Appendix 2:** LTA Renovation Fund – LBBB Application Form (Draft)
- **Appendix 3:** Procurement Strategy - LTA Parks Refurbishment Program

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BARKING & DAGENHAM TENNIS

10TH MARCH 2022



AGENDA

- Introduction to LTA Renovation Fund
- Barking & Dagenham park sites
- Operational models for parks
- Summary & next steps

1 MILLION
MORE PLAYERS
BY 2024

ONCE IN A
GENERATION
OPPORTUNITY



ALIGNED TO LOCAL AUTHORITY STRATEGIC PRIORITIES

Local Green Space and Playing Pitch Strategies

- Create exciting opportunities for sport, exercise and play that support health and wellbeing, supporting local communities to come together
- Parks that communities can be proud of
- Encourage more people to access park facilities
- Create safe and well maintained parks

Aims of Public Health

- Promotion, Prevention and Protection

Sport and Physical Activity Strategies

- Increase adult participation
- Young people being active and reaching potential
- Encouraging those who aren't active to be active



WHY TENNIS?

- A sport for anyone, regardless of their age, gender, background, ability or disability
- Anyone can pick up a racket, anyone can be active
- Significant physical and mental health benefits
- Brings communities together
- Significant interest in playing as a result of high-profile British success
- An effective way to help a achieve your objectives
- A project with capital investment from the LTA and DCMS that can provide good value for your residents, is easy to sign-up for and will be sustainable for the long term





WORKING TOGETHER TO **TRANSFORM** YOUR **PARK** **TENNIS COURTS**

- Online booking tool
- LTA Rally booking platform
- Gate access systems
- Programmes and activities
- Local operators
- Capital investment programme
 - Repainting and/or resurfacing
 - Fence repairs
 - Gate access technology

DRIVING PARTICIPATION WITH A SUSTAINABLE MODEL



DELIVERING FOR YOUR LOCAL COMMUNITY

We are set up to make this opportunity as simple as possible for you

- Significant resources including capital investment available
- Human resource and expertise to deliver the projects
- Seeking to simplify the procurement process
- Secure best value
- National Operators with capacity to manage your courts
- Where these initiatives have been implemented, we have seen significantly increased participation





Barking Park



Central Park



Greatfields Park

BARKING & DAGENHAM LANDSCAPE



Old Dagenham Park



St Chads Park

B&D - CURRENT TENNIS PROVISION

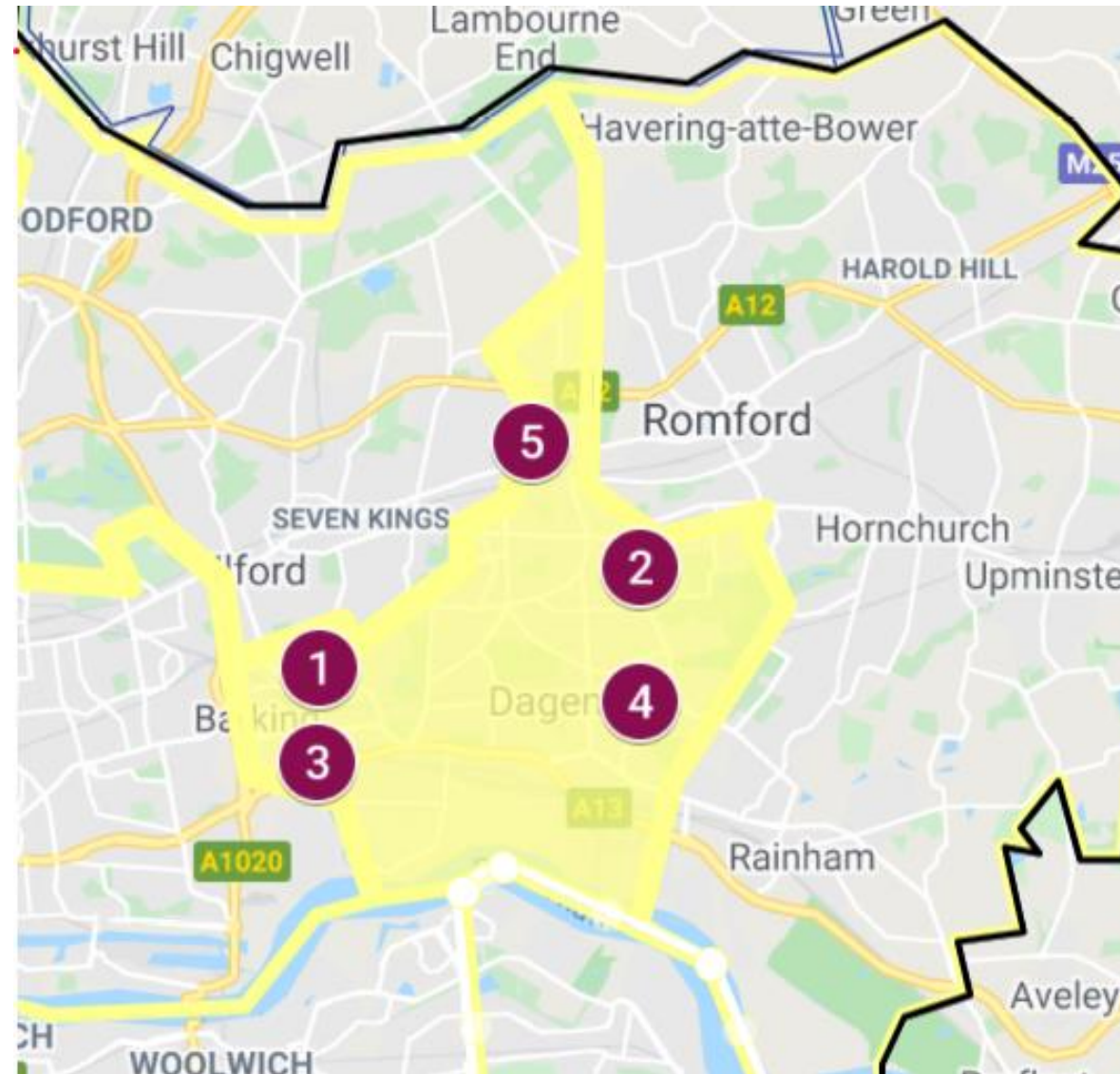
Parks: 17 courts, 0 Floodlit, 0 indoor, 0 Padel

- 1** Barking Park 6 courts
- 2** Central Park 4 courts
- 3** Greatfields Park 1 court
- 4** Old Dagenham Park 2 courts
- 5** St Chads Park 4 courts

Parsloes Park 2 courts? Any others missing?

- **Operation managed in house by Council**
- **All free of charge**
- **0 on a booking platform = No tennis insight**
- **0 Tennis coaches operating in borough**

- **0 Tennis clubs & 3 School LC's**



B&D PARKS

Park	Postcode	Penetration	Number of courts	Notes	Nets
Barking Park	IG11 8RT	3148	6	4 average 2 poor	Normal
Central Park	RM10 7EU	1726	4	Unplayable & locked up	Normal
Greatfields Park	IG11 7UQ	1565	1	Good but net post holes dangerous	Metal
Old Dagenham Park	RM10 9SU	1723	2	Average	Metal
St Chads Park	RM6 6UL	2959	4	Poor	Metal
Parsloes Park	RM9 5SA	?	?	?	?
Total			17		



THE LTA'S DIGITAL PLATFORM FOR PARTICIPATION WHICH HELPS TO ENHANCE THE WAY PLAYERS ENGAGE WITH TENNIS ONLINE

A MODULAR PLATFORM WHICH IS FREE TO LTA REGISTERED VENUES & COACHES



Competitions



Membership



Coaching



Booking



Reports

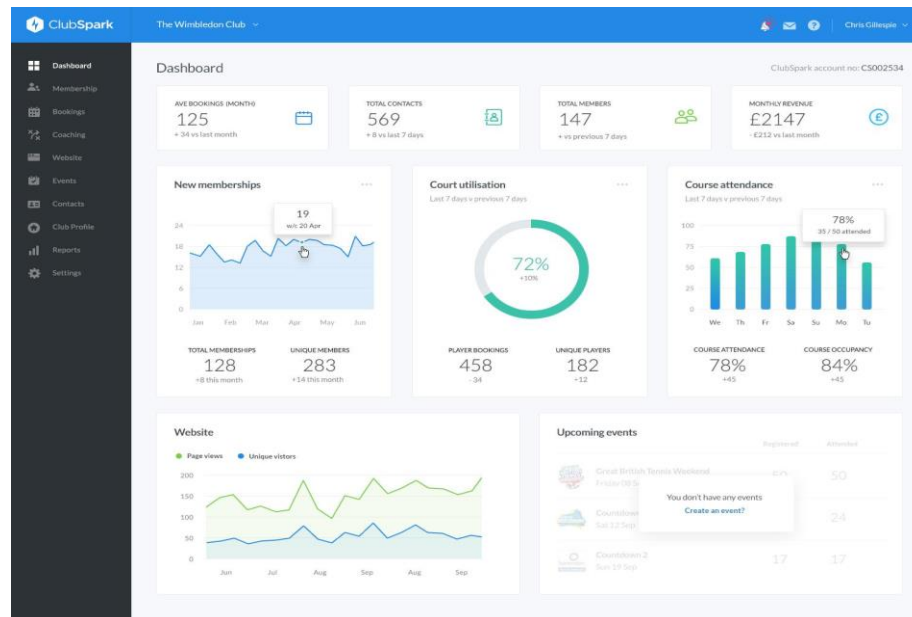


Payment

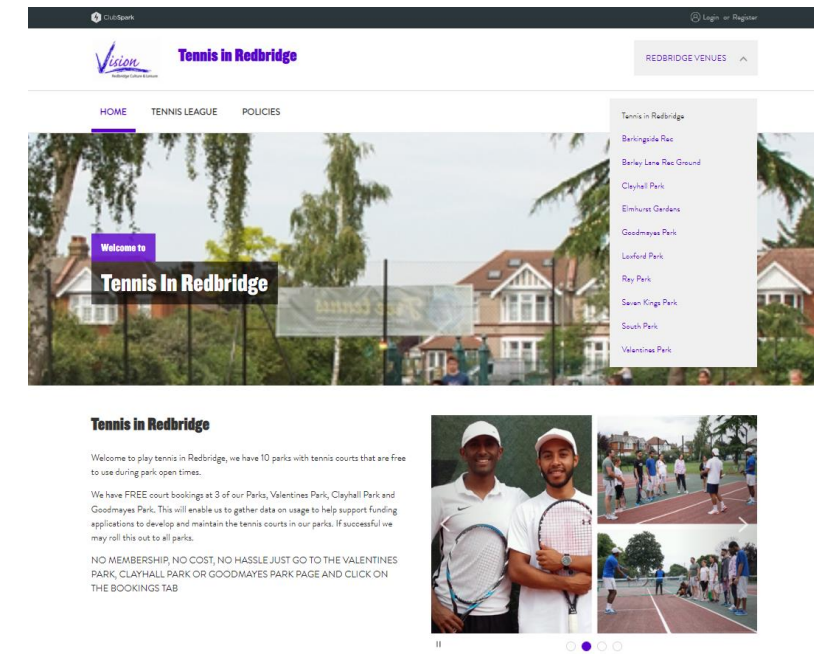


Websites

DASHBOARD FUNCTION:



BOROUGH LANDING PAGE:



VENUE PAGES

Carlisle Park

Latest Update - Monday 21st December

On Saturday 19th December the Government announced a new status of Tier 4 which applies to the London Borough of Richmond upon Thames. The guidance states that outdoor tennis courts can remain open for individual exercise and for people within your household, support bubble, or with one person from another household. Organised outdoor sport for under 18's and disabled people will be allowed.

As always please continue to follow Government Guidelines for Covid-19 <https://clubspark.lta.org.uk/playtennisrichmond/Contact/Covidguidance>

Carlisle Park boasts 7 tennis courts, making it the largest tennis complex in the borough and an ideal place to play tennis. Located in the heart of Hampton, the



11

BOOK COURTS & COURSES



RICHMOND VENUES

HOME HOLIDAY CAMPS EVENTS NEWS **BOOKING SHEET** COACHING FACILITIES STRINGING

Booking Sheet

MAKE A BOOKING | MY BOOKINGS

Please select a court and a time when you would like to play.

Saturday 25th January

View By Date 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st Today

	Court 1 Full, Outdoor, Non-feeble, Hard	Court 2 Full, Outdoor, Non-feeble, Hard	Court 3 Full, Outdoor, Non-feeble, Hard	Court 4 Full, Outdoor, Non-feeble, Hard	
07:00					07:00
07:30					07:30
08:00	INDIVIDUAL		BOOKED	BOOKED	08:00
08:30					08:30
09:00					09:00
09:30	MINI		BOOKED		09:30
10:00		MINI		BOOKED	10:00
10:30					10:30
11:00	MINI-GREEN	MINI-GREEN	TEENS	BOOKED	11:00
11:30					11:30
11:30	TEENS	TEENS	MINI	BOOKED	11:30
12:00					12:00
12:30	BOOKED				12:30
13:00	INDIVIDUAL	ADULT	BOOKED		13:00
13:30				BOOKED	13:30
14:00	ADVANCED TEENS				14:00
14:30			BOOKED		14:30

LTA Youth

York House Gardens, Twickenham, TW1 3DD
Stage: Orange

Course details

Sat, 09 Jan 2021 - Sat, 27 Mar 2021
11:00 - 12:00
£ 156.00



LTA Youth

York House Gardens, Twickenham, TW1 3DD
Stage: Green

Course details

Sat, 09 Jan 2021 - Sat, 27 Mar 2021
12:00 - 13:00
£ 156.00



LTA Youth

York House Gardens, Twickenham, TW1 3DD
Stage: Yellow

Course details

Sat, 09 Jan 2021 - Sat, 27 Mar 2021
13:00 - 14:00
£ 156.00



Social Tennis

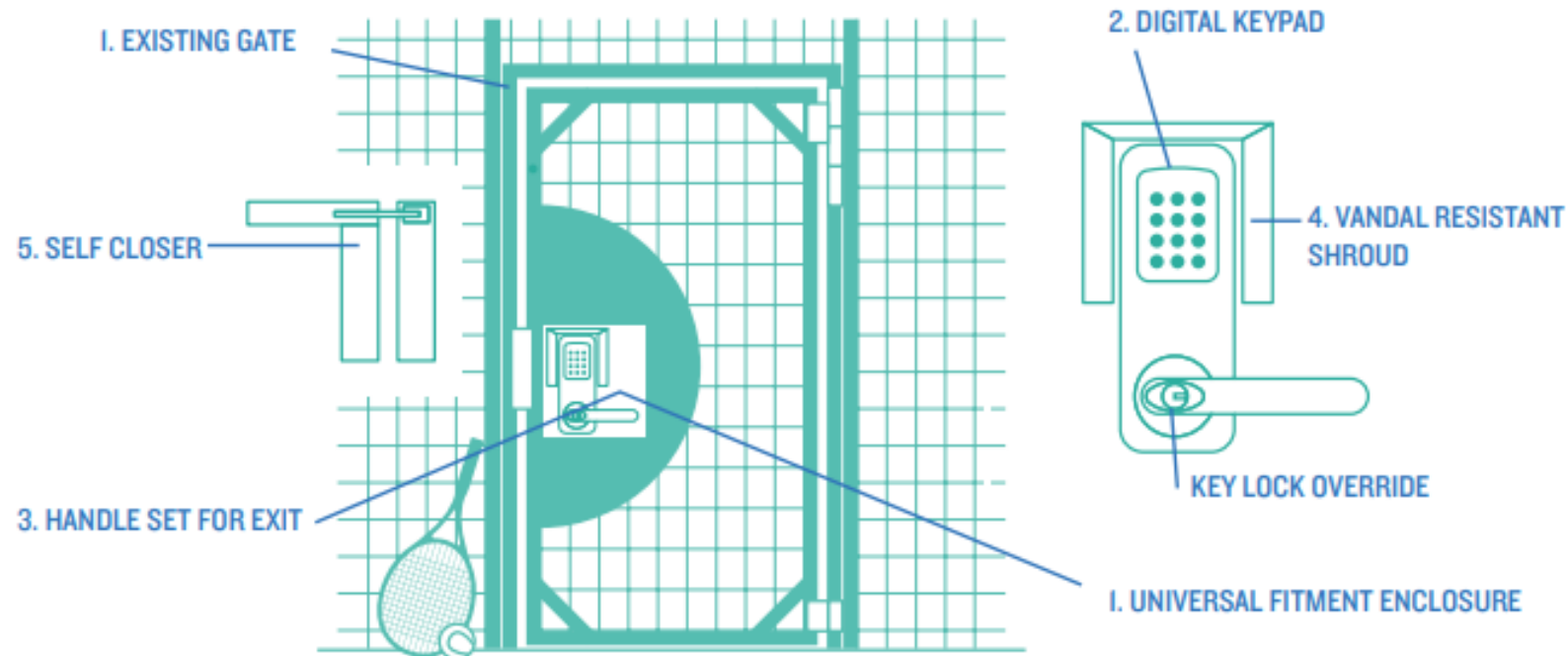
York House Gardens, Twickenham, TW1 3DD
Skill level: Improver, Advanced, Intermediate

Course details

Sun, 10 Jan 2021
10:00 - 12:00
£ 15.00

SMARTACCESS LITE

Technical Specification



FEATURES

Battery Status	Monitor via App
Batteries	4 x AA Cells
Low Battery Warning	The keypad will flash red on opening to indicate batteries need to be changed
Material	Zinc Alloy
Buttons	12 button back-lit keypad
Non Handed	Locks will fit doors hung on the left or right
Fitting Options	Vertical
Finish	Brushed Steel
Keying Alike	Locks can be supplied as keyed alike on request
Key Override	As standard
Codes	4 digit User Code / 6 digit NetCode / 8 digit Master Code

- LTA would fund Lite gate & installation
- c.£13 per month for code generation fees
- Maintenance of gate is £320 + VAT per annum

BENCHMARK OF FEES

Newham - £6 per hour for P&P & £35 per year (Annual Pass)

Kingston - £5 per hour for P&P & £50 per year (Season Ticket)

Richmond - £9 per hour for P&P & £55 per year (Season Ticket)

Brent - £8 per hour adults / £2.50 junior

H&F - £9 per hour

Wandsworth - £10 per hour

Merton - £9 per hour

Hillingdon – Ungated sites currently Free, £5 P&P at gated sites & looking to introduce season ticket

Ealing – Mixed model, some sites £8ph & some free sites - looking to introduce £4 P&P (£6 F/L)

SINKING FUND & EXPENDITURE CONSIDERATIONS

- SINKING FUND OF £1,200 PER COURT / PER ANNUM
- 17 COURTS ACROSS BOROUGH = £20,400
- AVERAGE LIFE OF A MACADAM COURT 10-15 YEARS
- LTA VENUE REGISTRATION = £720 PER YEAR FOR ALL SITES (IF CHARGING P&P)
- MAINTENANCE SCHEDULE REQUIRED FOR:
 - CLEANING (C.£300 PER COURT)
 - GATES (C.£320 PER GATE)

OPERATIONAL MODELS

OPTIONS FOR DELIVERY

TWO CLEAR MODELS HAVE BEEN TESTED;

IN HOUSE

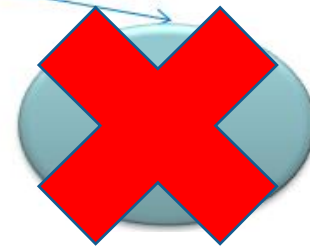


Coaching
Tendered out to
tennis provider

Full Operation
Outsourced



Tennis
Operator



OPTION 1

**RETAIN THE WHOLE OPERATION IN HOUSE
(WITH COACHING PROVISION TENDERED)**

In House Example with Coaching tendered out

Richmond

- 11 parks 43 courts
- 550 household Membership sold @ £50 in year 1 = £27,500
- 2,276 P&P bookings in year 1 = £18,208
- Café on 8 sites
- Coaching outsourced to 5 Tennis Providers running across 11 sites
- Providers pay annual fee to council c.£4k - £8k per site in return for 50 hours per week

Lewisham

- 8 parks 21 courts
- 300 household Membership sold @ £35 = £10,500
- 601 P&P bookings = £2,990
- Café on 2 sites
- Coaching outsourced to SELT running across 4 refurbished park sites
- Annual fee paid to council

OPPORTUNITIES & RISKS

Opportunities	Risks
Income potential if sites are operated well	Time commitment & resource available in house
Direct impact upon success	Lack of expertise of staff in house
Ability to view all data on parks usage	Quality of local coaching workforce – they would only own the coaching programme (not P&P bookings or look after maintenance)
	Customers have 2 points of contact – Council (for booking enquiries, refunds & court issues) and coaching providers for programme queries
	Out of hours support e.g weekends & evening issues – who would deal with this?

OPTION 2

FULLY OUTSOURCE TO TENNIS OPERATOR

Tennis Operator model

1- Full management and operation of site,
Council to cover sinking fund and maintenance
(Newham, Brent)

2- Full management and operation of sites,
Operator to cover sinking fund and maintenance
(Wandsworth, Ealing)

TO Example

Wandsworth – All Star Tennis (Profit share)

- 8 Parks 63 courts
- Operate across 6 park sites (28 courts)
- Adult membership £52 family £78 (Includes benefits & discounts)
- P&P options available (up to £10 p/h)
- Extensive coaching programmes
- 2 Cafes
- Income c.£800k Profit share with Council

London borough of Newham - NTA - (Cost Neutral + Profit Share)

- Operate 4 parks (15 courts)
- Annual Fee paid to the council
- Season Ticket £30 p/a - P&P (£5 - £7 p/h)
- Season Ticket income = £15,000
- P&P income = £21,000
- Coaching income = £45,000

OPPORTUNITIES & RISKS

Opportunities	Risks
Easy to manage and little time commitment from Council required	Roles and responsibilities need to be clearly defined through contract
To bring specialised tennis operators in to the borough with experience & expertise	LA access to information needs to be defined through contract
Joined up approach to cross selling coaching with membership and P&P	
Sustainable model – sinking fund covered	

THOUGHTS ON OPERATION?

TIMESCALES

QUESTIONS





SUMMARY

- GREAT OPPORTUNITY TO TRANSFORM THE PARKS TENNIS LANDSCAPE
- IMPROVE CUSTOMER JOURNEY TO COURT (VIA BOOKING PLATFORM)
- INSTALL GATE ACCESS TECHNOLOGY
- IMPROVE THE OPERATION OF THE COURTS & INTRODUCE COACHING
- GENERATE INCOME TO ENSURE COURTS ARE SUSTAINABLE LONG TERM

- PARKS INVESTMENT FUND IS A 2 YEAR PROJECT

NEXT STEPS.....



CAPITAL INVESTMENT DELIVERY

LTA to present to LA parks with suitable opportunities to install digital technology, gate access or renovation

LTA technical consultant to visit agreed venues

LTA/LA agree the scope of works for each venue

LA appoint contractors from the LTA national framework

Works undertaken on site

LTA/LA sign off works

Agreed parks operational model to begin

Pro Forma - Park Project stage 1. LA/LTA Project Summary

Venue Details			
Name of Local Authority	Barking & Dagenham		
Contact Role	Local Authority Lead		
Contact Name	Andy Johnson		
Contact Address	Barking Town Hall, 1 Town Square, Barking, Essex, IG11 7LU	Local Authority Facilities Lead	Local Authority Approval Lead
Contact Email	andy.johnson@lbbd.gov.uk	Andy Johnson	Andy Johnson
Contact Phone Number	07972 003 773	andy.johnson@lbbd.gov.uk	andy.johnson@lbbd.gov.uk
Is your Local Authority VAT Registered?	Yes		
Target Start Date for projects	2023		
Name of LTA Contact	Amanda Robinson		
Name of LTA Facilities manger			

Park Overview	
Number of Total Parks in LA	6 <small>This is the total number of parks within the Local Authority, regardless of whether they are requesting funding. All parks to be listed below.</small>
Number of Parks Installing Gates	6 <small>Any venue that is installing a gate access system funded (in part or whole) by the project, regardless of other renovations.</small>
Number of Parks to be Renovated in Total	6 <small>The total number of parks to have any physical renovation funded (in part or whole) by the project, including gate access, fencing and court surfacing.</small>
Number of Parks to be newly Activated on Rally	6 <small>Total number of parks to be activated on to LTA Rally/Play that were not switched on before April 2022.</small>
Number of Parks Not Requiring any Intervention	0 <small>Please include in this figure (and detail in the list below) any parks that are in playable condition that we will not renovate and that are already on LTA Rally/Play, or that have been removed from the project scope for any reason. Please colour these venues row bac</small>

List of Projects	Park Information				Project Details and Projections							Operational Commitments:							Stage 2				
	Park Name	Park Address	Number of Courts	IMD	Penetration	Which Gate Access System	Number of Gates	Proposed Renovation / Interventions	Proposed Intervention Costs (costs from 75 visits for the work we are proposing)	Funding Committed by Local Authority	Total Cost to the LTA	Outline & costs of works LA Funding will pay for, out of LTA project scope.	Venue to be published LTA Rally	Name of Local Tennis League Park will be part of	Delivery of Free Tennis Offer	Proposed Operator Type (Select from list)	Proposed Operator Start Date	Proposed Charging Model (Select from list)	Coaching Operator? (Select from List)	Coaching Programme? (Select from List)	Agreement to show LTA branded Rally material	Contractor Quoted Costs	Final Quoted Cost to LTA (after LA contribution, Exc VAT)
Barking Park	Longbridge Rd, Barking, IG11 8SS	6	5	3148	Lite	2	Recolour Crts 1-4, resurface crts 5&6, remove double gate & infill, reconstruct 3m2, 85m fencing, 3 pedestrian gates, 2 Lite gates, prelims & contingency	£69,180		£69,180		Yes	New league required	Operator Target	National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			£0
Central Park	Wood Ln, Rainham Rd N, Dagenham, RM10 7EU	4	2	1726	Lite	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 186m fencing, 1 pedestrian gate, 1 Lite gate, prelims & contingency	£191,750	£75,400	£116,350		Yes	New league required		National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			-£75,400
Greatfields Park	Greatfields Rd, Barking, IG11 7TX	1	2	1565	Lite	1	Resurface crt 1, remove rigid net, reconstruct 30m2, 1 Lite gate, Prelims & contingency	£26,150		£26,150		Yes	New league required		National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			£0
Old Dagenham Park	Vicarage Rd, Dagenham, RM10 9SS	2	2	1723	Lite	1	Resurface 2 crts, remove rigid nets, reconstruct 20m2, 1 Lite gate, prelims & contingency	£38,150		£38,150		Yes	New league required		National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			£0
St Chads Park	Park Ln, Dagenham, Romford, RM6 6UL	4	3	2959	Lite	2	Resurface crts 1-4, remove rigid nets, reconstruct 131m2, re clad roll weld mesh 73m, 2 Lite gates, Prelims & contingency	£86,785		£86,785		Yes	New league required	Operator Target	National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			£0
Parsloes Park	Ivy Walk, Dagenham, RM9 5SB	2	2	2546	Lite	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 133m fencing, 1 pedestrian gate, cut back vegetation, 1 Lite gate, prelims & contingency	£115,663	£57,500	£58,163		Yes	New league required		National Operator	Post renovation	Income Generating	National Operator	Yes	Yes			-£57,500
									£132,900		£394,778											Final Project Cost to LTA	-£132,900

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Procurement Strategy – Summary Document

for

“Parks Improvement Programme” Framework

1. Introduction & Background

1.1. Background

1.1.1. The Lawn Tennis Association (LTA) park refurbishment program will refurbish park courts across the UK having received £21.9m of funding directly from DCMS and an additional £8.4m from the LTA Tennis Foundation to deliver the programme by March 2024.

1.1.2. This paper provides a summary of the Framework procured by the LTA to deliver the Parks Refurbishment Programme. The Football Foundation (FF) have been appointed as (the “Contracting Authority”) and the LTA will act as the Agent.

1.2. Framework Objectives

The Framework will appoint circa 11 Contractor(s) in a region to provide a “Turn-Key” service and will act as the Lead Designer”, “Principal Designer” and “Principal Contractor” under the Construction, Design and Management Regulations 2015 (CDM2015). Two frameworks will be established to deliver the parks refurbishment program.

Framework 1 will include tennis court surface works (including specific types of resurfacing, cleaning, repainting), repairing and installing specific grades of fencing, replacing gates, posts and nets. Framework 1 will have 11 lots to provide national coverage (including Scotland and Wales). The 11 Lots are shown in Appendix A. The call off contract that will be used for each individual site will be JCT Minor Works Contract 2016 (With Contractor’s Design).

Framework 2 will include the installation of stand alone gates (projects as not part of framework 1 works) and gate access systems. The framework will appoint a single contractor to provide national coverage.

The reason for using a framework approach to deliver the “Parks Investment Programme” is to enable Local Authorities to directly contract with contractors who have been procured using the Public Procurement Regulations 2015 procedure. The framework will deliver the following objectives:-

1. Enable the LA to use the framework to deliver the projects.
2. Achieve value for money through a competitive procurement process.
3. Make sure projects are delivered on time, budget and to the correct specifications.

The procurement accords with the requirements of PCR2015 and will be procured using the Open procedure (Appendix F). Contractors will be appointed in line with PCR 2015 Regulations and will have to pass a pre qualification questionnaire as well as being assessed on their

- technical compliance
- Competitive pricing
- proposed delivery team,

- Resource available to deliver projects
- Supply chain arrangements
- Social value in the delivery of projects
- Business continuity, resilience and risk

Contract Management

The LTA is making a separate appointment of a Consultant who will undertake the role of “Contract Administrator”. They will oversee each call-off contract and provide wider services supporting the overall delivery of the framework. The Consultant will be appointed and paid for under a Deed of Appointment by the LTA. The Deed of Appointment includes provision under the Contracts (Rights of Third Parties) Act 1999 which permits the Local Authority named in a Notification Letter issued by LTA to the Local Authority, the entitlement to enforce for its benefit under the Act, third party rights in relation to the services provided by the Consultant and their duty of care on a call-off contract

Timetable for Delivery

The LTA has advertised Public Information Notices for both frameworks and it is envisaged that the frameworks will be advertised in May with contractors appointed in July. Local Authorities will then be able to access the frameworks to undertake the process of obtaining site specific costs and establish delivery timetables of the works.

Appendix A

Framework 1 Lots

Lot	Description	Number of Operators
1	South West London and South East*	1
2	South Wales and South West	1
3	South London and South East (a)**	1
4	North London and South East (b)***	1
5	Central and East	1
6	West Midlands	1
7	Midlands	1
8	North Wales & North West	1
9	Yorkshire and Humber	1
10	North East	1
11	Scotland	1

*Local Authorities Basingstoke, Bournemouth, Eastleigh, Havant, Portsmouth, Southampton, Swindon, Hillingdon, Brighton, Bromley, Crawley, Croydon, Eastbourne, Epsom, Guildford, Hammersmith, Hastings, Hounslow, Kingston, Mid Sussex, Reigate, Runneymede, Rushmore, Slough, Spelthorne, Surrey Heath, Sutton, Windsor, Woking,

**Ashford (Kent), Barking, Bexley, Harlow, Harrow, Lambeth, Lewisham, Medway, Southward, Swale, Thanet, Thurrock, Ealing, Merton, Rother, Sevenoaks, Tandridge

***Barnet, Basildon, Broxbourne, Canterbury, Dartford, Dover, Enfield, Epping Forest, Folkestone, Gravesham, Greenwich, Hackney, Haringey, Havering, Hertsmere, Newham, Redbridge, Tower Hamlets, Welwyn and Hatfield

CABINET**21 March 2023**

Title: Welfare Support Funding 2023/24	
Report of the Cabinet Member for Finance, Growth and Core Services	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Authors: Donna Radley, Head of Welfare	Contact Details: E-mail: donna.radley@lbbd.gov.uk
Accountable Director: Stephen McGinnes, Director of Support and Collections	
Accountable Strategic Leadership Director: Fiona Taylor, Acting Chief Executive	
<p>Summary:</p> <p>The Council will be allocated Government funding for the financial year 2023/24 to support residents with the cost of living. This financial support will be provided through the Energy Bills Support Scheme (Alternative Funding) and the 4th iteration of the Household Support Fund.</p> <p>This funding is in addition to that which the Council has allocated directly for the administration of its Hardship Policy and Council Tax Discretionary Relief Policy.</p> <p>This report sets out the Government Scheme's, minimum criteria and the Council's proposed approach to the allocation of Hardship Funds.</p> <p>To simplify the resident's journey and align the policies and processes, the Discretionary Housing Payment, Household Support and IAP Local Hardship Scheme and Discretionary Council Tax Hardship Scheme have been merged into one application process and one policy, set out at Appendix 1.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Note that the Council shall be responsible for verifying applications and making payments under the Government's Energy Bills Support Scheme Alternative Funding (EBSS AF); (ii) Approve the Council's updated Discretionary Housing Payment, Household Support and IAP Local Hardship Scheme and Discretionary Council Tax Hardship Scheme 2023/24, as set out at Appendix 1 to the report; and (iii) Delegate authority to the Director of Support and Collections, in consultation with the Cabinet Member for Finance, Growth and Core Services and the Strategic 	

Director, Finance and Investment, to vary the allocation of funding and scheme criteria where appropriate to reflect future demand.

Reason(s)

To assist the Council in achieving its priorities of 'Prevention, Independence and Resilience' and 'Well Run Organisation'.

1. Introduction and Background

- 1.1 Increasing inflation and further pressures on the cost of living are disproportionately affecting low-income residents in the borough.
- 1.2 Base interest rates have increased to 4% as of January 2023, impacting mortgages and borrowing and are expected to further rise in the coming months. Energy prices have continued to rise, and the energy price cap has now been set at £2,500 per unit costing, with some households with higher usage requirements facing bills in excess of the price cap. The inflation rate stands at 8.8% and the Bank of England expects the inflation rate to peak at 11% and remain over 10% for the coming months.
- 1.3 With many households already on low incomes, reliance on welfare assistance will increase, becoming an important lifeline to meet basic living costs. All the financial changes and increases this year in the cost of living will heavily impact our borough and its residents.
- 1.4 During 2022/23, the Government announced a number of measures to provide help with global inflationary challenges and the rising cost of living. These measures include the extension of the Household Support Fund and the introduction of the Energy Bills Support Scheme. To support this the Council has continued its own Hardship Policy to capture residents who required an additional level of financial support or are excluded from the other schemes including the Cost-of-living Payments.

2. Proposals and Issues

2.1 Energy Bill Support Scheme Alternative Funding

- 2.1.1 The Energy Prices Bill was introduced to Parliament in October 2022 and enabled the delivery of the Energy Price Guarantee and the Energy Bill relief scheme. This scheme saw households on mains utilities benefit from a £400 reduction in their energy bills spread over the six months, October 2022 to March 2023. This Bill also supported consumers who were not captured by the scheme, including those who used alternative fuels such as heating oil, lived in caravans, houseboats, care homes or were on heat networks.
- 2.1.2 The Energy Bills Support Scheme Alternative Funding (EBSS AF) is aimed at those who were not eligible for the initial energy support payments as they had either no direct contractual relationship with, or that their supplier was not an authorised administrator for the scheme payment.

- 2.1.3 A one-off £400 payment will be made directly to all successful applicants. Residents will claim this support via Gov.uk, with applications passed to the Council to continue administration. The Council will be responsible for validating residency, bank accounts, proof of service charges and undertaking the payments.
- 2.1.4 The criteria means that we would expect most members of the following groups to be eligible:
- Care home residents (provided they in some way pay towards their care);
 - Park home residents;
 - Households in caravans and houseboats on fixed/registered sites;
 - Social and private tenants who get their energy through a commercial supplier (e.g. a landlord);
 - Heat network customers not already covered by main EBSS (private wire/CHP);
 - Farmers in domestic farmhouses, as well as others in domestic residences with a commercial supply;
 - Homes off the grid.
- 2.1.5 The Energy Bills Support Scheme is a prescribed scheme with no discretionary element. It must be administered as prescribed by the guidance. Extensive audit and assurance process have been mandated to support the financial allocations and re-imburement to the Council.

2.2 Household Support Fund

- 2.2.1 The Autumn statement announced that the Household Support Fund (HSF) would have a further investment of £1 billion and is to deliver support to residents to help with the cost of essentials. It is anticipated that LBBB will be allocated £4,324,102 over 2023/24, allocated in two waves of £2,162,051 (LBBB was previously allocated £2,162,051 for the period 1 October 2022 to 31 March 2023).
- 2.2.2 By Minute 49 (15 November 2022), Cabinet approved a policy for the allocation of the HSF grant. Government guidance dictates how the scheme should be administered and it is proposed, therefore, that the arrangements agreed in November 2022 continue to be applied.
- 2.2.3 The HSF extension will be used to support households in the most need, with some focus on those households who have not been eligible for other government support recently made available, including the Cost-of-Living Payments. It will cover a wide range of low-income households in need including families with children of all ages, pensioners, unpaid carers, care leavers, people with disabilities and will continue to operate in a similar way to the original HSF scheme, with a greater emphasis on supporting households with their cost of living with a particular focus and priority on energy, food, utility and water bills.
- 2.2.4 It should be noted that from the Household Support Fund, vouchers are provided over holiday periods to families whose children are in receipt of Free School Meals. A £15 voucher will be issued for one week term breaks and £25 for a two-week term break, with the exception of Christmas and Summer breaks where a £50 voucher is awarded.

- 2.2.5 Approximately 12,000 children are expected to benefit from the awards at a cost of £2 million.
- 2.2.6 Monetary and/or Voucher allocations are provided to voluntary organisations in order to enable immediate support to be available at the point of contact. This equates to circa £250k. Examples of such organisations include:
- Food Banks and Community Food Hubs for food provision
 - The Source, DABD & Independent Living Agency for Energy Support
 - Homes & Money Hub for Energy Vouchers to support pre-paid meters
- 2.2.7 An open application process for grants for residents of the borough is available which will be considered on a 'case by case' basis.
- 2.2.8 A targeted approach to promotion and priority will be given to:
- Households with Carer Responsibilities and Disabled Occupants;
 - Sheltered/Supported Accommodation;
 - Care Leavers & those supported by Adult Social Care;
 - Families identified to have low financial resilience;
 - Residents identified as not being eligible for the cost-of-living payments.
- 2.2.9 Applications are open to all including any who have received the FSM Voucher award.
- 2.2.10 Exclusions to the Household Support Grant are that it cannot be issued for advice, such as debt advice or mortgage costs and those with no recourse to Public Funds are excluded unless there is a genuine care need that does not arise solely from destitution.

2.3 IAP Hardship and Discretionary Council Tax Hardship Schemes

- 2.3.1 The Council is committed to supporting its residents through the cost-of-living crisis and as part of that commitment have provided Welfare funding through the Individual Assistance Payment (IAP) Hardship Scheme and the Discretionary Council Tax Hardship Scheme.
- 2.3.2 Both are intended to alleviate hardship and allow customers who face a variety of challenges the time to find alternative solutions for shortfalls in income and help with:
- Food & General Living Costs
 - Utility & Energy Costs
 - Council Tax
 - Essential White Goods
 - Other household items in an emergency need such as beds and other furniture.
- 2.3.3 The Council's updated IAP Hardship and Discretionary Council Tax Hardship policies have been tailored with local residents in mind to help support them through what is expected to be a very challenging year and will sit alongside the Government's EBSS AF and HSF schemes.

- 2.4 To simplify the resident's journey and align the policies and processes, the Discretionary Housing Payment, Household Support and IAP Local Hardship Scheme and Discretionary Council Tax Hardship Scheme have been merged into one application process and one policy, set out at Appendix 1.

3. Options Considered

3.1 Option 1 – Do nothing (Rejected)

- 3.1.1 By not administering these schemes, residents of LBBD will be financially disadvantaged, voluntary organisations will struggle to support families through the unprecedented demand they are experiencing, the grant funds would expire and the opportunity to make a difference in the community would be lost.

3.2 Option 2 – Agree the Funding - Recommended

- 3.2.1 With many households already on low incomes, reliance on welfare assistance will increase, becoming an important lifeline to meet basic living costs. All the financial changes and increases this year in the cost of living will heavily impact our borough and its residents. The administration of these scheme is essentially to support residents.

4. Equalities and other Customer Impact/GDPR

- 4.1 While a full Equality Impact Assessment is not required in this instance, the Equality Impact Assessment Screening Tool is attached at **Appendix 2**.

5. Consultation

- 5.1 External consultation has not been undertaken as proposals are based on government requirements and for the purpose the funding was intended to be distributed against.
- 5.2 Internal consultation includes Adult Social Care, Childrens Care & Support, Public Health, Commissioning for Care & Support, Childrens, Adults and Disabilities, Finance, Legal & Portfolio Holders.

6. Financial Implications

Implications completed by: Nurul Alom, Finance Manager

- 6.1 The report sets out the government and Council funding for financial year 2023/24 to support residents with the cost of living.
- 6.2 Energy Bill Support Scheme – The Council has been allocated £603k to support those residents who were not eligible for the initial energy support payments as they have either no direct contractual relationship with, or that their supplier isn't an authorized administrator of the original scheme. This is a fully funded scheme and the Council will act as an intermediary to deliver the payments to residents.
- 6.3 Household Support Fund (HSF) – The Council has been awarded £4.3m for 2023/24. The scheme will be administered in accordance with Government

guidance, supporting low-income households with their cost of living with a particular focus and priority on energy, food, utility and water bills.

- 6.4 Hardship Policy & Council Tax Discretionary Relief Policy - Both schemes are intended to alleviate hardship and allow customers who face a variety of challenges, time to find alternative solutions for shortfalls in income. The Hardship Fund will be c£300k and will be fully funded from the Cost-of-Living Reserve. The Council Tax Discretionary Relief will be c£500k and will be fully funded from the Welfare Reserve.

7. Legal Implications

Implications completed by Dr Paul Feild Principal Governance & Standards Solicitor

- 7.1 The various schemes set out in this report have different considerations and to assist the Council in its administration of assistance, the Secretary of State has provided guidance which the Council should have due regard.
- 7.2 The Council, in providing relief and assistance, must act fairly on the basis of policies which enable appropriate consideration of the eligibility and circumstances of the beneficiaries. It is important in the setting up of the schemes to provide for a review mechanism to ensure that processes are applied fairly and injustice is not caused by incorrect application of the policies.

Public Background Papers Used in the Preparation of the Report:

- HSF Guidance to Local Authorities 2023/24
<https://www.gov.uk/government/publications/household-support-fund-guidance-for-local-councils/1-april-2023-to-31-march-2024-household-support-fund-guidance-for-county-councils-and-unitary-authorities-in-england>
- LBBD Household Support Fund Policy (Cabinet 15 November 2022, Minute 49)
<https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=180&MId=12608&Ver=4>

List of Appendices:

Appendix 1: Discretionary Housing Payment, Household Support, and IAP Local Hardship Scheme & Discretionary Council Tax Hardship Scheme 2023/24

Appendix 2: Equality Impact Assessment Screening Tool

**Discretionary Housing Payment,
Household Support, and IAP Local
Hardship Scheme**

&

**Discretionary Council Tax
Hardship Scheme**

**Policies
2023/2024**

The Discretionary Council Tax Hardship Scheme (DCTHS) and Discretionary Housing Payment (DHP) are two of the discretionary funds operated by the Welfare service, the others being Individual Assistance Payment (IAP) (Local Hardship) and Household Support Fund.

The council recognised that many residents may be entitled to assistance under one of these schemes may also be entitled to assistance under one or more of the others. It has integrated the individual schemes and their administration, combined the application forms into a one form fits all application so applicants will only be required to make a single application to be considered for an award under any or all of the available schemes as relevant to their circumstances. All the administered schemes are discretionary, meaning that there is no statutory right to payment. The DHP and Household Support grants are funded entirely by the Government via the Department for Work and Pensions (DWP) with the Council Tax Support and IAP (Local Hardship) schemes being fully funded by the council.

Exercise of Discretion

Each case will be decided on its merits but will be subject to the limits faced by the authority in terms of expenditure, statutory and policy restrictions, and the published and agreed Council priorities.

In exceptional cases the Council may make decisions which fall outside the provisions of this policy.

The Council will, in all cases, endeavour to ensure that all members of the community are able to access assistance offered by this scheme regardless of race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability.

It will ensure that the decision-making process is fair and that no person is disadvantaged by virtue of their membership of one or more of the groups listed in the above paragraph.

We want to help people who are:

- 1) On a low income or unable to work and are significantly affected by the rising cost of living and unable to afford essentials like energy bills, food and water bills.
- 2) Unemployed but actively seeking employment e.g. applying for jobs and attending interviews or moving towards work readiness e.g. gaining employment skills, such as by volunteering or actively engaging in education.
- 3) Engaged in or recently returned to employment to aid the financial changes & support back to work activities or assist with immediate needs of travel costs and/or wider expenses such as broadband or mobile phone usage bills if on a low income.
- 4) Taking positive steps to reduce their overheads/outgoings e.g. reducing household bills, attending financial management activities etc.
- 5) Able to show that you are suffering financial hardship and do not have any financial assets that you may be able to call upon.
- 6) Experiencing short term financial issues associated to illness or disability.
- 7) Had a significant change in your circumstances or life changing event that has placed you into hardship.
- 8) Have no access to claim welfare benefits or have claimed welfare benefits and there is a delay in award and/or payment being made

Purpose of the schemes

- 1) Prevent and reduce hardship and poverty caused by the rising cost of living.
- 2) Encouraging and sustaining people in secure paid employment so they can meet their cost of living without further support.
- 3) Help people through personal crises and difficult events that adversely affect their current financial situation.
- 4) Supporting the vulnerable and elderly in the local community so they have assistance to meet their current cost of living.
- 5) To support the most vulnerable residents who are least able to help themselves (eg Terminally Ill or Severely Disabled) so they have assistance to meet their current cost of living.

Am I eligible for support?

To be eligible support you must live in the London Borough of Barking & Dagenham. You must also be on a low income. This would normally mean you will be getting one of the following benefits:

- 1) Income Support.
- 2) Income based Job Seekers Allowance.
- 3) Income related Employment and Support Allowance, or
- 4) Pension Credit (Guarantee Credit only).
- 5) Has claimed, or is in receipt of, Universal Credit but is experiencing financial hardship.

(You are not required to be in receipt of any benefits to be eligible to make an application)

AND/OR

- Unemployed or on a low income
- Affected by rising living costs including food and utility price increases.
- You require support to stay in the community.
- Or you are being resettled into a new home by the council or a voluntary organisation following an unsettled period in your life.
- Or you don't have enough money to meet your (or you family's) immediate needs after an emergency or crisis.

Impact of the Cost-of-Living Crisis.

The early part of 2022 ongoing into 2023 saw significant increases in the cost of living, particularly with regard to gas and electricity prices. The Council recognises that these issues will have a significant impact on the ability of many people to meet their housing costs.

It also recognises that the funding available to aid is limited both in statutory terms and, more importantly, by the Council's own resources. It is all-but-inevitable that demand will significantly outstrip supply and the Council is determined that assistance will reach as many people as possible. To ensure this is the case:

Long-term awards and awards covering the entirety of a financial shortfall will be strictly limited to cases where there is no realistic prospect of the applicant improving their financial situation and the failure to make an award would lead to the Council incurring expenditure which is likely to significantly exceed the level of the award.

Repeat awards will only be made where the Council is satisfied that the applicant has made all reasonable efforts to improve their financial and/or housing situation. Any such award will be reduced against the level of award given immediately preceding it.

Legislation

The following legislation is relevant to all administered schemes.

The Universal Credit Regulations 2013

The Local Government Finance Act 2012

Welfare Reform Act 2012

Child Poverty Act 2010

Equality Act 2010

Housing Act 1996

Armed Forces Covenant

Social Security Act

1992 Fraud Act 2000

Anti-fraud statement

All discretionary schemes are subject to significant financial constraints. The making of a false declaration with a view to obtaining or increasing an award may amount to a criminal offence under the Fraud Act 2006. Where the council suspects that an offence may have been committed, the matter will be investigated, and appropriate action taken including the initiation of criminal proceedings. No award of any type will be made if an applicant knowingly makes a false statement in order to obtain or increase an award under the provisions of these schemes.

Any award made, or partially made, as the result of an intentional misrepresentation will be cancelled and recovery of the monies paid will be sought irrespective of whether criminal proceedings are initiated.

If the Council believes that any issues may impact on a person's entitlement to Housing Benefit, Council Tax Support or any other benefit or allowance the Council may either widen the scope of its investigation and/or share the information with other bodies including;

- Other departments within the Council
- Other local authorities
- The DWP
- Her Majesty's Revenues and Customs (HMRC)
- The Police

Cash in a crisis – Get help paying for daily essentials.

In conjunction with the Individual Assistance Payment Scheme, the council also has a Household Support Scheme to support people in extreme hardship due to rising living and energy costs (April 2023 to March 2024). There is no set limit to the time that an award can be made for, and the council will decide what amounts and periods are appropriate. It may be appropriate to make an award for a short period to give the customer time to sort out their financial and/or personal circumstances. Or it may be appropriate to make a longer indefinite award or a one-off payment. It is not intended that either of the funds will be a long-term solution.

They may give vouchers, direct payment to suppliers, BACS or text payments and referrals for essential items such as:

1. food
2. gas and electricity costs
3. essential household appliances (setting up home, leaving care, disaster, maternity needs)

As the funds are both discretionary and limited there are levels to the amount, we can consider giving you based on your family make up and this is in line with benchmarking using weekly data from The Joseph Rowntree Organisation, Shelter & Policy in Practice.

For example:

Single Person	Couple	First Child Supplement	Per Additional Child Supplement
Utilities £28.19 Water £6.32 Food £63.22 Clothing & Shoes £8.30 Internet £7.38 Mobile Phone £4.15 TV Packages £4.85 Streaming Services £2.30 Total £ 124.71	Utilities £37.15 Water £8.33 Food £79.76 Clothing & Shoes £16.60 Internet £7.38 Mobile Phone £8.30 TV Packages £4.85 Streaming Services £2.30 Total £ 164.67	Utilities £5.88 Water £1.32 Food £23.52 Clothing & Shoes £8.30 Mobile Phone £4.15	Utilities £3.80 Water £0.85 Food £19.73 Clothing & Shoes £8.30 Mobile Phone £4.15

Claims

A claim must be made, or a referral received for an award from any or all of the available schemes and applicable funds to be considered and made.

Any claim should in the first instance be made electronically via the authority's website. [INSERT NEW CLAIM LINK](#)

The authority or appointed third party support partner will complete a claim form on behalf of an applicant if.

- 9) the applicant is disabled and
- 10) is unable to leave the home as a result of that disability and
- 11) is unable to complete the claim as a result of that disability and
- 12) no family member, friend or other suitable person is available to assist the applicant.

This may be done face to face at the resident's home, a council office or by a telephone appointment.

Information Required in Support of a Claim

When making a claim for an award under any of these schemes a resident must provide

- 6) All of the information requested in the claim form and
- 7) Any other information or evidence requested by the authority which it considers necessary in order to determine an award.

If an application does not contain all the information required, the authority shall give the applicant 10 working days to provide any missing or additional information and/or evidence which is required to support their claim and enable the council to make an award.

No award will be made in the event that an applicant fails, without reasonable cause, to comply with the above requirements.

Financial Assessment

The authority will conduct a financial assessment when considering whether to make a discretionary award and will consider.

- 6) The applicant's income and capital by.
 - a) Calculating the income and capital available to the applicant's household as a whole.
 - b) Adding to this any resources which the authority believes the applicant, or any member of the applicant's household could reasonably obtain or have access to.
- 7) Then deducting the following
 - a) A reasonable amount for essential expenditure on basic necessities such as food, clothing, and utilities
 - b) Any capital attributable to payments made from government funds to alleviate the impact of disasters, miscarriages of justice and crises including, but not limited to, those made in consequence of the Grenfell Tower disaster and payments made under the Windrush Compensation Scheme
 - c) Unavoidable expenditure which the applicant is required to meet by law or by contract and which the applicant has taken reasonable measures to reduce or avoid.

No allowance shall be made for expenses such as the following.

Type of expenditure	Examples
Leisure	Holidays, eating out, socialising, cinema, theatre, concerts and sporting events
Home Entertainment	Excessively expensive cable/ fibreoptic / mobile contracts. Home entertainment subscriptions such as Netflix, Apple TV and Amazon Gaming subscriptions Magazine subscriptions
Personal Expenditure	Alcohol, tobacco, or gambling unless a person is receiving treatment for an addiction. Expensive clothing, luxury household goods, private medical insurance Excessively expensive gym membership Special dietary foods and supplements unless they are taken under formal medical advice.
Other Expenditure	Car hire purchase (unless a person is entitled to assistance under the Motability scheme) Loans to family or friends

Unless they were reasonably incurred before the need for a support payment arose and cannot be reasonably reduced or avoided.

Financial hardship.

The authority’s long-term aim is to help people become self-sufficient. Discretionary funds are limited and cannot generally be relied upon as a permanent measure. If an applicant is experiencing financial hardship the authority may review their income and expenditure and recommend that the applicant take action to improve their finances.

The scheme will work in conjunction with the Homes & Money Hub (<https://www.lbbd.gov.uk/money-and-debt>) to support residents across a broad range of services. This will include referrals of applicants to services such as Job Shop, Budgeting and Debt advice, Adult Learning, and any other relevant service as applicable for further advice and ongoing support. Independent Living Agency to support emergency gas and electric key top ups and referred into from Care Leavers Team, CAB and DABD and relevant third-party support agencies within the voluntary and community sector.

In any case the authority must be satisfied that the applicant has taken reasonable steps to improve their financial situation. In the absence of such evidence the authority may decide that any further award shall be made at a reduced rate or that no award shall be made at all.

If you can't pay your bills because of living cost rises

There are things you can do if you're struggling to pay for things like food, water, energy bills, your rent, or mortgage.

It's important you don't ignore your bills. Speak to the organisation you owe money to - they might be able to help by letting you pay smaller amounts or take a break.

It's also worth checking with your bank or building society - they might be able to help you with your debts or let you delay loan or credit card repayments.

If you can't pay your energy bills

Speak to your energy supplier as soon as you can. You might be able to set up a payment plan with them to help spread the cost of your bills. Your supplier has to help you come to a solution. You should try to negotiate a deal that works for both of you. You can try to negotiate a better deal. If you don't, your supplier might make you have a prepayment meter installed.

Find out more about what to do if you're struggling to pay your energy bills.

[What to do if you're struggling to pay your energy bills - Citizens](#)

[Advice https://www.askbill.org.uk/energy/](https://www.askbill.org.uk/energy/)

If you're in debt to your energy supplier, you might be able to get a grant to help pay it off. There are several energy companies who offer grants and schemes that are open to anyone - you don't have to be a customer. When you apply for a grant, you'll have to provide detailed information about your financial situation in your application. You may need to complete a budget sheet with a Financial Conduct Authority (FCA) approved adviser.

Visit [Grants to pay off your energy debts - Citizens Advice](#) for more information.

If you have a prepayment energy meter

Your supplier will try to help you find ways to keep your energy supply connected if you can't top up your meter because of immediate hardship.

Tell your supplier as soon as possible if you can't top up. You'll find their contact details on their website or on your bill.

Check our advice on what to do if:

you can't afford to top up your prepayment meter
you can't get to a shop to top up your prepayment meter

If you can't pay your water bill

It's best to speak to your water company as soon as you can if you're having problems paying your bill. You can find out more about what to do if you're struggling to pay your water bill.

[If you don't pay your water bill - Citizens Advice](#)

Check who your water supplier is:

<https://www.water.org.uk/advice-for-customers/find-your-supplier/>

Help with your water bills:

<https://www.ccwater.org.uk/households/help-with-my-bills/>

<https://www.askbill.org.uk/water/>

You can reduce your bill by up to 50% with Essex and Suffolk Water tariffs. These would be suitable for you if:

- Your total household income is less than £16,105, and your annual water bill is more than 3% of your net household income (after housing costs, rent or mortgage payments)
- A member of your household receives Pension Credit, and your annual water bill is 3% or more of your net household income (after housing costs, rent or mortgage payments), or
- Your income is not enough to cover your essential bills – in this case, you'll need a financial assessment from an independent debt advice organisation, such as StepChange Debt Charity, along with your application.

If you are in arrears with your water bill, Essex and Suffolk Water offer an arrears support scheme to write off your water debt over a two-year period. This is a once only opportunity and you must maintain ongoing payments of your current charges to receive this support. To apply you would need to seek free independent debt advice and complete a financial budget. If your circumstances show that you are unable to pay the debt within a three-year period, you will qualify. They also offer payment breaks and direct payments from benefits.

Full details of these schemes and how to apply can be found at:

<https://www.eswater.co.uk/services/extra-support/financial-support/>

Similar schemes are also run by Thames Water which can be found at:

<https://www.thameswater.co.uk/help/account-and-billing/financial-support>

WaterSure is a scheme which helps some people with their water bills. To apply for the scheme, you must be on benefits and need to use a lot of water either for medical reasons or because your household has a certain number of school-age children. You also need to be on a water meter or be waiting to have one installed.

Details of the scheme can be found at:

[Watersure Scheme](#)

If you are struggling to manage or repay your debts

If you are struggling with long term debt repayments, there is help available to you. From bereavement to illness, and from relationship breakdown to unemployment, these life events can plunge people into financial hardship, particularly those who are already struggling to make ends meet. For many, the result can be a financial crisis.

Visit our [Barking and Dagenham Money](#) website for help and advice on a range of solutions including:

- 1) Debt advice
- 2) Emergency Support
- 3) Benefits
- 4) Getting into Work
- 5) Money Tools
- 6) Gambling Support
- 7) Divorce and separation
- 8) Scams
- 9) Mental Health Support
- 10) Dealing with mis-selling, including advice on how to claim compensation and make a complaint
- 11) Family and care
- 12) Budget, Benefits, Car costs, Credit Card, Baby budget, Loan, Mortgage and Divorce calculators
- 13) Immigration support



Stepchange debt charity offer the widest range of debt solutions to help, no matter what you're dealing with.

Solutions they can support you with include:

- 1 Debt Management Plan (DMP)
- 2 Debt Relief Order (DRO)
- 3 Individual Voluntary Arrangement (IVA)
- 4 Breathing Space Scheme
- 5 Bankruptcy Advice
- 6 Equity Release
- 7 Token Payment Plan
- 8 Mortgage Advice

Their advice is free, and they will support you for as long as you need. You can complete the process entirely online or switch between their online and phone service as you choose.

Take the 60 second debt test to help find out in just one minute if you need help with your debts [Debt Test. Assess & Tackle Your Debts Today.](#)

Contact Stepchange at <https://www.stepchange.org/contact-us.aspx> or by calling 0800 138 1111 Monday to Friday 8am to 8pm and Saturday 8am to 4pm.

Alternative help is available through Citizens Advice at [CAB debt and money](#) or Debt advice line UK at [Helping people in debt | Debt Advice Line](#)

If you've got less money because of a change in your circumstances

If you've had a change in circumstances that has resulted in a loss of income you might be able to claim benefits or get more money on your current benefits if:

you've lost your job
or you're self-employed and can't get work
or your income has reduced
or you are on reduced working hours

Check what benefits you can get if you're affected by any of the above. There are a number of online benefit and budgeting calculators that will help you to see what you may be entitled to with information on income-related benefits, tax credits, contribution-based benefits, Council Tax Reduction, Carer's Allowance, Universal Credit, how these are calculated and how your benefits will be affected if you start work or change your working hours:

- 2) [Benefit and budgeting calculator | Policy In Practice \(betteroffcalculator.co.uk\)](#)
- 3) [Turn2us Benefits Calculator](#)
- 4) [Benefits Calculator - entitledto - independent | accurate | reliable](#)
- 5) [Money Manager for Universal Credit claimants | MoneyHelper](#)

You may be able to claim Universal Credit <https://www.gov.uk/apply-universal-credit> and/or Personal Independence Payments <https://www.gov.uk/pip/how-to-claim> if you are unable to work due to a health condition.

You may be able to claim Council Tax Support if your income has reduced. You can claim online at <https://www.lbbd.gov.uk/claim-council-tax-support>

Maternity Allowance, Child Benefit, Milk Vouchers & additional support are available at <https://www.healthystart.nhs.uk/>

If you've had a change in circumstances or have run out of money and can't afford essentials like food or heating, there are emergency funds to help you. Our Homes and Money Hubs are open for a drop in at Barking Learning Centre and Dagenham Library from 9am to 4pm, Monday to Friday or via homesandmoneyhub@lbbd.gov.uk.

Reducing your household bills

Join the Community Food Club and you could reduce your food shopping bill by having access to £20 worth of shopping each week. Membership is available for one person per household, to visit once a week and is valid for 3 months. Your membership will give you access to support from a wide range of services, providing advice on finances, health, employment, training and skills.

Visit <https://www.lbbd.gov.uk/community-food-clubs>

Social tariffs

Can provide a safety net for eligible households who might be struggling to afford their broadband or mobile services. The broadband market offers customers a wide range of choice, with different deals available to suit different needs. Some providers offer social tariffs which are only available to customers who receive certain government benefits.

Visit [Cheaper broadband and phone packages - Ofcom Social Tariffs](#) for more information.

In addition to these tariffs, other support might be available to customers who might not be able to get online because they struggle to afford internet services. If you're struggling to pay your mobile phone or broadband bill, you should speak to your provider as soon as possible to see how they can help.

Budget Planner tools

There are a number of available online to help you manage your finances:

- [Budget Planner | Free online budget planning tool | MoneyHelper](#)
- [Budget Planner: how to manage your money - MoneySavingExpert](#)
- [Work out your budget - Citizens Advice](#)

If you can't pay your rent

You should explain the situation to your landlord straight away - they might give you more time to pay or agree to reduce your rent.

You still need to pay your rent. If you've fallen behind with your rent you should start dealing with rent arrears. You can also check if you can get extra financial help.

If your landlord doesn't offer to be flexible with your rent payments, it's a good idea to pay as much as you can afford and keep a record of what you discussed.

You should also contact your nearest Citizens Advice - an adviser can help you explain things to your landlord.

Barking & Dagenham Citizens Advice Bureau - <https://bdcab.org.uk/>

You may be entitled to benefits to help with housing costs if your income has reduced, even if you're still working.

Housing advice and homelessness prevention

As a council we aim to support residents who are facing housing issues or homelessness.

Visit <https://www.lbbd.gov.uk/housing-advice-and-homelessness-prevention> where you will find information about how to avoid homelessness or what to do if you are homeless.

Alternatively, please call 020 8724 8323, Monday to Friday 9am to 5pm, or email housingadvice@lbbd.gov.uk and we will make every effort to respond to you as soon as possible.

If your landlord has started court action to evict you

You can find out more about what to do if you're being evicted for rent arrears. (link below)

[Eviction notices from private landlords - Shelter England](#)

You can also find out more about support for renters on GOV.UK.

[Private renting for tenants: evictions - GOV.UK \(www.gov.uk\)](#)

If you can't pay your mortgage

Get in touch with your mortgage provider immediately to find out more about how they can assist you.

You can also find out more about dealing with mortgage problems.

[How to deal with mortgage debts - Citizens Advice](#)

If you're a homeowner, you might be able to get help towards interest payments on:

- 1) your mortgage
- 2) loans you've taken out for certain repairs and improvements to your home

This help is called Support for Mortgage Interest (SMI).but you will need to be in receipt of a qualifying benefit – Income Support, Income Based JSA, Income Related ESA, Universal Credit or Pension Credit.

You can start getting the loan:

- from the date you start getting Pension Credit
- after you've claimed Income Support, income-based JSA or income-based ESA for 39 weeks in a row
- after you've received Universal Credit for 9 months in a row, as long as you're not getting certain income

Please visit <https://www.gov.uk/support-for-mortgage-interest> for more information.

Emergency funds from your local council

Local councils are now responsible for helping you if you've been hit by a disaster like a fire or flood, or had a significant change in circumstances and you're suddenly homeless or can't afford food or necessities.

The type of help varies from council to council, there are no set rules about what they have to provide. Some will direct you to food banks and churches, some will give you a card loaded with cash that lets you buy food (but not alcohol or cigarettes), and some will give you a short-term loan. You don't have to be on benefits to get this help.

Part 2 Provisions Specific to DHP

A DHP is a payment made from a cash-limited discretionary fund to help applicants who require 'further financial assistance' towards housing costs. To be eligible a person must be in receipt of either.

- Housing Benefit (HB) or
- Universal Credit (UC) including a housing costs element.

The phrase 'further financial assistance' is not defined in law and is left for the authority to determine. For the purpose of this policy it means a need for a payment where there is a shortfall between HB or UC (housing costs) and the contractual rent and the person is either unable to meet their housing costs from their available resources or needs a 1-off payment to either secure an existing tenancy or enter into another, more appropriate, affordable tenancy.

Purpose of the scheme

The primary purpose of this scheme is to prevent homelessness by helping residents who cannot afford to meet their housing costs by reducing the impact of certain changes to the housing benefit and universal credit regulations on those who have been affected by:

- a) The overall benefit cap.
- b) The limitation on the number of bedrooms occupied by tenants housed in both the social and private sectors.
- c) The introduction of the 2-child limit
OR
- d) Assisting people with the costs of moving to more affordable accommodation or, where such a move is not viable, assisting them in retaining their current accommodation.
- e) Providing short term assistance to people who are unable to meet their housing costs as a result of financial hardship or exceptional circumstances such as fire, flood or health deterioration.
- f) Assisting people in retaining their tenancies when they are in a situation where it is unreasonable to expect them to move.

Essential criteria for a DHP

Before making a payment, the authority must be satisfied that there is.

- A valid claim or referral for DHP and
- The applicant is in receipt of Housing Benefit (HB) or Universal Credit (Housing Costs element) (UC/HC) and
- There is a shortfall between the HB/UC award and housing costs

In general, 'housing costs' usually refers to rental liability, although the term can be interpreted more widely to include:

- rent in advance.
- Rent deposits: and other lump sum costs associated with a housing need such as removal costs.
- the shortfall between HB/UC and contractual rental liability

What a DHP can cover

On-going shortfall including but not limited to;

- reductions in HB or UC where the benefit cap has been applied; reductions in HB or UC due to the maximum rent (social sector) size criteria; reductions in HB or UC as a result of LHA restrictions.
- rent officer restrictions such as local reference rent or shared accommodation rate.
- non-dependant deductions in HB, or housing cost contributions in UC;
- rent shortfalls to prevent a household becoming homeless.
- income taper reduction; and
- any other legislative change that limits the amount of HB/UC housing costs payable, for example the removal of the family premium.

Rent deposits and rent in advance

A DHP can be awarded for a rent deposit or rent in advance for a property in or outside the borough if the applicant is already entitled to HB or UC at their present home. When awarding a DHP for a rent deposit or rent in advance, the authority must be satisfied that:

4. the property is affordable for the tenant,
5. the tenant has a valid reason to move,
6. the deposit or rent in advance is reasonable and not more than 4 weeks equivalent rent ongoing
7. neither the tenant nor the tenant's partner has received prior assistance for these purposes from the Council unless it is reasonable that a further award be made.

The authority will also consider whether the applicant.

1. is due to have a deposit or rent in advance in respect of their existing tenancy returned to them, and whether that deposit can be secured against the new tenancy in time or,
2. has received assistance towards a rent deposit, for example, a rent deposit guarantee scheme or similar.

Before agreeing to make such an award the authority requires.

1. Proof of the offer of tenancy, signed dated and contracted between the tenant and managing agent or landlord. and
2. The landlord protects any deposit paid in a government approved tenancy deposit protection scheme in the name of the tenant. Further information can be found at: <https://www.gov.uk/tenancy-deposit-protection/overview>

DHPs on multiple homes

The authority may consider a DHP in respect of two homes if.

1. The applicant is fleeing domestic violence or
2. An applicant is temporarily absent from their main home, and it considers there is good reason for that absence e.g. to stay near a child receiving treatment in hospital or
3. The applicant has an unavoidable rental liability on more than one property and HB on two homes cannot be awarded. An award of DHP may be backdated subject to the following restrictions.

- No award can be made in respect of a period when neither HB nor a relevant award of UC was in payment.
- No award can be made if there is no shortfall between the HB/UC amount and contractual rent for the period of backdating.

An award may be backdated if it is reasonable to do so and.

- The applicant is facing action for rent arrears which may lead to eviction or
- The existence of rent arrears is preventing the applicant from taking some form of action to reduce their rental liability such as bidding for more affordable accommodation
- There has been a change in the applicant's circumstances which prevents them from being able to maintain an existing arrangement to clear rent arrears or
- There are some other exceptional circumstances in existence which warrant a retrospective award being made.

In the event of any backdated award being made any HB already paid towards 'housing costs' must be deducted when calculating the amount of a DHP to avoid duplicate provision.

Circumstances where a DHP may be refused

A DHP may be refused in the following circumstances.

- The amount an applicant has been paying towards their housing costs has ceased or reduced substantially and there are no good reasons for such a reduction.
- The applicant has entered into an unaffordable tenancy recklessly.
- The applicant has received a recoverable overpayment of DHP and has failed to take reasonable measures to repay it. For the avoidance of doubt, reasonable measures may include making no repayment if it is unaffordable.
- The applicant has failed to comply with a DHP information/evidence request within the permitted timescale.
- An award would be so high that the authority believes it would unreasonably impact on its ability to make awards to other applicants unless a lower amount can be awarded which will make the tenancy sustainable for the applicant.
- The applicant has failed, without good cause, to comply with a recommendation attached to a previous award with regard to improving their financial situation or finding cheaper accommodation.
- The applicant has rent arrears which the authority is satisfied were accrued with an intention to obtain social housing or an award under this scheme.

Subject to a disregard of £500, the applicant has capital in excess of the DHP award being made

DHP cannot be considered

There are certain elements of an applicant's rent that the HB and UC regulations exclude so they cannot be included as 'housing costs' for the purposes of a DHP.

- 1) Ineligible charges: service charges which are ineligible for HB or UC cannot be covered by a DHP. These are;
 - a) as specified in Schedule 1 to the Housing Benefit Regulations and Schedule 1 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations. not included in paragraph 7 of Schedule 1 to the Universal Credit Regulations
 - b) Increases in rent due to outstanding rent arrears: under Regulation 11(3) of the Housing Benefit Regulations and Regulation 11(2) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations, where an applicant's rent is increased on account of outstanding arrears owed by the applicant in respect of their current or former property, the shortfall cannot be covered by a DHP.
- 2) Sanctions and reductions in benefit including any:
 - a) reduction in Income Support (IS) or income-based Jobseeker's Allowance (JSA(IB)) due to a Reduced Benefit Direction (RBD) for failure to comply with the Child Support Agency in arranging maintenance.
 - b) reduction in benefit as a result of non-attendance at a work-focused
 - c) interview. This applies both where the person's HB is reduced and when any other benefit that the person is receiving (such as IS) is subject to a sanction.
 - d) reduction or loss of benefit due to a JSA employment sanction.
 - e) reduction in benefit due to a JSA sanction for 16/17-year-olds – for young people who receive JSA under a Severe Hardship Direction
 - f) restriction in benefit due to a breach of a community service order, or reduction in UC due to a sanction as specified under regulations 100 to 114 of the UC Regulations 2013
 - g) Shortfalls caused by HB or UC overpayment recovery:
 - h) Benefit suspensions: Where HB or UC is suspended either because there is a general doubt about entitlement or because an applicant has failed to supply information pertinent to their claim.

Calculation of Award

If the purpose of the DHP is to meet an on-going rental liability, the level of DHP shall not exceed.

- 1) the weekly HB eligible rent, or
- 2) The monthly amount calculated in accordance with Schedule 4 of the UC regulations (i.e. the value stated for housing costs on a UC award notice).

Any HB or UC already paid towards 'housing costs' shall be deducted when calculating the amount of a DHP to avoid duplicate provision.

After carrying out a financial assessment any amount by which income exceeds expenditure shall be deducted from the shortfall between the HB/UC. The result shall be the basic DHP award.

The basic DHP award may be adjusted depending on the personal circumstances of the applicant.

The authority may exercise its discretion to vary the length of a maximum award at any time if the applicant's circumstances warrant such an extension, subject to a maximum period of 52 weeks from the date on which the claim was made.

Recommendations to improve financial situation

In addition to any recommendations arising from a finding that an applicant is suffering from financial hardship the Council may make recommendations with regard to an award of DHP in the following circumstances:

Persons subject to the social size criteria.

- The applicant contacts the landlord with a view to moving to smaller accommodation or
- By registering with a council exchange or a similar web-based organisation which helps people swap homes.

Persons subject to the benefit cap.

- In the case of a lone parent they start or increase their hours to a minimum of 16 week or earnings of £520 a calendar month
- In the case of a couple with children, working hours increase to a total of at least 24 a week with one member working at least 16 of those hours.
- Those without children start or increase work to a minimum of 30 hours a week or demonstrate that they have been looking for work by providing the responses from employers as evidence of rejection, or
- they have taken concrete steps to improve their employment prospects by undertaking training or enrolling in relevant courses.

Payments

Payments to meet a weekly or monthly rental liability will be made at the same frequency as any HB payment and will otherwise be paid in the same way that HB, if it were awarded, would be paid.

Payments will be made to the landlord, managing agent or removal company but the authority may consider making payment to the applicant in exceptional cases.

Notification of the decision

The authority will notify the applicant or appointee and the persons to whom payment is to be made as soon as possible after the decision is made. The notification to the applicant will contain the following.

If an award is not made, the reason for the refusal and details of any action the applicant may be advised to take to increase their chances of a future claim being successful.

If an award is made, the amount, the start and end dates, the manner in which payment will be made, a brief explanation of the way in which the award has been calculated, details of any recommendations made associated with the making of the award, duty to notify any changes in circumstances and all notifications will contain details of how the decision may be challenged.

Part 3 Provisions Specific to DCTHS

The purpose of DCTHS is to relieve people in particular need of the requirement to meet all, or part of, their liability to pay the Council Tax.

Council Tax is a priority debt; taxpayers are therefore obliged to treat their liability as taking precedence over expenditure such as.

- credit card debts
- hire purchase agreements (HP)
- unsecured bank and payday loans (loans that are not secured against property) water bills.
- Sky/Broadband subscriptions
- car insurance
- loans from friends and family

Therefore when deciding eligibility for an award of DCTHS, the test will be more stringent than for DHP.

An applicant will only be entitled to an award under this scheme if the applicant has an outstanding amount of council tax liability.

- The council is satisfied that the applicant is suffering from severe financial hardship.
- The applicant has exhausted all other options with regard to improving his or her current financial circumstances.
- The authority has sufficient funds available and making an award would not unreasonably impact on its ability to make awards to other applicants.
- The application does not relate to an empty property normally let on a commercial basis.

The expenditure for the scheme is limited to £500,000.

In most cases, the person who applies for a DCTHS is the person liable for Council Tax. However, an application may be accepted from another person appointed to act on behalf of the applicant at the authority's discretion.

Unlike DHP there is no statutory requirement that a claim be made for an award. The authority will consider making an award in the absence of a claim if;

- There are arrears of Council Tax and the council has obtained a liability order in respect of those arrears, and
- The council is satisfied that, on the basis of information either already in its possession or provided to it by another agency, the person against whom any liability order has been obtained would receive an award were an application made, and
- Those arrears have not been accrued as a result of reckless spending and
- It is appropriate to make such an award having regard to the principals of this policy.

The maximum level of a DCTHS award

The maximum level of a DCTHS is the amount of Council Tax debt outstanding excluding costs of recovery such as summons costs and bailiff fees although these may be considered for waiver in exceptional circumstances.

Assessments of Award

Assistance may be claimed for historic liability, the liability for the current year or both.

Backdated awards

In respect of an award for a past period the authority will satisfy itself as to the amount the applicant can afford to pay towards the debt over the period of the award.

That the applicant was not able to pay part or all of the amount of Council Tax outstanding at the time it fell due and that this inability was not due to financial mismanagement on the part of the applicant

On-going awards

In respect of an award for a current period the authority will satisfy itself

As to the amount that the applicant can afford to pay towards the liability on a weekly basis.

That the inability of the applicant to meet the liability was not caused by financial mismanagement/reckless spending.

In cases where an applicant is jointly and severally liable with one or more persons who are not his partner the council may, in lieu of the making of an award under this scheme, provide the applicant with an undertaking not to pursue the applicant for part or all of the Council Tax liability.

Determination of Awards

A person will only be considered to be suffering from financial hardship and consequently entitled to a reduction under this scheme if after taking all reasonable measures, they are unable to meet their essential needs relating to heating, food and hygiene having regard to their age, health and family make up together with any expenditure which the person is required to meet by law and which he has taken reasonable steps to avoid or reduce.

The Council is satisfied that the financial hardship has not been caused by the Applicant's reckless or extravagant expenditure.

Payments

Every award will be made by reducing the applicant's liability for council tax by way of a credit to the Council Tax account.

Notification of Decisions

A decision will be made within 1 month or as soon afterwards as is practicable of the council receiving a properly completed application and the satisfaction of any requests for information or evidence made as a result of that claim. The notification of this decision shall contain.

- The amount of any award
- The period of any award
- If no award is made a brief explanation of the reason for the decision
- Details of how to challenge the decision
- If an award is made, the duty to notify any circumstances,
- Any recommendations made to improve current finances.

Changes in circumstances

The authority will review the award when it becomes aware of a change in circumstances. This may lead to the award being increased, decreased or left unaltered.

Overpayments

The authority may review an award at any time, and as a result of that review may decide that DCTHS has been overpaid. An overpayment will be recoverable if the authority is satisfied.

- 1) That the award was made, at least in part, as the result of a misrepresentation whether intentional or otherwise or.
- 2) An error was made by the council when the award was made and, as a result of that error, the award was higher than it otherwise would have been. Any overpayment is recoverable if.
 - a) It arose as a result of a change in circumstances.
 - b) It arose as a result of a change in the amount of Council Tax for which an applicant is liable.

Any recoverable DCTHS overpayment will be debited from the council tax account.

In any case where:

- 1) An award has been made under the provisions of this scheme and a reduction in liability is allowed in respect of the year in which the reduction under this scheme was awarded and,
- 2) the effect of the application of that reduction is to reduce the amount remaining payable in respect of that year to an amount that is less than zero.

The award made under the provisions of this scheme in respect of that year shall be reduced to the lesser of zero or the amount necessary to reduce the amount remaining payable to zero.

Disputes

An applicant may require that the authority review any decision by writing to the authority and stating the grounds on which it is believed that the decision is wrong.

On receipt of an application for a review, the authority shall, within 2 months, consider the decision afresh in light of the representations and any new evidence available to it and advise the applicant; whether or not the decision has been changed and the reasons for that decision.

Appeals

If after a review the person is still aggrieved, or the authority has failed to reply within 2 months, the person may lodge an appeal directly to;

Valuation Tribunal Service

Hepworth House

2 Trafford Court

Doncaster, DN1 1PN

Telephone: 0300 123 1033 <http://www.valuationtribunal.gov.uk/Home.aspx> Any appeal must be lodged within 2 months of the date of decision made by the authority or if the authority has failed to provide a response, within four months of the date on which the request for review was served.

Equality Impact Assessment Screening Tool

Equality Impact Assessments help the Council to comply with its public sector duty under the Equality Act 2010 to have due regard to equality implications. EIAs also help services to be customer focussed, leading to improved service delivery and customer satisfaction.

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	Welfare Support Funds	
Service Area	Community Solutions – Support & Collections	
Officer completing the EIA Screening Tool	Donna Radley – Head of Welfare	
Head of Service	Donna Radley – Head of Welfare	
Date	15/02/2023	
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	The approval of varying Welfare Scheme's within the Welfare Service to support financial hardship & the cost of living increases.	
Protected characteristic	Impact	Description
Age	Positive impact (L)	The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no

		<p>perceived negative impact on this protected characteristic.</p> <p>The authority is working with voluntary partners to capture residents from all age ranges, Young Carers of Barking & Dagenham to the DADB supporting Pensioners and those with Disabilities.</p> <p>Whilst there is a focus on supporting residents with disabilities and caring responsibilities the scheme is open to all in financial hardship however it recognised that certain demographics require additional support.</p>
Disability	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p> <p>The authority is working with voluntary partners to capture residents from all age ranges, Young Carers of Barking & Dagenham to the DADB supporting Pensioners and those with Disabilities.</p> <p>Outreach is available to support residents with claims as well as telephone applications & the Homes & Money Hub.</p>
Gender re-assignment	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p>
Marriage and civil partnership	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p> <p>It should be noted that the schemes are also open to single and single parent households, they receive equal benefit from applications.</p>

Pregnancy and maternity	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p> <p>The schemes have been built to consider household occupants and are not limited to the two child rule. Additional allowances have been given to allow for additional costs associated to children and enhanced levels for new-borns.</p>
Race	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p> <p>The LA is working with VCS partners including those who work with non English speaking residents to support applications.</p>
Religion	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p>
Sex	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p>
Sexual orientation	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no</p>

		perceived negative impact on this protected characteristic.
Socio-Economic Disadvantage¹	Positive impact (L)	<p>The approval of these schemes, which includes claims for financial aid and Council Statutory Services, will improve the financial resilience of this category of residents. There will be no perceived negative impact on this protected characteristic.</p> <p>Between April & September 2022 over 48,000 residents were supported via the hardship schemes managed by the authority, all of which were socio-economically disadvantaged.</p> <p>Vouchers will continue to be provided to residents whose children receive Free School Meals to ensure they have provision during term breaks.</p> <p>There are additional provisions in place within the service to escalate urgent cases that would negatively impact residents. Such cases include those who are risk of eviction or repossession, cases where delays in processing would have severe detrimental effects on mental health, the health and wellbeing of a child or whose condition would be worsened by delays.</p>
How visible is this service/policy/project/proposal to the general public?		High visibility to the general public (H)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		High risk to reputation (H)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

There are no perceived negative impacts on these protected characteristics. There are provisions in place within the service to escalate urgent cases that would negatively impact residents, those with protected characteristic or those with socio-economic disadvantage. Such cases include those who are risk of eviction or repossession, cases where delays in processing would have severe detrimental effects on mental health, the health and wellbeing of a child or whose condition would be worsened by delays.

There is no requirement to complete a full Equalities Impact assessment.

Please submit the form to CE-strategy@lbbd.gov.uk and include the above explanation as part of the equalities comments on any subsequent related report.

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CABINET

21 March 2023

Title: Contract with Barking & Dagenham School Improvement Partnership (BDSIP) 2023/24 – 2025/26	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Natasha Cock, Education Lead for Strategy, Commissioning and Intelligence	Contact Details: E-mail: natasha.cock@lbbd.gov.uk
Accountable Director: Jane Hargreaves, Commissioning Director Education	
Accountable Strategic Leadership Director: Elaine Allegretti, Strategic Director, Children and Adults	
<p>Summary:</p> <p>Barking and Dagenham School Improvement Partnership Ltd (BDSIP) is a company limited by guarantee whose members comprise the Council and local schools. It provides services to the borough's schools, which are members, and education data services to the Council to enable the Council to fulfil its statutory functions.</p> <p>BDSIP was launched on 1 April 2018 with the entering into of a five-year contractual arrangement through which BDSIP delivered a range of Council-commissioned services. These were particularly in the areas of School Improvement and Special Educational Needs and/or Disabilities (SEND) and Inclusion support for schools. The current contract ends on 31 March 2023.</p> <p>BDSIP has generally performed well in key areas of commissioned services and has worked closely in partnership with the Council. BDSIP school improvement activity has contributed to the borough's strongest performance to date in the proportion of schools judged 'Good' or 'Outstanding' by Ofsted. Learning has been identified and incorporated through annual reviews of the commissioned services.</p> <p>Uniquely, BDSIP is majority (81%) owned by schools while the Council owns the remaining 19% stake. It is not possible to replicate this relationship-shared endeavour through a purely commercial commissioning arrangement with another company.</p> <p>BDSIP is a TECKAL company and, as such, is exempt from normal Government procurement rules. Therefore, the Council can award a contract directly to BDSIP without the need for competition.</p> <p>This report seeks agreement for a new, initial three-year contract commencing 1 April 2023, with the option of a two-year extension, between the Council and BDSIP for Council-commissioned services.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that the Council proceeds with the direct award of a contract with BDSIP Limited (company no: 11126768) for the services detailed and in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Commissioning Director, Education, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Strategic Director, Finance and Investment and the Chief Legal Officer, to conduct the procurement and enter into the contract and all other necessary or ancillary agreements with BDSIP in accordance with the strategy set out in the report.

Reason(s)

Supporting the continued commissioning of BDSIP will assist the Council in achieving the best possible outcomes and opportunities for all children and young people, including the most vulnerable, which is central to the vision in the Borough Manifesto. It will also support delivery of the following strategic priorities, set out in the 'The Barking & Dagenham Corporate Plan 2020- 22': 'Prevention, Independence and Resilience', 'Well Run Organisation' and 'Inclusive Growth'.

Further, BDSIP is expected to contribute significantly to delivery of 'The Barking and Dagenham Best Chance Strategy - Our partnership plan for babies, children, young people and their families - September 2022 – September 2025', and the draft priority areas for the forthcoming Education and Participation Strategic Plan 2023 – 2026 which will support delivery of this strategy.

1. Introduction and Background

- 1.1 BDSIP was launched on 1 April 2018, following extensive consultation with the borough's schools and the Council's Legal, HR and Commercial teams. 35 staff moved from the Council's Education service to BDSIP, mostly via TUPE, with a few secondments.
- 1.2 BDSIP is not a wholly owned Council company. The Council has a 19% share in BDSIP, with schools owning the majority of the company (81%).
- 1.3 The vast majority of the borough's schools are members of BDSIP. The Council is represented on BDSIP's Board and BDSIP representatives attend the Council's twice-yearly Shareholder Panel meetings.
- 1.4 Upon the launch of BDSIP in April 2018, the Council entered into a five-year contractual arrangement through which BDSIP delivered a range of Council-commissioned services to schools.
- 1.5 This contract ends on 31 March 2023, therefore approval for a new contract from 1 April 2023 is sought.

- 1.6 BDSIP was created to provide Barking and Dagenham's 60 schools with high quality support to raise education standards further through sharing proven best practice and enabling schools to design and purchase services with the greatest impact.
- 1.7 BDSIP has generally performed well in key areas of commissioned services and has worked collaboratively with the Council. This has been evidenced through annual reviews of commissioned services, their delivery, impact and lessons learnt. Two of these reviews were facilitated by an external consultant.
- 1.8 Some examples of encouraging performance include:
- With one exception, no school buying BDSIP School Improvement support or Inclusion advice has received an adverse Ofsted outcome;
 - Delivery of effective GCSE support in most secondary schools;
 - Provision of a range of high-quality training;
 - Following visits to Additional Resourced Provision (ARPs) in 2021/22, the identification of a group of ARPs as good practice, to support further development of high-quality ARP provision in the borough. ARPs provide specialist education provision for children and young people with SEND;
 - Delivery of strategic support in Inclusion and SEND, including facilitating networks of Special Educational Needs Coordinators (SENCOs), ARP Leads and Behaviour Leads. For example, BDSIP arranged meetings with the borough's Social, Emotional and Mental Health (SEMH) ARPs, focusing on the 'Thrive' model to support children and young people's wellbeing.
- 1.9 BDSIP has experienced challenges with rebuilding the pool of work experience placements, given the impact on businesses and working patterns of the pandemic. Sourcing work experience opportunities is improving, with BDSIP now working with 70 employers. While this is not a commissioned service, the Council and BDSIP have shared partnership objectives in this area.
- 1.10 BDSIP have shown themselves able to set up new services which are cost effective. The company expects to make a modest surplus at this financial year end, demonstrating its financial viability to-date despite the loss of grant funding (from the Dedicated Schools Grant (DSG)), impact of the pandemic and cost of living crisis.
- 1.11 A further review of BDSIP-commissioned services has recently commenced. This will be led by two experienced Headteachers, seeking views from schools, BDSIP and the Council. The outcomes and learning will inform future delivery and planning.
- 1.12 Looking forward, priorities for the Council's commissioning of BDSIP include:
- Maintaining a shared view with the Council of schools considered vulnerable, so that targeted support can be directed to them;
 - Supporting schools where SEND and Inclusion practice would benefit from further development;
 - Helping to shape and deliver SEND training to schools and ARPs; and
 - Leading and further developing subject-specific 'Improvement Networks' of school leads to strengthen outcomes in these areas.

1.13 Whilst some funding for commissioning BDSIP will reduce in the form of the DSG, it is important that the Council can continue to support BDSIP, as a company that can innovatively support schools and the needs of the Council, to flourish.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured.

2.1.1 The Council's commissioning specifications for BDSIP will be incorporated into the new contract. There are four commissioning specifications.

2.1.2 School Improvement specification

Desired outcomes are:

- To support leadership in schools, with the aim that all schools are judged 'Good' or 'Outstanding' by Ofsted; and maintain a shared view of the overall effectiveness of LBBD maintained schools with the Council; and
- To supporting the quality of education in schools, with the aim that Barking and Dagenham meets or exceed national and then London benchmarks in national tests and examinations.

Commissioned services include:

- Supporting schools rated 'Good' and 'Outstanding' by Ofsted
- Supporting schools requiring additional support
- Support with Ofsted inspections
- Developing high calibre leaders for schools
- Support for Governors
- Improving Primary Reading and Writing
- Primary assessment coordination and duties
- Improving outcomes at GCSE
- Improving outcomes at post-16
- Standing Advisory Council on Religious Education (SACRE) duties
- Improving outcomes at end of Early Years Foundation Stage (EYFS) and ensuring all EYFS provision in schools is at least 'Good'

2.1.3 SEND and Inclusion specification

Desired outcomes are:

- To support quality, standards and outcomes in ARPs, with the aim that all ARPs are judged as 'effective' or better by the Council after their annual compliance and quality assurance visit; and
- To work with the Council to ensure that the number of children and young people who remain in LBBD mainstream schools is maximised through the implementation of best practice in Inclusion and SEND. This includes through:
 - Supporting SENCO- and Inclusion Lead- Network meetings, with a focus on supporting skills and approaches and sharing good practice.

- Working with targeted schools to support the effectiveness of whole-school Inclusion and SEND practice, including a focus on children and young people at risk of exclusion; and
- Ensuring that every school receives an annual Inclusion and SEND quality assurance visit.

2.1.4 **A DSG-funded specification to support education priorities for improvement and development**

Some of the activities in this specification are part of the School Improvement and SEND and Inclusion specifications. Additional outcomes from this specification include:

- To strengthen school to school support, for example, through: further developing a model for coaching and leadership training as professional development; and developing an approach to the sharing of good practice across pedagogy, curriculum and training, especially for the secondary phase.
- To support teacher recruitment and retention, for example, through: marketing the borough through BDSIP's communications and promotional work so that Barking and Dagenham is seen as a highly attractive place to work.
- To procure additional resources to help further improve education standards and education and participation opportunities in the borough.

2.1.5 **Education Data Services**

Commissioned services include:

- Provision of annual examination results and analyses, for example, for EYFS and Key Stages 1, 2, 4 and 5, in addition to a range of other education data and analyses;
- Provision of data dashboards relating to Inclusion, exclusions and absence;
- Submission of statutory and non-statutory data returns, working with schools and the Council as required; and
- Administration of secure education data and management information systems.

2.1.6 In addition to the commissioning specifications, the Council and BDSIP have shared partnership objectives in the areas of supporting 'Positive Destinations for Young People' aged 16+ and 18+ and to support specific 'Health and Wellbeing' initiatives with schools and partners.

2.2 **Estimated Contract Value, including the value of any uplift or extension period.**

2.2.1 The estimated contract value is £2,031,475 for the initial three years from 2023/24 to 2025/26. The estimated value of the extension for two years from 2026/27 to 2027/28 is £1,258,456.

2.3 **Duration of the contract, including any options for extension.**

2.3.1 Three years from 2023/24 to 2025/26, with the option to extend for a further two years.

2.4 Is the contract subject to (a) the (EU) Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?

2.4.1 No. BDSIP is a company exempt from the Public Contract Regulations 2015 (PCR) under Regulation 12, also called a TECKAL company.

2.5 Recommended procurement procedure and reasons for the recommendation.

2.5.1 BDSIP is a TECKAL company and therefore exempt from the rules of Government procurement whereby the Council can award a contract directly to BDSIP without the need for competition.

2.6 The contract delivery methodology and documentation to be adopted.

2.6.1 Commissioned services, including the value and outcomes expected, are set out in the commissioning specifications. These will be incorporated into the contract.

2.6.2 Please see 'Financial implications' section below for information about how the commissioned services will be funded.

2.6.3 The form of the contract used will be based on the Council's standard terms of conditions.

2.6.4 All commissioned services are supported and monitored through formal performance management arrangements. This includes regular (monthly) contract monitoring meetings with the Commissioning Director Education, senior Education staff, BDSIP's CEO and senior BDSIP staff, supported by detailed quarterly reports from BDSIP.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract.

2.7.1 The following additional outcomes and efficiencies are expected:

- Further innovation in service delivery due to new and creative partnerships with schools and external providers (including brokering services and online opportunities);
- Increased efficiency, for example, through BDSIP continuing to move away from a model of high fixed staffing costs towards a more flexible model. This allows BDSIP to respond to emerging needs from schools in a more agile way whilst also lowering fixed costs. In light of the cost of living crisis, the company is treating the possibility of schools opting out of buying services as a future risk. In response, BDSIP are considering growth opportunities to enable it to be less dependent on a relatively small number of in-borough schools.
- Increased potential for income generation opportunities through new or creative partnerships and brokering new services, as well as through BDSIP's traded services (for example, traded training to schools).

2.8 Criteria against which the tenderers are to be selected and contract is to be awarded

2.8.1 As the contract for services will be exempt from competition under Regulation 12 of the PCR, BDSIP is exempt, so the contract will not be tendered. The Council still has to bear in mind its 'Best Value' obligations under the Local Government Act 1999.

2.9 How the procurement will address and implement the Council's Social Value policies.

2.9.1 BDSIP is a not-for-profit social enterprise, majority-owned by schools in Barking and Dagenham. BDSIP's focus is on helping to build the best possible future for the borough's young people. The company does this by working directly with young people, for example through BDSIP's careers and work experience programmes, and through the strategic support BDSIP provide to school leadership.

2.9.2 A key area of focus for BDSIP is helping schools to develop genuinely inclusive practice. This plays a crucial role in enabling schools to successfully support more children with additional needs in mainstream settings. As a school-led company, BDSIP aims to be highly responsive to the evolving needs of schools, for example, introducing Speech and Language and counselling services in response to feedback from schools about the needs of the borough's young people.

2.9.3 As a not-for-profit organisation, any surplus which BDSIP makes is reinvested into priority local projects such as the Race and Social Justice programme, which BDSIP invested over £20,000 in during 2022/23.

2.9.4 BDSIP's Careers Lead attends the Council's Social Value Advisory Panel to feed in ideas and develop ways of working.

3. Options Appraisal

3.1 Do nothing and cease commissioning BDSIP

3.1.1 This is not a viable option as the commissioned services either relate to fulfilling some of the Council's statutory responsibilities (for example, supporting schools causing concern) or are shared priorities for the borough (for example, providing high quality and appropriate training for school staff around SEND). Decommissioning BDSIP would leave the Council in breach of some of its responsibilities and would compromise outcomes for some of our most vulnerable pupils (for example, children with SEND). It risks being particularly disruptive and detrimental in the current context in which schools are responding to the impact of the pandemic and supporting families during the cost-of-living crisis.

3.1.2 Further, ceasing the commissioning of BDSIP would have an adverse impact on the ability of the company to provide the range of services that schools need to support their own improvement.

3.2 **Commission an alternative provider**

- 3.2.1 This would not be a viable option because it would risk undermining the Council's trust and confidence in BDSIP, including as the Council's preferred provider for education training to schools. Crucially and uniquely, BDSIP is majority (81%) owned by schools and the Council also has a stake (19%). It is not possible to replicate this relationship shared endeavour through a purely commercial commissioning arrangement with another company.

4. **Waiver**

- 4.1 Not applicable to this contract.

5 **Equalities and other Customer Impact**

- 5.1 An Equalities Impact Assessment screening tool has been completed (Appendix 1) and has found no anticipated negative impacts on pupils with protected characteristics as a result of this contract.
- 5.2 Further, there are commissioned activities which will positively impact on specific protected characteristics, for example, for pupils with SEND and through supporting best practice in school inclusion.

6. **Other Considerations and Implications**

6.1 **Risk and Risk Management**

- 6.1.1 **Managing the reduction in the DSG (please also see 'Financial implications' section below)** - The Council and BDSIP have agreed the following principles for managing this reduction across BDSIP services:

- Prioritising investment to support key areas and outcomes;
- Supporting the development and introduction of new services, with the intention that these, in the longer term, become traded and self-funding;
- Supporting school-led approaches where practical; and
- Moving away from utilising these funds to support core staffing costs.

- 6.2 **Safeguarding Children** - Services commissioned by the Council from BDSIP include support for Inclusion and SEND, for example, working with schools to strengthen good practice, share best practice and provide training. This will help promote the best outcomes for children and young people with SEND and those most vulnerable. In addition to commissioned services, BDSIP has an agreed objective with the Council to continue to support and embed a Race and Social Justice project with participating schools, which seeks to address inequalities and inequity in some key areas.

- 6.3 **Health Issues** - In addition to commissioned services, BDSIP has an agreed objective with the Council to support specific initiatives with schools and partners which support children and young people's Health and Wellbeing.

- 6.4 **Crime and Disorder Issues** - The desired outcomes of commissioned services to support Inclusion includes working with the Council to ensure that the number of

children and young people who remain in LBBB mainstream schools is maximised though the implementation of Inclusion best practice. In turn, this will promote the safety and wellbeing of children and young people, helping to safeguarding them from exploitation and unsafe or risky behaviours.

7. Consultation

- 7.1 Consultation on the proposals in this report have taken place with relevant Cabinet Members, local schools and the BDSIP CEO and Board.
- 7.2 The proposals were also considered and noted by the Council's Procurement Board on 6 February 2023.

8. Corporate Procurement

Implications completed by: Richard Barrett, Category Manager

- 8.1 The current arrangement with BDSIP ends on 31 March 2023. The paper proposes that a new arrangement will be put in place to cover the period from 1 April 2023 for an initial duration of three years, with the option to extend for a further 2 years.
- 8.2 It has been identified that there are four main commissioning specification areas as detailed below:
 - a) School Improvement Specification
 - b) SEND & Inclusion
 - c) DSG-funded specification to support education priorities for improvement and development
 - d) Education Data Services
- 8.3 Thorough review of the existing arrangement and improvement in the four commissioning specifications, coupled with a suitable contract, will be key to ensuring that the arrangement achieves the required commissioning outcomes while achieving the maximum value achievable from the public funds being utilised.
- 8.4 BDISP will fall under Regulation 12 of the PCR, which exempts such contracts from competition as identified by LBBB Legal. Therefore, if officers are assured that this arrangement has and continues to provide the greatest achievement of outcomes and represents the best value option to the Council, the paper is supported.

9. Financial Implications

Implications completed by: Kofi Adu, Group Finance Manager

- 9.1 The BDSIP contract is funded from various funding sources within Education. A summary of the funding structure is shown below. This contract is not intended to have any adverse financial impact on the Council's General Fund. Any slippages will be covered within the cash envelope shown in the table below.

BDSIP Funding Sources	2023/24	2024/25 Estimated	2025/26 Estimated	2026/27 Estimated	2027/28 Estimated
DSG Commissioning	136,000	108,200	86,560	69,248	55,398
DSG School Improvement	10,000	10,000	10,000	10,000	10,000
SEND /Inclusion	105,000	105,000	105,000	105,000	105,000
SEND / Inclusion Training	25,000	25,000	25,000	25,000	25,000
SEND / Inclusion QA Visits	40,000	40,000	40,000	40,000	40,000
Support Services / Infrastructure	135,364	135,364	135,364	135,364	135,364
SIBG – De-Delegation	150,000	150,000	150,000	150,000	150,000
Early Years Work	45,000	45,000	45,000	45,000	45,000
Education Data Services*	37,500	37,500	37,500	37,500	37,500
Education Data and Software Packages**	19,041	19,041	19,041	19,041	19,041
Total Funding	702,905	675,105	653,465	636,153	622,303

*This is funded by Children’s Care and Support, with £7.5k p.a. from Education.

**This is funded by Children’s Care and Support. Costs are subject to changes by education data and software providers.

10. Legal Implications

Implications completed by Ian Chisnell, Major Projects Solicitor

- 10.1 BDSIP is a not-for-profit company limited by guarantee in which the Council, along with the group of Barking schools, has a membership. The Council is a minority member with one membership out of 57. It is also the Supervising Authority under the School Companies Regulations 2002 (SCR).
- 10.2 Under Regulation 26 the Council has an obligation to monitor the company finances and report if it considers that the company is poorly managed or in danger of becoming insolvent.
- 10.3 As the company is controlled by the Council and the Schools (which are considered contracting authorities under the PCR) with no external involvement and in a similar manner to the control of a public authority’s departments, the award of a contract to BDSIP will fall under Regulation 12 of the PCR, which exempts such contracts from competition.
- 10.4 The Council is a Best Value Authority under the Local Government Act 1999 and must, however, be satisfied that the arrangement is best value. It must also comply with its contract rules which permit direct awards to companies falling under Regulation 12.
- 10.5 In preparing the case for the award the Council must also consider the Public Services (Social Value) Act 2012 which is detailed in the report.

10.6 The Council has a number of relevant powers regarding its involvement in such companies. Section 1 of the Localism Act 2011, the general power of competence (“GPC”) empowers local authorities to do anything that an individual can lawfully do provided that the activity is not expressly prohibited by other legislation. It also has power to act as Supervisory Authority under the SCR.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

Appendix 1: Equality Impact Assessment Screening Tool

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Equality Impact Assessment Screening Tool

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The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to ensure that the detail of Equality Impact Assessments (EIAs) are proportionate to the impact of decisions on the equality duty, and that in some cases a full EIA is not necessary.

This tool assists services in determining whether plans and decisions will require a full EIA. It should be used on all new policies, projects, functions, staff restructuring, major development or planning applications, or when revising them.

Full guidance on the Council's duties and EIAs and the full EIA template is available at [Equality Impact Assessments](#).

Proposal/Project/Policy Title	Contract with Barking & Dagenham School Improvement Partnership (BDSIP) 2023/24 – 2025/26
Service Area	Education Commissioning and Children's Commissioning
Officer completing the EIA Screening Tool	Natasha Cock, Education Lead for Strategy, Commissioning and Intelligence
Head of Service	Jane Hargreaves, Director Education Commissioning
Date	25/01/2023
Brief Summary of the Proposal/Project/Policy Include main aims, proposed outcomes, recommendations/decisions sought.	Launched in April 2018, BDSIP Ltd. is a company limited by guarantee whose members comprise the Council and local schools. Uniquely, BDSIP is majority (81%) owned by schools while the Council owns the remaining 19% stake. The vast majority of the borough's 60 schools are members. The company was created to provide high quality support to the schools to raise education standards further through sharing proven best practice and enabling schools to design and purchase services with the greatest impact. To-date, BDSIP has delivered a range of Council-commissioned services, particularly in the areas of School Improvement and Special Educational Needs and/or Disabilities (SEND) and Inclusion support for schools. BDSIP school improvement activity has contributed to the borough's strongest performance to-date in the proportion of schools judged 'Good' or 'Outstanding' by Ofsted. The LA's current contract with BDSIP ends on 31 March 2023. Approval from Cabinet is sought for a new, initial three-year contract commencing 1

	April 2023, with the option of a two-year extension, between the Council and BDSIP for Council-commissioned services. These will continue to provide support for schools in the areas of School Improvement, SEND and Inclusion, and education data services to the Council which enable the Council to fulfil its statutory functions.	
Protected characteristic	Impact	Description
Age	Positive impact (L)	Through this contract, BDSIP are commissioned to work with schools in Barking and Dagenham to further support improved education and participation outcomes for all school-age children, for example, in the Early Years, in Primary Maths and English, at GCSE (Key Stage 4) and at A level (Key Stage 5). Further, BDSIP will support schools with SEND and Inclusion practices, aiming to further strengthen outcomes for school-age children and young people with SEND and other vulnerable children, including those at risk of exclusion.
Disability	Positive impact (L)	Through this contract, BDSIP are commissioned to work with schools in Barking and Dagenham to further support improved education outcomes for children and young people with SEND. This will include through supporting school networks of SEND and Inclusion Leads, supporting targeted schools in further developing a whole school-effectiveness approach to Inclusion and SEND, providing specialist support to Additional Resourced Provisions (ARPs) which provide specialist education to children and young people with SEND, and through annual SEND and Inclusion quality assurance visits to schools.
Gender re-assignment	Not applicable (N/A)	Describe the impact.
Marriage and civil partnership	Not applicable (N/A)	Describe the impact.
Pregnancy and maternity	Not applicable (N/A)	Describe the impact.

Race	Positive impact (L)	Supported by Council commissioning funds, BDSIP has worked in partnership with schools to develop and deliver a dedicated 'Race and Social Justice' project since 2021. This ultimately aims to promote equity and further address disparities for all children, young people and school staff in specific areas of Social Justice, and will continue in 2023/24 onwards. Participating schools are incorporating developments and learning from this into their school plans and practice.
Religion	Positive impact (L)	One of the Council-commissioned BDSIP services in the contract is to continue to support SACRE – the Standing Advisory Council on Religious Education. This includes through: supporting a vibrant SACRE which reflects the diversity of the local community and makes a sustained contribution to matters of faith and ethics in education, producing an annual SACRE report and disseminating it to all school governing bodies, as well as developing guidance on collective worship
Sex	Positive impact (L)	All Council-commissioned BDSIP School Improvement, SEND and Inclusion services aim to support schools in strengthening outcomes for all children and young people. As part of this, BDSIP's partnership work with schools necessarily takes account of the demographics of individual schools and the needs of their children, young people and wider school community. This includes in relation to protected characteristics such as sex. Further, Council commissioned BDSIP services around education data include the collection and submission of specific school data for statutory returns to the government, including for the Census. This data will often include the sex or gender of pupils. This data is then utilised by the LA, schools and other public bodies to better support the needs of pupils.

Sexual orientation	Positive impact (L)	As above, all Council-commissioned BDSIP School Improvement, SEND and Inclusion services aim to support schools in strengthening education outcomes for all children and young people. As part of this, BDSIP's partnership work with schools necessarily takes account of the demographics of individual schools and the needs of their children, young people and wider school community. This includes in relation to protected characteristics such as sexual orientation.
Socio-Economic Disadvantage¹	Positive impact (L)	All Council-commissioned BDSIP School Improvement, SEND and Inclusion services aim to support schools in strengthening education and participation outcomes for all children and young people. As above, as part of this, BDSIP's partnership work with schools necessarily takes account of the demographics of individual schools and the needs of their children, young people and wider school community. This includes in relation to social-economic disadvantage, given the high levels of deprivation faced by many of the borough's families, children and young people. Council commissioned BDSIP services also include supporting targeted schools in further developing a whole school-effectiveness approach to Inclusion, and annual quality assurance visits on Inclusion to schools, helping to keep a strong focus on supporting vulnerable children and young people and those at risk of exclusion. Further, Council commissioned BDSIP services around education data include the collection and submission of specific school data for statutory returns to the government, including for the Census. This data will include pupils eligible and receiving Free School Meals and specific definitions of 'disadvantaged pupils' in

¹ Socio-Economic Disadvantage is not a protected characteristic under the Equality Act. London Borough of Barking and Dagenham has chosen to include Socio-Economic Disadvantage as best practice.

		education. This data is utilised by the LA, schools and other public bodies to better support the needs of pupils.
How visible is this service/policy/project/proposal to the general public?		High visibility to the general public (H)
What is the potential risk to the Council's reputation? Consider the following impacts – legal, financial, political, media, public perception etc		Medium risk to reputation (M)

If your answers are mostly H and/or M = **Full EIA to be completed**

If after completing the EIA screening process you determine that a full EIA is not relevant for this service/function/policy/project you must provide explanation and evidence below.

A full EIA is not deemed relevant because, where this contract impacts on protected characteristics, the impacts are positive. BDSIP is a not-for-profit social enterprise, whose focus is on supporting schools to help build the best possible future for the borough's children and young people. The company does this through strategic support provided to school leadership, as well as by working directly with young people through some of its wider services.

Please submit the form to CE-strategy@lbbd.gov.uk and include the above explanation as part of the equalities comments on any subsequent related report.

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CABINET

21 March 2023

Title: Street Naming and Numbering Policy	
Report of the Cabinet Member for Regeneration and Economic Development	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Laura Powell, Strategy and Partnerships Officer	Contact Details: E-mail: laura.powell@lbbd.gov.uk
Accountable Director: Marlon Bruce, Head of Housing and Assets Strategy	
Accountable Strategic Leadership Director: James Coulstock, Strategic Director Inclusive Growth	
<p>Summary</p> <p>The London Borough of Barking and Dagenham has a statutory duty to ensure all streets are named and properties numbered. This is in accordance with the Towns Improvement Clauses Act 1847. Be First is commissioned to provide the borough's statutory street naming and numbering function, in partnership with the Council.</p> <p>The new Street Naming and Numbering Policy aims to provide clear guidance to developers and residents on the London Borough of Barking and Dagenham's approach to the effective allocation of street naming and property numbering, whilst ensuring legislative requirements are met.</p> <p>Following recommendations from the Policy Task Group, the policy also outlines the importance of, and the Council's approach to, engaging with residents when determining street and building names for new developments, alongside the mechanisms in place for ensuring that effective consultation takes place.</p>	
<p>Recommendation(s)</p> <p>Cabinet is asked to:</p> <ul style="list-style-type: none"> (i) Agree the Street Naming and Numbering Policy at Appendix A to the report and the proposed fees as set out in Appendix B to the report; (ii) Note the proposed approached to resident consultation and engagement in the naming of streets, as detailed in the report; and (iii) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Regeneration and Economic Development, to make any non-material changes to the policy document prior to its publication. 	

1. Introduction and Background

- 1.1 The London Borough of Barking and Dagenham has a statutory duty to ensure all streets are named and properties numbered. This is in accordance with the Towns Improvement Clauses Act 1847. Be First is commissioned to provide the borough's statutory street naming and numbering function, in partnership with the Council.
- 1.2 Over the past 18 months, there have been attempts to develop and publish a Street Naming and Numbering Policy, which has not been reviewed for ten years. Be First produced a draft policy, incorporating all legislative requirements and processes, which was shared with Council officers for agreement.
- 1.3 However, following a request by Members, work to review the Policy was paused to allow further discussions to take place at Policy Task Group. Recommendations received from the Group have been reviewed and considered in the development of the Policy, and officers are now able to take forward the Policy for agreement and publication.
- 1.4 Be First has confirmed that the Street Name and Numbering Policy fulfils the local authority's statutory obligations to ensure that all streets and buildings in the borough are named and numbered. It is compliant with the relevant legislative acts which include:
 - The London Building Acts (Amendment) Act 1939 Part II
 - The London Government Act 1963'

2. Proposal and Issues

- 2.1 The Street Naming and Numbering Policy aims to provide clear guidance to developers and residents on the London Borough of Barking and Dagenham's approach to the effective allocation of street naming and property numbering, whilst ensuring legislative requirements are met.
- 2.2 The Policy outlines the two routes for Street Naming and Numbering applications: Fast Track and Bespoke. Be First will maintain an Approved Names List for use with the Fast Track Route.
- 2.3 In recent months, Members have been approached by residents requesting streets be named after deceased relatives. Due to the sensitivities and the potential implications of naming a street after an individual, the Policy provides the following guidance:
 - The use of a name of a living person will not be approved.
 - It is recommended that if the name is of a person who is deceased, it should be at least ten years since their death unless exceptional circumstances justify a shorter period.
 - The use of a name which relates to a deceased person will require justification, together with written agreement from the next of kin or family.
- 2.4 The proposed ten-year rule for naming a street or building after a deceased person is to provide a sufficient period following a bereavement. The naming of a street

after a deceased person requires careful research into that person's history and it would be insensitive to carry out this research during a period of grieving.

- 2.5 Be First would note that similar lengths of time are required by most Local Authorities, and many do not accept requests for the naming of streets after deceased residents at all.
- 2.6 Where any request is received, including those relating to a deceased person, the proposed name will be initially screened by the Street Naming and Numbering service. It will then be considered as part of the annual review of the Approved Names List, in consultation with the London Fire Brigade, the Leader of the Council, the Cabinet Member for Regeneration & Economic Development and the local Ward Councillors.

3. Policy Task Group Recommendations

Consultation and Recommendations

- 3.1 It is recognised that the choice of street names can help to strengthen local identity and increase civic pride. Following recommendation from Policy Task Group, the new Policy outlines the importance of engaging with residents when determining street and building names for new developments, and the mechanisms in place for ensuring that effective consultation takes place.
- 3.2 Where an area, field, or previous building has a historical association with a particular name, activity, or anything else (such as a geographical or natural features) the Council aims to preserve this in all aspects of new developments. Be First will work with developers to ensure that these aspects are considered. On Policy Task Group recommendation, this has been included in the Policy.
- 3.3 Over the coming months, Be First in partnership with the Council's Heritage Service, will engage with residents on the themes they want to see celebrated through the borough's regeneration projects and developments. These themes will be reflected in the Approved Names List held for Fast Track Applications. There will also be the opportunity to involve the Citizens Alliance Network (CAN) to support the engagement process.
- 3.4 The pre-approved list will then be reviewed on an annual basis, during March of each year. This will provide the opportunity for any proposed names received during the year to be considered.
- 3.5 Proposed names received during the year, will be screened by Be First's Street Naming and Numbering service before being issued for consultation to the London Fire Brigade, the Leader of the Council, the Cabinet Member for Regeneration & Economic Development and the local Ward Councillors. The pre-approved list will then be shared for public consultation.
- 3.6 Where developers of large-scale developments wish to pursue the Bespoke Route of proposing alternative names for consideration, early discussions with local residents and the Street Naming and Numbering service will be required.

Directory of Street Names

- 3.7 Following recommendations from the Policy Task Group, officers have considered the introduction of a digital directory of street names.
- 3.8 It is acknowledged that a digital directory, providing the meaning behind existing names, will help to create a sense of place and be more readily associated with the borough's past.
- 3.9 However, the creation of a directory and the feature of QR codes on new street signs requires further time and investigation, but should not prevent the new Street Naming and Numbering Policy from being published.
- 3.10 In the meantime, Be First are in the process of updating the Street Naming and Numbering webpage. It will be fresher, clearer and will reflect the new policy.

4. Fees

- 4.1 The proposed fees associated with the new policy are set out below:

Service	Fee (excl. VAT)	VAT	Total
New property (single unit/dwelling)	£125.00	£25.00	£150.00
Change of approved address (single unit/dwelling)	£125.00	£25.00	£150.00
New street name	£500.00	£100.00	£600.00
New building (where there are multiple addresses in the building)	£500.00	£100.00	£600.00
Renaming street*	£1,000.00	£200.00	£1,200.00
*Plus Costs Incurred In carrying out statutory consultation			

- 4.2 The above fees are for 2023/24 and will be reviewed annually, with a list of fees published at all times on the Council's website.

5. Options Appraisal

- 5.1 The only alternative option would be to continue delivering the service without a formal Street Naming and Numbering Policy being published. However, the development and publication of a policy is key to ensuring that this statutory function is carried out in a transparent and consistent manner.
- 5.2 Historically, officers and Members have been unable to respond effectively to ad-hoc requests from residents. This will be resolved with clear guidance in place.

6. Consultation

- 6.1 The Policy has been developed in consultation with officers from Be First, the Council, the Citizens' Alliance Network Project Manager, relevant Cabinet Members and the Policy Task Group.
- 6.2 The proposals in this report were considered and endorsed by the Corporate Strategy Group on 17 November 2022.

7. Financial Implications

Implications completed by: Sandra Pillinger, Group Accountant

- 7.1 There are no financial implications to note. Applicants are charged a fee to cover the administrative costs of advising interested parties and statutory undertakers of any relevant changes. The list of fees shall be published on the Council's website.

8. Legal Implications

Implications completed by: Dr. Paul Feild, Principal Standards & Governance Lawyer

- 8.1 The development of a Street Name and Numbering Policy ensures that the Council provides developers and residents with clear and consistent guidance in the delivery of its statutory duty to ensure all streets are appropriately named and properties numbered. The present powers, which control street naming and numbering in the London Borough of Barking and Dagenham and the Greater London area, are derived from Part II of the London Buildings Act (Amendment) Act 1939. The original Act referred only to the inner London area and was amended by Section 43(1) of the London Government Act 1963 to include the whole of Greater London. With the dissolution of the Greater London Council in 1985 the powers held by that Council, in respect of street naming and numbering, were devolved to the London boroughs by virtue of the Local Government Act 1985.
- 8.2 The Council's current Constitution provides that the Cabinet is responsible for the naming of roads and buildings (Part 2, Chapter 6, paragraph 2.1(xi)).

9. Other Implications

- 9.1 **Risk Management** – This Policy has been developed under the appropriate legislation to ensure consistent record keeping, reduction of costs, to aid delivery of mail and the fast and accurate response of the emergency services. To mitigate any risk associated with the allocation of street names and numbers, all relevant stakeholders, including the London Fire Brigade are involved in the consultation process prior to any name being accepted.
- 9.2 **Corporate Policy and Equality Impact** – As mentioned above, it is recognised that the choice of street names can help to strengthen local identity and increase civic pride. The new Policy outlines the importance of engaging with residents when determining street and building names for new developments, and the mechanisms in place for ensuring that effective consultation takes place.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix A** – Draft Street Name and Numbering Policy 2023
- **Appendix B** – Street Name and Numbering Application Form and Fees



Street Naming and Numbering Policy

This Policy is formed from four pieces of legislation:
London Building Acts (Amendment) Act 1939 Part II.
London Government Act 1963 Section 43(1) (a) & (2).
London Government Order 1965 Article 3 (11).
Local Government Act 1985 Schedule 8 Section 14 (1) (a).

StreetNamingAndNumbering@bfirst.london

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1 Introduction

- 1.1 The London Borough of Barking and Dagenham has a statutory duty to ensure all streets are named and properties numbered. This is in accordance with the Towns Improvement Clauses Act 1847. The effective implementation of property naming and numbering is essential for locating properties, particularly for postal and emergency services.
- 1.2 This policy aims to provide clear guidance to developers and residents on the London Borough of Barking and Dagenham's approach to the effective allocation of street naming and property numbering, whilst ensuring legislative requirements are met.
- 1.3 Anyone wishing to:
 - change the name or number of their property
 - create an address for a new property or development
 - name a new road or change the name of a road
 - should apply using the application form on our website, following the procedures detailed in this policy.
- 1.4 Be First offers two routes to naming: Fast Track and Bespoke. Please see the SNN Application Routes flow chart in Chapter 4 for an explanation of these routes.

2 Roles and Responsibilities

- 2.1 The naming and numbering of streets and buildings in the London Borough of Barking and Dagenham [LBBD], is controlled under The London Building Act 1939 Part II. Be First Regeneration Limited [Be First] is a limited company wholly owned by LBBD and is commissioned to provide the statutory Street Naming and Numbering (SNN) function in partnership with the Council.

- 2.2 The Council has a legal responsibility to make sure that any new street names, building names and numbers are allocated logically. This is essential for:
- The public finding where they want to go.
 - Reliable delivery of services and products
 - Emergency services finding a property
 - Consistency of property-based information across local government and within the user community
- 2.3 The Council is responsible for maintaining and updating a comprehensive address database, known as the Local Land & Property Gazetteer (LLPG), which contains all official addresses in the Borough. All changes made through the SNN process are included in the LLPG.
- 2.4 In addition to being used in the delivery of Council services the (LLPG) feeds into a national address database known as the National Land and Property Gazetteer (NLPG). The address data in the NLPG is continually updated by each local authority and aims to provide one definitive source of address data..
- 2.5 Royal Mail does not have any authority to issue or confirm official addresses. It is responsible for setting the post town and post code for a property. On occasions, Royal Mail may use a different locality detail for a 'postal address' to the official one contained on our register. Be First will do everything it can to ensure consistency between official address and postal address. However, an official address will be based on the geographical position of the property. Official addresses will be issued to comply with national addressing standards.
- 2.6 The Council offers pre-application advice for street and address naming, charged according to the scale of the development.
- 2.7 In the event the Council receive proposal of a new street or building name, not featured on the pre-approved list, they will initially be screened by Be First's Street Naming and Numbering service before being issued for consultation to the London Fire Brigade, the Leader of the Council, the Cabinet Member for Regeneration & Economic Development and the local Ward Councillors. The pre-approved list will then be shared for public consultation.
- 2.8 Where street names or numbers have been established without reference to us, the Council has the authority to issue Renaming or Renumbering Orders. If this is required a commensurate charge will be applied.

3 Statutory Context

New Streets and buildings

- 3.1 The Council must be notified via Be First of proposed new street names. Detailed justification, for example historical context, is required when making an application, enabling any proposal to be carefully considered. We then have the power to object within six weeks in writing, giving the reason for objections. Please see section seven for more detail.

- 3.2 If the Council object to the proposed street name, then the person proposing the street name has 1 month to appeal to the Magistrates Court. In practice we will always aim to negotiate a mutually acceptable street name with the applicant as outlined in this policy.
- 3.3 If someone erects a street nameplate without complying with this section, they will be liable for a penalty fine as determined by the Magistrates Court.

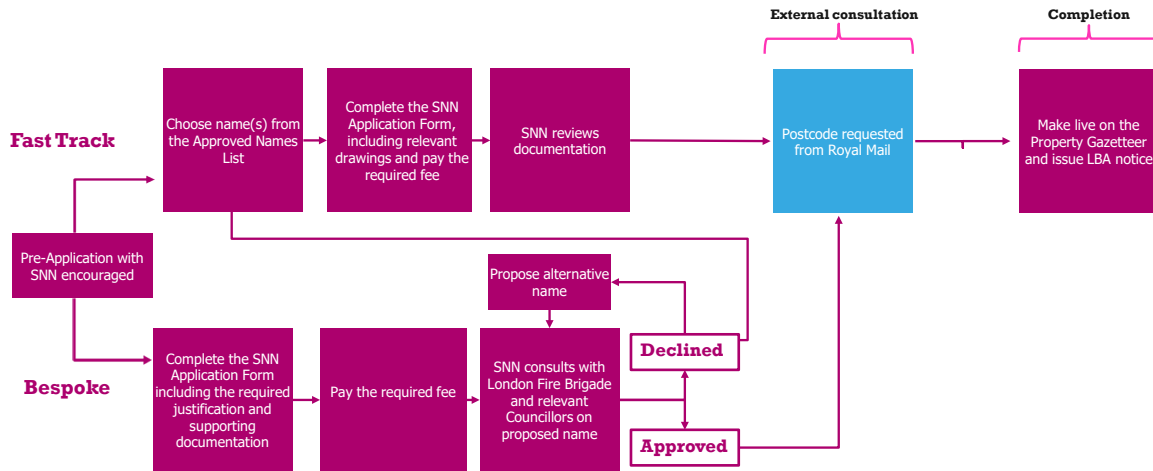
Existing Streets

- 3.4 The Council has the power to alter the street name of any street, or any part of a street.
- 3.5 The Council must give 1 months' notice before making an order and it must be posted at each end of the street or the affected part. This notice must set out the details of where people can appeal to if they are aggrieved by the proposed change.
- 3.6 Any appeal against a proposed change would need to be made to the Magistrates Court within 21 days of posting of the notice. Under section 18 we can alter the name and numbers of any street, if there is a particular need to do so and if an appeal has not been lodged.
- 3.7 In such instances and prior to issuing this notice, we will consult with, and work in conjunction with, interested parties such as the emergency services.

4 Consultation and Engagement

- 4.1 The choice of street names can help to strengthen local identity and increase civic pride for local residents. The Council encourages the use of street and building names that reinforce local/historical character.
- 4.2 Be First on the Council's behalf, will engage with the Residents Advisory Board (or similar local group) who will be consulted on the themes they want to see celebrated through the borough's regeneration projects and development. These themes will be reflected in an Approved Names List.
- 4.3 The Approved Names List will be reviewed annually in consultation with the Leader of the Council and Lead Member for Regeneration & Economic Development.
- 4.4 Where an area, field, or previous building has a historical association with a particular name, activity, or anything else (such as a geographical or natural feature) the Council aims to preserve this in all aspects of new developments. Be First will work with developers to ensure that these aspects are considered.
- 4.5 There are two routes for making a Street Naming and Numbering application. Fast Track and Bespoke. Please see flow chart.

SNN Application Routes



- 4.6 Be First will maintain an Approved Names List for use with the Fast Track Route. This list will have been consulted on and approved by the London Fire Brigade and relevant Councillors.
- 4.7 Where developers of large-scale developments wish to pursue the Bespoke Route of proposing alternative names for consideration, early discussions with local residents and the Street Naming and Numbering Team will be expected.
- 4.8 When the Bespoke Route is followed, proposed names will be initially screened by the Street Naming and Numbering Team before being issued for consultation to the London Fire Brigade, the Leader of the Council, Lead Member for Regeneration & Economic Development, and the local Ward Councillors.

5 Naming of streets

The following guidelines should be considered when seeking a new number or address.

- 5.1 In the first instance, we encourage use of the approved list of names, available on the SNN section of our website, that will in most cases be automatically approved. the Council, are willing for developers or owners to propose their own preferred names for consideration.
- 5.2 For larger developments, comprising three or more streets, thematic names are to be used so that areas are easily identified.
- 5.3 New street names must not duplicate or be similar to an existing name within the Borough or neighbouring borough.

A variation in the terminal word, for example, "street", "road", "avenue", will not be accepted as sufficient reason to duplicate a name. It is common to request to repeat existing names in a new road or building title (for example a request for "St Mary's Close" off an existing St Mary's Way, near St Mary's Church). This can have a detrimental effect in an emergency situation and will be refused. This is in line with Government guidance found in [Circular 3/93](#).

5.4 Street names must not be difficult to pronounce or awkward to spell. Both Street and building names should not start with 'The' or end with 's' if the 's' suggests a plural such as 'Lanes'.

5.5 New street names should ideally end with one of the following suffixes, taking care to reflect the specific meaning of the suffix:

- Street (any thoroughfare)
- Road (any thoroughfare)
- Way (any thoroughfare)
- Avenue (residential roads usually tree lined)
- Drive (residential roads)
- Grove (residential roads usually in woody areas)
- Lane (residential roads usually narrow, often rural)
- Gardens (residential roads) - subject to there being no confusion with any local open space
- Place (residential roads)
- Crescent (crescent shaped road only)
- Close (cul-de-sac only)
- Square (square only)
- Hill (hillside road only)
- Circus (a large roundabout)
- Rise (residential roads on a gradient or hill)
- Row (residential roads usually serving a terrace of houses)
- Wharf (residential roads associated with water or shore side areas)
- Mews (residential roads usually a small terraced street, alley or courtyard)
- Dene (residential roads usually by a deep, wooded valley)
- Mead (residential roads usually a former grassland site or adjacent to a field)
- Reach (residential roads leading to a river)
- Vale (residential roads in a valley or basin)
- View (residential roads with a vista or panoramic outlook)

5.6 All new pedestrian ways should end with one of the following suffixes:

- Walk
- Path
- Way
- Mall
- Footpath
- Alley
- Approach
- Passage

Exceptions: Single or dual names without suffixes are acceptable in appropriate places (for example, Broadway for major roads only) such names will have to be appropriate for the locality.

- 5.7 For private houses the name should not repeat the name of the road or that of any other house or building in the same postcode area.
- 5.8 The use of North, East, South or West (as in Alfred Road North and Alfred Road South, or East or West) is only acceptable where the road is continuous and passes over a major junction. It is not acceptable when the road is in two separate parts with no vehicular access between the two.
- 5.9 We will avoid having two phonetically similar names within a postal area and, if possible, within the borough. For example, Churchill Road and Birch Hill Road. New road names will not be considered if they phonetically replicate another that already exists.
- 5.10 The use of a name of a living person will not be approved. If the name is of a person who is deceased, it should be at least ten years since their death unless exceptional circumstances justify a shorter period. Each case will be considered on its own merit.
- 5.11 The use of a name which relates to a deceased person will require justification, together with written agreement from the next of kin or family.
- 5.12 Names relating to people should ideally have some connection to the area where the street is to be located or be on the SNN approved names list. Any historically sensitive connections associated with a name will render it unacceptable.
- 5.13 Where any request is received, including those relating to a deceased person, the proposed name will be initially screened by the Street Naming and Numbering service. It will then be considered as part of the annual review of the Approved Names List, in consultation with the London Fire Brigade, the Leader of the Council, the Cabinet Member for Regeneration & Economic Development and the local Ward Councillors.
- 5.14 Any proposed street names that may be considered or construed as obscene, racist or which would contravene any aspect of the Council's Equal Opportunities policies will not be accepted.

Street Nameplates

- 5.15 The developer is responsible for the initial costs of providing the street nameplates.
- 5.16 When a re-naming application has been successful, the applicant will be expected to provide the council with the appropriate funds to replace the street nameplate/s.

6 Numbering buildings

6.1 All properties on newly named streets will be allocated numbers.

6.2 A new street will be numbered from the start of the street with:

- even numbers on the RIGHT side
- odd numbers on the LEFT
- where the new street is a cul-de-sac, numbering will run consecutively in a clockwise direction.

The start of a street will be determined by the nearest main or major road that it joins. In the case of a major road, it will start from the point nearest the town travelling away from the town and the numbering rules above will be applied.

6.3 Private garages and similar buildings used for housing cars will not be numbered.

6.4 A proper sequence shall be maintained. Applications to omit any number from a numbering sequence, for whatever reason, will be refused. Once numbering has been applied and the first issue of official addresses confirmed, it will not be possible to remove it without an application for renumbering and the appropriate fee paid.

6.5 We will only renumber a property where there can be shown to be consistent delivery problems.

6.6 If a multiple occupancy building has entrances in more than one street, then each entrance will be numbered in the appropriate road.

6.7 Buildings (including those on corner sites) are numbered according to the street in which the main entrance is to be found. The manipulation of numbering in order to secure a "prestige" address or to avoid an address, which is thought to have undesired associations, will not be sanctioned.

6.8 In residential buildings with multiple flats, the block will be given a name and the flats within it will be numbered separately internally. Such names will be treated in the same way as house names.

6.9 New flats will be numbered rather than described or lettered. Therefore, the Council will not assign new flat descriptions such as 'Flat A' or '1A', 'Ground Floor Flat' or 'Penthouse'. Any new flat addresses will take the format Flat 1.

6.10 Conversion of existing properties into flats will follow 6.9 except where the property already includes flat descriptions or letters. The Council will strive to be consistent with existing addressing.

6.11 The numbering of flats will start from the bottom in ascending order. In blocks of flats, numbering should follow the natural circulation of the building. The lowest number should appear on the left-hand side nearest to the main entrance to the building and continue clockwise for that floor. On subsequent floors above the ground floor, numbering should continue adjacent to the main stair core or lifts. The direction of

circulation of the numbering should be maintained going upwards throughout the building floors.

- 6.12 If a new development forms part of an existing street, it will be numbered sequentially into an existing numbering system. If the development is an infill site and there are no spare numbers within the sequence, then letters will be used as part of the address (i.e. 10A, 10B, 10C etc.). Naming infill properties rather than numbering then will not be approved.
- 6.13 We will endeavour to avoid using suffixes to numbers wherever possible. For new developments where additional properties have been requested after initial numbering, and the development remains unoccupied, we will only renumber the entire street on receipt of a formal request and the required fee.
- 6.14 If you require a name to be officially recognised for a numbered property, you will need to make an application to us. We will ensure that a property of the same name doesn't already exist within the same area. Please note, where a property has a name and a number, many databases can only output the official element of the property address, which would usually be the number. The name would only be held as an alias to the number in some cases.
- 6.15 Where a property has a number, it must be used and displayed. Where a name has been chosen to a property with a number, the number must always be included. The name cannot be regarded as an alternative.
- 6.16 Commercial properties/units are required to follow the same guidance as domestic developments. Where commercial units haven't previously been allocated a number or a name, we will apply a number or name to provide a consistent primary identifier. Ideally, organizational or trading names will not be used as the only means of identifying a property/unit due to the frequency in which these can change.
- 6.17 When commercial units or residential properties are converted and/or subdivided, an application should be made to us for the new units to be given official addresses.
- 6.18 This guidance has been established under the appropriate legislation to ensure consistent record keeping, reduction of costs, to aid delivery of mail and the fast and accurate response of the emergency services.

Postcodes

- 6.19 When an official address is agreed and issued by us, we will send it to Royal Mail for them to confirm a postcode.
- 6.20 The maintenance and any future changes to the postcode are Royal Mail's responsibility.
- 6.21 The application of a postcode is the responsibility of Royal Mail. If a property requiring a postcode does not meet Royal Mail's criteria for a postal address and a postcode is refused, we do not have any power to change this decision.

- 6.22 Royal Mail will not allocate postcodes to addresses that will not be receiving mail. This is because a postal address (postcode) is purely a routing instruction for the postal delivery staff to deliver mail efficiently on behalf of Royal Mail.
- 6.23 Royal Mail will only take instruction from us to add an address to their Postal Address File and grant it a postcode.

7 Procedure for all new developments

There are two routes for naming: Fast Track and Bespoke (as shown in the diagram)

Please apply using the application form on [our SNN webpage](#) and include the necessary supporting documentation.

We are not liable for any costs or damages caused by any failure to comply

- 7.1 Be First will consult over the proposed road name(s) and undertake any negotiations to resolve any issues that may arise regarding the proposed name. However, if there is a dispute then Be First will raise an objection to the proposed name within six weeks of receiving the request for naming. Notice of the grounds on which the applicant can appeal our objection, will be included.
- 7.2 Numbering of new streets will be carried out following the procedure set out in section 6.
- 7.3 All new properties on existing streets will be numbered unless the existing properties on that street are named, or in other exceptional circumstances as set out in section 6.
- 7.4 House names alone are not favoured by us or the emergency services. A number better identifies the location of a property in a road. The house number and/or name must be prominently displayed so it can be easily read from the highway.
- 7.5 Failure to notify us that your development requires an official address will result in the properties not being formally registered by us or notified to Royal Mail. This will lead to problems with deliveries of mail, as well as obtaining goods and services to the properties concerned. The reason for this is that Royal Mail will not have the addresses on their database and therefore the companies that use address management intelligence from Royal Mail will interpret that the properties do not exist. If you are experiencing any of these problems, please do not hesitate to contact us to see how we can help.

8 Procedure for address changes

Numbered properties

- 8.1 If the property has a number or is located on a numbered street, it will not normally be possible to replace the number with a name.

- 8.2 If you require a name to be officially recognised for a numbered property, you will need to make an application to us. We will ensure that a property of the same name doesn't already exist within the same area. The name will then be held officially against the numbered property.
- 8.3 Requests to replace property numbers with names will only be considered where it can be shown that the current numbering system causes delivery problems and that all properties affected have been consulted and are in agreement with the proposal.

Changing the name of your property

- 8.4 We will check every proposal to ensure an existing property in the same area is not already using the name or similar.
- 8.5 Anyone wishing to change the name of their unnumbered house must apply to us.
- 8.6 Requests are to be made by application. The following information must be provided:
- the existing house name, address, and postcode
 - the proposed new name/s
 - a plan showing the exact location of the property if the property is not easily identifiable from the existing address.
- 8.7 Requests can only be accepted from the owners of properties and not tenants. Tenants wishing to change the name of their property should make their request to the property owner.
- 8.8 We cannot formally change a property name where the property is in the process of being purchased, until exchange of contracts. Evidence of exchange of contracts will be required.
- 8.9 We can offer guidance on the acceptability of a chosen name before exchange, but we would recommend that proposed names are not used until official confirmation has been issued by us.
- 8.10 Once an application has been successful, we will change the name of the property on the official register and confirm the change in writing to you.

9 Procedure to name/re-name an existing street

- 9.1 The presumption is that applications to re-name existing streets will be refused, only being considered in exceptional circumstances.
- 9.2 If an individual or company wishes to change a street name, following a review of the application to confirm that it is valid, an estimated cost for the process will be issued. The cost of the process will need to be met by the applicant, with the estimated amount cleared in full before the process begins.
- 9.3 Partial renaming of streets will not be accepted.

9.4 The following will be taken into consideration before deciding whether to make the order to make a change or not, and every point must be satisfied before renaming can be processed.

- Community engagement providing overwhelmingly positive feedback.
- Local resident ballot results with over 80 percent approval of the change.
- Thorough screening of the appropriateness of the name.
- The resulting Place Making being relevant to the local area and the wider Borough.
- Relevance of the name being requested to the area.
- Reason for the request.
- Guidance within the policy for naming streets.

10 Charging for Street Naming and Numbering

10.1 There is no charge for approving new street names or numbers. There is however a charge for the notification of internal and external organisations and other administration work involved in the processing of street naming and numbering which is reflected in our charging schedule.

10.2 We reserve the right to charge for changing any naming or numbering schedules which have previously been submitted and processed which are then subject to change by the developer.

10.3 Fees are listed on the Street Naming and Numbering application form on the LBBD Street Naming and Numbering pages of the London Borough of Barking and Dagenham's website. <https://www.lbbd.gov.uk/>



Street Naming and Numbering Request Form

Please see list of fees at the end of the document

1. Applicant Details			
Name	Click here to enter text.	Company Name	Click here to enter text.
Address <i>for correspondence</i>	Click here to enter text.		Post Code Click here to enter text.
Telephone No	Click here to enter text.	E-mail address	Click here to enter text.
Your reference	Click here to enter text.	Date of Request	Click here to enter text.

2. Property Details	
Address/location of property or development: Click here to enter text.	
Related Planning Application Number (where appropriate) Click here to enter text.	
Location plan identifying the property/development in relation to existing streets or means of access	Enclosed <input type="checkbox"/>
Detailed plan of the new development clearly marked with the plot numbers of the proposed scheme	Enclosed <input type="checkbox"/>
An internal layout plan for developments which are subdivided at unit or floor level, e.g. a block of flats or commercial, industrial units. The main entrance to each block must be clearly marked.	Enclosed <input type="checkbox"/>

3. Interest in Property/Development	
I confirm that I am the:	
<input type="checkbox"/>	Freehold Owner of the property/development, and I have the consent of any affected Leaseholder(s)
<input type="checkbox"/>	Leasehold Owner of the property/development, and I have the consent of the freehold owners and any other affected Leaseholder(s) (as appropriate)
<input type="checkbox"/>	The developer of the site, and I have consent of any affected Freeholder or Leaseholder (as appropriate)
<input type="checkbox"/>	Agent acting on behalf of the owner or developer, and I have consent of any affected Freeholder or Leaseholder (as appropriate)
<input type="checkbox"/>	Other (<i>please state</i>)

Section 4 - Service Required - please complete the appropriate section/s		
4.1 Naming a new street or streets		
Suggested names: Click here to enter text.		
Reason for this choice: Click here to enter text.		
	No of streets x £600 =	£
4.2 New Development or Redevelopment - Please ensure 4.1 has also been completed where new streets are created. Use this section where there will be more than 1 new address as a result of the works.		
For flats please indicate whether they will:		
a) Share a letter box on the front door <input type="checkbox"/> Click here to enter text.		
b) Have individual doors accessible from the street <input type="checkbox"/> Click here to enter text.		
c) Have a communal entrance door accessible for postal deliveries Click here to enter text.		
i. Postal deliveries to be left in communal area <input type="checkbox"/>		
ii. Postal deliveries to individual internal doors <input type="checkbox"/>		
If multiple options apply then please indicate which flats fall within which option.		
	No of buildings x £600 plus No of properties x £150 =	£
4.3 New individual property	No of properties 1 x £150	£
4.4 Renaming or Renumbering of an existing property		
Current names or numbers Click here to enter text.		
Proposed names or numbers Click here to enter text.		
	No of properties: x £150=	£
4.5 Request to rename or renumber a street - Please note that all owners of property in the street will be consulted and will need to agree to the proposal.		
Current name: Click here to enter text.		
Proposed name: Click here to enter text.		
Reason for this choice: Click here to enter text.		
	No of streets x £1,200 plus No of properties x £150 =	£
Total		£

Please note: We reserve the right to charge for changing any naming or numbering schedules which have previously been submitted and processed which are then subject to change by the developer.

Fees

Service	Prices from 1 st Feb 2021	VAT	Total
Naming of a new street	£500	£100	£600
Naming and numbering a new development or redevelopment	£500 per building plus £125 per unit/address	£100 per building plus £25 per unit/address	£600 per building plus £150 per unit/address
Naming or numbering a new individual property	£125 per unit/address	£25	£150
Renaming or renumbering existing properties	£125 per unit/address	£25	£150
Street renaming/renumbering	£1000 per street plus £125 per unit/address	£200 per street plus £25 per unit/address	£1200 per street plus £150 per unit/address

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CABINET**21 March 2023**

Title: Partnership Agreement for the Provision of a Children's Out-of-Hours Emergency Duty Service	
Report of the Cabinet Member for Children's Social Care and Disabilities	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Nikki McGowran, Commissioning Manager for Children's Care and Support. Services	Contact Details: E-mail: nikki.mcgowran@lbbd.gov.uk
Accountable Director: April Bald; Operational Director Children's Care and Support	
Accountable Strategic Leadership Director: Elaine Allegretti, Strategic Director, Children and Adults	
<p>Summary:</p> <p>There is a statutory duty for Local Authorities to provide a 24-hour, seven day per week service to safeguard children and young people and respond to immediate risks of harm.</p> <p>Since 2014, the London Borough of Redbridge has delivered the Children's Emergency Duty service that operates out of hours, on behalf of the London Boroughs of Havering (LBH), Barking & Dagenham (LBBB), Waltham Forest (LBWF). As it is a Shared service, it is not subject to Public Contracts Regulation 2015 and does not need to be competitively tendered.</p> <p>In 2017, agreement was reached, following a report presented to the Health and Wellbeing Board (HWBB), to enter a further three-year partnership agreement for the shared Children's Emergency Duty service until 31 March 2020.</p> <p>Since the HWBB report was presented in 2017, significant development and improvement in the shared Children's Emergency Duty service has occurred, resulting in Ofsted recognising it as a highly effective service. Audit activity evidenced a 100% compliance in response to referrals within 30 minutes. The service has responded well in managing the increased complexity of cases associated with criminality and exploitation and maintains robust safeguarding measures.</p> <p>In 2019, Adult Social Care extended their Emergency Duty service contract with NELFT ending on 31 March 2021. Adult Social Care has since extended its contract until 1 August 2026.</p> <p>As a result of these developments, the option of establishing a single Adult and Children's Emergency Duty service by March 2020 was not considered a favourable way forward. There too was the risk of destabilising the shared Children's Emergency Duty service and the negative impact this may have had on Barking and Dagenham's Children's Care and</p>	

Support services, who were at the time were undergoing a restructure and prioritising service improvement in response to the Ofsted findings in February 2019.

The COVID pandemic and the lockdown measures applied in March 2020, also required the shared Children's Emergency Duty service and Barking and Dagenham's Children's Care and Support to galvanise their efforts in safeguarding and protecting vulnerable children and families impacted by the virus and lockdown measures.

As a result of these developments, a further three-year contract for the shared Children's Emergency Duty service was entered into during the COVID pandemic. The three-year contract commenced on 1 April 2020 and will end on the 31 March 2023.

This report recommends that the current arrangements should continue, and a new three-year agreement is entered into by the four boroughs to run from 1 April 2023 for three years ending 31 March 2026. The service will continue to be managed and delivered by Redbridge Council on behalf of the four boroughs.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that the Council enters into a new three-year partnership agreement with the London Boroughs of Redbridge, Havering and Waltham Forest for the provision of a Children's Out-of-Hours Emergency Duty service for the period 1 April 2023 to 31 March 2026, in accordance with the strategy set out in the report: and
- (ii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Chief Legal Officer, to enter into the necessary contract and any other agreements to affect the proposals.

Reason(s)

To assist the Council to achieve its statutory responsibilities and its priority of 'Prevention, Independence and Resilience'.

1. Introduction and Background

- 1.1 The Council has a statutory duty to provide an Out of Hours Emergency Duty service, to safeguard children and young people and respond to immediate risks of harm.
- 1.2 In 2017, the Health and Well-Being Board (HWBB) approved entering into a three-year partnership agreement, for the delivery of a Children's Emergency Duty service, delivered by the London Borough of Redbridge, on behalf of the London Boroughs of Havering (LBH), Waltham Forest (LBWF) and Barking and Dagenham (LBBD). The agreement commenced on 1 April 2017 and expired on 31 March 2020.
- 1.3 The COVID pandemic and the lockdown measures applied in March 2020, required the shared Children's Emergency Duty service and Barking and Dagenham's

Children's Care and Support to galvanise their efforts in safeguarding and protecting vulnerable children and families impacted by the virus and lockdown measures.

- 1.4 A further three-year contract for the shared Emergency Duty service was entered into during the COVID pandemic, this commenced on 1 April 2020 and ends on 31 March 2023.
- 1.5 Since 2019, significant development and improvement in the shared Children's Emergency Duty service has taken place, resulting in Ofsted recognising it 'as a well-resourced and experienced emergency duty team which ensures that effective arrangements are in place and that protective action is taken to safeguard children out-of-hours. The team operates across four boroughs, with a dedicated social work team. Communication with day services is swift and effective.
- 1.6 It is essential that an Emergency Duty service is of good quality and is integrated with the work of the Council's Children's Care and Support teams and related IT systems and offers value for money. The shared Children's Emergency Duty service does meet these requirements.
- 1.7 The four borough Emergency Duty Team board has discussed extending the current arrangements through a new 3-year agreement. LBH, LBB and LBWF have indicated that they wish to continue with the arrangement and enter into a new 3-year agreement.
- 1.8 This report recommends that the current arrangements should continue, and a new three-year agreement is entered into by the four boroughs to run from 1 April 2023 for 3 years to 31 March 2026.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured

- 2.1.1 The EDT service has a full-time service manager, service coordinator, data officer, two practice managers and six senior practitioners.
- 2.1.2 The service also utilises a staff bank of twelve senior practitioners and three practice managers who undertake shifts to cover sickness, annual leave and other absences.
- 2.1.3 The service is delivered from 5.00pm – 9.00 am on weekdays and throughout weekends and bank holidays.
- 2.1.4 There is a standardised service across the four boroughs. The service is delivered from two location teams covering Barking and Dagenham and Havering (Team1) and Redbridge and Waltham Forest (Team 2).
- 2.1.5 Redbridge is authorised to discharge all the executive functions which an EDT service may need to deliver. This includes duties arising from s17 children in need arrangements and s20 looked after children's arrangements. The arrangements do not absolve the authority concerned of any statutory duties that might arise, nor

does it prevent that authority's workers from exercising those functions should the need arise.

2.1.6 Clear processes and procedures are in place for service delivery. There are two senior practitioners on duty each night or day as appropriate, with each being responsible for one team. Referrals are received via the boroughs' out of hours call centres and are received via secure email into a generic inbox. The senior practitioners respond to the referrals for their team and respond in line with the process and procedures.

2.1.7 The social care record is updated for each referral on the relevant borough's Integrated Children's System (ICS). Additionally, a record of all referrals received and the response for all four boroughs is updated on the Redbridge ICS. This means that uniform data is available for reporting and planning purposes for the service.

2.2. Estimated Contract Value, including the value of any uplift or extension period

2.2.1 The estimated cost of the three-year contract are set out below (figures for the other boroughs have been provided by Redbridge).

Financial Contribution based on estimated volume			
	23/24	24/25	25/26
	£m	£m	£m
Waltham Forest	0.280	0.262	0.263
Havering	0.313	0.280	0.314
Barking & Dagenham	0.299	0.305	0.312
Redbridge	0.184	0.254	0.270
Total	1.076	1.101	1.159
Overspend / Underspend Figure	-0.031	0.015	0.000
Total Cost of Service	1.045	1.116	1.159

2.3. Duration of the contract, including any options for extension

2.3.1 Three years with no option to extend.

2.4. Is the contract subject to (a) the Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?

2.4.1 No.

2.5 Recommended procurement procedure and reasons for the recommendation

2.5.1 It is essential that an Emergency Duty service is of good quality and is integrated with the work of the Council's Children's Care and Support teams and related IT systems

and offers value for money. The shared Children’s Emergency Duty service does meet these requirements.

2.5.2 This report recommends that the current arrangements should continue, and a new three-year agreement is entered into by the four boroughs to run from 1 April 2023 an agreed for 3 years to 31 March 2026. The service will continue to be managed and delivered by Redbridge Council on behalf of the four boroughs.

2.6 The contract delivery methodology and documentation to be adopted

2.6.1 There is a service specification and contract that all three London Boroughs have signed up to that outlines the requirements of the service that is to be delivered by the London Borough of Redbridge.

2.6.2 The service is contract managed through the Emergency Duty Service Board, who has senior representation from each Local Authority, who meet on a quarterly basis and review all quarterly performance data.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract

2.7.1 The table below shows the number of contacts for each authority from April 2014 to March 2022. The reduction in the number of contacts in the financial year ending 2021, is understood to be due to the impact of the Covid pandemic.

Figure 1: Number of contacts

Authority	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Waltham Forest	3,671	4,748	5,246	5,652	5,079	4,340	4,043	4,083
Havering	2,672	2,711	3,598	5,472	6,212	5,143	4,327	4,878
Barking & Dagenham	3,033	4,149	5,281	5,011	4,749	5,190	4,285	4,422
Redbridge	2,916	3,500	3,446	3,732	3,340	2,922	3,929	4,188
Other ¹	89	192	146	103	114	162	208	150
Total	12,381	15,300	17,717	19,970	19,494	17,757	16,792	17,721

2.7.2 The EDT service responds to urgent requests and the top four reasons for contacts are; absence from care, missing from care, requests for information and child welfare concern as shown below.

¹ These are contacts received for children from other local authorities

Figure 2: Top Reasons for contact April 2021 – March 2022

	Barking & Dagenham	Havering	Redbridge	Waltham Forest	Total
Missing from Care	1,253	1,299	1,220	1,228	5,000
Absent from care	756	1,337	728	1,159	3,980
Request for Information / Advice	542	568	653	422	2185
Child Welfare Concern	313	359	352	278	1,302

2.7.3 In the year end March 2019, the EDT service started to receive contacts where concerns were more complex. Contacts included children being arrested for criminal activity and criminal and sexual exploitation. Contacts also included high level crimes and on occasion, suspected murder. This means that although the annual figures have been lower since March 2019, the workload has increased as cases require more input.

2.7.4 The EDT service continues to face significant challenges in arranging looked after placements for children due to a lack of availability. Barking and Dagenham have their own in-house foster carers service, which makes the task easier but for the remaining three boroughs, it can take a number of hours to locate and agree a suitable placement. The task is made more difficult by the increasing needs and risk posed by the young people which makes some accommodation unsuitable.

2.8 Criteria against which the tenderers are to be selected and contract is to be awarded

2.8.1 Not applicable.

2.9 How the procurement will address and implement the Council's Social Value policies

2.9.1 Not applicable.

2.10. Contract Management methodology to be adopted

2.10.1 Service performance will be monitored via quarterly meetings of the Governance Board to determine whether the service is working to the satisfaction of all parties. This meeting will determine if key performance indicators/service requirements are being met and seek ways of resolving any issues of under or poor performance.

2.10.2 The last of the quarterly meetings in each accounting period will be used as a formal annual review of the service at which the Emergency Duty Service Manager will present an annual report on the work of the Children's Emergency Duty service.

2.10.3 Performance reporting is provided by Redbridge via the Emergency Duty service recording log within a sub system of the protocol ICS used by Redbridge. The data will be used to report performance to the governance board and will include the following:

- Number of contacts received by EDT
- No of cases where children were (not) known to the Local Authority
- Number of cases received at different times of evening/weekend
- Reason for case referral
- Source of case referral
- Number & percentage of Children recorded as Missing and Absent
- Number of Children Accommodated and whether they were seen by EDT
- Number of Children taken into Police Protection
- Number of children requested to be accommodated under PACE
- Number of children requested to be accommodated in Non-Secure Accommodation
- Number of children at risk of Child Sexual Exploitation
- Number of referrals due to homelessness/ NRPF
- Number of Unaccompanied Asylum seekers
- Number of times the Practice Manager / Back up Manager was called
- Number of Out of Hours Strategy Discussions taking place
- Number of Children visited and seen
- Reasons for referral

3. Ofsted

- 3.1 Ofsted inspections have taken place in all four boroughs over the last four years. The Redbridge inspection in 2019 graded the operational practice as outstanding. Ofsted stated, “The EDT service is highly effective, offering a well-supportive service to children and their families out of hours. It is child-focussed, and it is appropriately challenging to other professionals when needed, for example, if a young person is held inappropriately in police custody. The flexibility of the service has been enhanced by a pool of support workers. This ensures that children are accompanied to placements without delay.”
- 3.2 In June 2022 Redbridge received a focused visit of the front door which included a review of the EDT service. The visit confirmed that a high-quality service has continued to be provided. Ofsted commented that “The out-of-hours service is an integrated part of the front door. It is managed by Redbridge on behalf of three neighbouring boroughs, with discrete arrangements for each borough. The work undertaken out of hours for Redbridge is timely and proportionate to children’s and families’ needs. The information gathered and action taken are quickly relayed to daytime services, ensuring a smooth transition of work into the MASH service.”
- 3.3 Waltham Forest and Barking and Dagenham received an inspection in 2019, with ratings of ‘Good’ and ‘Requires Improvement’ respectively. Ofsted commented that in Waltham Forest “Children and young people receive appropriate support and intervention from an effective out-of-hours emergency duty team service” and for Barking and Dagenham “A well-resourced and experienced emergency duty team ensures that effective arrangements are in place and that protective action is taken to safeguard children out-of-hours”. Havering were inspected in 2018 and received an overall rating of Good. The feedback was “children receive appropriate support and interventions from the out-of-hours emergency duty team.”

4. Service Development

- 4.1 There have been several service developments since the start of the service in 2014.
- 4.2 EDT social workers visit every child that is accommodated into Local Authority care, every child in police custody before midnight, joint section 47 enquiries that are initiated out of hours, welfare visits to provide families with section 17 support and looked after children who have been missing for a significant period of time who suddenly return.
- 4.3 These visiting arrangements are evidenced in a comprehensive quarterly performance report which is presented to the EDT Board. It is worth noting that the EDT service has significantly increased its visits to children and their families in recent years. This is mainly due to the increase in referrals relating to children in police custody. The table below shows the rise in the numbers from 2017 onwards.

Figure 3: EDT Visits to Children and families

	2017/18	2018/19	2019/20	2020/21	2021/22
Visits undertaken by the EDT Service	211	228	237	478	625

- 4.4 An audit process was introduced which examines both case work management and procedural adherence ensuring the service is efficient and effective. The service undertook two audits in the current contract period. The first audit was published in July 2020 and the second in September 2021. Both audits carried out a dip sample of 108 cases which focused on the operational processes and social work practice, with the 2021 audit also examining the impact of the Covid pandemic. The audits have shown that the EDT service is fully compliant with data protection requirements and staff work in line with the process and procedures to respond to all EDT enquiries within 30 minutes. Furthermore, the audits found that there was good case recording and evidence of good management oversight.
- 4.5 In October 2017, the Home Office published a Concordat on children in custody, under the Police and Criminal Evidence Act 1984. The Concordat provides guidance for police forces and local authorities in England on their responsibilities towards children in custody. The Concordat aims to clarify the legal and statutory duties of the police and local authorities and is intended to prevent the unnecessary detention of children in police stations following charge.
- 4.6 The EDT service supported the Metropolitan Police with implementation of the Concordat by providing training for several hundred police officers who worked in the custody suite.
- 4.7 In 2020, the EDT service started participating in the pilot programme Operation Harbinger. This aims to ensure the police provide Local Authorities with early notification of children in police custody, so that they comply with the Concordat. Both daytime children's social care and EDT are now able to provide support for children in custody more quickly.

4.8 The children in custody data shows an increase in the number of children arrested within the 4 boroughs. In 2019 the service started collating the data on children in police custody in quarter two. When comparing Q2, 2019/20 to Q2 2021/22 the service has seen an increase of 174%. As mentioned previously, this has contributed to an increase in the complexity of cases and workload.

Figure 4: Children in Police Custody

	2019/20			2020/21				2021/22			
	Q 2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
LBWF	18	16	27	23	58	56	66	75	71	45	51
LBH	16	17	18	44	28	36	36	50	31	39	32
LBBB	23	17	38	36	45	63	51	50	60	64	83
LBR	13	23	30	20	26	36	60	39	30	44	68
Total	70	73	113	123	157	191	213	214	192	192	234

4.9 In 2018 the Local Authority established quarterly meetings with the police Detective Inspector for custody and the Basic Command Unit Detective Inspector, to review all cases where the police had requested secure and non-secure accommodation for children in custody. The purpose of the meetings was to find commonality in threshold for requests and offer constructive challenge when inappropriate requests had been made, or where the police had failed to follow the Home Office Concordat.

4.10 The meetings have been helpful in clarifying when secure and non-secure accommodation should be requested and providing challenge to the police so that the Concordat is followed. EDT ensure that only young people arrested for high-level crimes such as murder, manslaughter and rape are detained, and secure accommodation explored. For crimes such as possession of an offensive weapon / knife, robberies and possession of cannabis the EDT service has advocated for the children to be bailed and placed with extended family or non-secure accommodation when a return home is unsuitable.

5. Options Appraisal

5.1 No other options were considered for the following reasons:

- Continuity of Service
- No redundancy costs or TUPE process
- Minimises disruption and the costs associated with procuring a new service.
- The existing service is well integrated with the Children’s Care and Support services provided in LBBB
- Enables LBBB to secure a known provider with a known level of support and performance
- Staffing is now stable without the use of agency staff.
- Provides reasonable consistency for the existing service.

6. Waiver

6.1 Not applicable.

7. Consultation

- 7.1 The proposals in this report were considered and endorsed by the Procurement Board on 19 December 2022.

8. Corporate Procurement

Implications completed by: Francis Parker – Senior Procurement Manager

- 8.1 This process is exempt from the Public Contracts Regulations 2015 so there are no procurement implications
- 8.2 Officers have satisfied themselves that this route offers the best value for money to the Council.

9. Financial Implications

Implications completed by: Paul Durrant, Finance Manager

- 9.1 The annual revenue budget for contributions to the shared service is £0.275m.
- 9.2 The original forecast calculated by the host borough Redbridge was based on annual inflation rate of 2% p.a. for each of the 3 years from 2023/24 as part of this agreement. We have chosen to amend the forecast for the year 2023/24.
- 9.3 The assumption has been that salaries will increase by 5% and support costs by 10% in 2023/24 and both fall back to 2% for the years 2024/25 and 2025/26. The current Consumer Price Index (October 2022) is 11.1%. This is anticipated to fall back during 2023, falling nearer to 2% in 2024.
- 9.4 The table in paragraph 2.2 which has been provided by Redbridge has been amended to reflect those assumptions. Compared to the current budget, this would create a budget gap of £25k in 23/24, £30k in 24/25 and £37k in 25/26.
- 9.5 This assumed increase in expenditure has been included in the services inflation bid as part of their Medium-Term Financial Strategy (MTFS) proposals. This bid is still pending formal agreement subject to MTFS protocol. If this approval is not forthcoming, the service will need to identify an alternative budget, which could be used to mitigate the budget gap or seek efficiencies in the delivery of the service.

10. Legal Implications

Implications completed by: Kayleigh Eaton, Principal Contracts and Procurement Solicitor, Law & Governance

- 10.1 This report is seeking approval to renew the Children's Emergency Duty Team arrangement with 3 neighbouring boroughs led by the London Borough of Redbridge. The new agreement will be in place from 1 April 2023 until 31 March 2026.

- 10.2 The Council has power to enter into these arrangements under S1 of the Localism Act 2011 (known as the general power of competence). The service covered by the shared service arrangement is required to adhere to the duties placed on the Council under the Children Act 1989 and all the Council's local safeguarding procedures.
- 10.3 Such an agreement falls within the exemption provided for under Regulation 12(7) of the Public Contracts Regulations 2015 which covers contracts which establish or implement co-operation between contracting authorities. There is therefore no requirement to competitively tender this contract.
- 10.4 The Legal team will be on hand to assist and advise in order to get the agreement finalised.

11. Other Implications

- 11.1. **Risk and Risk Management** - There are no procurement implications for this partnership agreement, as under the Public Contracts Regulations 2015 ("PCR 2015") an exemption has been provided for contracts which establish or implement co-operation between contracting authorities.

The partnership agreement has been specifically tailored to ensure that aspects such as monitoring, accountability, and collaboration for effective functioning of the Children's Emergency Service, are all addressed. The London Borough of Barking and Dagenham is represented on the four-borough Emergency Duty Service Board. The performance monitoring of the service has been effectively managed. This has supported a continuous improvement in quality during the contract period.

The Authorities have agreed that they will not seek to withdraw from the service either in whole or in part during the first Year of this Agreement.

- 11.2 **Corporate Policy and Equality Impact** - The current service is delivered from two location hubs Barking and Dagenham and Havering (hub 1) and LBR and LBWF (hub 2). The potential for one hub to cover the other when multiple and/or prolonged emergencies arise results in a more resilient service and improved outcomes for service users. According to the EDT performance reports the monitoring of cases and follow-up is well documented. Children's Care and Support professionals in LBBB report that the EDT is functioning well and that work with service users is effective.
- 11.3 **Safeguarding Adults and Children** - The Children Act 1989 requires Local Authorities to provide services for children in need for the purposes of safeguarding and promoting their welfare. The shared Emergency Duty service is required to adhere to the duties under the Children Act 1989 and all the Council's local safeguarding procedures. These are explicitly addressed within the service specification that forms a schedule of the contract that has been scrutinised by the Council's Legal Department.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None

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CABINET**21 March 2023**

Title: Local London - New Inter-Authority Agreement	
Report of the Leader of the Council	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Authors: Alison Stuart, Chief Legal Officer and Alex Powell, Director of Strategy	Contact Details: E-mail: alison.stuart@lbbd.gov.uk alex.powell@lbbd.gov.uk
Accountable Directors: Alex Powell, Director of Strategy	
Accountable Strategic Leadership Director: Fiona Taylor, Acting Chief Executive	
<p>Summary:</p> <p>The London Borough of Barking and Dagenham was one of the founding Boroughs of ‘Local London’ which brought together, on its inception in 2016, eight London Boroughs to develop a north-east London response to the devolution agenda. The London Borough of Bromley has recently joined Local London and, therefore, a new Inter-Authority Agreement (IAA) is being formally submitted for approval by the executive bodies of each Local London Member. Membership of Local London is now made up by the following:</p> <ul style="list-style-type: none"> • London Borough of Barking and Dagenham • London Borough of Bexley • London Borough of Bromley • London Borough of Enfield • London (Royal) Borough of Greenwich • London Borough of Havering • London Borough of Newham • London Borough of Redbridge • London Borough of Waltham Forest <p>Local London Members work together to deliver growth and identify opportunities with regional and national government that can result in sustainable long-term benefits for local residents.</p> <p>Local London provides a vehicle through which Barking and Dagenham can pursue significant and broad ambitions for the area and our borough, whilst ensuring resources are channelled appropriately.</p> <p>This report sets out the proposed new Inter-Authority Agreement.</p>	

Recommendation(s)

Cabinet is recommended to:

- (i) Agree that the London Borough of Barking and Dagenham enters into a new Local London Inter-Authority Agreement (incorporating the Memorandum of Understanding and Terms of Reference) agreed to by the Local London Partnership Members, as set out at Appendix A to the report;
- (ii) Agree the continued discharge of functions jointly through the creation of a new Local London Joint Committee as outlined in Schedule 2 to the Local London Inter-Authority Agreement at Appendix A to the report;
- (iii) Agree that the Council continues to contribute £50,000 as an annual membership fee for the duration of its membership of Local London; and
- (iv) Agree the following appointments to the Local London Joint Committee for the 2023/24 and 2024/25 municipal years:
 - Member: Councillor D Rodwell, Leader of the Council;
 - Substitute Member: A Cabinet Member nominated by the Leader, as required.

Reason(s)

Membership of Local London will contribute to the continued delivery of the Council's vision and corporate priorities.

1. Introduction and Background

- 1.1 The Local London Partnership was established in February 2016 as the successor to the North East London Strategic Alliance (NELSA). Membership is currently made up of eight London Boroughs; Barking & Dagenham, Bexley, Enfield, Greenwich, Havering, Newham, Redbridge, Waltham Forest and has recently expanded to include Bromley. Members of Local London work in partnership with the aim of delivering growth and to identify opportunities for devolution to the sub-London region.
- 1.2 Local London Partnership Members work with the Greater London Authority and National government to seek investment which will result in benefits for both local economies and residents. Currently, Local London manages about £85million of externally funded programmes on behalf of its members.
- 1.3 At a meeting of the Joint Committee of 13 September 2022, Local London Partnership Members agreed they would like to admit the London Borough of Bromley into the Partnership. Accordingly, the Cabinet is asked to approve the arrangements set out in the new Inter Authority Agreement (IAA) at Appendix A in order to establish joint arrangements with the Local London Partnership Members including the formation of a Joint Committee with revised membership. The IAA is being formally submitted for approval by the executive bodies of each Local London Member.

- 1.4 There are no fundamental changes to the original IAA and it is therefore proposed that Redbridge will continue to act as the Accountable Body for Local London, i.e. assuming responsibility for the administration of the Local London Partnership, as further described below at section 4 and within the IAA.

2. Proposal and Issues

2.1 Local London Inter Authority Agreement

- 2.1.1 The proposed Local London Inter Authority Agreement, which the Cabinet is asked to approve, is attached at Appendix A to this report.

2.2 Joint Committee

- 2.2.1 The Local London Joint Committee will discharge executive functions, as outlined in terms of reference in Schedule 2 to the IAA, on the collective behalf of all Local London Members in so far as they relate to joint activities or areas of common concern in relation to the delivery of the partnership. The Joint Committee is free to agree that one or more but less than all Local London members participate in a particular project or programme of work.

- 2.2.2 Each Local London Member will nominate one representative to the Joint Committee and each representative will have one vote. A nominated substitute may attend in the absence of the Local London Member. By agreeing to the proposals Cabinet will approve the Joint Committee exercising executive functions on its behalf.

2.3. Accountable Body

- 2.3.1 The detailed responsibilities for Redbridge as the Accountable Body for Local London are set out at Section 7 of Appendix A to this report and include:

- Budget hosting. This includes the annual financial contribution of £50k by each Local London Member;
- The employment and hosting of staff. This relates to the Director of Local London and any subsequent staff they may appoint;
- Ensuring that the annual budget is set and monitored in an open and transparent way;
- Ensuring revenue is spent appropriately and promotes the agenda of Local London and its members.

- 2.3.2 Local London Members have previously agreed to Redbridge's role as the Accountable Body for Local London and the decision will need formal approval by each member's executive body.

2.4 Director of Local London

- 2.4.1 Local London Members have previously agreed to the appointment of a Director of Local London, who oversees Local London's programme of devolved work by managing the Local London Partnership Unit. The Director provides strategic leadership to the Local London sub-region in developing joint programmes of work

and identifying opportunities and developing a case for greater devolution to Local London. The Director works closely with London's other sub-regional partnerships to negotiate effective and meaningful devolution deals with Central Government to transfer further powers and responsibilities.

2.4.2 The Leaders, Mayors and Chief Executives of Local London Members have been directly involved in appointing the Director through the application and interview processes.

2.5 Next Steps

2.5.1 Moving forward it is important to formalise the new structure of Local London which now includes the London Borough of Bromley. Cabinet approval of the recommendations contained in this report will enable Local London Members to achieve the agreed goal of Local London being fully constituted and operational by April 2023.

2.5.2 Local London Members will continue to work on the devolved areas as set out in the Local London three-year plan which is due to be finalised at the March Joint Committee (skills, employment support, digital and transport).

2.5.3 The approval of the Local London Inter Authority Agreement will formalise the expanded Local London Partnership and ensure that the Partnership is in a position to be able to manage and deliver additional devolved responsibilities from Central and London Government.

3. Financial Implications

Implications completed by: Katherine Heffernan, Head of Service Finance

3.1 The annual subscription charge for the Local London Partnership will be met from existing budgets.

3.2 Each borough member is expected to contribute £50,000 by 30 April each year. This generates £450,000 per annum to fund the running costs of the Partnership to pay for the cost of a Director of Local London, staffing costs and other running expenses. The London Borough of Redbridge has been appointed as the Accountable Body who will be responsible for managing the budget of the Partnership. As per the Local London Inter Authority Agreement, any underspends from the annual budget will be carried forward, unless all Local London Members agree to be reimbursed.

4. Legal Implications

Implications completed by: Dr Paul Feild, Senior Standards & Governance Lawyer

4.1 In accordance with the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, a Joint Committee may only be established, and have functions delegated to it, by the Leader, Cabinet, a Cabinet member or a Cabinet Committee.

4.2 This Agreement is made pursuant to Sections 101(5), and 113(1) of the Local Government Act 1972, Section 9EB of the Local Government Act 2000, Section 1(1) (b) of the Local Authorities (Goods and Services) Act 1970 and Section 1 of the Localism Act 2011 (and all the other enabling powers).

4.3 Legal Services have been involved in reviewing the Agreement and are satisfied with the provisions of the 2023 updated agreement following discussions with the authorised external legal providers. .

5. Other Implications

5.1 **Risk Management** – The boroughs legal teams and key senior officers have been fully involved in updating the arrangements The Council maintains a corporate risk register and any key risks in association with Local London and its associated ‘projects’ will be considered when the register is regularly updated.

5.2 **Contractual Issues** – Any contractual issues relating to delivering activities to meet borough priorities will be identified and dealt with in individual project plans.

5.3 **Staffing Issues** – There are no specific staffing implications for our borough.

5.4 **Corporate Policy, Customer and Equality Impact** – The Local London approach is to ensure that it reflects and respects the views of local people, giving them a real say in how their community is run: one that unleashed the true potential of the boroughs. The role and specific objectives for Local London give a clear and consistent message to residents and partners in Barking and Dagenham about the Council’s role in Local London in place shaping and providing community leadership.

5.5 **Safeguarding Children** - Activities to safeguard children in the borough are delivered through the Local Safeguarding Children Board (LSCB) and Children’s Trust (CT). When initiatives/projects arise from Local London which may relate they will be referred to the LSCB and CT.

5.6 **Health Issues** - Activities to support the prevention and resolution of health issues in the borough are delivered through the Health and Wellbeing Board (HWB). When initiatives/project’ arise from Local London which may relate they will be referred to the HWB.

5.7 **Crime and Disorder Issues** - Activities to tackle crime and disorder issues are delivered through the Community Safety Partnership (CSP). When initiatives/projects arise from Local London which may relate they will be referred to the CSP.

Public Background Papers Used in the Preparation of the Report:

- “Establishment of the Local London Joint Committee” Cabinet report, 19 April 2016 <https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=180&MId=8153&Ver=4>

List of appendices:

- **Appendix A:** Draft Inter-Authority Agreement for the Local London Partnership Programme 2023

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Dated

2023

LONDON BOROUGH OF BARKING & DAGENHAM

LONDON BOROUGH OF BEXLEY

LONDON BOROUGH OF BROMLEY

LONDON BOROUGH OF ENFIELD

LONDON BOROUGH OF GREENWICH

LONDON BOROUGH OF HAVERING

LONDON BOROUGH OF NEWHAM

LONDON BOROUGH OF REDBRIDGE

LONDON BOROUGH OF WALTHAM FOREST

**INTER AUTHORITY AGREEMENT
FOR THE LOCAL LONDON PARTNERSHIP PROGRAMME**

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THIS AGREEMENT is made the

day of

2023

BETWEEN

- (1) The Mayor and Burgesses of the London Borough of Barking & Dagenham, Barking Town Hall, 1 Clockhouse Avenue, Barking, IG11 7LU ("Barking & Dagenham")
- (2) The Mayor and Burgesses of the London Borough of Bexley, Civic Offices, 2 Watling Street, Bexleyheath, Kent, DA6 7AT ("Bexley")
- (3) The Mayor and Burgesses of the London Borough of Bromley, Civic Centre, Stockwell Close, Bromley BR1 3UH ("Bromley")
- (4) The Mayor and Burgesses of the London Borough of Enfield, Civic Centre, Silver Street, Enfield, London, EN1 3ES ("Enfield")
- (5) The Mayor and Burgesses of the Royal Borough of Greenwich, Town Hall, Wellington Street, Woolwich, London SE18 6PW ("Greenwich")
- (6) The Mayor and Burgesses of the London Borough of Havering, Town Hall, Main Road, Romford, London, RM1 3BB ("Havering")
- (7) The Mayor and Burgesses of the London Borough of Newham, Town Hall, Barking Road, East Ham, London, E6 2RP ("Newham")
- (8) The Mayor and Burgesses of the London Borough of Redbridge, Town Hall, Ilford, London, IG1 1DD ("Redbridge")
- (9) The Mayor and Burgesses of the London Borough of Waltham Forest, Town Hall, Forest Road, Walthamstow, London, E17 4JF ("Waltham Forest")

each a "**Local London Member**" and together "the **Local London Members**"

WHEREAS

- (A) The Local London Members are the nine London boroughs who are parties to this Agreement which have joined together to develop and implement a coordinated programme which will seek meaningful devolution deals with regional and national government, and effectively deliver on any responsibilities transferred to the sub-region (hereinafter referred to as the Local London Partnership Programme (LLPP)) and support the objectives of the member authorities.
- (B) Local London Members will ensure that they work together to deliver growth and identify opportunities for devolution to the sub-region which can result in sustainable long-term benefits for local residents, as well as more immediate benefits.
- (C) This Agreement is made pursuant to Sections 101(5), and 113(1) of the Local Government Act 1972, Section 9EB of the Local Government Act 2000, Section 1(1) (b) of the Local Authorities (Goods and Services) Act 1970 and Section 1 of the Localism Act 2011 (and all the other enabling powers).
- (D) It shall be the responsibility of each Local London Member to ensure they have the necessary delegations and decisions in place to give effect to this Agreement and by the act of entering into this Agreement have confirmed the same.
- (E) Local London Members have agreed to establish a Joint Committee on the basis of the Terms of Reference as set out in Schedule 2 to this Agreement. The Joint Committee will discharge executive functions on the collective behalf of Local London Members in so far as they relate to joint activities or areas of common concern in relation to the delivery of the LLPP.

- (F) Local London Members have agreed Redbridge's formal role as the Accountable Body for Local London, and any duties and responsibilities which are assigned to this role as outlined in this Agreement.

IT IS HEREBY agreed as follows:–

1 DEFINITIONS AND INTERPRETATION

- 1.1 In this Agreement unless the context otherwise requires the following expressions have the following meanings:

Accountable Body means the formal role assigned to the London Borough of Redbridge or any successor Accountable Body of the Local London Partnership Programme (LLPP);

Agreement means this Agreement together with the Schedules attached hereto;

Annual Budget means the aggregate of all sums paid each Financial Year by each of the Local London Members as set out in Clause 8;

Annual Contribution means the sum paid each Financial Year by each of the Local London Members in accordance with Clause 8.2;

Chief Executives' Board means the meetings of the Chief Executives of each of the Local London Members or their nominees in accordance with Clause 12;

Commencement Date means means the date set out at the beginning of this Agreement;

Data Controller shall have the meaning as set out in the Data Protection Legislation;

Data Protection Legislation means all applicable data protection and privacy legislation in force from time to time in the UK including, without limitation, the UK GDPR, the Data Protection Act 2018 (and regulations made thereunder), the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended and, where applicable, the guidance and codes of practice issued by the Information Commissioner, in each case as amended or substituted from time to time;

Director of Local London means the individual responsible for leading and managing the Local London Partnership Unit (LLPU);

Dispute means any dispute, issue, difference or question of interpretation arising out of or in connection with this Agreement or any matter where this Agreement directs the Local London Members to resolve a matter by reference to Clause 18 (Dispute Resolution);

Financial Year means 1 April – 31 March;

Indirect Losses means, to the extent that such losses are indirect only, loss of profits, loss of use, loss of production, increased operating costs, loss of business, loss of business opportunity, loss of reputation or goodwill and any other indirect loss of any nature, whether arising in contract, tort or on any other basis;

Joint Committee means the Joint Committee established by the Local London Members with Terms of Reference as set out in Schedule 2 to this Agreement;

Lead Authority means the Local London Member which shall take on the lead responsibility for delivering particular project specific activities identified from time to time;

Local Government Remuneration means the pay levels as determined by the National Joint Council (NJC) for Local Government Services and the Green Book;

Local London Partnership Programme (LLPP) means the partnership established by the Local London Members to deliver sustainable benefits for each of them in furtherance of the objectives and principles set out in Clause 5 of this Agreement;

Local London Partnership Unit (LLPU) means the staff required to deliver the LLPP as shall be determined by the Accountable Body;

Local London Members means the London Boroughs of Barking & Dagenham, Bexley, Bromley, Enfield, Greenwich, Havering, Newham, Redbridge and Waltham Forest;

Losses means all losses, liabilities, damages, demands, charges, costs, and expenses (including legal and other professional charges and expenses) litigation, proceedings, settlement, judgment, interest and penalties whether arising in contract, tort (including negligence), breach or statutory duty or otherwise but excluding Indirect Losses and the term "Loss" shall be construed accordingly;

Personal Data shall have the meanings as set out in the Data Protection Legislation;

Processing (or other forms such as Process) shall have the meanings as set out in the Data Protection Legislation;

UK GDPR has the meaning given to that term in the UK Data Protection Act 2018;

Working Day means any day on which the Local London Members' offices are normally open for business and during the hours of 09.00 to 17.00.

- 1.2 References to clauses and schedules are to the clauses and schedules of this Agreement; references to paragraphs are to paragraphs of the relevant schedule.
- 1.3 In the event of a conflict, the conditions set out in the Clauses to this Agreement shall take priority over the Schedules.
- 1.4 Where a term of this Agreement provides for a list of items following the word "including" or "includes", then such list is not to be interpreted as being an exhaustive list.
- 1.5 In this Agreement, words importing any particular gender include all other genders, and the term "person" includes any individual, partnership, firm, trust, body corporate, government, governmental body, trust, agency, unincorporated body of persons or association and a reference to a person includes a reference to that person's successors and permitted assigns.
- 1.6 In this Agreement, words importing the singular only shall include the plural and vice versa.
- 1.7 In this Agreement, "staff" and "employees" shall have the same meaning and shall include reference to any full or part time employee or officer, director, manager and agent.
- 1.8 Subject to the contrary being stated expressly or implied from the context in these terms and conditions, all communication between the Local London Members shall be in writing.
- 1.9 All references to the Agreement include (subject to all relevant approvals) a reference to the Agreement as amended, supplemented, substituted, novated or assigned from time to time.
- 1.10 References to any statute or statutory provision is a reference to it as it is in force for the time being, taking account of any amendment, extension, or re-enactment and includes any subordinate legislation for the time being in force made under it.

2 CONSIDERATION

- 2.1 In consideration of the mutual agreements set out herein, the Local London Members have granted the rights and accepted the obligations set out herein.

3 DURATION

- 3.1 This Agreement shall come into effect on the Commencement Date and shall continue in force until the date upon which this Agreement is terminated in accordance with Clause 16 (Termination and Withdrawal).
- 3.2 The circumstances under which a Local London Member may elect to withdraw from this Agreement are set out in Clause 16 (Termination and Withdrawal).

4 STATUS OF THE AGREEMENT

- 4.1 The Local London Members agree that this Agreement shall take the form of a legally binding relationship and all mutual commitments between them created by this Agreement shall from the date hereof be construed accordingly.

5 OBJECTIVES AND PRINCIPLES

- 5.1 The Local London Members shall work together in partnership and in an open, co-operative and collaborative manner for the duration of this Agreement in pursuance of the objectives and principles contained in Schedule 1.

6 GOVERNANCE ARRANGEMENTS

- 6.1 The Local London Members establish the Joint Committee in accordance with s.101 Local Government Act 1972, s.9EB Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 to monitor the arrangement and governance of the LLPP as further set out in the Terms of Reference at Schedule 2 to this Agreement.
- 6.2 The Local London Members have assigned the following roles:
- 6.2.1 Accountable Body for overall principle management of the LLPP
 - 6.2.2 Lead Authority with responsibility for delivering particular project specific activities identified from time to time
- 6.3 The Joint Committee, the Accountable Body and the Lead Authority will discharge executive functions in pursuance of the objectives and principles contained in this Agreement at Schedule 1, on the collective behalf of Local London Members in so far as they relate to joint activities or areas of common concern in relation to the delivery of the LLPP.
- 6.4 Local London Members shall assist the Joint Committee, the Accountable Body and the Lead Authority in the delivery of the LLPP in accordance with the objectives and principles at Schedule 1 by:
- 6.4.1 when reasonably requested, providing information regarding the delivery of this Agreement and the delivery of any external funding programs or services procured;
 - 6.4.2 keeping them informed at all times of any variations, developments or issues affecting the delivery of the LLPP; and
 - 6.4.3 so far as is reasonably practicable, committing such non-monetary resources and assistance and in-kind support (including staff time of staff who are not employed by the Accountable Body for the purposes of the LLPP) to the LLPP.

7 ACCOUNTABLE BODY RESPONSIBILITIES AND ACTIVITIES

- 7.1 The Local London Members have agreed that the Accountable Body shall undertake the following:

- 7.1.1 Management of the Annual Budget, (including administering and discharging, the receipt of income, payment of expenses and reimbursement of costs of agreed activities in accordance with an agreed programme of activity;
 - 7.1.2 Employment and line management of the Director of Local London;
 - 7.1.3 Hosting of staff to deliver the LLPP; and
 - 7.1.4 Hosting of the LLPU.
- 7.2 Additional activities to those set out in this Clause 7 shall be agreed by the Joint Committee. All additional activities agreed by the Joint Committee shall be evidenced in writing against this Agreement.

8 ANNUAL BUDGET

- 8.1 Subject to the provisions of Clause 8.2 each Local London Member will pay an Annual Contribution of £50,000 or such other sum as shall be agreed. Payments will be made on or before the 30 April in each year until termination of this Agreement. Together with any supplemental payments made under this Clause 8 these make the Annual Budget.
- 8.2 The Annual Contribution made under this Clause 8 may be increased in line with the rate of inflation in accordance with the annual percentage increase in the Consumer Price Index (CPI) provided a majority of the Local London Members agree. Any increase in excess of percentage increase in CPI shall require approval in accordance with Clause 8.11 below.
- 8.3 The first Annual Contribution shall be payable within 30 days of the commencement of this Agreement. All Annual Contributions shall be made payable to the Accountable Body.
- 8.4 The Accountable Body will be responsible for the Annual Budget and shall adopt standard Local Government financial control practices and principles as shall apply from time to time.
- 8.5 All agreed costs shall be met from the Annual Budget. These costs include those staff related costs for those staff employed by the Accountable Body in accordance with this Agreement, including but not limited to any increase in pay.
- 8.6 For each Financial Year the Accountable Body will produce an Annual Budget for agreement by the Joint Committee in advance of the Financial Year start and by no later than 1 March in any year which shall cover all aspects of the agreed activity to meet the LLPP and a cash flow statement.
- 8.7 Where a Lead Authority is identified for LLPP activities under this Agreement they shall submit statements of expenditure to the Accountable Body. Subject to the inclusion of sufficient funds in the Annual Budget the Accountable Body will reimburse costs for any Lead Borough activity carried out under this Agreement within 30 days of submission of a statement of expenditure provided that the said statement of expenditure is agreed as reasonable by at least three of the Local London Members (not including the Party submitting the said statement) such agreement to be provided within 30 days of submission of the statement of expenditure. Such statements of expenditure shall include all relevant proofs and details of expenditure as would ordinarily be expected by an authority acting reasonably.
- 8.8 Any underspends in any Financial Year will be carried forward unless all Local London Members by their Chief Executives agree to be reimbursed.
- 8.9 Save as provided for at Clause 8.10 below, any overspends will be shared in equal parts and further equal contributions made by each of the Local London Members within 30 days of the overspend being determined by the out-turn report.
- 8.10 In the event of any overspend or element of overspend caused by negligence, breach of this Agreement or authority being exceeded by any Local London Member to this Agreement, that Local London Member shall be solely responsible for the costs arising.

- 8.11 Any exception to the principles of this Clause 8 must be agreed by the Joint Committee and approved by each Local London Member's Chief Finance Officer.

9 STAFF

- 9.1 The Accountable Body will be the employer of and, subject to the provisions contained in this Agreement, be responsible for the terms and conditions and day to day management of staff engaged in accordance with this Agreement.

- 9.2 The Accountable Body shall ensure that any and all staff engaged, except for seconded staff, will be paid and employed by the Accountable Body in accordance with the Accountable Body's standard terms and conditions of employment and appropriate Local Government Remuneration for such positions, subject to the Local London Member's obligations towards the Accountable Body in respect of such appointments as set out in this Agreement.

- 9.3 In discharging its role as employer of staff it is agreed that the Accountable Body will provide and manage staff in accordance with an appropriate job description. It is further agreed that whilst the Accountable Body will consult with the other Local London Members (at such times agreed between them) as to performance of staff engaged against any agreed targets and the ongoing performance of such staff, it will be for the Accountable Body as employer to supervise and take any appropriate actions as employer in relation to staff concerned.

- 9.4 The Accountable Body shall procure that:

9.4.1 sufficient and appropriately trained staff shall be deployed to give effect to the LLPP with the requisite level of skill and experience;

9.4.2 it shall employ and line manage a suitably qualified individual as the Director of Local London, responsible for the LLPU; and

9.4.3 all staff shall receive training and supervision as is necessary to ensure the proper performance of LLPP under this Agreement.

- 9.5 The Accountable Body will submit an account of the costs of all staff engaged. Such account must be agreed by at least three of the Local London Members not including the Accountable Body) to this Agreement within at least 30 days of the Accountable Body submitting the account for the account to fall due. Reimbursement shall be made to the Accountable Body from the Annual Budget within 30 days of the account being agreed in accordance with this Clause.

- 9.6 The Accountable Body will only be reimbursed in accordance with a schedule of costs and salaries that have previously been agreed, by all the Local London Members, through their Chief Executives.

- 9.7 The Accountable Body shall be reimbursed the cost of employer's pension contributions, ill health retirements, early retirements, redundancies or buy out costs falling on it as employing Authority in accordance with this Agreement in the event that any of the staff engaged become so entitled. Such sums shall be met in equal parts by each of the Local London Members insofar as they are not provided for in the Annual Budget. However, no such payment shall be due in the event that liability for the payment is as a result of any avoidable negligent act or omission (determined at law) by the Accountable Body.

10 DIRECTOR OF LOCAL LONDON

- 10.1 The Director of Local London is an employee of the Accountable Body and shall be managed accordingly by the Accountable Body.

- 10.2 The Director of Local London shall be responsible for the day to day management and direction of the LLPU including recruiting, appointing and determining the engagement or secondment of other staff to the LLPU upon such terms and conditions of service as the Accountable Body consider necessary

or desirable for the purpose of implementing the agreed objectives and principles as set out in this Agreement and more particularly at Schedule 1.

- 10.3 The Director of Local London shall report on the delivery of the LLPP to the Joint Committee through the Chief Executives' Board as required by the Local London Members from time to time.
- 10.4 The Director of Local London shall be accountable to the Local London Members and shall on reasonable request provide reports to and/or attend meetings of each or any of the Local London Members including but not limited to their respective scrutiny committees.

11 LOCAL LONDON PARTNERSHIP UNIT

- 11.1 The Accountable Body has established the Local London Partnership Unit (LLPU) on behalf of the Local London Members to assist in the delivery of the Accountable Body responsibilities and of the LLPP.
- 11.2 The LLPU shall be located and set within the structure of the Accountable Body. The LLPU responsibilities include:
 - 11.2.1 discharging functions in pursuance of the objectives and principles contained in Schedule 1;
 - 11.2.2 developing and managing the LLPP programme of work; and
 - 11.2.3 providing administrative and clerking support to the Joint Committee and to the LLPP generally.
- 11.3 Staff of the LLPU shall report to the Director of Local London.

12 CHIEF EXECUTIVES' BOARD RESPONSIBILITIES AND ACTIVITIES

- 12.1 The Chief Executives for Local London Members shall meet on a regular basis as the Chief Executives' Board and in any event not less than quarterly to review the operation of this Agreement and deal with any matters requiring their attention or approval in accordance with the provisions of this Agreement. The Chief Executives shall be entitled to send a nominee to such meetings to represent them in their absence. Such nominees should be first tier and shall have the same delegated powers as the Chief Executive would have had, had they attended.
- 12.2 Not less than quarterly the Chief Executives' Board shall receive from the Accountable Body a statement of expenditure and income and financial commitments for review and consideration as part of the management of the Annual Budget by the Accountable Body.

13 LEAD AUTHORITY RESPONSIBILITIES AND ACTIVITIES

- 13.1 The Lead Authority will be designated by the Local London Members on a project-by-project basis to take on responsibility for particular activities in accordance with this Agreement.
- 13.2 Where appropriate and on the advice of the Director of Local London, the Local London Members will enter into a memorandum of understanding with the Lead Authority to set out in more detail the project specific arrangements in place.
- 13.3 Any Local London Member designated as a Lead Authority agrees to act in accordance with the objectives and principles of this Agreement as set out at Schedule 1.
- 13.4 Lead Authority responsibilities shall include:
 - 13.4.1 acting as the contracting party for external funding programs;
 - 13.4.2 undertaking necessary procurement of services;

13.4.3 determining how to undertake the relevant project specific activities in the best interests of the LLPP; and

13.4.4 submitting statements of expenditure to the Accountable Body.

14 LIABILITIES AND INDEMNITIES

14.1 The Local London Members hereto agree to indemnify the Accountable Body and any Lead Authority against any Losses which the Accountable Body and any Lead Authority may suffer as a result of or in connection with its obligations hereunder provided and to the extent that such Losses are over and above that which each borough to this Agreement is required to contribute and such extra costs are not due to any avoidable negligent act or omission (determined at law) of the Accountable Body or any Lead Authority or breach by the Accountable Body or any Lead Authority of its obligations hereunder. Any payments made to the Accountable Body or any Lead Authority under this Clause 14.1 shall be met from the Annual Budget or in equal parts by each of the Local London Members insofar as they are not provided for in the Annual Budget.

14.2 The Accountable Body and any Lead Authority appointed hereunder shall indemnify the other Local London Members against any Losses over and above that which each Local London Member is required to contribute and such costs which the other Local London Members(s) may suffer as a result of or in connection with any breach of the Accountable Body or any Lead Authority's obligations hereunder and/or any avoidable negligent act or omission (determined at law) in relation thereto.

14.3 Each Local London Member shall inform the other boroughs at the earliest opportunity of any issue or matter or legal process or proceedings which may affect the Local London Member's obligations under this Agreement.

Default by one or more Local London Member

14.4 Each Local London Member agrees that:

14.4.1 during the continuance of this Agreement all transactions entered into by them shall be conducted in good faith and on the basis set out in this Agreement;

14.4.2 that at all times they will act in good faith towards the other and use reasonable endeavours to ensure the observance of the terms of this Agreement; and

14.4.3 that they shall use reasonable endeavours to give effect to this Agreement provided always that any disagreement between the Local London Members shall be resolved in accordance with Clause 18.

14.5 Where any Local London Member fails to meet its responsibilities and liabilities under this Agreement or breaches any of the same at any time during the term of this Agreement the defaulting Local London Member(s) shall indemnify the other Local London Members and the cost of any resulting penalties, Losses or loss or failure which is caused to the other Local London Members in particular the Accountable Body or Lead Authority shall be borne by the defaulting Local London Member(s) and shall be apportioned equitably.

14.6 Notwithstanding any other provision of this Agreement, the Local London Members do not limit or exclude their liability for:

14.6.1 death or personal injury caused by its negligence, or that of its employees, agents or sub-contractors;

14.6.2 fraud or fraudulent misrepresentation by it or its employees;

14.6.3 breach of any obligation as to title implied by statute; or

14.6.4 any other act or omission, liability for which may not be limited under applicable law.

- 14.7 The liability of each Local London Members for their obligations under this Agreement shall be several and extend only to any Loss or damage arising out of each Local London Members' own breaches.
- 14.8 In respect of the indemnities given in this Agreement:
- 14.8.1 the indemnified Local London Member(s) shall give written notice to the indemnifying Local London Member(s) as soon as is practicable of the details of any claim or proceedings brought or threatened against it in respect of which a claim will or may be made under the relevant indemnity;
 - 14.8.2 the indemnifying Local London Member(s) shall at its own expense have the exclusive right to defend conduct and/or settle all claims and proceedings to the extent that such claims or proceedings may be covered by the relevant indemnity provided that where there is an impact upon the indemnified Local London Member(s), the indemnifying Local London Member(s) shall consult with the indemnified Local London Member(s) about the conduct and/or settlement of such claims and proceedings and shall at all times keep the indemnified Local London Member(s) informed of all material matters;
 - 14.8.3 the indemnifying and indemnified Local London Member(s) shall each give to the other all such cooperation as may reasonably be required in connection with any threatened or actual claim or proceedings which are or may be covered by a relevant indemnity; and
 - 14.8.4 the Local London Members shall each give to the others all such cooperation as may reasonably be required in connection with any threatened or actual claim or proceedings which are or may be covered by a relevant indemnity.
- 14.9 The Local London Members shall at all times take reasonable steps to minimise and mitigate any Loss for which they are entitled to bring a claim against the other Local London Member(s) pursuant to this Agreement.

15 INSURANCE

- 15.1 The Local London Members shall obtain and maintain throughout the term of this Agreement insurance sufficient to cover all of their obligations under this Agreement. Each Local London Member shall indemnify the others against Loss sustained as a result of breach of this Clause.

16 TERMINATION AND WITHDRAWAL

- 16.1 This Agreement shall terminate on such date as shall be agreed in writing by all Local London Members. On such termination, a final account shall be drawn up including any costs and liabilities in relation to staffing costs, redundancies and the cost of terminating any formal arrangements. Any net costs that cannot be met from the Annual Budget shall be shared equally among the Local London Members.
- 16.2 Where any Local London Member withdraws from this Agreement:
- 16.2.1 the obligations of that Local London Member in respect of the furtherance of the LLPP shall cease on such withdrawal;
 - 16.2.2 the Agreement shall continue in force in respect of any financial liabilities which have arisen out of the performance of this Agreement up to the date of the Local London Member's withdrawal;
 - 16.2.3 the withdrawing Local London Member shall not be entitled to a reimbursement of any costs incurred by it or contributions made prior to the date of withdrawal other than in accordance with Clause 8 above;
 - 16.2.4 the withdrawing Local London Member shall become immediately liable to pay any sums due from it to the other Local London Members under this Agreement;

- 16.2.5 the withdrawing Local London Member shall bear the costs of exit themselves.
- 16.2.6 Clause 18 of this Agreement shall remain in force in respect of any of the matters arising from the performance of or withdrawal of a Local London Member under this Agreement.
- 16.3 A Local London Member wishing to withdraw from this Agreement shall give written notice to the other Local London Members, and the date of withdrawal of that Local London Member shall be the date twelve months from the date of the receipt of the notice by the other Local London Members. Such notice period may only be reduced with the written agreement of all non-withdrawing Local London Members.
- 16.4 A Local London Member exercising their right to withdraw (the “**Withdrawing Authority**”) under Clause 16.2 above shall indemnify the remaining Local London Members for all and any Loss suffered by them as a consequence of the withdrawal of the Withdrawing Authority, including but not limited to any resultant redundancy costs, any costs of terminating formal agreements and costs that fall on the remaining Local London Members not able to be defrayed by other action.

Withdrawal by the Accountable Body or Lead Authority

- 16.5 Where the Withdrawing Authority is the Accountable Body or a Lead Authority, the remaining Local London Members shall arrange for a successor Accountable Body or Lead Authority be appointed,
- 16.6 In the event that Local London Members are unable to reach agreement as to the identity of the new Lead Authority, the responsibilities for this shall transfer to the Accountable Body.
- 16.8 In the event that Local London Members are unable to reach agreement as to the identity of the new Accountable Body this Agreement shall terminate in accordance with Clause 16.1.

17 INTELLECTUAL PROPERTY

- 17.1 The Local London Members intend that any intellectual property rights created in the course of the delivery of the LLPP shall vest in the Local London Member whose employee created them.
- 17.2 The Local London Members shall each grant an irrevocable royalty-free licence to the others to use such intellectual property for the purposes of the delivery of the LLPP.
- 17.3 Where a claim or proceeding is made or brought against a Local London Member which arises out of the infringement of any intellectual property rights or because the use of any materials, data, plant, machinery or equipment in connection with the LLPP infringes any intellectual property rights of a third party then, unless such infringement has arisen out of the use of any intellectual property otherwise than in accordance with the terms of this Agreement, the Local London Members shall each indemnify the others at all times from and against all Losses and Indirect Losses arising as a result of such claims and proceedings.
- 17.4 Each Local London Member warrants that any intellectual property created by its employees for the purposes of this Agreement will not infringe any third party’s intellectual property rights.

18 DISPUTE RESOLUTION

- 18.1 Any dispute or difference arising out of or connected with this Agreement shall be identified by written notice from one Local London Member to the other Local London Member(s) in dispute who shall within 7 working days (or such date agreed by all Local London Members to this Agreement) of the notice meet to attempt in good faith to resolve the dispute amicably on a full and final basis.
- 18.2 If the Local London Members are not able to conduct such meeting within the 7 working day period (or other agreed period) or such meeting has taken place but the dispute or difference remains unresolved then it shall be referred to mediation if the Local London Members in dispute so agree (such mediation to be conducted as agreed between the Local London Members in dispute) or in the event that one or more of the Local London Members in dispute does not agree mediation it shall be referred to an agreed independent expert and the Local London Members agree to abide by the

expert's decision without prejudice to the Local London Members' rights in law. In the absence of agreement, a mediator or independent expert (whichever is the preferred route) shall be appointed by the President of the Law Society such appointment to be binding on the Local London Members. An appointed mediator or independent expert shall in addition to determination of the dispute or difference set the process, procedure and timetable for determination of the dispute or difference.

18.3 All costs relating to resolving the dispute or difference shall be met equally by the Local London Members to this Agreement or apportioned as appropriate by the mediator/expert on the basis that resolution under this Clause 18 was necessary.

18.4 Nothing in this Clause 18 or the Agreement as a whole shall prejudice the Local London Members legal right to apply to the English Courts for emergency relief or for determination of a point of law.

19 VARIATION

19.1 A variation to this Agreement shall only be valid if it has been agreed in writing by each Local London Member and executed as a deed by duly authorised representatives of all Local London Members.

20 CONFIDENTIAL INFORMATION

20.1 Subject to the requirements of Clause 21 (Freedom of Information and Environmental Information Regulations) and Clause 0 (GDPR) the Local London Members agree to keep confidential any information which by its nature would normally be regarded as being confidential in the day to day business of the Local London Members.

21 FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS

21.1 Each Local London Member acknowledges that the other Local London Members are subject to the requirements of the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**") and each Local London Member shall where reasonable assist and co-operate with the other Local London Members (at its own expense) to enable the other Local London Members to comply with these information disclosure obligations.

21.2 Where a Local London Member receives a request for information under either FOIA or EIR in relation to information which it is holding on behalf of the other Local London Members in relation to the LLPP, it shall:

21.2.1 transfer the request for information to the other Local London Members as soon as practicable after receipt and in any event within two Working Days of receiving a request for information;

21.2.2 provide the other Local London Members with a copy of all information in its possession or power in the form that the Local London Members require within ten Working Days (or such longer period as the Local London Members may specify) of the Local London Member requesting that information; and

21.2.3 provide all necessary assistance as reasonably requested by the other Local London Member to enable that Local London Member to respond to a request for information within the time for compliance set out in the FOIA or the EIR.

21.3 Where a Local London Member receives a request under FOIA or EIR which relates to the LLPP, it shall notify the other Local London Member as per Clause 23.3 and afford them an opportunity to make any comments or representations in respect of the disclosure of the information sought before it responds to the request. The other Local London Members shall respond within 10 working days of receipt of this notification. The Local London Members responding to the request shall take into account any such comments or representations in so doing and shall not respond to the request until the 5 day response period referred to above has passed.

22 GDPR

- 22.1 Each Local London Member shall comply with the Data Protection Legislation.
- 22.2 With respect to the parties' rights and obligations under this Agreement, the parties acknowledge and agree that they are Data Controllers in respect of any Personal Data they Process in connection with this Agreement.
- 22.3 The parties shall negotiate and enter into in good faith a Data Sharing Agreement, setting out the specific data sharing activities which will take place under this Agreement. The Data Sharing Agreement may be updated from time to time on agreement by the Joint Committee.
- 22.4 Where any notices are required to comply with this Clause 0 they shall be made in accordance with Clause 23.3 below.

23 NOTICES

- 23.1 All notices or decisions which are required to be given under this Agreement otherwise than under Clause 21 and Clause 0 shall be in writing and shall be sent to the address of the Local London Member recipient set out in this Agreement unless directed otherwise or such other address as the recipient may designate by notice given in accordance with the provisions of this Clause. Any such notice may be delivered personally or by first class prepaid letter and shall be deemed to have been served if by personal delivery when delivered if by first class post 48 hours after posting.
- 23.2 For the purposes of Clause 23.1 written notice shall include notice by email. Notice is given if sent by email to the provided email address, on the next Business Day after being sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not been delivered.
- 23.3 All notices, communications or decisions which are required under Clause 21 and Clause 0 shall be in writing and shall be sent to the Information Governance email address below or such other address as the recipient may designate, of the relevant Local London Member. The parties confirm that at the date of this Agreement the relevant Information Governance email addresses are as follows:
 - 23.3.1 Barking & Dagenham: kim.starbuck@lbbd.gov.uk
 - 23.3.2 Bexley: data.protection@bexley.gov.uk
 - 23.3.3 Bromley: information.management@bromley.gov.uk
 - 23.3.4 Enfield: Nikki.Kaur@enfield.gov.uk
 - 23.3.5 Greenwich: david.white@royalgreenwich.gov.uk
 - 23.3.6 Havering: accessinfo@haverling.gov.uk
 - 23.3.7 Newham: informationrightsteam@newham.gov.uk
 - 23.3.8 Redbridge: icw.information@redbridge.gov.uk
 - 23.3.9 Waltham Forest: Information.Officer@walthamforest.gov.uk
- 23.4 Notice under Clause 23.3 is given if sent by email to the provided email address, on the on the next Business Day after being sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not been delivered.

24 ENTIRE AGREEMENT

- 24.1 This Agreement constitutes the entire agreement and understanding of the Local London Members and supersedes any previous agreement between the Local London Members relating to the subject matter of this Agreement.

25 NO PARTNERSHIP

- 25.1 Nothing in this Agreement shall constitute or be deemed to constitute a partnership between any of the Local London Members and except as expressly provided herein none of the Local London Members shall have any authority to bind the others in any way save as permitted by this Agreement.

26 WAIVER

- 26.1 No failure to exercise and no delay in exercising on the part of any of the Local London Members any right power or privilege hereunder shall operate as a waiver thereof nor shall any single or partial exercise of any right power or privilege preclude any other or further exercise thereof or the exercise of any other right power or privilege.

27 ASSIGNMENT

- 27.1 None of the Local London Members may assign its rights and obligations in whole or in part hereunder without the prior written consent of the other Local London Members.

28 SUCCESSORS BOUND

- 28.1 This Agreement shall be binding on and shall endure for the benefit of the successors and assignees (as the case may be) of each of the Local London Members.

29 EXECUTION AND COUNTERPARTS

- 29.1 This Agreement is executed by each Local London Member by executing as a Deed.
- 29.2 This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original of this Agreement, but all the counterparts shall together constitute the same Agreement.

30 CONTINUING AGREEMENT

- 30.1 All provisions of this Agreement shall so far as they are capable of being performed and observed continue in full force and effect notwithstanding termination except in respect of those matters then already performed.

31 GOOD FAITH

- 31.1 Each of the Local London Members undertakes with each of the others to do all things reasonably within its power which are necessary or desirable to give effect to the spirit and intent of this Agreement.

32 SEVERABILITY

- 32.1 Notwithstanding that any provision of this Agreement may prove to be illegal or unenforceable the remaining provisions of this Agreement shall remain in full force and effect.

33 CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999

- 33.1 Nothing contained in this Agreement confers or purports to confer any rights to enforce any of its terms pursuant to the Contracts (Rights of Third Parties) Act 1999 on any person who is not a party hereto.

34 GOVERNING LAW AND JURISDICTION

- 34.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.
- 34.2 Each Party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this Agreement or its subject matter or formation (including non-contractual disputes or claims).

IN WITNESS hereof the parties hereto have executed this Agreement as a Deed the day and year first written

THE COMMON SEAL OF THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH OF
BARKING & DAGENHAM was hereunto affixed in
the presence of:

Authorised Signatory:

Being an officer of the Council of the
London Borough of Barking and
Dagenham, duly authorised to attest
the Common Seal thereof

Minute Number:
Sealing Register:

THE COMMON SEAL OF THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH OF
BEXLEY was hereunto affixed in the presence of:

Authorised Signatory:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH OF
BROMLEY was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE ROYAL BOROUGH OF GREENWICH was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HAVERING was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF NEWHAM was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF REDBRIDGE was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF WALTHAM FOREST was
hereunto affixed in the presence of:

Authorised Signatory:

Being an Officer of the Council of the said Borough authorised
to attest the Common Seal

Seal Register Number

SCHEDULE 1: OBJECTIVES AND PRINCIPLES

1 OBJECTIVES

- 1.1 The main purpose of establishing the arrangements set out in this Agreement is for the Local London Members to collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from government for the purposes of:
- 1.1.1 Securing local benefits and sustainable growth for the geographical areas of the nine Local London Members.
 - 1.1.2 Securing the long-term benefits for the functions carried out and services provided by the Local London Members, howsoever provided including collectively, individually or in partnership with others.
 - 1.1.3 Giving strategic and operational coherence to the collaborative work of the Local London Members in relation to securing local benefits.
 - 1.1.4 Establishing and facilitating the implementation of a programme for the Local London Members which ensures local benefit and sustainable legacy.
 - 1.1.5 Pooling and sharing costs arising out of this Agreement equally amongst the Local London Members in order for a collaborative programme to be developed and implemented; and
 - 1.1.6 Such other objectives as the Local London Members jointly agree are conducive to the joint working arrangements as delegated under this Agreement.

2 PRINCIPLES

- 2.1 In fulfilling this Agreement, Local London Members agree to adopt the following principles :
- 2.1.1 collaborate and co-operate; establish and adhere to the governance structures required under this Agreement and in the provision of any external funding programs or services procured, to ensure that activities are delivered and actions taken as required;
 - 2.1.2 be accountable; take on, manage and account to each other for performance of the respective roles and responsibilities as may be required under this Agreement;
 - 2.1.3 be open; communicate openly about major concerns, issues or opportunities relating to the LLPP;
 - 2.1.4 learn, develop and seek to achieve full potential; share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;
 - 2.1.5 adopt a positive outlook; behave in a positive, proactive manner;
 - 2.1.6 adhere to statutory requirements and best practice; comply with applicable laws and standards including procurement rules, data protection and freedom of information legislation. In particular the Local London Members agree to comply with the requirements of the Accountable Body and any Lead Authority;
 - 2.1.7 adhere to the terms and conditions, requirements and specification of any external funding programs or services procured;
 - 2.1.8 act in a timely manner; respond accordingly to requests for support including the provision of relevant information;

- 2.1.9 manage stakeholders effectively;
- 2.1.10 deploy appropriate resources; ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this Agreement and in the provision of any external funding programs or services procured;
- 2.1.11 act in good faith to support achievement of and compliance with these principles.

SCHEDULE 2: JOINT COMMITTEE TERMS OF REFERENCE

LOCAL LONDON PARTNERSHIP PROGRAMME (LLPP) JOINT COMMITTEE TERMS OF REFERENCE

1 Committee Form and Structure

Committee Scope

- 1.1 The purpose of the LLPP Joint Committee is to discharge executive functions on behalf of the Local London Members in so far as they relate to joint activities or areas of common concern to the LLPP.
- 1.2 Local London Members may opt out of joint activities. The LLPP Joint Committee is free to agree that one or more but less than all Local London Members participate in a particular project or programme of work.
- 1.3 Where a decision of the LLPP Joint Committee does not apply to all Local London Members, the delegation of functions to the LLPP Joint Committee is limited to those Local London Members to whom the decision applies.

Composition

- 1.4 The LLPP Joint Committee will comprise 9 councillors, one each from the Executive of each of the Local London Members. The political balance rules shall not apply.
- 1.5 Members of the Committee must be Cabinet members.
- 1.6 The Chairman and Vice Chairman will be appointed every two years by the Joint Committee. Appointments shall be made on a rotational basis.
- 1.7 Partners and stakeholders may be invited to attend meetings of the LLPP Joint Committee on a non-voting basis as appropriate.

Quorum

- 1.8 The LLPP Joint Committee quorum is 6 councillors.

Voting

- 1.9 Each member of the LLPP Joint Committee shall have one vote. All matters to be decided shall be by a simple majority of those members present and voting. If there are equal numbers of votes for and against, the Chair shall have a casting vote.

Reserves

- 1.10 Each member of the LLPP Joint Committee may appoint a reserve member from their Executive.

Competency

- 1.11 All members of the LLPP Joint Committee and councillors attending as reserves shall:
 - 1.11.1 have undertaken appropriate training in the relevant law and procedures which relate to the Joint Committee's work; and

- 1.11.2 undertake further appropriate training, on an ad hoc basis, when there are changes to procedure or relevant legislation that are deemed significant by the Chief Executives of each Local London Member (the **Chief Executives' Board**).

2 Matters Reserved for the LLPP Joint Committee

The functions of the LLPP Joint Committee shall not be limited by area.

- 2.1 To discharge executive functions that relate to joint activities or areas of common concern in relation to growth and opportunities for devolution in the sub-region.
- 2.2 To collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from central government.
- 2.3 To approve the annual business plan.
- 2.4 To provide strategic management and oversight of:
 - 2.4.1 The Annual Budget;
 - 2.4.2 External funding programmes; and
 - 2.4.3 All other financial resources allocated to the LLPP.
- 2.5 To secure local benefits and sustainable growth for the geographical areas of the Local London Members.
- 2.6 To secure the long-term benefits for the functions carried out and services undertaken by the Local London Members collectively, individually or in partnership with others.
- 2.7 To provide strategic and operational coherence to the collaborative work of Local London Members in relation to securing local benefits.
- 2.8 To promote and facilitate joint bidding for funding, training and employment programmes to maximise the benefit for Local London Members.
- 2.9 To establish and facilitate the implementation of a programme for Local London Members which ensures local benefits and sustainable long term growth.
- 2.10 To receive reports from the Director of Local London on the delivery of the LLPP as required by the Local London Members or the LLPP Joint Committee from time to time.

3 Agenda Management

- 3.1 Prospective items of business for the LLPP Joint Committee shall first be approved by the Chief Executives' Board in unanimity.
- 3.2 Where the Chairman is of the view that majority voting may not be achieved on an item of business by the Joint Committee, the Chairman may propose that the agenda item is referred back to the Chief Executives' Board for further consideration.

4 Overview and Scrutiny

- 4.1 The LLPP Joint Committee shall be subject to the overview and scrutiny requirements of the Local London Members.
- 4.2 In the event that a decision of the LLPP Joint Committee or any sub-committee of it is called-in, the Chief Executive (or his nominee) for the relevant Local London Member shall attend the scrutiny committee meeting together with the relevant member of the LLPP Joint Committee.

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CABINET**21 March 2023**

Title: Debt Management Performance 2022/23 (Quarter 3)	
Report of the Cabinet Member for Finance, Growth and Core Services	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Stuart Kirby, Revenues Manager	Contact Details: E-mail: stuart.kirby@lbbd.gov.uk
Accountable Director: Stephen McGinnes, Director of Support and Collections	
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Summary	
<p>This report sets out the performance of the Revenues service in the collection of revenue and debt management for the third quarter of the financial year 2022/23. The report demonstrates that performance is becoming increasingly challenging as a result of the cost-of-living crisis.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to note the performance of the debt management function carried out by the Council's Revenues service, including the pressure on collection rates as a result of the cost-of-living crisis.</p>	
Reason	
<p>Assisting in the Council's Policy aim of ensuring an efficient organisation delivering its statutory duties in the most practical and cost-effective way. This ensures good financial practice and adherence to the Council's Financial Rules on the reporting of debt management performance and the total amounts of debt written-off each financial quarter.</p>	

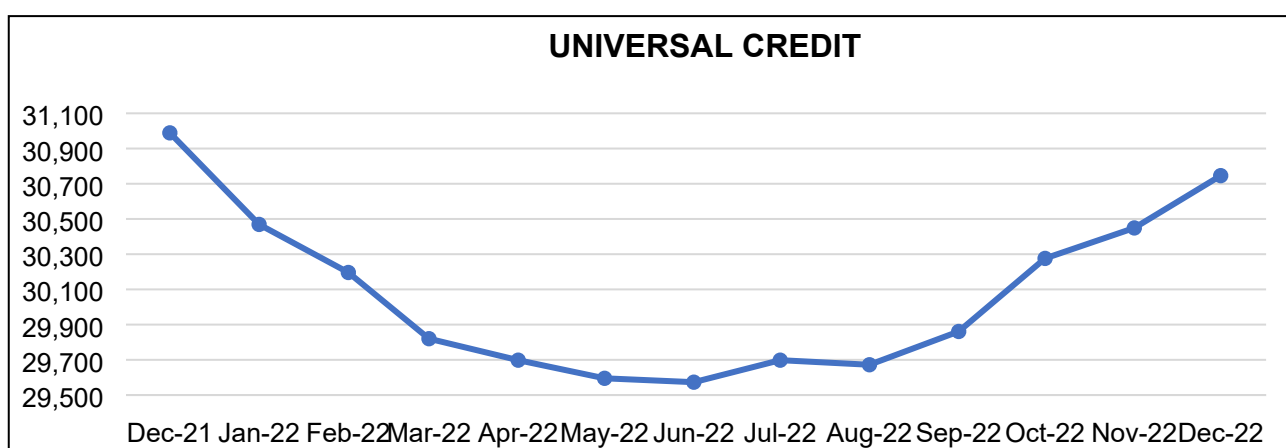
1. Introduction and Background

- 1.1. This report sets out performance for the third quarter of the 2022/23 financial year and covers the overall progress of each service element since April 2022.
- 1.2. The Revenues service is responsible for the collection of Council Tax, Business Rates, Housing Benefit Overpayments, General Income, Rents and for the monitoring of cases sent to Enforcement Agents for unpaid parking debts.

2. Council Tax

- 2.1. Council tax collection is 1% behind last year, this is the equivalent of £1m in delayed payment.
- 2.2. The cost of living crisis, coupled with both the increase in the number of properties in the borough and the continued reduction in council tax support claimants is resulting in delayed payment.
- 2.3. The number of residents claiming Universal Credit had been steadily decreasing since December 2021 and by June 2022 had reduced by 5%. However, since July 22 this number has been increasing and has now almost returned to the same levels as December 2021. (See fig1)

Fig1



- 2.4. During the height of the pandemic, the number of people claiming universal credit reach 32k, if the current trend continues the number will return to pandemic levels by May 2023.
- 2.5. New properties in the borough have increased the total charge by £1.1m since the start of the year, whilst the amount of council tax support (CTS) paid has reduced by £500k.
- 2.6. The reduction in CTS would suggest that although there are more residents claiming Universal Credit, their income is above the threshold allowing for CTS to be awarded. Identifying those residents who are struggling but unable to receive CTS is problematic since there is limited information available.
- 2.7. To combat this growing issue, the Homes and Money hub have begun contacting cohorts of residents identified using Oneview. They are targeting residents with council tax and/or rent arrears. A range of debts have been selected and residents are contacted via email and text or letter. Residents are offered assistance, rather than demands for payment.
- 2.8. This process has now become BAU and the results will be reviewed periodically. Changes to the approach will be adapted based upon the findings of the reviews.

2.9. Residents are still frequently being referred to the Homes and Money Hub where they receive the following essential support:

- Budgeting assistance (income and expenditure)
- Training advice
- Referral to the Job shop
- Maximisation of benefit entitlement
- Tenancy sustainment

3. Business Rates

3.1. Business rates collection is 4.3% above last year for the same period.

3.2. Business rates collection continues to reduce gradually. Whilst still above the same time last year, a decrease has been seen since July. This is attributed to the increased cost of goods and services coupled with a reduction in trade.

3.3. Businesses that have fallen behind with their payments are contacted and appropriate repayment plans agreed. The team pay great attention to ensuring that their actions do not unduly jeopardise the future of each business they deal with. Enforcement action is only initiated where no other option is available.

4. Rents

4.1. Rent collection is 0.66% behind 2021/22 at the end of the quarter.

4.2. Rent arrears have increased due to the pandemic and subsequent cost of living crisis. Collection of rent in the current financial climate continues to be challenging.

4.3. Residents continue to migrate from housing benefit to universal credit (UC). This delays payment of rent by 4 to 6 weeks whilst the tenant awaits their first payment.

4.4. As mentioned previously in this report, the number of residents claiming universal credit is increasing again, and the Homes and Money hub are making contact with selected residents to offer help.

4.5. The debt recovery process has undergone a rigorous review and many processes have now been automated. Within the automated process stages have been inserted allowing for direct contact with the tenant to be made. This ensures that as debt recovery action continues there are opportunities to speak to the tenant, discuss the reasons for non-payment and give support and/or agree repayment.

5. Reside

5.1. Reside collection rates are 1.9% above the same time last year.

5.2. Reside tenants have been equally affected by the pandemic and cost of living crisis. The team are working with tenants to help through the financial crisis and ensure that payment is received.

5.3. As with all revenue streams, some residents fell into arrears during the pandemic. The cost-of-living crisis has therefore made it difficult for them to recover. The team

are dedicated to assisting these residents and to agree payment plans that are affordable and will ensure that debts are cleared.

6. General Income

- 6.1. General income is 21% behind the same time last year.
- 6.2. Negotiations between the Council and NHS regarding funding for partnership work were completed in December 2022. This resulted in over £14m of retrospective billing issued in December. This will be paid in quarter 4.

7. Adult social care

- 7.1. The collection of Adult Social Care has now moved to the Financial Assessments team (FATS) within Welfare.
- 7.2. A full review of outstanding charges is being undertaken including which specific charges should be collected by the FATS team.
- 7.3. The movement of all debts from Oracle to E5 has made identification of these charges more accurate. As a result, all such charges are being reviewed in order that the FATS and collection team are able to concentrate in the correct areas.
- 7.4. Previously reported collection performance included all elements of Adult Social Care. As a result of this review it has become clear that some charges are not related to the Financial Assessment Team and should remain the responsibility of the Collections team. Therefore, in order that performance be reported accurately, further work is being undertaken to split those charges between the two teams.
- 7.5. Adult Social care performance is not shown in this report and will be reported in Quarter 4. This will ensure that more accurate performance can be reported. Adult Social Care is included in the overall General Income collection shown above.

8. Housing Benefit Overpayments

- 8.1. Housing Benefit Overpayment collection is 0.3% above 2021/22 for the same period, this is the equivalent of £79k.
- 8.2. Alongside normal activity, the team is focusing on a review of arrears to remove or collect older debts.

9. Collection rates

- 9.1. The table below shows collection rates for quarter 3:

Collection Area	2022/23	2021/22	Variation
Council Tax current year	79.5%	80.5%	-1%
Council Tax arrears	£1,528,161	£2,121,508	-593,348
Rents	69.03%	70.79%	-0.66%
Business Rates	79.9%	75.5%	+4.3%

General Income	57.55%	79.52%	-21.97%
Leasehold	73.98%	77.06%	-3.08%
Commercial rent	94.09%	87.36%	+6.73%
Care	N/A	N/A	N/A
Housing Benefit Overpayment	10.91%	10.56%	+0.35%
Reside	92.55%	90.61%	+1.94%

10. Financial Implications

Implications completed by: Nurul Alom, Finance Manager

- 10.1. Compared to the same period last year, collection rates are lower across most categories of debt. This is due to the impact of the Cost-of-living crisis and transition of residents from Housing Benefit to Universal Credit. To try and alleviate some of this additional pressure, adjustments have been made to the process of debt recovery allowing residents a longer period of time to pay, given their reduced financial circumstances.
- 10.2. The largest variation is in General Income of 22% which is mainly due to delay in NHS partnership negotiations. This is not a concern as payment will be received.
- 10.3. The Revenues team has been working closely with the wider Community Solutions to identify residents in financial difficulty and to provide support to assist in tackling financial problems and managing debt. In addition, a new data led approach is being taken which is more targeted. It is anticipated that the introduction of community banking in the borough will accelerate the wider support given to residents in financial difficulty and managing debt.
- 10.4. Collecting all debts due is critical to funding the Council and maintaining cashflow. Monthly performance monitoring meetings with the Strategic Director of Community Solutions focus on where the targets are not being achieved to improve prompt collection of Council revenues.
- 10.5. The Council maintains a bad debt provision which is periodically reviewed. Increases to the provision are met from the Council's revenue budget and reduce the funds available for other Council expenditure.
- 10.6. The arears project will review historic debt and where these are recoverable the necessary action will be taken. Where debt is no longer recoverable, they will be written off. Vast majority of these debts are more than three years old, and a 100% provision has been allowed for these debts.

11. Legal Implications

Implications completed by: Dr. Paul Feild, Principal Standard & Governance Lawyer

- 11.1. Monies owed to the Council in the form of debts are a form of asset that is the prospect of a payment sometime in the future. The decision not to pursue a debt carries a cost and so a decision not to pursue a debt is not taken lightly.

- 11.2. The Council holds a fiduciary duty to the ratepayers and the government to make sure money is spent wisely and to recover debts owed to it. If requests for payment are not complied with then the Council seeks to recover money owed to it by way of court action once all other options are exhausted. While a consistent message that the Council is not a soft touch is sent out with Court actions there can come a time where a pragmatic approach should be taken with debts as on occasion, they are uneconomical to recover in terms of the cost of process and the means of the debtor to pay. The maxim no good throwing good money after bad applies. In the case of rent arrears, the court proceedings will be for a possession and money judgement for arrears. However, a possession order and subsequent eviction order is a discretionary remedy, and the courts will often suspend the possession order on condition the tenant contributes to their arrears.
- 11.3. Whilst the use of Introductory Tenancies as a form of trial tenancy may have some impact in terms promoting prompt payment of rent as only those tenants with a satisfactory rent payment history can expect to be offered a secure tenancy, people can fall behind and get into debt. The best approach to resolve their predicament is to maintain a dialogue with those in debt to the Council, to offer early advice and help in making repayments if they need it and to highlight the importance of payment of rent and Council tax. These payments ought to be considered as priority debts rather than other debts such as credit loans as without a roof over their heads it will be very difficult to access support and employment and escape from a downward spiral of debt. The decision to write off debts has been delegated to Chief Officers who must have regard to the Financial Rules.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None