

Notice of Meeting



THE CABINET

Tuesday, 12 July 2011 - 5:00 pm
Council Chamber, Civic Centre, Dagenham

Members: Councillor L A Smith (Chair); Councillor R Gill (Deputy Chair); Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

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AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any personal or prejudicial 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 14 June 2011 (Pages 1 - 6)**
4. **Budget Monitoring 2011/12 (Pages 7 - 14)**
5. **Treasury Management Annual Report (Pages 15 - 27)**
6. **The Council Plan (Pages 29 - 43)**
7. **Fairer Contributions Policy for Adult Social Care: Consultation Responses and Final proposals (Pages 45 - 107)**
8. **Semi Independent Housing for Young People (Pages 109 - 116)**
9. **Permission to Tender for Tier 2 Gateway Service (Pages 117 - 126)**
10. **Barking Riverside - Community Management Company (Pages 127 - 138)**

11. **Barking Riverside - Thames View Footpath/Cycleway: Sale of Unit 1, The Cromwell Centre, 32 Thames Road, Barking (Pages 139 - 147)**
12. **Land Adjacent to 50 Shortcrofts Road, Dagenham (Pages 149 - 154)**
13. **Barking & Dagenham Partnership Annual Report 2010/11 (Pages 155 - 166)**
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 Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***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**

THE CABINET

Tuesday, 14 June 2011
(5:00 - 5:25 pm)

Present: Councillor L A Smith (Chair), Councillor R Gill (Deputy Chair), Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

Also Present: Councillor N S S Gill

Apologies: Councillor L A Reason

1. Declaration of Members' Interests

Councillor Smith advised that, as Chair of the Dagenham Park Church of England School Governing Body, he had declared a prejudicial interest in relation to the item "Urgent Action – Dagenham Park Church of England School: BSF Contract Variation and Funding Support" at the time that the Chief Executive had dealt with the matter, and had taken no part in the decision-making process. At the point of the meeting that this matter was considered, Councillor Smith handed over to the Deputy Chair.

2. Minutes (10 May 2011)

The minutes of the Cabinet meeting on 10 May 2011 were confirmed as correct.

3. Council's Revenue and Capital Outturn 2010/11

Further to Minute 132 of the last meeting, the Cabinet Member for Finance, Revenues and Benefits presented a report on the Council's revenue outturn position for 2010/11, which are subject to final accounting entries prior to approval of the Statement of Accounts for 2010/11 by the Public Accounts and Audit Select Committee at its meeting on 29 June 2011.

The General Fund showed a net underspend of £2.8m against the revenue budget of £154.8m (2%), which improved the year-end balance position to £10.8m. This represented a significant improvement in the Council's financial position over the course of the year and exceeded the £10m target set by the Corporate Director of Finance and Resources at the beginning of the year.

The ring-fenced Housing Revenue Account (HRA) generated a surplus of £1m, enabling the HRA balance to be increased to £4.4m at 31 March 2011, and capital expenditure was £106.1m against the revised budget of £115.6m.

The Cabinet Member also advised on a number of proposed adjustments to revenue and capital budgets and, in response to an enquiry, confirmed that while the year-end underspend position enabled the Council to strengthen its reserves the on-going financial pressures and the package of savings identified to meet those pressures would continue.

Cabinet agreed:-

- (i) To note the outturn and balances position of the Council's General Fund revenue budgets for 2010/11 as detailed in the report;
- (ii) The transfer of reserves of £2.776m to General Fund balances;
- (iii) Final in-year budget adjustments as set out below:
 - a) Provision for redundancy costs arising from the Council's voluntary severance scheme (not covered by the capitalisation order agreed with DCLG) - £1.38m
 - b) Contingency to reflect the increasing true risk of bad debt and write-offs across the Council's services arising from re-adjustment of historic budgets, changes to Housing Benefits, Universal Credit and the continuing, poor economic climate - £1.672m
 - c) Contingency to support the delivery of the Council's budget through the high level of savings risks included as a result of the reduction in government funding - £1m
 - d) Contingency to meet transition costs arising from the creation of the Elevate joint venture in December 2010 - £0.803m
 - e) Increase in the insurance provision to reflect the rising level of claims made in 2010/11 - £0.5m
 - f) Support provided to Customer Services in respect of historic Revenues and Benefits budget issues (the nature of which are the subject of a separate Cabinet report) - £1.405m
 - g) Roll forward of a contingency budget in respect of joint venture costs - £1.75m
 - h) Roll forward of regeneration budgets in Resources and Finance - £0.48m
 - i) Roll forward of Children's Services budgets (including Adult college, music services and Butler Court) - £1.048m
- (iv) To note the outturn and balances position of the Housing Revenue Account as detailed in paragraph 4 of the report;
- (v) To note the outturn position for the 2010/11 Financial Health Indicators as set out in Appendix B to the report;
- (vi) To note the outturn position of the Council's Capital Programme as set out in paragraph 6 of the report;
- (vii) The capital budget adjustments and funding from borrowings totalling £4.4m as detailed in paragraph 6.7 of the report;
- (viii) The carry forward of items from the 2010/11 Capital Programme into the 2011/12 and future years' Capital Programme as set out in Appendix D to the report, subject to a final review by the Corporate Director of Finance and Commercial Services;
- (ix) The roll back of 2011/12 funding to meet 2010/11 Capital Programme costs incurred ahead of schedule as set out in Appendix E to the report;

- (x) The appropriate re-phasing of 2010/11 - 2012/13 capital budgets where expenditure is out of line with actual expenditure; and
- (xi) To note the outturn position for the 2010/11 Prudential Indicators as set out in Appendix F to the report.

4. Housing Capital Investment Programme and Housing Asset Management Strategy

The Cabinet Member for Housing presented a report on the proposed Housing Capital Investment Programme for 2011/12 and the longer-term proposals for investment in Council housing stock which are to be contained in the Housing Asset Management Strategy, due to be presented to Cabinet later this year.

The investment programme for 2011/12 proposed expenditure of £13.498m on a range of projects and officers clarified particular issues raised in respect of the high rise surveys project and remedial works to Oldmead and Bartlett Houses to resolve a problem with low water pressure. The Divisional Director of Assets and Commercial Services confirmed that all projects within the programme would undergo value for money assessments prior to any works being carried out.

The Leader remarked on the reference in the report by the Corporate Director of Finance and Resources to a shortfall of £1m in the funding of the programme and reminded officers that reports should not come before Cabinet with unresolved financial issues. The Corporate Director of Customer Services acknowledged the Leader's point and confirmed that the funding issue had been resolved, with the sum being met from the Leaseholder Reserve fund.

The Cabinet Member referred to the four main threads within the longer term Housing Asset Management Strategy, namely the Decent Homes investment programme, the Estate Renewal programme, the New Build programme and the accessing of additional sources of investment / funding. He also spoke on the benefits that the new national Housing Revenue Account (HRA) self-financing system would bring to the Council and its tenants when it is introduced in April 2012, adding that the £20m+ per annum that this Council had been required to pay to Central Government under the Housing Subsidy system would now be able to be directed to improving and enhancing the Council's housing stock.

Cabinet agreed:-

- (i) The prioritised housing investment programme of works for 2011/12 as set out in Appendix 1 to the report;
- (ii) To delegate authority to the Corporate Director of Customer Services, in consultation with the Cabinet Member for Housing and the Divisional Director of Legal and Democratic Services, to agree in accordance with the Council's CPMO gateway programme the procurement strategies, terms and conditions and award of contracts for the schemes set out in Appendix 1; and
- (iii) That all Councillors be advised of the details of each of the projects listed in Appendix 1 prior to works commencing.

5. Carers Strategy 2011 -15

Cabinet received a report from the Cabinet Member for Health and Adult Services on the inaugural Barking and Dagenham Carers Strategy for the period 2011 to 2015 and proposals for the future provision of the Carers Support Service, the current contract for which expires in March 2012.

The Divisional Director of Adult Commissioning advised that the aims of the "Caring for Carers in Barking and Dagenham" strategy were to bring together the key services for carers and emphasise the borough's continuing commitment to supporting carers. The Divisional Director highlighted the key priorities for improvement, shared with the national strategy, of 'Identification and recognition', 'Realising and releasing potential', 'A life outside caring' and 'Supporting carers to stay healthy' and, in response to a point raised, undertook to provide Cabinet Members with details of the information that the Council holds on the number of adults who live with their children as part of their care.

Cabinet **agreed**:-

- (i) The Barking and Dagenham Carers Strategy 2011-15 and associated action plan, as contained in the appendices to the report;
- (ii) The proposals for the review and re-tendering of the current Carers service, to link to the aims and outcomes of the Strategy; and
- (iii) To authorise the Corporate Director of Adult and Community Services, in consultation with the Corporate Director of Finance and Resources and the Divisional Director of Legal and Democratic Services, to award the contract to the successful contractor on completion of the procurement process.

6. Charging for Credit Card Use

This report was deferred pending further consideration of the proposals.

7. Approval of Second Local implementation Plan

Further to Minute 63 (23 November 2010), the Cabinet Member for Environment presented a report on the Second Local Implementation Plan (LIP2) setting out the Council's transport strategy for 2011/12 to 2013/14.

The draft LIP2 had been the subject of extensive consultation and while the fundamental principles of the LIP2 were unaffected several amendments had been put forward, the main aspects being a new indicator to monitor bus journey time, reference to the importance of River Roding Bridge for the Barking to Royal Docks Bus Corridor scheme and added emphasis given to residential 20 mph zones.

In respect of bus services, the Cabinet Member for Environment advised that he had recently attended a meeting with Transport for London (TfL) where the provision of additional bus services in the borough has been raised and while TfL had acknowledged that there was a need to increase capacity it was unable to give any firm commitments. Officers confirmed that the former University of East London site development included a Section 106 funding agreement towards an enhanced No. 5 bus service, and it was suggested that the No. 238 route should

also be taken into account.

Cabinet agreed to **recommend the Assembly** to approve the updated Second Local Implementation Plan (LIP2) for submission to TfL.

8. Tendering of the Marketing Design Contract

The Leader presented a report on proposals to procure a new framework agreement to provide marketing design services, which followed a restructuring of the Council's Marketing and Communications team and the creation of an in-house designer post.

Cabinet **agreed**:-

- (i) The procurement of a Framework Agreement for the supply of design services as set out in the report; and
- (ii) To authorise the Chief Executive, in consultation with the Corporate Director for Finance and Resources, to award the contract upon conclusion of the procurement process.

9. Urgent Action - Dagenham Park Church of England School: BSF Contract Variation and Funding Support

Further to Minute 44 (28 September 2010), Cabinet received and noted a report from the Chief Executive on the action taken on 31 May 2011 under the Urgent Action provisions of paragraph 17 of Article 1, Part B of the Council's Constitution, in approving the following:

- (i) A loan of £650,000 to Dagenham Park Church of England School to support the proposed changes to the Building Schools for the Future (BSF) Private Finance Initiative (PFI) scheme to provide much needed additional learning space within the school, as detailed in the private and confidential appendices to the report;
- (ii) That the loan be repaid by the School over three years, as set out in Option 3 of the report; and
- (iii) That instructions be given to the BSF Local Education Partnership (LEP) for a variation of the works to Dagenham Park Church of England School as specified within the PFI contract.

10. Private Business

Agreed 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 paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

11. Contract for the Provision of a Homelessness Service for Young People

Cabinet received a report from the Cabinet Member for Health and Adult Services on the outcome of a review of the three existing contracts for the provision of

supported accommodation services to vulnerable young people, families and mothers and babies.

The Divisional Director of Adult Commissioning advised that the review had identified a number of benefits that could be achieved through the redesign of the services and the letting of new contracts, and the report included details of the procurement proposals. The Divisional Director placed on record her thanks to the Cabinet Members for Health and Adult Services and Children and Education for their contributions to the review exercise and the development of the way forward.

Cabinet **agreed**:-

- (i) The remodelling of existing supported accommodation services;
- (ii) The procurement of supported accommodation services as detailed in the report; and
- (iii) To authorise the Corporate Director of Adult and Community Services, in consultation with the Corporate Director of Finance and Resources and the Divisional Director of Legal and Democratic Services, to award the contracts to the successful contractors on completion of the procurement process.

CABINET

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS

Title: 2010/11 Budget Monitoring Report: April 2011 to May 2011	For Information
<p>Summary:</p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the two months to the end of May 2011.</p> <p>The Council began the current financial year in a better financial position than the previous year with a General Fund (GF) balance of £10.8m. The robust budget setting process has resulted in a more meaningful and deliverable 2011/12 budget.</p> <p>At the end of May 2011, total Service expenditure (taking account of the planned in-year savings) for the full year is projected to be £190.1m against a budget of £183.4m, a projected overspend of £6.7m. The overspends arise in Children's Services (safeguarding cost pressures), Customer Services (reduced income from parking and cost pressures in Housing and Environmental divisions) and Resources and Finance (due to budget errors in Revenue and Benefit income). Further explanatory summaries are contained in section 3 for this report.</p> <p>The 2011/12 budget includes a planned contribution of £1.5m to further improve GF balances. The current projected service pressures of £6.7m, less the planned contribution to balances, could result in the General Fund balances reducing to £5.6m and action plans are being developed to mitigate the forecast overspend.</p> <p>The Housing Revenue Account (HRA) is currently projected to meet its target of break-even. The HRA is a ring fenced account and cannot make contributions to the General Fund.</p> <p>The Capital Programme has been updated to reflect project roll-overs and changes approved at Cabinet on 14 June and stands at £145.9m. This represents the position on all the schemes in the capital programme and reflects roll-forwards agreed by Cabinet on 14 June 2011. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur.</p> <p>Wards Affected: None</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to note:</p> <ul style="list-style-type: none"> (i) the initial projected outturn position for 2011/12 of the Council's revenue and capital budget as detailed in paragraphs 3 and 5 of the report; (ii) the position for the HRA as detailed in paragraph 4 of the report; (iii) the position of the Contingency fund as detailed in paragraph 3.1.5 of the report; (iv) the updated Capital budget as detailed in paragraph 6 of the report. 	

<p>Reason(s)</p> <p>As a matter of good financial practice, the Cabinet should be regularly updated with the position on the Council's budget. In particular, this paper alerts Members to particular efforts to reduce in year expenditure in order to manage the financial position effectively.</p>		
<p>Comments of the Chief Financial Officer</p> <p>This initial review of 2011/12 performance indicates that the council continues to face significant pressures in its Environmental Services division. The Corporate Director of Customer Services has initiated a detailed review of this area and progress will be reviewed and reported. The Corporate Director of Finance and Resources continues to monitor actions to control spend and departments savings targets set within the budget are delivered.</p>		
<p>Legal Comments</p> <p>Previous reports have advised Members of the obligation upon a billing authority to set a balanced budget each year by virtue of section 32 Local Government Finance Act 1992 taking account of required expenditure, contingencies and reserves among other things. Section 43 makes corresponding provision for major precepting authorities. Those sections require the relevant authorities to set an 'appropriate' level of reserves for the year in question. The reserves may be drawn upon during the year even if as a result they fall below the minimum. Members will note the reported position and comments made in relation to reserves and the budget position for this year going forward.</p> <p>Similarly Members are reminded of the Council's ongoing duty under section 28 Local Government Act 2003 to keep its financial position under review and if it appears that there has been a deterioration in its position it must take such action as it considers necessary to deal with the situation. It is to be noted that a robust financial position based on effective past measures is here reported. Members will wish to be satisfied that appropriate actions are being taken to deal with any projected overspends and deliver services in the tougher economic climate the council finds itself in.</p>		
<p>Head of Service: Jonathan Bunt</p>	<p>Title: Divisional Director of Finance</p>	<p>Contact Details: Tel: 020 8724 8427 E-mail: jonathan.bunt@lbbd.gov.uk</p>
<p>Cabinet Member: Councillor Geddes</p>	<p>Portfolio: Finance, Revenues and Benefits</p>	<p>Contact Details: Tel: 020 8227 2116 E-mail: cameron.geddes2@lbbd.gov.uk</p>

1. Background

- 1.1** The Outturn report to Cabinet on 14 June 2011 reported that, as at 31 March 2011, general fund balances stood at £10.8m, an increase of £2.8m on the position twelve months earlier. This position will be confirmed following completion of the audit of the Council's Statement of Accounts.
- 1.2** This report provides a summary of the Council's General Fund (GF) revenue and Capital positions and the HRA. It also provides an update on progress made to date in the delivery of the agreed savings targets built into the 2011/12 budget setting out risks to anticipated 2010/11 savings and action plans to mitigate the risk.
- 1.3** It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. This is achieved within the Council by monitoring the financial results on a monthly basis through briefings to the Cabinet Member for Finance, Revenues and Benefits and reports to Cabinet. This ensures Members are regularly updated on the Council's overall financial position and enables the Cabinet to make relevant financial and operational decisions to meet its budgets.
- 1.4** The report is based upon the core information contained in the Oracle general ledger system supplemented by examination of budgets between the budget holders and the relevant Finance teams. In addition, for capital monitoring there is the work carried out by the Capital Programme Management Office (CPMO).

2 Current Overall Position

- 2.1** The current Service Department revenue projections (before the planned contribution to balances of £1.5m) indicate an overspend of £6.7m for the end of the financial year of which:
- £1.3m arises from budget pressures in Children's Service due to continuing safeguarding and placement costs;
 - £1.1m arises from reduced income from parking charges and cost pressures in Environmental Services;
 - £1.9m in Finance and Resources due to recharge errors in Revs and Bens and debt recovery risk in Housing Benefit overpayments.

The initial net forecast of £5.2m (£6.7m less £1.5m) would result in the Council's General Fund balance falling below the budgeted target of £10.0m. The Chief Finance Officer has a responsibility under statute to ensure that the Council maintains appropriate balances. Actions have already been put in place to reduce the Council's cash out-goings.

- 2.2** In the report to Members regarding the setting of the 2011/12 annual budget and Council Tax, the Corporate Director of Finance and Resources, after consideration of the factors outlined in the CIPFA guidance on Local Authority Reserves and Balances 2003, set a target GF reserves level of £10.0m. The General Fund balance at 31 March 2011 (subject to audit) was £10.8m and the current projected balance for the end of the financial year (including the planned contribution to balances of £1.5m) is £5.6m.

The HRA budget for 2011/12 was set at break-even for the year leaving the surplus for 2010/11 of £4.5m (subject to audit) unchanged at the end of 2011/12.

	Balance at 1 April 2011	Projected Balance at 31 March 2012	Target Balance at 31 March 2012
	£000	£000	£000
General Fund	10,831	5,602	10,000
Housing Revenue Account (including Rent Reserve)	4,450	4,450	4,450

2.3 The current full year projection to 31 March 2012 across the Council for the General Fund is shown in the table below.

Council Summary	Net Budget £'000	Full year projection at May 2011 £'000	Over/(under) Budget Projection £'000
<u>Service Expenditure</u>			
Adult and Community Services	64,749	64,749	-
Children's Services	65,144	68,944	1,300
Customer Services	26,858	27,858	1,050
Finance & Resources	13,392	15,321	1,929
Chief Executive Office	591	591	-
General Finance	12,608	12,608	-
Total Service	183,382	190,111	6,729
Planned Contribution to Balances			(1,500)
Total Projection at end of May			5,229

2.4 Additional to the pressures identified in the tables above are other issues where the financial consequence is not yet known and where Directors and Head of Services are attempting to manage these issues.

3 General Revenue Services

The key areas of potential overspend and risks are outlined in the paragraphs below.

3.1 Adult and Community Services:

Departmental Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	69,951	64,789	64,789
Projected overspend			nil

The department is projecting a break-even position for the year end but is facing severe pressure at the interface with local hospitals and the Primary Care Trust (PCT).

The department is managing its overall budget which includes a savings target of £4.6m (6.5% of its outturn for 2010/11) and the management team have a track-record of dealing with in year issues and pressures to ensure the delivery of a balanced budget.

3.2 Children's Services:

Departmental Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	61,913	65,144	66,444
Projected overspend			1,300

Children's Services are still experiencing significant pressures on the Placements budget of £3.2m. This level of pressure is in line with placements overspend from 2010/11. There is currently a Placements Recovery plan in place to manage down this pressure which is monitored and challenged on a monthly basis.

In order to bring down the service to a year end position of £1.3m overspend, the Director of Children's Services is currently reviewing all the other service areas for additional in year savings. It has also been agreed that some of the savings proposed for 2012/13 will be brought forward and realised during 2011/12, in order to further reduce the placements pressure.

Children Services are also working closely with the internal Legal Practice to ensure that the £600k overspend incurred in 2010/11 does not occur in 2011/12 and is managed down as far as possible.

In terms of the delivery of the £4.5m savings agreed for 2011/12, some slippage has been identified relating to the organisational efficiency saving of £1.6m and Divisional Directors are in the process of identifying additional savings to mitigate against this. At present, Children Services are on track to deliver the £4.5m savings.

Dedicated School Grant (DSG)

The Children's Service budget includes £184.0m (2010/11; £155.3m) in respect of DSG.

3.3 Customer Services:

Departmental Summary (adjusted for Revs & Bens)	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	26,423	26,858	27,908
Projected overspend			1,050

At the end of May 2101 the Department is forecasting a full year overspend of £1.0 subject to the effective management of significant budget pressures in Environmental Services (£0.875m) and General Housing provision (£0.175m). The current budget pressures are summarised below:

- Environmental Service pressures mainly arise from reduced income (parking £0.5m and Trade Waste £0.3m)), higher staffing costs (£0.3m) and higher repair workshop costs (£0.2m) in part offset by £0.3m savings in Trading Standard and increased income from Barking Market. A zero based budgeting project is currently underway to challenge the cost and operational base of the Environmental Services division which should assist in controlling the current level of overspend in this area.
- The General Housing overspend arises from increased demand for “bed and breakfast” accommodation which cannot be recovered through Housing Benefit. An action plan is in place to maximise the use the Council’s own housing stock is progressing and is expected to reduce the projected overspend.

3.4 Finance and Resources:

Departmental Summary Adjusted for Revs&Bens and CEO	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	11,805	13,392	15,321
Projected overspend			1,929

The department is projecting an overspend of £1.9m reflecting the continuing risk of debt recovery in Housing Benefit overpayments (£0.4m) and a shortfall in Revenue and Benefit income recharges (£1.5m).

Increasing focus on debt management through the Elevate partnership is expected to mitigate the debt recovery risk and the Corporate Director of Finance & Resources is currently reviewing the income recharges in Revenues and Benefits. These areas will be closely monitored and progress reported through the year to manage the risk of overspend.

3.5 Chief Executive Office:

Departmental Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	1,385	591	591
Projected overspend			-

The Chief Executive Office includes Legal & Democratic Services and Corporate Policy & Corporate affairs which were reported as part of Resources and Finance in 2010/11. The department is currently projected to meet its budget.

3.6 General Finance:

Departmental Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	(19,482)	12,608	12,608
Projected overspend			-

General Finance is projecting a breaking-even position for its budget at the end of May. A more accurate position will be available following the completion of the closure of accounts process at the end of June.

4 In Year Savings targets

The delivery of the 2011/12 budget is dependent on meeting substantial savings targets. Departmental management teams are monitoring their targets and providing a monthly update of progress which is summarised below:

Departmental Summary Savings Targets	Target £000	Projection £000	Shortfall/at risk £000
Adult and Community Services	4,620	4,620	-
Children's Services	4,500	4,500	-
Customer Services	4,264	3,110	1,154
Finance & Resources	2,960	2,960	-
Chief Executive Office	-	-	-
General Finance	4,000	4,000	-
Total	20,344	19,190	1,154

The savings shortfalls have been included in the departmental projections set out in section 3 above.

5 Housing Revenue Account

The HRA is currently projected to meet its target of a break-even budget for 2011/12.

6 Capital Programme

The capital programme budget has been updated to reflect the capital roll forwards approved by Cabinet on 14 June and the full departmental analysis of capital projects will be provided with the June report.

Departmental Summary Capital	Original Budget £000	Revised Budget £000	Projected Outturn £000	Projected (under)/overspend £000
Adult and Community Services	10,963	12,611	14,022	1,411
Children's Services	70,785	65,232	69,875	4,643
Customer Services	38,016	48,598	33,995	(14,603)
Finance & Resources	15,680	19,458	21,731	2,273
Total	135,444	145,899	139,623	(6,276)

The under-spend in Customer Services is due to budgets yet to be allocated to projects. This issue will be resolved in June. Over-spends in the other service areas are mainly due to budgets needing to be allocated to the correct project. These budget issues will be addressed in June.

7 Legal Issues

The legal issues are covered in the section “Comments of the Legal Partner” earlier in the report.

8 Other Implications

- **Risk Management**

The risk to the Council is that if the currently projected overspends are not eliminated the level of balances will fall to a level which is below that recommended by the Corporate Director of Finance and Resources.

- **Customer Impact**

As far as possible all restraints have been placed on non-essential services spend. Some cuts may directly or indirectly affect customers but every effort will be made to mitigate any impact on front line services. All departments are required to consider the equalities impacts of their savings plans, and to put in place mitigating actions where necessary. A global equalities impact assessment was reported to Assembly as part of agreeing the 2011/12 annual budget and Council Tax.

- **Safeguarding Children**

All actions taken to mitigate the overspend of the placements budget in Safeguarding and Rights will need to be undertaken within a risk management framework to ensure that the safeguarding needs of individual children are not compromised.

9 Background Papers Used in the Preparation of the Report:

- Provisional Revenue and Capital Outturn 2010/11; Cabinet 14 June 2011
- Budget and Medium Term Plan 2011/14; Cabinet 26 February 2011

THE CABINET

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS

Title: Treasury Management Annual Report 2010/11	For Decision
<p>Summary:</p> <p>Recent changes in the regulatory environment now place a greater onus on Elected Members for the review and scrutiny of treasury management policy and activities. This report (The Treasury Management Annual Report) is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by the Assembly.</p> <p>This report presents the Council's outturn position in respect of its treasury management activities during 2010/11 financial year. The key points to note are as follows:</p> <ul style="list-style-type: none"> ➤ Investment income for the year was £1.4m; ➤ There was no borrowing in 2010/11 to finance the capital programme as, in line with part of the 2010/11 original treasury management strategy, the Council relied on internal borrowing; and ➤ The Council did not breach its 2010/11 authorised borrowing limit of £200m and also complied with other set treasury and prudential limits. <p>Wards Affected: This is a regular annual report of the Council's treasury management position and applies to all wards.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is asked to recommend that the Assembly:</p> <ol style="list-style-type: none"> a) Note the Treasury Management Annual Report for 2010/11; b) Note that the Council complied with all 2010/11 treasury management indicators; c) Approve the actual 2010/11 prudential and treasury indicators in this report; d) Note that the Council did not borrowing in 2010/11 to finance its capital program but utilised internal cash in line with its strategy; and e) With regards the Housing Revenue Account Reform - agree in principle that the Council can borrow in advance of need for the Housing Revenue Account Reform should market opportunities become available and DCLG provides directive before 1 April 2012. Such a move by the Council will be after careful evaluation by the Corporate Director of Finance & Resources in conjunction with the Council's treasury management advisers. It is anticipated that the authorised limit will be in the region of £281m. f) Agree in principle that the Council can raise finance for the HRA reforms using any or a combination of the following instruments – corporate bonds, public bonds, bonds via a pooled Issuance vehicle, bank debt for example vanilla type loans or LOBO and Public Works Loan Board debt. 	

<p>Reason(s) This report is required to be presented to the Assembly in accordance with the Revised CIPFA Code of Practice for Treasury Management in the Public Services.</p>		
<p>Implications:</p> <p>Financial: This report sets out the outturn position on the Council's treasury management position and is concerned with the returns on the Council's investments as well as its short and long term borrowing positions.</p> <p>Legal: No comments to add.</p> <p>Risk Management: The whole report concerns itself with the management of risks relating to the Council's cash flow. The report mostly contains information on how the Treasury Management Strategy has been used to maximise income throughout the past year.</p> <p>Social Inclusion and Diversity: No specific implications.</p> <p>Crime and Disorder: No specific implications.</p> <p>Options Appraisal: Insofar as this report is concerned an options appraisal is not required.</p>		
<p>Cabinet Member Cllr Cameron Geddes</p>	<p>Finance Revenues and Benefits</p>	<p>Contact Details: Tel 020 8724 2892 E-mail: Cameron.geddes2@lbbd.gov.uk</p>
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1. Purpose of Report

- 1.1. The Council is required through regulations issued under the Local Government Act 2003 (as amended 2010) to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2010/11.
- This report also reviews the external cash portfolio managers for the financial year. The report has been produced in accordance with the Revised CIPFA Code of practice for Treasury Management in the Public Services 2009 adopted by this Council on 16 February 2010 and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 1.2 This Annual Treasury Report covers:

- The Council's treasury position as at 31st March 2011;
- Annual Strategy Statement 2010/11;
- Economic Factors in 2010/11;
- Performance Management in 2010/11;
- Borrowing Outturn;
- Treasury Management costs in 2010/11;
- Compliance with treasury limits and treasury indicators; and
- Lending to Commercial and External Organisations
- HRA Reform

2. Treasury Position as at 31 March 2011

2.1 The Council's debt and investment position at the beginning and end of the financial year was as follows;

	31 st March 2011 Principal £'000	Rate /Return	Average Life (yrs)	31 st March 2010 Principal £'000	Rate/ Return	Average Life (yrs)
Fixed Rate Funding:						
PWLB	30,000	4.057%	3.18	30,000	4.057%	3.18
Variable Rate Funding:						
PWLB	0	0	0	0	0	0
Market	40,000	2.365%	57.52	40,000	2.240%	58.55
Total Debt	70,000	3.090%	34.23	70,000	3.019%	34.82
Investments						
In-House	38,790	1.66%		53,172	3.52%	
External Managers:						
Investec	28,292	1.18%		28,007	1.38%	
SWIP	11,432	1.19%		18,785	3.48%	
RBS	15,000	0.72%		15,000	2.86%	
Total Investments	93,514	1.33%		114,964	2.69%	

3. Annual Strategy Statement 2010/11

3.1 The Assembly endorsed the annual strategy for 2010/11 on the 24th February 2010.

3.2 The key points from that strategy were:

- To set an authorised borrowing limit of £200m;
- After careful consideration of rate forecast that the Council's in-house team and external investment managers would perform against a benchmark of the higher of 1.5%, or the "3 Month LIBID rate" was set. This ensured that we provided sufficient challenge to our external fund managers;
- That the Council and its fund managers will have regard to the Council's investment priorities being:
 - (a) The security of capital; and

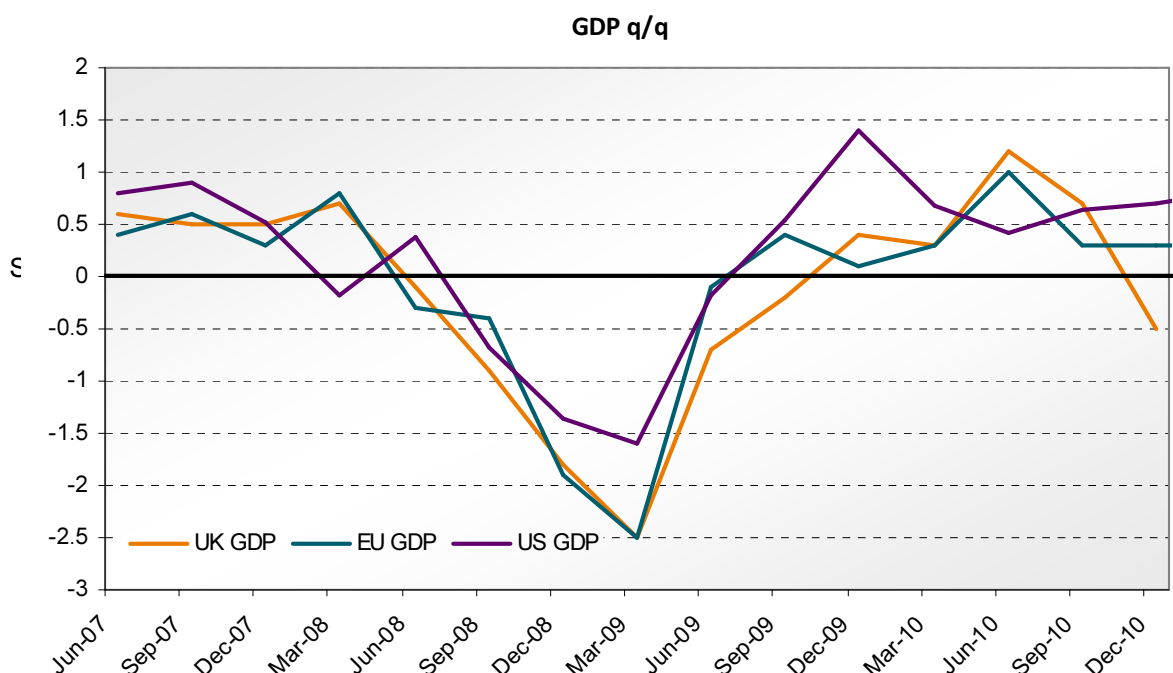
(b) The liquidity of its investments

- That the Council and its fund managers adhere to the procedures set for use of different classes of asset (specified and non-specified) and the maximum periods which funds can be committed;
- That the Council and its fund managers adhere to its counterparty limits;
- The Council would operate both borrowing and investment portfolios at short and long term periods and as a consequence reduces the risk of being impacted by a sharp unexpected rise in short-term variable interest rates; and
- That the Council maintain a balance of funding at shorter-term rates to match short-term investments thus maintaining balanced treasury risk.

4. Economic Factors in 2010/11

- 4.1 The focus in 2010/11 was on sovereign debt issues rather than individual institutions. Local authorities were also presented with changed circumstances following the unexpected change of policy on Public Works Loan Board (PWLB) lending arrangements in October 2010. This resulted in an increase in new borrowing rates of 0.75 – 0.85%, without an associated increase in early redemption rates. This made new borrowing more expensive and repayment relatively less attractive.
- 4.2 UK growth proved mixed over the year. The first half of the year saw the economy outperform expectations, although the economy slipped into negative territory in the final quarter of 2010 due to weather conditions.
- 4.3 Gilt yields fell for much of the first half of the year as financial markets drew considerable reassurance from the Government’s debt reduction plans, especially in the light of Euro zone sovereign debt concerns

The table below shows GDP.



5.

5.1

The Council's investment policy is governed by CLG guidance, which was implemented in the annual investment strategy approved by the Assembly on 24 February 2010. The policy sets out the Council's approach for choosing investment counterparties.

5.2 Economic Issues Which Directly Impacted Treasury Management Performance

The major issue for treasury management in 2010/11 continues to be the huge difference between investment rates and borrowing rates which emerged during the recession due to the unprecedented fall in Bank Rate.

A further strong theme has been the major emphasis on mitigating risk by giving heightened preference to security and liquidity at a time when the world banking system was still under stress. In addition the issue of new CIPFA and statutory guidance on investing has meant that more of our investment portfolio is invested in instruments and counterparties which may sometimes have lower rates of return but **higher security and liquidity**. This has compounded the significant fall in total investment earnings compared to previous years.

5.3 Overall Performance

The Council earned £1.4million gross of fees in interest from its investments in 2010/11. This represented performance of 1.33% against a benchmark of 1.50%. This performance is against a back drop of 3 Month LIBID un compounded rate of 0.615% and 7 day LIBID un compounded rate of 0.433%.

5.3.1 Specific Performance

A proportion of the Council's cash is managed by cash managers – Scottish Widows and Investec, This is to provide diversification and reduce the risk in concentrating all of its investments in a few counterparties thereby ensuring security of capital. Unlike fixed deposits which the internal team trades in, most instruments used the cash managers can be traded at short notice thereby ensuring that the Council can maintain liquidity of its funds at short notice.

- **In-House Team**

The rate of return for the year was 1.66%. Performance was improved by investments fixed for long periods when interest rates were at around 6.0%. These matured in October 2010.

- **Investec**

The rate of return for the year was 1.17%. Performance in 2010/11 was adversely affected by consistent low interest rates through out the year.

- **Scottish Widows Investment Partnership (SWIP)**

SWIP's rate of return in 2010/11 was 1.19%.

5.3.2 Investment Funds Available

The level of investments available to the Council on the 1st April 2010 was £114.9m. This figure was made up of a range of balances including, revenue

reserves and general operational cash balances. The amount available for investment will vary throughout the financial year depending on:

- Use of investment funds ;
- Profile for the receipt of grants;
- Temporary use of internal cash to fund new capital projects rather than borrowing at periods of high borrowing interest rates; and
- Cash flow management.

At 31 March 2011 the level of investments had decreased to £93.5m. This position was anticipated through the regular monitoring and projections of cash flow movement and was in line with projections at the beginning of the year.

5.4 Management of Investment Funds

5.4.1 The Council's investments are managed by four sources being:

- Council In House Team including investments with Royal Bank of Scotland;
- Scottish Widows Investment Partnership Limited; and
- Investec Asset Management Limited.

The Council meets periodically with its two external investment managers as well as with its Investment Adviser to discuss financial performance, objectives and targets in relation to the investments and borrowing managed on behalf of the Council

5.4.2 Internally, the Council manages a proportion of its investments in-house. This is invested with institutions of high credit standing listed in the Council's approved lending list and specified limits. The Council invests for a range of periods from overnight to 30 days and one year and in some cases over one year dependent on the Council's cash flows, its treasury management adviser's view, its interest rate view and the interest rates on offer.

6. Borrowing Outturn

6.1 Debt Performance

As highlighted in section 2 above the average debt portfolio interest rate remained unchanged over the course of the year. The approach during the year was to use cash balances to finance new capital expenditure so as to run down cash balances and minimise counterparty risk incurred on investments. This also maximised treasury management budget savings as investments rates were much lower than most new borrowing rates. This strategy is expected to change in 2011/12 due to borrowing rates on the rise.

6.2 Debt Rescheduling and New Borrowing

Debt rescheduling opportunities have been limited in the current economic climate and consequent structure of interest rates following increases in PWLB new borrowing rates in October 2010. There was no debt rescheduling in 2010/11.

As investment rates continue to remain at an all time low, the council considered short term savings it could make by internally financing new capital expenditure using existing cash balances which are only earning minimal rates of interest due to the fact

that Bank Rate was kept at 0.5% all year. Using cash balances also meant reduced counterparty risk on the investment portfolio consequently no new borrowing took place in 2010/11.

7. Treasury Management Costs

- 7.1 The costs associated with the Treasury Management function comprises of a recharge of a proportion of the internal team's salary and senior officers salary, treasury management advisers fees and external managers fees.

The table below shows the treasury management costs for 2010/11

Salary Recharge	68,690
Treasury Management Software and other costs	6,465
Sector Treasury Limited	18,000
Investec Asset Management	33,606
Scottish Widows	24,178
	150,939

8. Compliance with Treasury and Prudential Limits

- 8.1 It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. The Council's approved Treasury and Prudential Indicators (affordable limits) are included in the approved Treasury Management Strategy
- 8.2 During the financial year to date the Council has operated within and complied with the treasury limits and Prudential Indicators set out in the Council's annual Treasury Strategy Statement. The Council's prudential indicators are set out in Appendix A to this report. In 2010/11, the Council did not bridge its authorised limit on borrowing of £200m. Operational limit set at the start of the financial year was £115m, however the final position was £147m.

9. Lending to commercial and external organisations

- 9.1 As part of our mitigation of risk strategies around delivering and continued value for money services with external organisations, the council should from time to time have the ability to make loans to external organisations.
- 9.2 Section 2 of the Local Government Act 2000 (power of well-being) gives authorities the power to lend as part of promotion or improvement of economic /social wellbeing of the Borough. The guidance encourages local authorities to use the well-being power as the power of first resort removing the need to look for powers in other legislation. Further the power provides a strong basis on which to deliver many of the priorities identified by local communities and embodies in community strategies. The Corporate Director of Finance & Resources determines the rates and terms of such loans.

10. Housing Revenue Account Reform

10.1 2010/11 saw the start of the abolition of the Housing Revenue Subsidy System in England and the introduction of the Housing Revenue Account Reform. Key factors are as follows:

- Limit on housing borrowing for each Council
- Borrowing must be affordable nationally as well as locally
- The new method is anticipated to be more generously funded

Although a Housing initiative, treasury management is impacted considerably because of the borrowing implications for the Council. Council's are therefore expected to have a suitable borrowing strategy in place before the final self-financing determinations is issued by DCLG in January 2012. It is expected that self- financing will commence in April 2012.

10.2 Should market opportunities become available which will facilitate borrowing at favourable rates, the Council may borrow in advance of need after careful consideration by the Corporate Director of Finance & Resources, legislation facilitating this from CLG and advice from its treasury management advisers. Based on current data it is anticipated that the authorised limit for the HRA will be around £281m, though this is subject to further clarification due to the Council's Estate Renewal programme.

10.3 The Council is currently working on the suitability which of the borrowing instruments available which could be used as a source of financing the repayment to DCLG on 1st April 2012. These include Public Works Loan Board (PWLB), Bank debt – Lenders option Borrowers Option (LOBO), Short term bank debt to assist with any transition periods it may require, Public Bonds, Private Placements and Pooled Issuance with other local authorities coming together to issue bonds under a pooled vehicle.

10.4 Assuming that the localism Bill receives Royal Assent later this year. In determining the suitability of which instrument to use, the Corporate Director of Finance & Resources will take advice from the Council's treasury adviser, banks and legal team on issues like when to access the market, how to structure the debt, overall portfolio and appropriate balance in terms of maturities, views on the direction of interest rates and risk management solutions.

11. Conclusions

11.1 The key conclusions to draw from this report are as follows:

- a) That the Council complied with prudential and treasury indicators in 2010/11 financial year;
- b) That the value of investments as at 31st March 2011 totalled £93.5million; and
- c) That value of long term borrowing as at 31st March 2011 totalled £70m. This comprised both market and Public Works Loans Board (PWLB) loans and remained unchanged from 2010.

Background Papers

- Assembly Report 24 February 2010 - Treasury Management Annual Strategy Statement 2010/11

- Revised CIPFA Code of Practice for Treasury Management in the Public Services 2009
- Sector Treasury Management Update. Quarter ended 31 March 2011.

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The Prudential Code for Capital Investment in Local Authorities

Treasury Management Outturn Report 2010/11

1. Introduction

- 1.1. There are a number of treasury indicators which previously formed part of the prudential code, but which are now more appropriately linked to the Revised Treasury Management Code and guidance 2009. Local authorities are still required to “have regard” to these treasury indicators.
- 1.2 The key treasury indicators which are still part of the Prudential Code are:
- Authorised limit for external debt
 - Operational boundary for external debt
 - Actual external debt

2. External Debt

- 2.1 In the medium term local authorities only have the power to borrow for capital purposes.
- 2.2 **The authorised limit** – This sets the maximum level of external borrowing on a gross basis (i.e. Not net of investments) and is the statutory limit determined under Section 3 (1) of the Local Government Act 2003 (referred to in the legislation as Affordable Limit).
- 2.3 **The operational limit** – This links directly to the Council’s estimates of the CFR and estimates of other cash flow requirements. This indicator is based on the same estimates as the Authorised Limits reflecting the most likely prudent but not worst case scenario but without the additional headroom included within the Authorised Limit for future known capital needs now. It should act as a monitor indicator to ensure the authorised limit is not breached.
- 2.5 For this reason the Assembly is recommended to approve the authorised limits and operational boundary limit set out in Table 1.

Table 1: Operational Limit and Authorised Borrowing Limits

	2010/11 Actual £'000	2011/12 Estimate £'000	2012/13 Estimate £'000	2013/14 Estimate £'000
Capital Programme Borrowing Requirement (Cumulative)	121,164	167,084	172,377	172,761
Alternative Financing Arrangements:				
Current PFI Scheme on Balance Sheet	25,262	24,803	24,296	23,737
Finance Leases – Schools	373	272	149	0
Finance Leases - Vehicles	0	10,000	10,000	10,000
Total Alternative Financing Arrangements	25,635	35,075	34,445	33,737
Total Borrowing liability	146,799	202,159	206,822	206,498
Approved Operational Boundary on Borrowing	115,000	227,081	230,924	240,740

Approved Authorised Limit (affordable limit)	200,000	257,081	280,924	290,740
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3.0 Limits for Fixed and Variable Interest Exposure

- 3.1 The following prudential indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for variable rate exposure has been set to ensure that the Council is not exposed to interest rate rises which could adversely impact on the revenue budget.

The Council's existing level of fixed interest rate exposure is 42.86% and variable rate exposure is 57.14%, however it is recommended that the limits in place for 2011/12 are set to ensure flexibility and fluctuations in long term interest rates.

The table below shows the fixed and variable interest rate exposure

	2010/11 Actual %	2011/12 Estimate %	2012/13 Estimate %	2013/14 Estimate %
Upper limit for fixed interest rate exposure	43	100	100	100
Upper limit for variable interest rate exposure	57	70	70	70

Maturity Structure of Fixed Rate Borrowing

- 3.2 This prudential indicator deals with projected borrowing over the period and the rates that they will mature over the period.

	Actual position %	Upper Limit %	Lower Limit %
Under 12 months	0	20	0
12 Months and within 24 months	33.3	40	0
24 months and within 5 years	66.7	70	0
5 years and within 10 years	0	70	0
10 years and Over	0	60	0

Investments over 364 days

- 3.3 The overriding objective of the investment strategy is to ensure that funds are available on a daily basis to meet the Council's liabilities. Taking into account the current level of investments, and future projections of capital expenditure, the following limits will be applied to sums invested:

Principle Sums Invested

	2010/11 £'000 Actual	2011/12 £'000 Estimate	2012/13 £'000 Estimate	2013/14 £'000 Estimate
Total Investments	93,514	90,555	91,913	94,211

(average)				
Maximum invested under 1 year	78,514	90,555	91,913	94211
Maximum invested over 1 year	15,000	50,000	50,000	50,000
Maximum invested over 2 years	0	20,000	20,000	20,000
Maximum invested over 3 years	0	20,000	20,000	20,000

3.4 Upper Limit of Fixed Interest Rate Exposure net of Fixed Investment

	2010/11	2011/12	2012/13	2013/14
Limits	-127.6%	100%	100%	100%
£'000	£30,000			

3.5 Upper Limit for Variable Interest rate Exposure net of variable investment

	2010/11	2011/12	2012/13	2013/14
Limits	70%	70%	70%	70%
Actual	227.6%			
£'000	-£53,511			

4. **Summary Assessment**

- 4.1 The outturn position is set out above in respect of the Prudential Indicators approved by Assembly in February 2010.
- 4.2 The outturn figures confirm that the limits and controls set for 2010/11 were applied throughout the year, and that the treasury management function adhered to the key principles of the CIPFA Prudential Code of **prudence, affordability** and **sustainability**. The treasury management indicators were regularly monitored throughout 2010/11, however the operational limit was breached, this is however not a statutory limit.

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CABINET

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS

Title: Council Plan		For Decision
<p>Summary: A draft Council Plan has been prepared which aims to summarise the major actions and outcomes the Council aims to achieve over the coming year.</p> <p>The actions have been prioritised around the key aims and outcomes of the Councils policy framework – the ‘Policy House’, and are set in the context of the Medium Term Financial Strategy.</p> <p>Wards Affected: None</p>		
<p>Recommendation(s)</p> <p>The Cabinet is asked to recommend:</p> <p>i) the Assembly to approve the Council Plan as set out in Appendix 1 to this report.</p>		
<p>Reason(s)</p> <p>The Council Plan sets out the overarching aims of the Council, and contributes to a well-run organisation.</p>		
<p>Comments of the Chief Financial Officer</p> <p>The Council Plan and the aims within it reflect the budget approved by Assembly in February 2011 based on the priorities of the Council.</p>		
<p>Legal Comments</p> <p>The Legal Practice has been consulted in the preparation of this report and has no further comment to add.</p>		
<p>Cabinet Member: Cllr Cameron Geddes</p>	<p>Portfolio: Finance, Revenues and Benefits</p>	<p>Contact Details: Tel: 020 8724 2892 E-mail: cameron.geddes2@lbbd.gov.uk</p>
<p>Head of Service: Heather Wills</p>	<p>Title: Divisional Director Corporate Policy & Public Affairs</p>	<p>Contact Details: Tel: 020 8227 2786 E-mail: heather.wills@lbbd.gov.uk</p>

1. Background

- 1.1 It is good corporate governance to have a plan which sets out the major activities and outcomes which the organisation will achieve over the coming year. The plan should be driven by the Council's overarching policy framework (the 'Policy House') and set in the context of the Medium Term Financial Strategy.
- 1.2 The Council Plan for the period prior to 2011 can be seen here:
www.lbbd.gov.uk/CouncilandDemocracy/MeetingsAndPlans/Pages/Councilplans.aspx

2. Proposal

- 2.1 A draft Council Plan for 2011/12 has been prepared and appears at Appendix 1. It cannot aim to capture the whole span of activity in an organisation which delivers services as wide-ranging as the Council, but it seeks to highlight the most significant areas of work underway, particularly focusing on the Council's key aims of:
- raising household incomes
 - raising standards in school and post-16 education and
 - housing and estate renewal.
- 2.2 The actions which appear in the Council plan are reflected in team and individual action plans and targets, as part of the Council's performance management framework.

3. Financial Issues

- 3.1 The approved budget for 2011/12 reflects the Council's priorities and therefore the aims of the Council Plan. The budgets will be monitored throughout the year to ensure priorities are delivered within the approved amount and any variations reported to Cabinet.

4. Legal Issues

- 4.1 The legal issues are set out in the Legal Comments above.

5. Other Implications

5.1 Risk Management

The identification of clear priorities and actions to deliver against the priorities is part of a robust approach to risk management. Major risks associated with key activities are reflected in the corporate risk register, and risks of non-delivery of all actions are monitored through directorate risk management.

5.2 Customer Impact

The priorities and actions to achieve them identified in the action plan have been developed in response to customer consultation over a period of years. Equalities Impact Assessments are in place or in development to ensure that the needs of groups of people with particular needs are met as services are developed.

6. Options appraisal

- 6.1 There is no legal requirement to prepare a Council Plan, and so the Council has the option of not preparing one. However, it is good governance to do so.

7. Background Papers Used in the Preparation of the Report:

Council Plan 2008/11:

www.lbbd.gov.uk/CouncilandDemocracy/MeetingsAndPlans/Pages/Councilplans.aspx

8. List of appendices:

Appendix 1: Draft Council Plan

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London Borough of Barking and Dagenham

Council Plan 2011/12

Message from the Leader of the Council, Councillor Liam Smith

We are all aware that over the next few years we will face some tough challenges as an organisation. With public finances being squeezed by the Government, it's essential that we focus on the real priorities for local people.

That is why we have worked hard to set out a plan that will help deliver a more prosperous life for people in the borough.

Our key aims for the borough can be summarised as:

- raising household incomes
- raising standards in school and post-16 education and
- housing and estate renewal.

As a council we are moving forward with our plans for improvements to housing estates, ensuring that some of our most vulnerable citizens can live in the home that they deserve.

We will – for the third year in a row - freeze Council Tax to help local residents make ends meet. We will lobby the government for more funding to create jobs, ensure we have enough top quality school places, and continue to invest to make our communities better. We're already started work to build a new Skills Centre which will give our young people access to the highest quality training.

And now, as a Host Borough, we are part of the Olympics family, which will bring real jobs and new opportunities in the lead-up to 2012 and beyond. We can only capture some of this work in our Plan.

The reduction in our funding from government comes at a time when our community's needs are becoming ever more complex and our population is growing faster than in other parts of London and the country.

The challenge for the Council is so great that established ways to save money won't be enough. We have to think very differently about how we continue to deliver services on behalf of our community with much less money. We will re-prioritise and look at innovative ways to save funds while still protecting frontline services. That will inevitably mean more hard choices in the next three years.

We will deliver improved customer service, better value for money, and significant savings to council taxpayers. For example, through Elevate, our Joint Venture with Agilysis we will save about £70m over seven years, and our determination to review our services and reduce costs while improving quality will help save much more.

Our staff have not been paid a cost of living increase for the past two years. We have also reviewed interim and consultancy contracts, reduced our senior management costs by £2million and brought in a third staff voluntary severance/early retirement scheme to minimise the need for compulsory redundancies. And we have reduced spending on support services.

Our People Strategy sets out what we'll do to ensure we have the right organisation to meet all these challenges. The focus is on:

- Workforce planning – having the right people with the right skills
- Performance management and reward – rewarding good performance, addressing poor performance
- Well-being – creating a working environment where people can be productive
- Management development – ensuring our leaders and managers are equipped to fulfil their roles
- Employee engagement – keeping our people informed and making them feel part of the future.

We want to be an organisation which encourages innovation and initiative, where talent is developed and nurtured and people are treated fairly and with respect.

Together, Councillors, the senior management team, and staff from across the Council will work together to deliver our aims for the borough.

Councillor Liam Smith
Leader

Our borough

Barking and Dagenham is on the edge of London, one of the most prosperous regions in Europe, but is 21st of 354 authorities in the Index of Multiple Deprivation and has 14 of our 17 wards in the bottom 20%, none in the top 50%.

With the lowest household incomes in London, the borough is uniformly deprived and is unusual in the homogeneity of its socio-economic profile. The borough's overall ranking is 289/324 (bottom quartile) on the BBC/Experian Resilience Survey¹ Yet despite this, we are a lively, ambitious borough, dealing with the new strategic challenges we face in a range of innovative ways.

Improving the opportunities available to local residents and businesses to tap into the prosperity on their doorstep is the overriding priority. We have identified a need to ensure that more residents have appropriate skills and qualifications, and access to good quality training and development.

This focus, coupled with measures to support people into employment, is designed to have the maximum impact on the borough's future, especially focusing on those communities which are most excluded, and on those individuals who are finding the transition into work the most difficult.

Housing is a key concern for local residents, and with a community with one of the lowest household incomes in the capital, affordable housing is particularly important.

Our priority themes are:-

- Better together
- Better homes
- Better health and well-being
- Better future

underpinned by the theme, 'a well-run organisation'. Our Policy House sets out the outcomes we aim to achieve under each of these themes.

¹ This recent research ranks local authorities according to their economic resilience i.e. ability to withstand and respond to shocks in the external environment. The research themes are Business (strength of local business base), People (skills levels and contribution to the economy), Community (deprivation) and Place (house prices, crime, green spaces etc)

Building a better life for all

Raising household incomes

School and post-16 education

Housing & Estate renewal

		BETTER TOGETHER	BETTER HOME	BETTER HEALTH & WELL-BEING	BETTER FUTURE
THEMES		We all want our borough to be a place we can be proud of. Pride too in being good neighbours and in the respect we show to others. A real community, where local people have the confidence to be involved in the decisions that affect their lives, their street, their neighbourhood, their Borough. For that, people need to feel safe and to have confidence that the authorities are on their side. Building pride can't be done by the Council alone – we need to work with all our partners and with the voluntary sector and community groups to create a community everyone can take pride in.	More people want to live in our borough. That means we need a range of housing options, including both quality affordable/social housing and aspirational housing, for now and the future. But home is about more than just a house, and we want our streets, parks and estates to reflect people's pride in where they live. We have a vision for housing, for estates and better parks, that we want local people to share. With local residents' help we will make Barking & Dagenham somewhere where people can raise their family – knowing that their Council is working hard to make the Borough somewhere they can call home.	With the Olympics on the horizon we want our Borough to be a healthier, fitter place. Where people can get help to stop smoking, get the advice they need to lose weight and can exercise in pleasant surroundings. For the most vulnerable, and those less able, we believe in giving independence and choice – and we will continue to deliver quality social care to those who need it.	We want a borough that believes in opportunity – one that recognises and champions success, where people can look to the future with confidence, secured that their council will do what it can to provide the educational, academic and vocational opportunities they need. A borough of rising, not falling incomes. A working borough – where business and entrepreneurship is given the help it needs. A place where hard work is rewarded and where effort and determination are encouraged.
	OUTCOMES	<p>A borough in which people are proud and satisfied to live and work.</p> <p>A borough with low levels of antisocial behaviour, and where authorities support residents in getting problems solved.</p> <p>A borough where people feel safe in their neighbourhoods and town centres.</p> <p>A borough where people get involved – and feel included – in the decisions that affect them.</p> <p>A borough with a range of positive activities for young people.</p> <p>A borough with a thriving voluntary sector.</p> <p>A borough that safeguards children, young people and vulnerable adults.</p> <p>A borough where local people come together to make it a better place.</p>	<p>A borough with more affordable housing for local residents, with a particular focus on family-sized houses.</p> <p>A borough with improved estates and homes that people choose to live in, whether owned by the Council, other social landlords, privately rented or owned.</p> <p>A clean borough, with low levels of litter and graffiti and where residents look after their own homes and gardens.</p> <p>A borough with good quality transport, including public transport, roads and footpaths.</p> <p>A borough with excellent parks, play and cultural facilities.</p> <p>A borough with a safe home for every child.</p>	<p>A borough where people's health and fitness are improving, with fewer smokers, with more people taking exercise and where people take better care of their diet.</p> <p>A borough with excellent leisure and health facilities, in which people can exercise, play and relax.</p> <p>A borough with high quality social care services for those that need them.</p> <p>A borough where people with care needs are helped to live the life they want, with real choices about their lives and care.</p> <p>A borough which meets the needs of disabled children, young people and adults.</p>	<p>A borough with excellent schools, constantly improving and which are growing to meet the demands for pupil places.</p> <p>A borough with excellent – and improving – attainment through education and training.</p> <p>A borough of rising incomes.</p> <p>A borough that is great for doing business in, and where businesses are supported to thrive.</p> <p>A borough that reduces its waste and CO₂ emissions.</p>
		ECM: Stay Safe	ECM: Make a Positive Contribution	ECM: Be Healthy	ECM: Enjoy & Achieve
		ECM: Achieve Economic Wellbeing			
The Seven Principles of the Department of Health's Vision for Adult Social Care: Prevention, Personalisation, Partnership, Plurality, Protection, Productivity and People.					
MEMBERS' PRIORITIES 2010		<ul style="list-style-type: none"> Encourage schools to allow people who live nearby use of their facilities during evenings and at weekends Use all our powers to crack down on antisocial council tenants Keep youths off the streets by providing more positive things for young people to do Continue to hold one of England's largest St George's Day celebrations and celebrate other community events every year Bring zero tolerance on antisocial behaviour like spitting, littering, dog fouling and louts Install more CCTV cameras Make sure local people have a full say on all new developments 	<ul style="list-style-type: none"> Smarten up local shopping parades Continue to build new Council houses for local people Buy empty properties and put them back into Council house stock Extend the Eyesore Gardens campaign to whole borough, include shop fronts Continue to protect weekly waste collections Introduce a Landlords charter to force landlords to act responsibly Provide lots of things for young people during summer holidays Continue our road and footpaths investment programme Build a play area in all of the Borough's parks Push for the kind of developments at Dagenham Dock and Riverside that local people want and need Fight for access to Thames waterfront so local people can make the most of it 	<ul style="list-style-type: none"> Ensure every child can swim Champion older people's local facilities and their use by local older people Help our most vulnerable pensioners to keep their independence by looking after them in their own homes Continue to campaign for a community hospital in Dagenham 	<ul style="list-style-type: none"> Invest £270 million in local secondary schools Create more Council apprenticeships Keep Council tax levels down so they are lower than Havering and Redbridge Support local businesses by encouraging people to buy locally Champion and reward achievement by local school pupils Set up a small business task force to help people start their own business Fight for access to the Thames waterfront in the borough
A WELL RUN ORGANISATION THAT IS ...					
ORGANISATION	understanding and responds to its customers and citizens, and supports people to help themselves and their community; innovative, leaner, and more efficient with lower support costs and lower costs of assets; using technology to modernise working practices and open up new opportunities for sharing information and communicating better; taking opportunities for sharing costs, minimising waste, and maximising external funding; well managed with a well developed and motivated workforce; respected with a good reputation for "doing business"; delivering its statutory duties in the most practical and cost-effective way				
	Improve Value for Money across all services	Improve the customer experience	Make better use of our resources and assets	Maintain appropriate standards of Governance	Develop a highly effective, motivated workforce
	PUTTING OUR CUSTOMERS FIRST	TAKING RESPONSIBILITY	TREATING EACH OTHER FAIRLY AND RESPECTFULLY	WORKING TOGETHER	ACHIEVING EXCELLENCE

The Medium Term Financial Strategy (MTFS)

The Government announced its National “Spending Review” in October 2010 and then issued detailed allocations of grant for 2 years (2011 – 13) in December 2010. Our financial analysis now shows the Council is actually facing reduced resources of £20.2m (13.7%) over 2 year period, including reductions on Formula Grant, Specific Grant and Area Based Grant.

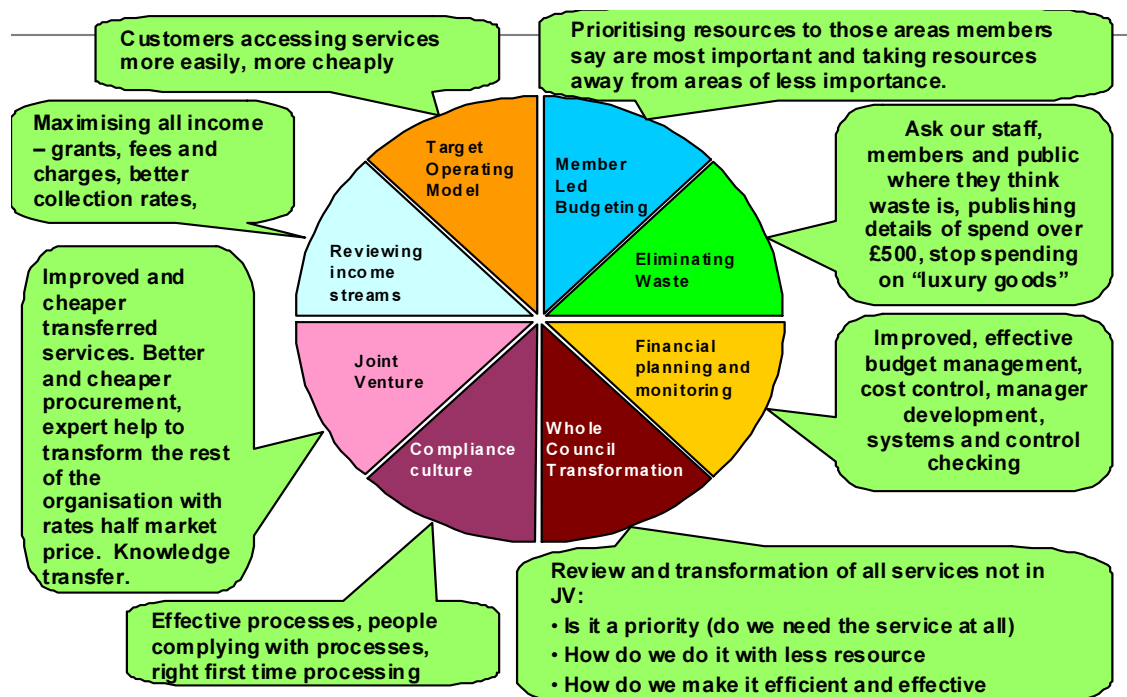
The Council has no choice about how much money it is given to manage its services. It does however have the ability to choose how it spends its money – and has chosen, again, to freeze Council Tax. The MTFS lays down the principles by which this Council will manage its resources through these very tough times, and also how the Council will aim to ensure that every penny it spends will help deliver services that our community believes are valuable to them.

Financial Objectives

The financial objectives for the Council are:

- A balanced budget;
- Budget decisions based on Council priorities (policy led budgeting);
- An organisational culture that asks all employees, partners and contractors to “treat every pound spent as though it is the last pound in your purse”;
- Managers who are responsible and accountable for their budgets;
- Robust levels of reserves and contingencies;
- Strong financial systems and processes;
- Investments to improve services and maintain assets;
- Income maximisation;
- Continued efficiency and value for money

Our approach is summarised as:



Our Plan

1. **Better Together** - *We all want our borough to be a place we can be proud of. Pride too in being good neighbours and in the respect we show to others. A real community, where local people have the confidence to be involved in the decisions that affect their lives, their street, their neighbourhood, their borough. For that, people need to feel safe and to have confidence that the authorities are on their side. Building pride can't be done by the Council alone – we need to work with all our partners and with the voluntary sector and community groups to create a community everyone can take pride in.*

Key Deliverable	Performance measures/milestones	Timescales	Lead Officer
Bring zero tolerance on anti social behaviour; Use all our powers to crack down on anti-social council tenants	<ul style="list-style-type: none"> • Evict anti-social tenants and ensure residents can enjoy their homes • Work with police & community to solve local problems • Enforce the borough wide drinking ban to reduce street drinking • Tackle irresponsible dog ownership • Continue to make our parks safer 	Ongoing	Divisional Director Community Safety
Keep youths off the streets by providing more positive things for young people to do; provide lots of things for young people during summer holidays	<ul style="list-style-type: none"> • Offer an adventurous play programme and activities in the summer holidays • Deliver the BMX community project with NIKE at Dagenham Pool, & hold regional/national BMX events at Old Dagenham Park • Co-ordinate participation in the London Youth Games • Take our new mobile youth bus regularly to all parts of the borough and provide activities in every ward 	<ul style="list-style-type: none"> • Aug 11 • May 11/ Mar 12 • Aug 11 • Aug 11 	Divisional Director Culture and Sport/ Targeted Services
Continue to hold one of England's largest St George's Day celebrations and celebrate other community events every year	<ul style="list-style-type: none"> • Hold St George's Day events 	<ul style="list-style-type: none"> • Apr 11 	Divisional Director Culture & Sport
Increase the range of community facilities available for local people to enjoy	<ul style="list-style-type: none"> • Encourage schools to allow people who live nearby to use their facilities at evenings and weekends 	<ul style="list-style-type: none"> • ongoing 	Divisional Director Education Services
Help communities to help children and adults succeed and be safe	<ul style="list-style-type: none"> • Introduce new courses to train & support parents & carers to be confident in their roles • Continue to support all Council staff to play a role in keeping children and adults safe 	<ul style="list-style-type: none"> • Sep 11 • ongoing 	Divisional Directors Complex Needs/ Targeted Services

2. Better Home - More people want to live in our borough. That means we need a range of housing options, including both quality affordable/social housing and aspirational housing, for now and the future. But home is about more than just a house, and we want our streets, parks and estates to reflect people's pride in where they live. We have a vision for housing, for estates and better parks, that we want local people to share. With local residents' help we will make Barking & Dagenham somewhere where people can raise their family – knowing that their Council is working hard to make the borough somewhere they can call home.

Key Deliverable	Performance measures/milestones	Timescales	Lead Officer
Continue to build new council houses for local people; Buy empty properties and put them back into council house stock; Introduce a Landlords' charter to force landlords to act responsibly	<ul style="list-style-type: none"> Develop and implement a new Housing Strategy for 2011-15 & Strategic Business Plan Deliver 147 new Council homes Start on site: 520 mixed rent homes: King William Street quarter & Eastern End of Thames View Progress estate renewal works at Goresbrook Village, Leys and Gascoigne Estate 	<ul style="list-style-type: none"> Apr 12 Feb 12 Feb 12 ongoing 	Divisional Directors Housing Strategy/ Regeneration
Extend the Eyesore Gardens campaign to the whole borough, include shop fronts	<ul style="list-style-type: none"> Relaunch campaign Deliver further works to enhance the look of the borough 	<ul style="list-style-type: none"> Jul 11 ongoing 	Divisional Director Environment & Enforcement
Continue our road and footpaths investment programme	<ul style="list-style-type: none"> Secure £200k exceptional weather grant Complete a programmed repair schedule and claim funding from Government 	<ul style="list-style-type: none"> Mar 12 Mar 12 	Divisional Director Environment & Enforcement
Push for the kind of developments at Barking Riverside and Dagenham Dock that local people want and need	<ul style="list-style-type: none"> Complete 250 new homes at Rivergate Centre phase 1 (including primary school) Achieve commitment to build 500 more homes Complete further development of Dagenham Dock Achieve commitment to build secondary school 	<ul style="list-style-type: none"> Jun 13 Sep 11 2015 Oct 11 	Divisional Directors Regeneration / Education Services
Create opportunities for active play in the borough's parks and open spaces	<ul style="list-style-type: none"> Celebrate National Play Day at Mayesbrook Park Employ 3 new rangers to provide activities at Barking and Mayesbrook Parks & Beam Parklands Install new play areas at Abbey Green, Barking, Central, Mayesbrook, Pondfield, & St Chads parks, Beam Parklands & Curzon Garages 	<ul style="list-style-type: none"> Aug 11 Aug 11 Nov 11 	Divisional Director Culture & Sport

3. Better Health & Well-Being - *With the Olympics on the horizon we want our borough to be a healthier, fitter place. Where people can get help to stop smoking, get the advice they need to lose weight and can exercise in pleasant surroundings. For the most vulnerable, and those less able, we believe in giving independence and choice – and we will continue to deliver quality social care to those who need it.*

Key Deliverable	Performance measures/milestones	Timescales	Lead Officer
Champion older people's local facilities and their use by local older people	<ul style="list-style-type: none"> Confirm funding and implement Older People's Strategy Increase older people's active leisure memberships to 5,000 per year Increase older people's visits to leisure centres to 40,000 per year 	<ul style="list-style-type: none"> Sep 11 Mar 12 Mar 12 	Divisional Directors Adult Commissioning/ Culture & Sport
Help our most vulnerable pensioners to keep their independence by looking after them in their own homes	<ul style="list-style-type: none"> Negotiate with NHS to target new resources on preventing falls 	<ul style="list-style-type: none"> Mar 12 	Divisional Director Adult Social Care
Ensure everyone in the borough can swim	<ul style="list-style-type: none"> Teach 944 people to swim this year Launch Barking & Dagenham swimming club 	<ul style="list-style-type: none"> Mar 12 Sep 11 	Divisional Director Culture and Sport
Defend health services for local people	<ul style="list-style-type: none"> Oppose plans to close King George's Hospital and work in partnership with the NHS for the health services local people want and need Campaign for a community hospital in the borough 	Ongoing	Corporate Director Adult and Community Services
Maximise the number of children and young people benefiting from the Olympics and Paralympics	<ul style="list-style-type: none"> 100% of local schools joined up to the 'Get Set' programme 	<ul style="list-style-type: none"> Jul 11 	Divisional Director Education Services
Provide easy access to health services for children and families & increase uptake of immunisation	<ul style="list-style-type: none"> Provide health visiting and maternity services at Children's Centres 	<ul style="list-style-type: none"> Jul 11 	Divisional Director Targeted Services
Improve services for disabled children and young people	<ul style="list-style-type: none"> Set up additional respite provision at Trinity School Train more disabled young people to use public transport independently 	<ul style="list-style-type: none"> Jan 12 Ongoing 	Divisional Directors Complex Needs/ Commissioning
Continue to support carers' health and wellbeing	<ul style="list-style-type: none"> Introduce and promote a new package of leisure services for carers Develop and promote a range of respite options 	<ul style="list-style-type: none"> Sep 11 Jan 12 	Divisional Directors Culture & Sport/ Adult Commissioning

4. Better Future - We want a borough that believes in opportunity – one that recognises and champions success, where people can look to the future with confidence, assured that their council will do what it can to provide the educational, academic and vocational opportunities they need. A borough of rising, not falling incomes. A working borough – where business and entrepreneurship is given the help it needs. A place where hard work is rewarded and where effort and determination are encouraged.

Key Deliverable	Performance measures/milestones	Timescales	Lead Officer
Invest £270million in the borough's secondary schools; invest £18million into the borough's primary schools	<ul style="list-style-type: none"> • Open George Carey school • Complete building works at Manor Infants/ Longbridge site and refurbishment at Valence Primary/ St George's, Ripple Primary/Westbury, Thames View Junior & develop plans for 8 further primary school sites 	<ul style="list-style-type: none"> • Sep 11 • Mar 12 	Divisional Directors Education Services/ Assets & Commercial Services
Champion and reward learning and achievement across the borough	Continued improvement on 5A*-C including English and Maths at GCSE to match national levels	<ul style="list-style-type: none"> • Aug 12 	Divisional Director Education Services
Help people move successfully into further or higher education or work	<ul style="list-style-type: none"> • Create at least 75 apprenticeships in the Council's workforce • Create 110 new jobs in the borough through Elevate • Stimulate the creation of 10,000 new jobs through regeneration schemes • Create an intern programme and an undergraduate bursary scheme 	<ul style="list-style-type: none"> • Mar 12 • Mar 13 • 2026 • Mar 12 	Divisional Director Education Services
Support local businesses by encouraging people to buy locally; Smarten up local shopping parades; Set up a small business task force to help people start their business	<ul style="list-style-type: none"> • Implement Barking Town Centre strategy: • 4,000 net new homes • Improvements in public realm • 15,000sqm new retail floorspace • 8,000sqm new commercial space • Deliver improvements to 8 local shopping parades & establish retail forums • Open Enterprise Centres in Barking and Dagenham 	<ul style="list-style-type: none"> • 2025 • 2011- 20 • Mar 12 • 2015 • Oct 11 • Oct 11 	Divisional Director Regeneration
Build a Skills Centre, delivering education and training in skills that help local people get jobs	Open Barking Skills Centre, a centre of excellence for education and skills training	<ul style="list-style-type: none"> • Sep 12 	Divisional Directors Ed Services/ Assets & Cap Delivery

5. A Well-Run Organisation - *Understanding and responds to its customers and citizens, and supports people to help themselves and their community; Innovative, leaner, and more efficient with lower support costs and lower costs of assets; Using technology to modernise working practices and open up new opportunities for sharing information and communicating better; Taking opportunities for sharing costs, minimising waste, and maximising external funding; Well managed with a well developed and motivated workforce; Respected with a good reputation for “doing business”; Delivering its statutory duties in the most practical and cost-effective way*

Key Deliverable	Performance measures/milestones	Timescales	Lead Officer
Deliver services more efficiently and effectively to residents and businesses	<ul style="list-style-type: none"> • More information about Council services online • Queries responded to quicker, and better information provided to help track progress • Easier ways to access and pay Council Tax and rent bills • Easier ways to access Housing Benefits statements and make applications • Improved access to expert support • Easier ways for local people to apply for the benefits they are entitled to 	Feb 12	Divisional Director Customer Strategy/ ICT/ Transformation
Keep council tax levels down so they are lower than Havering and Redbridge	<ul style="list-style-type: none"> • Deliver £8million savings • Use modern buying techniques to save on price while achieving an appropriate quality • Reduce the number of office buildings used by the Council 	<ul style="list-style-type: none"> • Mar 12 • Ongoing • Ongoing 	Divisional Director Finance Divisional Director Assets & Commercial Services



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CABINET**12 JULY 2011****REPORT OF THE CABINET MEMBER FOR HEALTH AND ADULT SERVICES**

Title: Towards a Fairer Contributions Policy for adult social care: Consultation responses and final proposals	For Decision
<p>Summary: Adult social care is under considerable financial pressure as a result of demographic pressures, increased numbers of people with complex needs, increased expectations and reduced funding from central Government. These pressures are recognised nationally and the Dilnot Commission is expected to report to the Government with recommendations on these matters in July 2011. This will form the subject of a Cabinet report in October 2011.</p> <p>On 15 March 2011, Cabinet approved consultation on a set of proposals designed to increase income for adult social care through the contributions made towards the cost of non-residential social care services, in order to maintain quality service provision which is good value for money, without putting an unacceptable financial burden on local residents.</p> <p>The proposals for the Fairer Contributions consultation were as follows:</p> <ul style="list-style-type: none"> • Including all community based services in line with Government guidance • Increasing the proportion of disability related benefits included as income • Protecting people on lower incomes by only taking up to 75% of their disposable income • Increasing waived charges from £1 to £5 • Guaranteeing an extra £10 a week for people aged over 85 • Protecting people by introducing a staged maximum increase in their contribution for the next two and a half years (transitional protection). <p>The proposals were reviewed by Health and Adult Social Care Select Committee (HASSC) on the 20 April 2011.</p> <p>This report collates the responses from the consultation and provides recommendations for agreement by Cabinet. These recommendations will still mean that residents in the London Borough of Barking and Dagenham are better off than those in Redbridge and Havering.</p> <p>If agreed, the revised proposals will be introduced on 1 October 2011.</p> <p>Wards Affected: All</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> • Note the consultation 	

- Consider the recommendations from HASSC
- Consider the suggested changes following consultation
- Agree the recommendations listed at Appendix 7

Reason

In order to continue to provide services to our most vulnerable people, the contribution to the cost of those services needs to be increased.

New guidance has been issued by the Department of Health which requires substantial changes to be made to the existing charging and contributions policy for non-residential care. We have reflected the responses from the consultation to modify the proposals to protect residents with high needs and low incomes.

Comments of the Chief Financial Officer

The comments appear below in Section 3.

Legal Comments

The comments of the Legal Officer appear below in Section 4

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1. Background

- 1.1 Adult social care is under unprecedented pressure as a result of demographic changes and increased numbers of people with complex needs living longer. This is against a backdrop of increased expectations in levels and quality of care and the significantly reduced funding available as a result of Government review of spending allocations for Councils.
- 1.2 The Government have recognised the national dilemma and set up the Commission on Funding of Care and Support – this is an independent body responsible for the review of the funding system for care and support in England. Launched on 20th July 2010, the Commission is chaired by Andrew Dilnot with Lord Norman Warner and Dame Jo Williams as fellow Commissioners. The Commission will be building on the extensive body of work that has already been done in this area and provide recommendations and advice on how to implement the best option to Government by July 2011. This will be reported to Cabinet in October 2011.

- 1.3 This report considers the consultation responses to the proposals to reform service user contributions to the costs of non-residential care. The consultation proposals were agreed by Cabinet on 15 March 2011 in a report which also detailed the current banded system for home care charging, the reasons for change and descriptions and implications of the new proposals.
- 1.4 The proposals were designed to:
- Make sure people on lower incomes have enough money to meet the rising costs of living
 - Give additional protection to people aged 85 and over
 - Increase charges gradually for current service users
 - Raise enough income so that we can continue to provide quality services to our vulnerable residents
- 1.5 The proposal also stated the following principles would remain:
- Only pay for services if you can afford it
 - Not levying a charge on savings between £14,250 and £23,250
 - Continue to provide free community based services for family carers.

2 Recommendations

2.1 Consultation and scrutiny

- 2.1.1 The proposals were scrutinised by the Health and Adult Services Select Committee on the 20 April 2011.
- 2.1.2 The proposals also went out to consultation to members of the public, service users and their representatives and local organisations. The consultation process involved a number of methods of consultation over a two month period; these included-
- On-line questionnaire
 - Postal questionnaires
 - Consultation with key stakeholders
 - Telephone helpline
 - Individual Appointments and Home Visits
- 2.1.3 A different response to the proposals was received depending on the method of consultation. Broadly, once people had the opportunity to discuss the proposals, the rationale behind them and the impact on their individual circumstances, the meetings indicated a broad acceptance of the proposals and support for the various protections offered to people on lower incomes and our older residents.

Conversely, the questionnaires indicated a broad acceptance of some of the protections and a reluctance to accept any changes, including those designed

to protect people on lower income levels such as the maximum contribution levels or the transitional protection.

Further consultation took place with a small random sample of questionnaire respondents to explore why they had commented on some of the proposals in the way that they had. Where further explanation was given, over half of respondents who had responded negatively to the proposals the first time changed their mind.

2.1.4 Health and Adult Services Select Committee

The Select Committee commented that the non-residential charging policy had not been updated over many years and considered the new proposals to be not only overdue but fair and justified. A recommendation was made that the policy should be kept under regular review. The policy will be reviewed annually from April 2012 and at other times – such as where there are significant changes to the benefit system, to ensure that the key principles of the policy are adhered to.

HASSC also recommended that consideration is given to introducing the changes in October 2011, and then increasing annually in October 2012 and October 2013. The original proposal was to increase charges in April of every year in line with the updating of benefits and charges set as part of the Council's budget. This is discussed further at 2.2.8.

HASSC recommended further publicising of the hardship waiver. The proposed policy should avoid people falling into hardship. However, the financial assessment will be tailored to help pick up any issues of people in hardship as a result of the Fairer Contributions Policy and will ensure that the reductions and waiver policy is utilised at that point. In extreme cases, service charges can be waived at the discretion of the Corporate Director.

2.1.5 Meetings with Key Stakeholders

Owing to the complexity of the proposals, officers visited a number of groups and forums in order to facilitate comments on the proposals through presentation, discussion and question and answer sessions. The groups and forums were attended by a combination of individuals representing themselves and organisations and individuals representing various relevant interest groups. This enabled in principle discussions to take place as well as individual case examples based on personal circumstances to be explored either individually or within the meetings.

Information was circulated to a wide variety of forums and meetings for comment and officers requested invitations to the meetings to consult on the policy. The following meetings were attended:

- Disability Equality Forum
- Carers Networking Group
- Practitioners Forum
- Personalisation Customer Reference Group

- Advisory Partners
- Carers Coffee Morning
- Forum for the Elderly

Where people were able to ask questions and explore the implications of the proposals, residents' and their representatives responded to the proposals more favourably. The feedback from the forums is included alongside the proposals.

2.1.6 Questionnaires

The consultation opened at the beginning of April with an on-line consultation on the London Borough of Barking and Dagenham homepage. This was publicised by an article in the News and followed up with a postal questionnaire to 1,900 service users who could be affected. The mail out included:

- The proposals (Appendix 1)
- The questionnaire (Appendix 2)
- A stamped addressed reply envelope

A week later the same mail out was sent to 1,000 people registered to Barking and Dagenham's Local Involvement Network.

460 people completed the questionnaire on-line or by post of which:

- 245 (53.3%) were service users
- 53 (11.5%) were carers
- 162 (35.2%) did not identify themselves or were neither service users nor carers.

Appendix 3 provides further information about the respondents. An analysis of respondents shows that there was a slight under-representation of older people and an over-representation of disabled people, particularly those with learning disabilities and sensory impairments. Given the impact of the changes on disabled people, this over-representation is to be welcomed.

2.1.7 Appointments, Visits and Telephone Feedback

Appointment sessions were offered so that residents could discuss how the proposals would affect them. A member of the benefits team attended to give advice.

Home visits were also offered to explain the proposals in more detail and support local residents to complete the questionnaire. This was offer taken up by 13 residents.

The Council also responded to residents' queries over the phone and one letter was received detailing outstanding concerns following their individual appointment.

2.2 Recommendations

2.2.1 The Fairer Contributions consultation contained 6 key proposals which people were invited to comment on. Of these, there was almost unanimous support for two proposals and a variety of views on the remaining 4 proposals.

2.2.2 The proposals that received unanimous support from both questionnaires and meetings were that :

- People should not pay charges of £5 or less
- People aged over 85 should have an additional £10 added to the minimum guaranteed income.

It should be noted, however, that some people thought that it was unfair that only older people should be offered additional protection, and there was a view that this should be extended to people with complex needs from carers of people with learning disabilities.

2.2.3 Recommendation 1: Increase the waiver from £1 to £5

Currently the Council do not charge people (waive charges) where their contribution is assessed as £1 or lower.

The Council consulted on increasing this to £5. This will mean a loss in income of £9,500 but provides valuable protection to approximately 75 residents on the lowest income.

This proposal was well received and supported and it is recommended that this is implemented as part of the Fairer Contributions Policy.

Recommendation 1– The Council should provide free services to people who are assessed as needing to make a contribution of less than £5.

2.2.4 Recommendation 2 : People aged 85 and over should receive an extra £10 per week.

As part of the financial assessment, the Council ensures that everyone has a “guaranteed minimum income”. This is a nationally determined amount based upon income support levels plus 25% which ensures that people have enough money to meet their every day needs. The Council only asks people to contribute towards the cost of their care if they have disposable income above this amount.

In 2011/12 the guaranteed minimum weekly income levels for residents are:

Table 1 - Guaranteed Minimum Income

Age	2011/12
85+ (Barking and Dagenham)	£181.88
60+ (nationally)	£171.88
25-59	£138.00
18-24	£120.44

The Council proposed that an extra £10 protection was added for those aged 85 and over. This will mean that anyone aged 85 or over will have a protected weekly income of £181.88 before they are asked to contribute anything towards the cost of their care services.

This proposal was supported both through written responses and at the various forums, although some people thought it should also be extended to other groups. It is therefore recommended that the Fairer Contributions Policy includes this extra £10 for older people aged 85 and above.

Recommendation 2– The Council should build in an extra £10 protection into the guaranteed minimum income for people aged 85 and over.

2.2.5 Recommendation 3 and 4: Change how the Council treats disability related income

Currently the Council disregards 75% of both Severe Disability Premium/Allowance and Disability Living Allowance in the financial assessment.

Consultation took place on including 100% of Severe Disability Premium/Allowance in line with national guidance, and reducing the disability disregard from 75% to 25%.

Consultation feedback revealed concerns that the new proposals would mean that people with complex needs or high levels of disability would not have enough money to meet all of the additional costs of living with a disability – e.g. a special diet or wear and tear on clothing. Some people felt that there should be extra protection for people high levels of disability as there is for residents aged 85 and over.

It is therefore proposed that level of disability related benefits disregarded in financial assessments is changed from 75% to 65% for people on the higher levels of Disability Living Allowance or Attendance Allowance. This revised proposal will effectively give an extra £7.36 on top of the minimum guaranteed income to people with the most complex needs.

Table 2 - Disability related benefits included in financial assessments

Disability Related Benefit	Level	2011/12 benefit level	March 15 proposal	Revised proposal	Income not chargeable
Disability Living Allowance	Higher	£73.60	£55.20	£47.84	£25.76
	Medium	£49.30	£36.98	£36.98	£12.32
	Lower	£19.55	£14.66	£14.66	£4.89
Attendance Allowance	Higher	£73.60	£55.20	£47.84	£25.76
	Lower	£49.30	£36.98	£36.98	£12.32

When we compare the modelling on who contributes to the costs of their care, this will mean that an additional 61 people will continue receiving free services.

This change will mean a loss of income of :

2011/12 - £12,000
 2012/13 - £49,000
 2013/14 - £77,000

It is recommended that the Council includes 100% of Severe Disability Premium/Allowance in line with national practice. It is further recommended that a two tier disability disregard is implemented as a response to the concerns expressed by respondents. This will mean that people who receive higher levels of DLA and AA because of the level of their needs have an extra £7.36 to meet the additional costs of living with a disability.

Recommendation 3 – The Council will include 100% of Severe Disability Premium/Allowance in the financial assessment in line with national guidance

Recommendation 4 – The Council will reduce the disability disregard from 75% to 25% for people on lower levels of DLA and AA. The Council will reduce the disability disregard from 75% to 35% for people on the higher levels of DLA and AA.

2.2.6 Paying for all community based services

At the moment, people only contribute towards the cost of home care if they have enough weekly income. The Government has issued statutory guidance which states that Councils must charge for the care package as a whole, not for individual services.

The Council therefore consulted on whether this was fair or not. Those consulted in meetings recognised that it was unfair to charge for home care and not other services. However, there was concern about the financial impact of this on the overall family income, particularly for families with someone with a severe learning disability. Once case examples were worked out, and people understood the proposals, this proposal was accepted.

However respondents who used the questionnaires showed a high level of disagreement with this proposal on the basis that they may have to pay more for services they were currently receiving. Although the consultation document did make this clear, the Council will need to ensure that the implementation process enables our service users and carers to understand that this is a response to Government guidance.

Recommendation 5 – The Council will ask for contributions towards the cost of the care package not individual services, as required by Government guidance.

2.2.7 75% rather than 100% of disposable income

The Council currently operates a banding system for charging for home care. The banding system requires that service users are charged for home care according to the number of hours they receive with a maximum payment of £25.10. Whilst this policy was devised with the best of intentions, subsequently it has been discovered that it is unfair for people with very low incomes who pay the same as people on higher incomes. Some people on low incomes may contribute most, or all, of their disposable income towards the cost of their care. The Council therefore wanted to make changes to protect people on lower incomes by making sure that no-one is ever charged more than 75% of their disposable income.

The response to this proposal from questionnaire respondents was negative. It is suspected that this proposal was misunderstood by the respondents who thought that the questionnaire asked whether the Council could ask for 75% of their entire weekly income as opposed to 75% of their disposable weekly income. Disposable weekly income is what people have left after the minimum guaranteed income, housing costs and the disability disregard has been deducted.

A small random sample of 20 respondents were contacted to explain this proposal further to ascertain whether this response was due to misunderstanding the question. After explanation, 11 thought it was fairer and 3 were still unsure. The remaining 6 people did not want to pay more.

The feedback from meetings was broadly in support of this, with the exception of the Disability Equality Forum where this concern was linked with meeting the additional costs of living with a disability.

Because of the response from local residents, further benchmarking was undertaken to ascertain the levels of protection afforded to local residents. If the Council further decreased the maximum amount available for contributing to the costs of care from 75% of disposable income, the Council would be out of line with the majority of other local authorities – currently 76 of 82 local authorities take 80% or more of an individual's disposable income into consideration when establishing the level of contribution. The London Borough of Redbridge currently takes up to 100% of disposable income, and

the London Borough of Havering takes up to 90%. Only 6 councils charge less than 75%.

The Disability Equality Forum also requested that the Council compare the proposals with the Fairer Contributions Policy of the London Borough of Hackney. The London Borough of Hackney did not respond to the benchmarking previously described.

The London Borough of Hackney consider up to 50% of disposable income and 33% of disability related benefits in determining the level of contribution that service users pay. However, Hackney do not have any transitional protection in place nor do they include an additional £10 for older people or a minimum charge of £5. The policies were compared using a number of scenarios based on actual cases. Overall, the combination of protections offered by the Council mean that the majority of residents will be better off as a result of the current proposals rather than adopting the current Hackney policy for 2011-2.

Recommendation 6 - The Council will take 75% of disposable income into consideration when setting the maximum level of contribution.

2.2.8 Introduction of transitional protection

Transitional protection was proposed to prevent existing service users experiencing an excessive hike in costs. The Council took the unusual step of building in transitional protection over 3 years – most Councils expect service users to pay the full cost immediately. A small minority have opted for a transitional increase in the first year only.

However, the response to this issue was negative from people who responded using questionnaires. Most people responded to this on the understanding that they would pay this increase regardless and so opposed it. Comments indicated that the respondents opposed any increase in charges rather than a capped increase.

Discussion with groups indicated that there was broad support for this method, especially when individual case examples were talked through and people could see how the transition worked. The only exception to this was the Disability Equality Forum where there was a suggestion that people should contribute £1 more each week until they reached the level they should be paying. For many people, however, this would mean that they paid more sooner.

HASSC also recommended that consideration is given to increasing charges annually from October 2011 rather than having a 6 month period followed by annual increases.

Benefit levels change every year in April and the Council also implements any inflationary increases from that date and so there is one change for service users every year. If we were to implement increases as a result of transitional

protection, people could be subject to revised increased contributions twice a year. Given that the feedback was that people were worried about increases to the level of their payment, rather than when it happened, it is recommended that this proposal remains with one change a year.

Recommendation 7 – The Council implements transitional protection of a maximum of £10 in October 2011 until March 2012 and a maximum increase of an additional £20 from April 2012 and an additional £20 from April 2013.

3 Financial Issues

£450,000 was collected from home care charging from April 2010 to March 2011.

The table below shows the money expected to be recouped through contributions from service users with and without implementation of the revised proposals.

Table 3 - Money recouped through contributions (please note these figures are based upon an updated cohort)

	Income without changes plus estimated inflationary uplift	Income with proposed changes	Additional income generated
Total Income 2011-12	£450,000	£600,000	£150,000
Total Income 2012-13 +2%	£459,000	£809,000	£350,000
Total Income 2013-14 +2%	£468,000	£1,018,000	£550,000

4. Legal Issues

The National Assistance Act 1948 created a duty to provide residential accommodation (s 21) and a duty to provide welfare services (s 29). The Chronically Sick and Disabled Persons Act 1970 ("CSDPA") set out duties placed on local authorities to provide for disabled adults. The National Health Service and Community Care Act 1990 ("NHSCCA") introduced the concept of care in the community.

The basic legal framework for community care services is as set out in Section 47(1) of NHSCCA 1990:

Where it appears to a Local Authority that any person for whom they may provide or arrange for the provision of community care services may be in need of any such services, the Authority

- (a) shall carry out an assessment of his needs for those services; and
- (b) having regard to the results of that assessment, shall then decide whether his needs call for the provision by them of any such services.

The full list of statutory provisions under which community care services are provided is contained in section 46(3) NHSCCA.

When carrying out assessments of need and making service provision decisions local authorities have a duty to act under national guidance. New guidance was issued in February 2010 "Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care." However the new guidance cross-refers to *FACS*, and states that the original principles of *FACS* "hold firm."

In setting eligibility criteria councils have to take account of their resources, local expectations and local costs. *FACS* explains that councils should take account of agreements with the NHS and other agencies (paragraph 18) and consult users, carers and others (paragraph 20). Paragraph 12 of *FACS* has a specific reference to human rights and discrimination law, noting that when drawing up eligibility criteria for adult social care, councils should have regard to the Sex Discrimination Act 1975, the Disability Discrimination Act 1995, the Human Rights Act 1998, and the Race Relations (Amendment) Act 2000.

The recent Birmingham Judgement (*R (W) v Birmingham City Council* [2011] EWHC 1147 called into question the provision made for those with disabilities and any prospective changes to the provision of care, it also highlighted the importance for local authorities to have due regard to the disability equality duty pursuant to the Disability Discrimination Act 1995 s 49A

Section 49A General duty

- (1) Every public authority shall in carrying out its functions have due regard to-
- (a) the need to eliminate discrimination that is unlawful under this Act;
 - (b) the need to eliminate harassment of disabled persons that is related to their disabilities;
 - (c) the need to promote equality of opportunity between disabled persons and other persons;
 - (d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
 - (e) the need to promote positive attitudes towards disabled persons; and
 - (f) the need to encourage participation by disabled persons in public life.

R (W) v Birmingham CC [2011] Admin (Walker J): "The council's decision to restrict eligibility for adult care services to critical needs only had been unlawful because (1) in breach of section 49A of the Disability Discrimination Act 1995, the material provided to decision makers contained no attempt to assess the likely adverse impact on those with "only" substantial needs and the likely effect of the council's proposed mitigating steps, and neither did it draw attention to the duty to have due regard to the needs set out in section 49A when considering what decision to reach, (2) the consultation process failed to attempt to elicit information about the likely adverse impact of the proposed changes and failed to provide consultees with adequate information about the precise nature of the proposed change in eligible needs and about the financial."

The equality impact assessment (EIA) in Appendix 5 gives the Council the opportunity to ensure that there is a systematic assessment of the likely effects on service users in the community of the proposed changes to the charging policy. The EIA is an integral part of this review. Members in considering the recommendations to this report must have due regard to the findings of the EIA including whether opportunity has been taken to promote equality as well as whether any negative or adverse impacts have been effectively mitigated or removed.

Throughout the process the impact on the individual circumstances has been recognised through anonymous real life case studies and the offer, as part of the consultation process, to examine the impact of the proposals on peoples' own circumstances. This, together with consultation with key stakeholders , has resulted in a recommended change to the original proposals.

As part of the implementation of the policy, there will continue to be opportunities for individual assessments through planned surgeries and home visits and officers will monitor the impact of the changes, and in line with best practice, keep the policy under review.

In order not to fetter the authority's discretion, it is proposed that the Corporate Director of Adult and Community Services, can as now, waive or reduce charges

5. Other Implications

The majority of our service users have an impairment of some kind which means that they require adult social care. This is most apparent in terms of the numbers of people who receive disability-related benefits and access support services. The changes in how disability benefits are treated means that some disabled people will be expected to increase their financial contribution or begin to contribute towards meeting their support needs.

Disability related benefits are provided to meet the costs of living with a disability such as meeting support needs. However, consultation with individuals and key stakeholders highlighted the circumstances of individuals with complex needs where there may be some needs that would not be met through adult social care, such as dietary needs. In these circumstances, the response was that 25% disability disregard would not be sufficient for people with complex needs to meet all the additional costs of their disability. The proposed disregard has therefore been adjusted to 35%

Local people will still be comparatively better off in comparison with national practice.

Consultation with individuals, different groups and forums is reflected in this report and the full Equalities Impact Assessment (appendix 5).

5.1 Risk Management

Traditionally people on low incomes are reliant on state benefits and will regard any additional disability benefits as part of their overall household accommodation.

The phasing in of payments and the transitional protection will help people manage their household costs. Where people withdraw from services as a result of increased contributions, further investigation will take place to ensure that they are not at risk.

In order not to fetter the authority's discretion, it is proposed that the Corporate Director of Adult and Community Services, can as now, waive or reduce charges.

5.2 Customer Impact

Officers have carried out detailed analysis of the impact of the proposals on the people who currently receive home care services where we have detailed financial information. This is because this group of service users are financially assessed. We have also predicted the number of people who will be charged because of the requirement to include all services.

Based on this information, we have modelled the impact for 1,100 non residential service users:

- **53% of people will get free services or pay less**
 - 575 (52%) service users will still receive free services
 - 15 (1%) will pay less than they pay now
- **5% (51) of people will pay the same contribution to the cost of their care package**
- **41% of people will pay for the first time or pay more.**

All people who receive services also receive a full social care assessment and regular reviews. We will carefully monitor the impact on service users and any decisions to no longer use services because of the financial impact.

5.3 Safeguarding Children and Adults

There are no direct implications for safeguarding children, but where there are disabled parents the Fairer Contributions Policy may impact on the household income. Any safeguarding issues will be identified through the assessment process and a plan put into place to ensure the well-being of the family . This will require close working between Adults' and Children's services.

There may be implications for adults at risk in terms of safeguarding, particularly financial abuse. For example some family members could choose

to cancel services on behalf of relatives which could put service users at risk. Equally service users may also do this – where people have the capacity to do this, they are entitled to make unwise decisions.

Service cancellations will be monitored to ensure that where this does happen, risk assessments and further investigation will take place. Service users will also receive regular reviews to ensure that their needs are being met.

5.4 Health Issues

The implementation of the Fairer Contributions proposals will enable the Council to continue to provide quality services which maintain the health and well being of current and future service users.

If the proposals are not implemented then the continued provision of quality services will be unaffordable.

6. Options Appraisal

- 6.1 The 'do nothing' option will see the continuation of the banded system for charging for home care. This is not advisable for three reasons:
- The continued provision of non residential services will be unaffordable
 - The banded system would be contrary to the Government's Fairer Contributions Guidance
 - The exclusion of other non-residential services means that an unfair burden is on home care service users to pay for resident's social care
 - The unintended impact of the banded system is that it is generous for local residents but not fair for people on the lowest incomes

- 6.2 The Fairer Contributions Policy is an extremely complex policy as it aims to increase income whilst at the same time avoiding passing an unreasonable financial burden on to current and future service users.

The Policy could be designed to maximise income through:

- Charging carers
- Including 100% of disposable income in determining the financial contribution
- Not implementing a waiver at all or keeping the waiver of £1
- Using the guaranteed minimum income levels for all residents
- Expecting all residents to pay the revised full cost from the beginning.
- A disability disregard of 25% for all disabled people

This option is not recommended because the Council is committed to ensuring that local residents on lower incomes receive an element of protection to enable them to cope with the current economic pressures.

- 6.3 The Policy could be designed to generate less income through:
- A higher disability disregard

- A lower proportion of disposable income in determining the financial contribution
- A higher waiver
- Increased transitional protection
- Increasing guaranteed minimum income levels

This option is not recommended for two reasons. Residents in Barking and Dagenham will still be better off than residents in Havering or Redbridge when these changes are implemented. If we adjust the policy further Barking and Dagenham will be out of line with contributions policies across London.

Generating less income could lead to an early review of the Fairer Contributions Policy in order to generate more income or some reductions to service quality or activity levels.

7. Background Papers Used in the Preparation of the Report

1. R(W) v. Birmingham City Council, 19 May 2011.
2. Towards a Fairer Contributions Policy for Adult Social Care: Cabinet Report, 15 March 2011
3. Fairer Contributions Guidance: Calculating an individual's contribution to their personal budget. Department of Health, November 2010
4. Fairer charging policies for home care and other non-residential social services: guidance for Councils with Social Services Responsibilities – Department of Health, September 2003
5. Prioritising need in the context of *Putting People First: A whole system approach to eligibility for social support* - Department of Health, February 2010
6. Report of the Cabinet Member for Finance, Revenues and Benefits 'Fees and Charges 2011/12', LBBD, 21 December 2010

8. List of appendices:

Appendix 1 – The Proposals

Appendix 2 – The Questionnaire

Appendix 3 – Information on those consulted

Appendix 4 – Collated Questionnaire responses

Appendix 5 – Full Equality Impact Assessment

Appendix 6 – Fairer Contributions Policy

Appendix 7 – Summary of Recommendations

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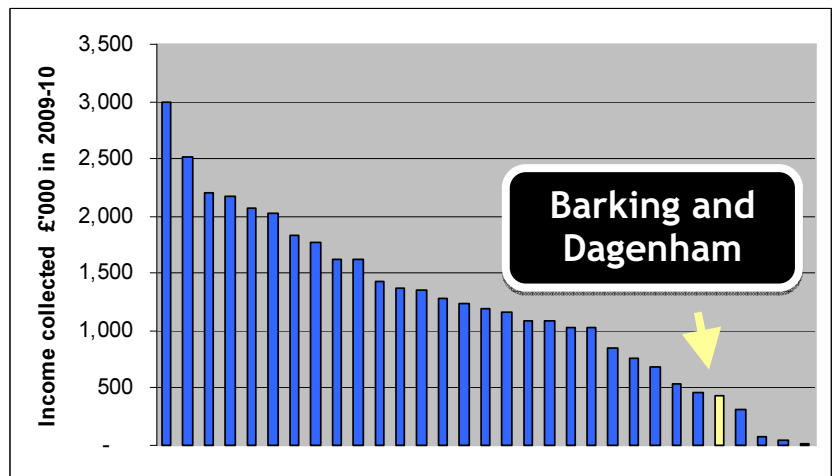
Fairer Contributions Policy

Tell Us What You Think – The proposals

Your Council currently pays part of the cost of your community based care services. This means you either receive free services or do not pay the full cost.

80% of our service users do not pay anything at all towards the cost of community based care services.

We receive a lot less money from our service users to pay towards the cost of the care than nearly every other London borough.



The Coalition Government has cut the money that the Council receives for social care. This means that we will not have enough money to keep on providing good services for everybody if we carry on as we are now.

We need to ask you to pay a reasonable amount towards the cost of the services you use.

As a person living in Barking and Dagenham if you pay something, you pay a lot less for your services than your neighbours in Redbridge and Havering. This will still be the case even if we carry out these changes.



The proposals are not finalised. You have a chance to shape the policy through this questionnaire. When the consultation is complete, Councillors will look at your feedback and decide on a new policy. The policy will be introduced on the 1st October 2011.

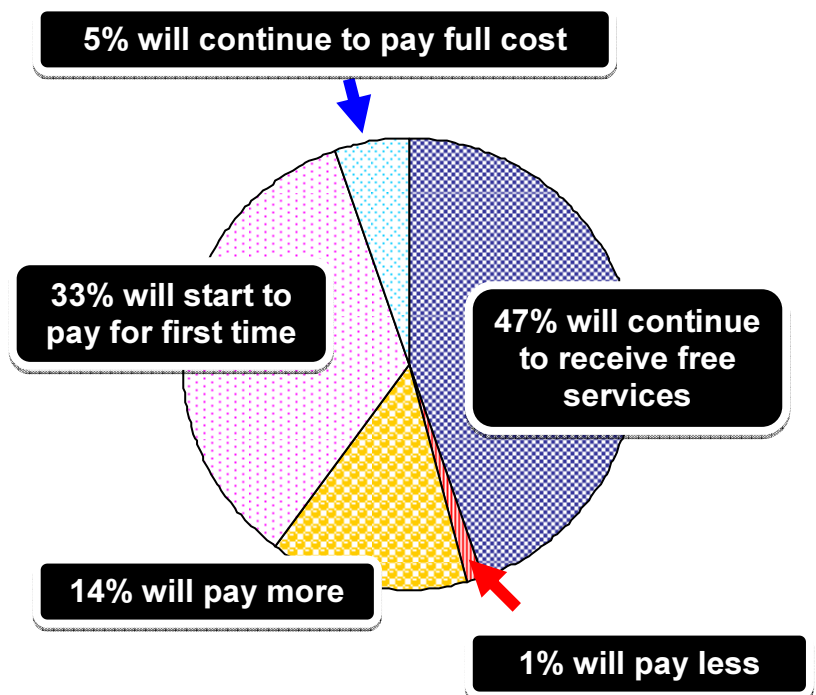
The Barking and Dagenham Fairer Contributions Policy will:

- ✓ **Make sure that people on low incomes have enough money to meet the rising costs of living**
- ✓ **Give more protection to people aged 85 and over**
- ✓ **Increase charges gradually for current service users**
- ✓ **Help us raise enough money so that we can continue to provide the best services to our vulnerable residents**

We have worked out that more than half the people who use our services would:

- either continue to get free services
- pay less or
- pay the same

Less than half of the people who currently pay for services would have to pay more or pay for the first time.



What we will not change:

- ✓ **You will only pay towards the cost of services if you can afford it**
- ✓ **We will not ask you to pay an additional £1 towards the cost of your care for every £250 savings that you have between £14,250 and £23,250**
- ✓ **We will continue to provide free community based services for family carers**

What we want to change (please read before completing the questionnaire):

1. We want to change how we work out how much money you pay:

We will include all your Severe Disability Premium and 75% of your disability related benefits in working out how much you can contribute. These benefits are to pay towards the costs of your care and other costs that you may have if you are disabled.



At the moment, unlike other London boroughs, we only include 25% of both benefits. This means that if you get these benefits what we ask you to pay towards the cost of your services may change.

2. We want to change which services you pay for:



At the moment we only charge for home care. In the future we want to include all the services you receive. The Government has issued new rules on personalisation and contributions saying that we must do this. Personalisation is where we give you money and help to arrange the services that you want instead of just giving you a service.

3. We want to change who has free services:

Currently, people who we have worked out as having more than £1 a week to pay towards their services, pay some money towards their home care.

We know the cost of everything is rising. We want you to have free services if we work out that what you should pay should be less than £5. This is because people on low incomes will be asked to pay the least.



If we make these changes some people will end up paying less than they do now.

4. We want to increase the amount older people receive:



People aged 85 and over are guaranteed a minimum amount of £165.75 a week to live on after rent and other living expenses have been taken away. The minimum amount is set by Government. We want to increase this by £10 to £175.75 to make sure our most frail older people are protected.

5. We want to change how much everyone has to live on:

We will only ask you to pay what you can afford after we have carried out a financial check and a welfare benefits check (to make sure that you have all the benefits you should have).

When we work out how much you should pay towards the cost of your care, we work out your income (money you have coming in) and then take away the money you need to live on.

We could ask you to pay all of the money that you have left or the full cost of your services, whichever is the lowest. Instead, we want to ask you to contribute up to 75% of all the money you have left or the cost of your services whichever is the lowest.



**Chargeable
income (75%)**



**Money you
keep (25%)**

6. How we propose to increase our charges:

If we go ahead with these ideas, about half of service users will still not be expected to pay anything towards their support because their income is not high enough.

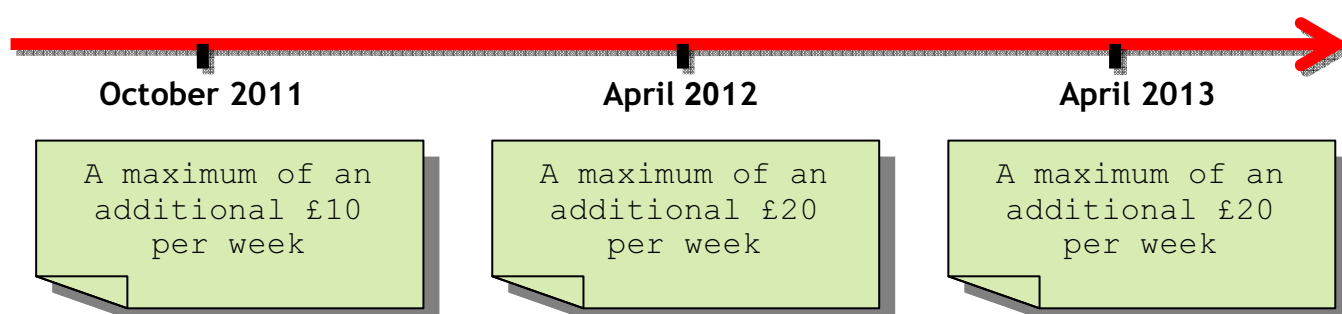


If we work out that you have to pay more towards the cost of your care we won't ask for all the money straightaway. We will do this bit by bit until you are paying what you can afford or what the services cost, whichever is the lower.

We will do this by charging you:

- £10 more a week in the first six months from October 2011
- £20 more a week from April 2012 till the end of March 2013
- And another £20 more from April 2013 till the end of March 2014

Very few people will be asked to pay the full cost of their services.



Fairer Contributions Policy

Tell Us What You Think - Questionnaire

We want to know what you think about the proposed changes. If you need help completing this form, please phone 020 8227 2316 between 10.00am and 4.00pm and we will arrange for someone to come and help you. The accompanying notes will help to explain why and how we are proposing to make changes.

1. How we work out how much money you pay

We want to include all of the Severe Disability Premium and 75% of disability related benefits in working out how much you can afford to pay.

Do you think this is a fair approach?

Yes..... No..... Don't know

2. Which services you pay for

Government guidance says that we should ask for a contribution towards all services. At the moment we only ask for a payment towards homecare.

Do you think this is a fair approach?

Yes..... No..... Don't know

3. When you pay for services

We want to provide free services to people who are assessed as needing them to make a contribution of less than £5. This is because they will be on lower incomes and the cost of living is rising.

Do you think this is a fair approach?

Yes..... No..... Don't know

4. Older People

We want to make sure that people aged 85 and over have an extra £10 a week to live on.

Do you think this is a fair approach?

Yes..... No..... Don't know

5. How much everyone has to live on

We will ask everyone to contribute 75% of their available income or pay the full cost of their services, whichever is lower.

Do you think this is a fair approach?

Yes..... No..... Don't know

6a. Increasing charges

We will gradually increase the contribution that you make over the next three years.

Do you think this is a fair approach?

Yes..... No..... Don't know

6b. Increasing charges

We will increase charges by £10 a week in the first year and then an additional £20 a week for the next two years.

Do you think this is a fair approach?

Yes..... No..... Don't know

Please use this box to tell us what these changes would mean to you, or to make any other comments about the proposed changes.

Are you a:

Service User.... Carer..... Other (please state) _____

If someone else completed the form for you, please tell us who this was:

About You

Are you:

Male..... Female..... Transgender.....

Please indicate your age range:

18-24..... 24-34..... 35-44..... 45-54..... 55-64.....
65-74..... 75-84..... 85-94..... 94+

How would you describe yourself?

Black or black British:

African.... Caribbean..... Other black (please state) _____

Mixed or mixed British:

White and Black Caribbean..... White and Black African....
White and Asian..... Other mixed (please state) _____

White:

British.... Irish..... Other White (please state) _____

Asian or Asian British:

Bangladeshi... Indian..... Pakistani.....
Other Asian (please state) _____

Chinese or other ethnic group:

Chinese..... Other ethnic group (please state) _____

Traveller, Romany or Gypsy:

Irish Traveller. Romany..... English Gypsy.....

What is your faith?

Christian..... Jewish..... Muslim..... Sikh.....
Hindu..... No faith..... Other (please state) _____

Do any of the following apply to you?

Mental health difficulties.... Hearing difficulties.....
Sight difficulties..... Speech difficulties.....
Wheelchair user..... Problems with mobility.....
Learning difficulties..... Other (please state) _____

If you use social care services, please indicate which services you use?

Personal Budget..... Home Care..... Day Care.....
Borough Transport.... Equipment..... Other (please state) _____

Thank you for your time in completing this questionnaire. All responses will be kept strictly confidential.

Please return in the stamp addressed envelope enclosed

What happens after I fill in the questionnaire?

1. We will be consulting on our proposed changes to contributions for non residential services until 31st May 2011.
2. We will then look in detail at all the feedback we have received and outline the responses in a report to Councillors in July. Councillors will then decide on the final details of a new charging policy.
3. When a decision has been made we will write with details about how the changes may affect you.

In the meantime we will be carrying out our annual financial review of your finances if you receive community care services.

Any changes will be introduced on the 1st October 2011.

If you would like to discuss with Council staff how the proposed changes may impact you, please book an appointment. The venues and times are listed below:

Wednesday 27 April	2pm – 5pm	Civic Centre, Dagenham	Committee Room 1
Monday 9 May	6pm – 8pm	Civic Centre, Dagenham	Committee Room 5
Thursday 12 May	11am – 2pm	Barking Town Hall	Committee Room 1
Monday 16 May	6pm – 8pm	Barking Town Hall	Committee Room 1

An appointment can be booked by phoning 020 8227 2316 between 10.00am and 4.00pm. If you do not book in advance we may not be able to see you. If you are unable to attend an appointment we can arrange to meet you.

Appendix 3

Questionnaire respondent information

This appendix provides information of the breakdown of who responded to the questionnaire.

Further detailed analysis is provided in the EIA. However, broadly older people are under represented and disabled people are over-represented in this sample.

	% Answer	Count
Service user	53.26%	245
Carer	11.52%	53
Other	13.04%	60
No response	22.17%	102
Total	100.00%	460

Gender	% Answer	Count
Male	35.65%	164
Female	57.61%	265
No response	6.74%	31
Total	100.00%	460

Age	% Answer	Count
18-24	1.09%	5
25-34	3.26%	15
35-44	7.17%	33
45-54	10.65%	49
55-64	9.13%	42
65-74	10%	46
75-84	17.83%	82
85-94	29.35%	135
94+	3.91%	18
No response	7.61%	35
Total	100.00%	460

Faith	% Answer	Count
Christian	78.26%	360
Muslim	3.26%	15
Sikh	1.3%	6
Hindu	0.65%	3
Jewish	0.22%	1
No faith	6.52%	30
Others	1.74%	8
No response	8.04%	37
Total	100.00%	460

Ethnicity	% Answer	Count
Asian or Asian British	4.35%	20
Black or black British	8.04%	37
White British	78.7%	362
Other White	1.74%	8
Mixed or Mixed British	2.17%	10
Chinese & other ethnic group	0.43%	2
No response	4.57%	21
Total	100.00%	460

No. of Disabilities listed	% Answer	Count
One disability	28.26%	130
Two disabilities	24.57%	113
Three disabilities	18.7%	86
Four disabilities	11.3%	52
Five disabilities	4.57%	21
No disability/No response	12.6%	58
Total	100.00%	460

Disabilities referenced	% Answer	Count
Sensory impairments	61.3%	282
Mobility impairments	60.65%	279
Wheelchair user	34.13%	157
Mental health problems	21.52%	99
Learning Difficulties	13.48%	62
No disability/No response	12.6%	58

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Appendix 4

Questionnaire and Meeting responses

Questionnaire responses

This section details the responses to each question. Respondents were asked to comment on the fairness of each proposal.

1. How we work out how much money you pay

We want to include all the Severe Disability Premium and 75% of disability related benefits in working out how much you can afford to pay.

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	96.1%	442
Yes	30.22%	139
No	42.61%	196
Don't Know	23.26%	107
[No Response]	3.91%	18
Total	100.00%	460

2. Which services you pay for

Government guidance says that we should ask for a contribution towards all services. At the moment we only ask for a payment towards homecare.

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	95.65%	440
Yes	35.00%	161
No	43.49%	200
Don't know	17.16%	79
[No Response]	4.35%	20
Total	100.00%	460

3. When you pay for services

	% Answer	Count
Number of Responses	95.9%	441
Yes	61.74%	284
No	21.10%	97
Don't know	13.03%	60
[No Response]	4.13%	19
Total	100.00%	460

We want to provide free services to people who are assessed as needing them to make a contribution of less than £5. This is because they will be on lower incomes and the cost of living is arising.

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	95.9%	441
Yes	74.35%	342
No	11.52%	53
Don't know	10.00%	46
[No Response]	4.13%	19
Total	100.00%	460

4. Older people

We want to make sure that people aged 85 and over have an extra £10 a week to live

Do you think this is a fair approach?

5. How much everyone has to live on

We will ask everyone to continue to contribute 75% of their available income or pay the full cost of their services, whichever is lower.

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	95%	437
Yes	15.65%	72
No	59.13%	272
Don't know	20.22%	93
[No Response]	5.00%	23
Total	100.00%	460

6. Increasing charges

- a) We gradually increase the contribution that you make over the next three years

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	94.6%	435
Yes	30.00%	138
No	46.07%	212
Maybe	18.49%	85
[No Response]	5.44%	25
Total	100.00%	460

- b) We will increase charges by £10 a week in the first six months and then an additional £20 a week for the next two years.

Do you think this is a fair approach?

	% Answer	Count
Number of Responses	95.7	440
Yes	21.52%	99
No	56.52%	260
Don't know	17.60%	81
[No Response]	4.36%	20
Total	100.00%	460

7. **Written comments**

Principle:

- Residents suggested there are other areas which savings can be made rather than charging for social services to vulnerable people.
- 'Funds raised by tax payers should be set aside to fully cover the cost of care for older people in later years as this helps reduce the burden and worries older people go through trying to make ends meet.'
- Concerns that paying the extra money might leave the payee short.
- Resident fears there will be less money in their pockets to live on. 'This is not fair as times are hard and living costs is going up every month as we need to live in peace to enjoy our old age'

Disability Disregard:

- 25% disability disregard may not need enough to pay for other essential disability needs.

Chargeable Income

- Contributing 75% of available income is too high

Meeting responses

Meeting	Date	Attendance	Key points
Personalisation Customer Reference Group	27 March	15	<ul style="list-style-type: none"> • Approved consultation document and presentation
Advisory Partners	13 April	20	<ul style="list-style-type: none"> • 25% disregard for DLA/AA Higher is too high • Supported transitional protection
Disability Equality Forum	19 April	15	<ul style="list-style-type: none"> • Transitional protection should be £1 week on week. • 75% of net disposable income chargeable is too high • 25% disregard for disability care components is too high
Carers Networking Group	3 May	10	<ul style="list-style-type: none"> • Confirmed that carers could complete the questionnaire • Clarification on respite
Practitioners Forum	4 May	60	<ul style="list-style-type: none"> • Extra protection needed for those with highest levels of need • Practitioners would continue to help support the completion of the forms by service users
Carers Coffee Morning	10 May	30	<ul style="list-style-type: none"> • DLA/AA care components (not mobility components) and Severe Disability Premium considered as income • Financial assessment reviewed annually (or when circumstances change) • Poorest people protected through age related guaranteed minimum income

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Equality Impact Assessment and Action Plan Of Non Residential Fairer Contributions Policy

Review date	April 2012
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Full Equality Assessment

Non Residential Fairer Contributions Policy 2011-15

This Equality Impact Assessment (EIA) will investigate the proposals for changes to non residential charging (Fairer Contributions). It will also include the changes to the Home Meal Service, as well as incorporating the proposed changes to the Taxicard scheme. The proposals for changes to non residential charging are subject to agreement by Members at Cabinet on 12 July 2011.

Background – Fairer Contributions for Non-residential care

Currently, the London Borough of Barking and Dagenham (LBBD) charge for home care, home meals and community equipment but not for all non-residential social care services. The charging policy for home care was introduced in 1999 with a flat rate of £10 regardless of service levels and income. In a report to Executive on 11 March 2003 Members approved a new banded system for home care. Charges were split into three bands based on level of care. However, the banded system has proved, with time, to be unfair as costs discriminate against people who receive lower levels of service.

The Department of Health has issued new guidance on developing a contributions policy which meets the challenges of personalisation. The key themes of the Fairer Contributions guidance are:

- Charges should not be levied for any one service in isolation but for packages of care.
- Councils have discretion not to charge for services at all or to charge for services selectively. This will result in a reduction of the person's personal budget.
- Non personal budget holders should not be treated less favourably than personal budget holders.
- No one should be expected to contribute any more than the financial assessment shows is reasonably practical for them to pay.
- Consideration for charging is not purely budget based, but takes into account service needs.

Proposed changes

The proposed changes to the current system will address:

- The introduction of a £5 waiver
- Changes to levels of disability disregard considered in the income calculations
- Building in an additional £10 allowance for people aged 85 and over
- Not levying a charge on savings between £14,250 and £23,250
- Introducing transitional protection over three years.

The following services will be subjected to a new Fairer Contributions policy:

- Home care
- Personal support
- Personal care
- Day care
- Transport
- Services previously funded under Supporting People where they form part of a care package

Background – Home Meal Service

Alongside the proposed changes to the charging policy for the services above, the contributions towards the Home Meal Service have also been considered. The Home Meal Service is what was previously known as 'Meals on Wheels'. It is a service that delivers meals to individuals at home who are unable to purchase or prepare their own meals.

The Adult Commissioning team had a contract with one provider (Fresh Community Meals) to provide this service. The process involved, in short:

- A member of the social services team identified a resident's need for the service ensuring that they meet the eligibility criteria
- Inform and advise the resident on the service
- Arrange with the provider to start the service

The contracted service provided a hot lunch time meal seven days a week, 52 weeks a year between 11.30am and 2.00pm. This is a very fixed timeframe which does not support a choice agenda. All users of this service contributed £3.45 towards the cost of the meal (including preparation and delivery costs). The Council subsidised a significant amount of the actual cost of the meal in addition to the service user's contribution. Between 4 April 2011 and 31 May 2011 the amount service users contribute towards the cost of the meal rose by £1.50 from £3.45 to £4.95. This uplift was agreed by Cabinet in December 2010.

Proposed changes

- From 1 June 2011 onwards service users will fund the entire cost of meals from a provider of their choosing.
- Service users have an approved list to choose from. This includes providers of services that are similar to the current home meals service as well as local cafes and food outlets who deliver which the council has worked with on the nutritional content of their meals.
- There are opportunities for local social enterprises and small voluntary sector providers as well as supermarket chains in the borough to join the list of home meal options for service users

Background – Taxicard

Taxicard is a scheme that provides subsidised door to door transport for people who have serious mobility impairment and difficulty in using public transport. The scheme was growing in popularity but is unsustainable at the current levels of growth and charges (the Taxicard charge for service users has previously not increased for 15 years).

The Taxicard scheme had just under 5,000 members. This consists of applicants who range in age from two years old to 100+ years old.

Trip limits are given according to mobility needs and are allocated on the 1 April each year with no roll over:

- **Band A** - 120 trips for people who need total door to door service
- **Band B** - 60 trips for people who can drive themselves but on some occasions need door to door transport because they are unable or unfit to drive
- **Band C** - 36 trips these are given to people who can on some occasions use public transport but other times need door to door because of their medical condition

Cost of trips were £1.50 to the customer, so the Council subsidised the trip by £10.30. If the journey goes over £11.80 on the meter the customer paid the difference or they had the option of double swiping the card and this journey comes off their trip allocation.

Changes implemented in April 2011

- An increase in the minimum customer contribution to £2.50
- A reduction of the maximum trip subsidy by £2.00 per trip
- To end double swiping*
- Members currently on a trip limit of 120 per year will receive 104 trips per year from 1 April 2011
- No change to the trip limits of those members currently on 36 or 60 trips per year.

*Double swiping allows for a return journey with another subsidy from the Council.

Intended outcomes from the proposals

- Develop a new charging policy to enable the continued provision of services to the most vulnerable people in the borough.
- Deliver a fairer, more equitable charging policy in line with current Department of Health guidance
- Take into account level of income and protect the most vulnerable residents in the borough
- Encourage more choice and control for the borough's service users in line with personalisation
- Deliver year on year savings set out in the budget setting process.

Name and job title of people involved in this Equality impact assessment

Karen Ahmed – Divisional Director Adult Commissioning
Anne Bristow – Corporate Director of Adult and Community Services
Kevin Jeram – Group Accountant, Adult and Community Services
Jim Popkin – Performance Manager, Outreach - Elevate
Paul Hodson – Group Manager, Community Cohesion
Teresa Coe – System and Policy Manager
Debbie German - Manager Mobility Services
Stuart Whitaker- Customer Quality Assurance Advisor

Equalities profile of users within the service/ function which is being assessed.

The proposed changes for consultation to non-residential charging will have an impact on approximately 600 service users.
The changes to Home Meal Service subsidy impact on 175 service users.
The changes to the Taxicard scheme affect up to 5,000 current members.

Give details of any consultation that has already been done which is relevant to this policy/service/function in relation to the groups below

Fairer Contributions

The proposed changes to the Fairer Contributions policy affect approximately 600 people. It was therefore necessary to consult as widely as possible on the new proposals following Cabinet agreement to proceed on 15 March 2011. The consultation opened in the beginning of April and closed on 31 May.

Postal questionnaires were sent to 1,900 current service users who may be affected. 1,000 members of the Local Involvement Network (LINKs) were also sent the questionnaire. The questionnaire was available on the Council's website through a special questionnaire portal. An article in 'The News' referenced the consultation.

The questionnaire was open to service users, carers and residents. The breakdown of the 460 respondents is tabulated below:

	% Answer	Count
Service user	53.26%	245
Carer	11.52%	53
Other	13.04%	60
No response	22.17%	102
Total	100.00%	460

The Council also consulted directly with the following groups:

- Disability Equality Forum
- Carers Networking Group
- Disability

- Practitioners Forum
- Personalisation Customer Reference Group
- Advisory Partners
- Carers Coffee Morning

The Forum for the Elderly was also involved in the discussion around social care funding.

Appointment sessions were offered so residents could discuss with staff, including a member of the Financial Assessment team, how the proposals would affect them. This was not popular with only two people taking up this option. More popular was an option for a member of Council staff to visit the resident's home to help them fill in the form. This option was taken up by 13 residents. The Council also responded to resident's queries over the phone.

Health and Adult Social Care Select Committee considered the proposals on 20 April 2011. The Select Committee commented that the non-residential charging policy had not been updated over many years and the new proposals to be overdue but were fair and justified.

The consultation process highlighted a difference in response between the consultation meetings with individuals, organisations and representatives of carers, service users and local residents, and the questionnaires. When people had the opportunity to discuss the proposals, the rationale behind them and the impact on their individual circumstances, there was a broader acceptance of the proposals. Furthermore, there was support for the various protections offered to people on lower incomes and our older residents.

However, this EIA considers the questionnaire responses as well as the feedback from meetings, forums and visits. It must also be noted that further consultation took place with questionnaire respondents to explore why they had commented on some of the proposals in the way that they had. Where further explanation was given, over half of respondents who had responded negatively the first time, changed their mind.

Home Meal Service

At 1 April 2011, 175 service users were accessing the home meals service. When considering making changes to the service in December 2010, the Adult Commissioning team conducted a telephone survey with a sample size of 40 people. Results showed that:

- The vast majority of people would prefer their main meal to remain at lunch time
- Nearly all would still buy the meals if the price went up
- Nearly all would consider paying more from a different provider
- Around 60% did not feel able to prepare a frozen meal without assistance.

Qualitative comments were also noted. An annual survey is sent to all customers each year to gain their feedback on the service. The Review and

Evaluation team have ensured that customers received a review and reassessment before the new options were introduced on 1 June.

Taxicard

A letter was sent to all 5,000 users detailing/explaining changes in December 2010. On 27 January 2011 Debbie German, Manager Mobility Services, and Stuart Whitaker, Customer Quality Assurance Advisor, attended the Forum for the Elderly held at the Civic Centre, giving a briefing on changes to the Taxicard scheme in the borough.

SECTION 1 - What does the evidence tell us? – to what extent does the policy /service/function affect the **promotion of equality and the **elimination of discrimination** in each of the equality groups below**

Age

The Fairer Contributions Policy proposals will have an impact on the borough's elderly population. For instance, 78% of home care users are aged over 65. 40% are over 85. Of the 460 respondents to the questionnaire, the age breakdown is tabulated below, also including the breakdown of those who identified themselves as service users:

Age	% Answer (Total)	% Count (Total)	% Answer (Service Users)	% Answer (Service Users)
18-24	1.09%	5	1.22%	3
25-34	3.26%	15	4.49%	11
35-44	7.17%	33	8.16%	20
45-54	10.65%	49	14.29%	35
55-64	9.13%	42	12.65%	31
65-74	10%	46	9.39%	23
75-84	17.83%	82	17.55%	43
85-94	29.35%	135	22.45%	55
94+	3.91%	18	3.67%	9
No response	7.61%	35	6.12%	15
Total	100.00%	460	100.00%	245

The respondents age grouping show a slight under representation of views from older service users. The responses suggest, because of the disproportionate impact on older people, that measures should be in place to protect the elderly. These measures are discussed in Section 2.

The changes to the Taxicard scheme were well received by the members of the Forum for the Elderly who generally accepted that changes have to be

made as a result of TfL capping spending on the scheme. During the briefing, alternative methods of transport that are available to elderly people were described and the relevant contact details included, as well as the contact details of the Mobility Services Team.

After the briefing an opportunity was given to the audience to ask any questions they might have regarding the changes or about the scheme in general. A number of questions were asked which focused on;

- Qualification requirements for the Taxicard
- Explanation on how the subsidy works
- Ways in which to utilise the Taxicard

Since the session, the Mobility Team has not experienced an increase in the volume of calls received, the total number remaining constant with previous months. Customers that have contacted the Mobility Team have commented positively on the alternative modes of transport/methods of utilising their Taxicard which were highlighted during the Forum for the Elderly. Customers have been most interested in the Patient Transport Service, an NHS run service which transports patients to and from their hospital appointments, and Dial-A-Ride, both of which are free services.

The majority of our 175 Home Meal service users are aged over 65 (95%). Indeed, over 50% are aged over 85. Therefore, any changes will have a disproportionate impact on the borough's ageing population. The Council has ensured that people still receive the meals and other services they require to meet their needs. The Council's Review and Evaluation team has contacted the service users affected to inform them of the changes and ensured they have signed up to one of the new options.

Disability

Both the changes to the Taxicard scheme and to non-residential charging will affect people with disabilities in the borough disproportionately. In particular the changes to disability disregard and the inclusion of Severe Disability Premium/Allowance will impact on people with disabilities despite the levels of protection that will be put in place. We consulted with the Disability Forum, Learning Disability Partnership Board, Carers groups and the Advisory Partners. The Fairer Contributions consultation document was edited to ensure it was in 'easy read'.

Of those who responded to the Fairer Contributions questionnaire, 402 (87.39%) had a disability of some description.

No. of Disabilities listed	% Answer	Count
One disability	28.26%	130
Two disabilities	24.57%	113
Three disabilities	18.7%	86

Four disabilities	11.3%	52
Five disabilities	4.57%	21
No disability/No response	12.6%	58
Total	100.00%	460

Of those with four or more disabilities (73):

- 22 (30.1%) felt charging for all community based services was fair
- 34 (46.5%) felt charging for all community based services was not fair
- 14 (19.2%) did not know
- 3 (4.1%) did not answer

This Impact Assessment has looked specifically at the answers of those who stated they had learning disabilities (62 people):

Question 1 - We want to include all of the Severe Disability Premium and 75% of disability related benefits in working out how much you can afford to pay.

Total	Yes	No	Don't Know	No response
62	9 (14.5%)	29 (36.8%)	18 (29%)	7 (11.3%)

Question 2 - Government guidance says that we should ask for a contribution towards all services. At the moment we only ask for a payment towards home care.

Total	Yes	No	Don't Know	No response
62	20 (32.3%)	28 (45.2%)	11 (17.7%)	3 (4.8%)

The evidence from the questionnaire responses and the forums we consulted with tell us that the policy impacts too much on those with high levels of disability. Therefore, an extra protection measure should be introduced to protect those receiving Disability Living Allowance Higher or Attendance Allowance Higher. This measure is introduced in Section 2.

Ethnicity

Below is the ethnicity profile of the 1,100 service users who may be affected by the new Fairer Contributions proposals with the ethnicity of the questionnaire respondents in brackets :

Asian or Asian British:	3.6%	(4.35%)
Black or Black British:	5.9%	(8.04%)
Chinese or other ethnic group:	0.7%	(0.43%)
White British:	84.6%	(78.7%)
Other White:	3.7%	(1.74%)
Mixed or Mixed British:	1.5%	(2.17%)

The figures above show 84.6% of home care users are white British. This

compares with only 56.4% (LBBB Experimental Ethnic Estimates: Community Mapping Nov 2010) of all borough residents being white British. However, the ethnic profile of the respondents is similar to the overall ethnicity of current service users as described above. There is a slight underrepresentation of white British respondents as opposed to actual service users. Over 15% of service users are from an ethnic minority. Therefore, the Council ensured that the consultation was in an accessible format. It is important that service users, where English is not their first language, are able to understand the implications of the proposals. Help was available to go through the proposals through a personal visit, a telephone call or a surgery. The proposals and questionnaire were distributed to the BAME Forum on 27 April. The Council's BME Support Officer was available to help clarify the questions. She also visited the Gurdwara where she helped respondents complete the form.

Gender (including transgender)

Below is the gender profile compared with age of the 1,100 service users who may be affected by the new Fairer Contributions proposals:

Age	Male	Female
18 - 24	0.4%	0.1%
25 - 39	2.1%	1%
40 - 64	6.8%	7.8%
65 - 74	4.6%	6.7%
75 - 84	6.2%	16.8%
85 - 94	5.9%	27.8%
95+	0.6%	5.5%

The table shows the disproportionate impact on elderly women. Over 50% of service users affected are women aged 75 and over. 268 (58.3%) respondents stated that they were female and 152 were aged over 75. Of the 152, 55 (36.2%) thought introducing charging for all non-residential services was fair and 53 (34.9%) thought that it was not fair. This compares with the overall figure from all respondents of 161 (35%) thinking introducing charging for all non residential services was fair and 200 (43.5%) believing it is unfair.

While it is important to recognise and monitor the impact on elderly women, the policy should be consistent across genders.

Religion or belief

The movement of service users to personal budgets allows the budget holders to have greater choice and control. The budget holder can, for instance, purchase culturally specific forms of support including those in keeping with the individual's faith. These approaches may not be part of the general offer but are necessary to meet individual outcomes. Therefore, the personalised approach to social care encourages choice and control which may include culturally specific services not delivered by mainstream providers.

Regarding home meals, culturally specific and faith appropriate meals are provided by most of the new menu of options. More details can be found in section 2.

Consultation documents on non-residential charging include faith monitoring which is detailed below:

Faith	% Answer	Count
Christian	78.26%	360
Muslim	3.26%	15
Sikh	1.3%	6
Hindu	0.65%	3
Jewish	0.22%	1
No faith	6.52%	30
Others	1.74%	8
No response	8.04%	37
Total	100.00%	460

Sexual orientation

No specific implications

Pregnant and Nursing mothers

No specific implications

How could this policy /service/ function reduce socio-economic disadvantage for all groups?

The proposals will mean more people are contributing towards their care or paying higher amounts for their care, Taxicard journeys and Home Meal Service. We have consulted widely on the proposals and the levels of protection we are offering.

Careful modelling has been completed on the proposals for service users to ensure they still have enough money to live on. Extra protection measures have been built in to protect the borough's most vulnerable such as raising the minimum payment to £5, only taking up to 75% of disposable income and introducing transitional protection.

How does the policy/service/function contribute to building Community Cohesion?)

The Council has worked with local providers to introduce a new way of providing community meals. This includes liaising with a social enterprise who have agreed to be included in the list of options for service users. A social enterprise is a business with primarily social objectives whose surpluses are reinvested for that purpose in the business or the community, rather than being driven by the need to maximise profit for shareholders and owners. The promotion of social enterprises should have positive impacts on the community.

The Fairer Contributions proposals, in general however, could have implications for community cohesion in the way that the charges will mean that there is no financial incentive to use day centres. Service users and carers would have more choices because of personal budgets and people may choose to engage in more community based activities thereby increasing the opportunities for developing local friendships and raising the visibility of disabled people within the local community.

Given all the information that you have gathered in the previous sections how will or how does the Policy/Service /Function meet the needs of individuals from different groups?

The impact of the changes in charging policy for home care users has been analysed extensively. The impact of the proposed changes has been modelled for the 922 home care users financially assessed before 3 November 2010. The impact has been modelled again following the consultation for the 987 home care users financially assessed before 1 June 2011. This includes current home care users who are not currently charged but will be if the proposed changes are implemented following consultation. The impact on other service users such day care users and people funded through Supporting People was included in the report for Cabinet on 15 March and the revised policy for 12 July. It is impossible to predict as accurately the impact on these service users and new service users because these people have not all been financially assessed. Instead, the trends from the home care user analysis has been used to gather indicative numbers affected by the proposals:

- 53% (583) of people will get free services or pay less
 - 575 (52%) service users will still receive free services
 - 15 (1%) will pay less than they pay now
- 5% (51) of people will pay the same
- 41% (451) of people will pay for the first time or pay more.

The number affected by this policy will fluctuate as people enter and leave the services affected. New service users (after 1 October) will not be protected by transitional protection but will be subject to the other protection measures to ensure they have enough disposable income to live on.

Age

Council Members and Officers are very aware of the impact any proposed

changes have on the ageing population as they are more likely to be receiving services that will be charged for. For instance, over one third of home care users are aged over 85. As an additional protection measure for this group, it was proposed that we increase the Minimum Income Guarantee for all service users aged 85 and over by £10. This means over 85s will have a Minimum Guaranteed Income of £181.68 giving them higher disposable income. Of the 111 people who answered the questionnaire aged 85 and over, only 9 (8.1%) thought this proposal was not fair. Overall 342 (74.4%) of respondents thought this additional protection measure was fair and 53 (11.52%) thought it was not fair. It is recommended that this additional protection measure remains in place to help assist elderly residents in the borough.

The national guidance ensures that people aged 60 and over have a higher minimum income of £171.68. Therefore any income below that amount will not be touched by this charging policy.

The increase in charge of the Taxicard scheme will also have an impact on 88% of Taxicard holders who are aged over 65. The majority of the Taxicard users above are also in receipt of non-residential services. The built in protection for older people with non-residential care means that all Taxicard holders should have enough disposable income to fund these changes. It must also be noted that the majority of Taxicard users only use their Taxicard in emergencies – just once or twice a year. However, the new proposals will be reviewed this summer to monitor the impact of the proposals introduced in April.

Disability

In the proposed Fairer Contributions policy, including Severe Disability Premium in income calculations, will mean that an estimated additional 177 service users will have to pay a contribution towards the cost of their personal budget or care package (as calculated in November 2010). This is because their Net Disposable Income, including Severe Disability Premium would then be calculated as being above the income support level + 25%.

The proposal to reduce the level of disability disregard to 25% of disability related benefits means an additional 167 people would become eligible to make a contribution towards the cost of their care package or personal budget. In total 344 people may be affected by changes to the treatment of disability benefits.

The consultation has revealed of the 402 people who responded to the questionnaire with at least one disability, 118 (29.4%) thought it was fair to reduce the levels of disability disregard to 25%. 173 (43%) thought it was unfair.

Because of this impact on people with disabilities in the borough and the responses received, it is proposed that an extra protection measure is added to those who receive the higher rates of DLA and AA. Instead, 65% of DLA and AA will be considered in income calculations.

Disability Related Benefit	Level	2011/12 benefit level	March 15 proposal	Revised proposal	Income not chargeable
Disability Living Allowance	Higher	£73.60	£55.20	£47.84	£25.76
	Medium	£49.30	£36.98	£36.98	£12.32
	Lower	£19.55	£14.66	£14.66	£4.89
Attendance Allowance	Higher	£73.60	£55.20	£47.84	£25.76
	Lower	£49.30	£36.98	£36.98	£12.32

This revised proposal will effectively give an extra £7.36 in weekly protection to the borough's most vulnerable service users. 61 people will not be charged because of the movement of DLA/AA Higher from 75% disregard to 65%.

It is proposed that the other protection measures remain:

- Only 75% of net disposable income can be charged
- People will be protected by large increases in the chargeable amount by introducing transitional protection of a maximum £10 weekly increase from October 2011 and £20 increase in April 2012.

This will in particular protect new payers who visit day centres and currently pay nothing for this service. It is anticipated that 54 current day care users will also be expected to start contributing if the proposals are implemented. The 54 day care users will all be protected by the transitional protection.

Despite the aforementioned protective measures in place, disabled people in the borough are going to be expected to pay more across a range of services. The majority of Taxicard users have mobility problems and are going to be expected to pay more for their journeys. If they have home meals as well it is likely that they will pay more for their meals (though they may find cheaper alternatives). The increase in charge for Blue Badge holders from £2 to £10 owing to the design changing must also be considered. The Blue Badge scheme is for people with severe mobility problems. It allows Blue Badge holders to park close to where they need to go. Though the Blue Badge lasts for three years, the increases in costs for disabled people in the borough add up.

The Council will continue to consult with disabled people and undertake regular financial assessments to ensure they have enough disposable income despite the increase in charges and costs. In extreme cases of hardship, service charges can be waived at the discretion of the Corporate Director.

Race/Ethnicity

The Council will ensure all service users, including the 15% of ethnic minority service users affected by the Fairer Contributions proposals, clearly understand the benefits they are entitled to when they are financially

assessed. The numbers of ethnic minority residents is increasing as shown by the latest estimates of percentage of people in ethnic groups (LBBD Experimental Ethnic Estimates: Community Mapping Nov 2010):

White: 67.2%
British/Irish 56.4%
Other 10.8%
Asian or Asian British: 14.4%
Indian 4.1%
Pakistani 5.4%
Bangladeshi 3.0%
Other Asian 1.9%
Black or Black British: 17.6%
Caribbean 1.9%
African 15.4%
Other black 0.3%
Chinese or Other Ethnic Group 0.9%
Chinese 0.4%
Other 0.5%

This is quite different from the ethnic profile of service users in the ethnicity part of section 1. It is likely that the ethnic profile of service users will change to move more in line with the borough ethnicity changes. It is essential that the financial assessment process is clear so all service users understand what benefits they are entitled to and how the Fairer Contributions Policy works.

The Council explored the option of providing culturally sensitive meals to the local community. Future service options ensure user's health and cultural meal needs are considered, for example by providing options that include Asian, Asian vegetarian and Afro Caribbean.

One of the most popular new options for Home Meal service users, Havering Catering Services, are able to cater for all dietary requirements. Only one of the home meals options listed on the leaflet, do not offer the full range of culturally specific meals. This is a sit down option where users enjoy the opportunity to socialise with others as they are eating.

Gender (including transgender)

The impact on elderly women is disproportionate to other genders as discussed above. Cases will be reviewed where there are particular cases of individual hardship.

Pregnant / Nursing Mothers

The impact on this group has not been analysed.

Religion or Belief

As stated above the new home meals service options will consider dietary requirements owing to religious belief including:

Kosher
Halal
Vegetarian

Home Meals options will offer choice and control for service users.

Sexual orientation

The impact on this group has not been analysed.

Socio-economic disadvantage

Service users will be paying more if the proposals for Fairer Contributions are implemented. However, all the proposals have attempted to ensure that service users are not too economically disadvantaged by the proposals. In particular, the following proposals seek to prevent socio-economic disadvantage by:

- Ensuring only 75% of net disposable income can be touched by any charging policy. This will mean that 14 people will actually pay less for their home care than they currently do under the banded system
- Introducing a minimum payment of £5 meaning that 34 service users on low income do not have to pay towards their home care
- Introducing transitional protection to protect service users from large payment increases
- Allowing home meal users to find cheaper alternatives rather than giving them no choice about their home meal provider
- Ensuring people are aware of other transport options other than the taxicard scheme, including the sharing of transport with other users.

Cases will be reviewed where there are particular cases of individual hardship with a possible reduction or waiver resulting. The impact of any proposals implemented, and the use of waivers, will be monitored and evaluated annually.

What more can be done?

Challenges and Opportunities

1) The Revenues and Benefits Team will be conducting a financial assessment on up to 1,100 service users. This will mean the most up-to-date financial information will be gathered on service users to ensure they pay the correct amount. This Financial Assessment will be updated annually for each service user so any changes in financial circumstances are picked up and people are still paying the right amount. The Financial Assessment will be accompanied by a welfare benefits check to maximise each individual's income.

2) What **practical changes** will help reduce any adverse or potential adverse impact on particular groups?
Extra resources may be acquired by Elevate to ensure they can manage the extra financial assessments that will be required as more people

become eligible to be charged. Extra resources may be also required to ensure people are given welfare benefits checks at the same time as financial assessments. This will be confirmed by the Project Implementation team.

3) What will be done to improve access to, and take-up of, services and understanding the policy?

Frontline workers will be briefed about the consultation. When a new policy is confirmed following decision by Cabinet, they will be briefed again. Social workers will therefore be in a position to assist with any queries and help with financial assessments if necessary. The new charging policy and Taxicard scheme will be explained on the borough's website.

What impact will the policy have on helping different groups of people to get on well together to improve community relations

Because the proposals remove any financial incentive to use day centres, people may begin to choose to engage in community based activities with personal support. This could raise the visibility of disabled people and enable people to develop relationships with people they previously would not have met.

Equality Impact Assessment

While these proposals are designed to increase income for the Council to sustain the current levels of service, they are also designed to be fair and equitable. Provision is to be made to ensure:

- The results of the consultation should be presented to Members at Cabinet in July 2011, including the raw data.
- Frontline staff to be aware of proposed changes to charges and understand the rationale behind it.
- The new financial systems (SWIFT Financials) need to be set up and tested.

Action plan template

Category	Actions	Target date	Person responsible and their Directorate
Improving Involvement and Consultation	Eight week consultation to take place from beginning of April 2011 to ask questions around the proposals concluding on 31 May 2011. The results of this consultation will go to Cabinet in July 2011.	July 2011	Divisional Director Adult Commissioning
Review of Taxicard proposals	Full review of impact of new proposals since 1 April	September 2011	Divisional Director Customer Strategy
Improving data collection and evidence	Financial Assessment of all non-residential service users will be carried out from April 2011.	September 2011	Project Manager Implementation Phase
	Welfare benefits checks will be offered and take up monitored.	September 2011	Project Manager Implementation Phase
Improving assessment and analysis of information	Payment system set up on SWIFT Financials	September 2011	Project Manager Implementation Phase
Developing procurement and partnerships arrangements to include equality objectives and targets within all aspects of the process (including monitoring of the contract / commission)	Monitor any drop off in service take-up because of the charges and ensure no equality group is adversely affected.	Annually	Divisional Director Adult Commissioning
How will you monitor evaluate and review this EIA (including publishing the results)	EIA updated following consultation and included in appendix for July Cabinet report. This will be published on the Council website.	July 2011	Divisional Director Adult Commissioning
	EIA to be reviewed annually, in line with review of policy.	April 2012	Divisional Director Adult Commissioning



Fairer Contributions Policy

July 2011

Adult and Community Services

Fairer Contributions Policy

1. Introduction

- 1.1 The Fairer Contributions Policy is designed to ensure that people pay a fair contribution towards the costs of their services.
- 1.2 The Fairer Contribution Policy follows statutory guidance and builds in a number of safeguards to reflect local need and the needs of disabled people.

2. Legislative Context

- 2.1 Section 17 of the Health and Social Services and Social Security Adjudications Act 1983, gives local authorities discretionary powers to charge adults for non-residential services. Statutory guidance, "Fairer Charging Policies for Homecare and Non-residential Services" was issued in 2003 under section 7 of the Local Authority Social Services Act 1970.
- 2.2 This was updated by, "Fairer Contributions Guidance: calculating an individual's contribution to their personal budget", issued in November 2010. This guidance provides information about how Councils should calculate the user contribution for recipients of a Personal Budget. In future, users of social care services will receive Personal Budgets with which to purchase their support instead of being provided with available services.
- 2.3 The key themes of the 2010 Fairer Contributions guidance are:
 - Charges should not be levied for any one service in isolation but for the overall package of care.
 - Councils have discretion not to charge for services at all. The council has discretion to charge for services selectively. Where this is applied, it may result in the reduction of the person's personal budget.
 - Non personal budget holders should not be treated less favourably than personal budget holders.
 - No one should be expected to contribute any more than the financial assessment shows is reasonably practical for them to pay.
 - Consideration for charging is not purely budget based, but takes into account service needs

3. Principles

- 3.1 The London Borough of Barking and Dagenham has adopted the following principles to ensure that service users make fair contributions :
 - Contributions from service users will be fair and reasonable, and calculated with their input through an individual financial assessment.
 - Individual financial assessments will ensure that service users are only charged what they can reasonably afford to pay.
 - Contributions will not exceed the cost of providing the service and will not include any costs of assessment or the administration process for the service provided
 - Benefits advice will be available to service users through the assessment process and will ensure that service users have access to their full benefits and entitlements
 - After charges have been applied, service users will retain at least their basic income support or pension credit plus 25% as protected income, thus ensuring that people charged will only pay what they can reasonably afford for their service. An additional protection of £10 is available for those aged 85 and over.

- Services to meet assessed needs will not usually be refused or withdrawn if a person does not pay their assessed charge although this may happen where a person with mental capacity and the means to pay decides not to do so. Debt recovery may be pursued for all outstanding verified charges in line with the debt recovery corporate policy.
- Contributions will be determined by reference to both level of service and the service users' means and will be levied after a full financial assessment.
- A discretionary allowance of 25% of an individual's net disposable income will be included in the assessment process.

4. Services exempt from the Fairer Contributions Policy

- After Care Services under S117 Mental Health Act 1982 - These would continue to be provided free of charge.
- Residential Intermediate Care Services for a maximum of 6 weeks - These would continue to be provided free of charge.
- Re-ablement Services, for a maximum of 6 weeks - These would continue to be provided free of charge.
- Needs and Financial Assessments for Community Care Services - These would continue to be provided free of charge.
- Provision of Information, Advice, including Benefits Maximisation and Guidance - These would continue to be provided free of charge.
- Services provided to carers under S2 Carers and Disabled Children Act 2000 - These would continue to be provided free of charge.
- Community equipment and minor adaptations - Separate arrangements apply – Payment up to first £50 of equipment on each occasion.
- Carer support services (for the avoidance of doubt this does not include residential respite)

5. Respite Services

- Short term respite services will be included as part of the Resource Allocation Schedule and will fall under the Fairer Contributions Policy
- Sustained long term residential respite services will be charged under the Charging for Residential Accommodation Guide (CRAG) – a nationally set policy.

6. Services included in Fairer Contributions Policy

An assessed contribution will be made for:

- Personal care
- Home care
- Personal support
- Day opportunities
- Transport
- Services previously funded under the Supporting People as part of a service to meet needs under FACS
- Direct payments
- Personal budgets and managed personal budgets

It should be noted that this list is illustrative rather than exhaustive

7. Direct Payments

A financial assessment for service users receiving Direct Payments or a Personal Budget will be undertaken in accordance with this Fairer Charging Policy. Where possible, direct payments and personal budgets will be made net of any assessed service user contribution.

8. Financial Assessment

A full financial assessment will be undertaken for all individuals who receive services for which an assessed charge can be made. The financial assessment will ensure that service users;

- Have sufficient money to meet their basic housing costs and any disability related expenditure; and
- Retain their minimum guaranteed income of basic income support or pension credit plus 25% as "Protected Income" (pension credit plus 25% plus £10 for people aged 85 and over). This amount will not be included in the assessment calculations.

9. Assessing Ability to Pay

9.1 Overview

The financial assessment is based on the services user's income, against which deductions will be made for allowable expenditure.

All service users, after paying for their social care services and housing costs will be left with a weekly amount not less than basic income support or Pension Credit Guarantee plus a 25% buffer and a proportion of their disability related benefits.

The contribution will be the lesser of the service user's available income or the standard cost for the received services supplied subject to the Council's minimum charge of £5.

9.2 Capital

The value of capital and assets is as defined in CRAG and the National Assistance (Assessment of Resources) Regulations (1992). Service users with capital above the CRAG upper limit (other than the value of their main home), are liable to pay maximum charge for services they receive. The capital limits will be reviewed annually in accordance with CRAG.

9.3 Calculation of income

The following sources of income will be fully disregarded in the charging assessment;

- Mobility component of Disability Living Allowance
- First £20 of any Charitable income unless it is wholly disregarded as per CRAG
- Working Tax Credit
- War widows' supplementary pension
- A partner's disability related benefits
- Winter fuel and cold weather payments
- Social Fund Payments
- Maintenance payments specifically relating to a child
- Child benefit.

The following sources of income will be partially disregarded in the charge assessment;

- War disablement pension, war widows pension (£10 per week disregarded)
- Sub tenants – disregards apply as per CRAG
- Boarders – disregards apply as per CRAG.

9.4 Welfare benefits

As part of the financial assessment process, advice will be provided to service users regarding benefit entitlements. Assistance will be available to complete benefits applications should a potential entitlement be identified.

9.5 Equity Release Schemes

The most common form of Equity Release Scheme is a Home Reversion Scheme (HRS), where a home owner will transfer the ownership of all or part of their home to a commercial or "not for profit organisation. Depending on the terms of the HRS, the funds released may be translated into an annuity, or a combination of these. Other forms of equity release will be considered on an individual basis and income from the equity release may be considered in the financial assessment.

9.6 Household Expenditure

The following Household Expenditures may be allowed depending on the service user's circumstances;

- Rent net of housing benefits
- Mortgage net of income support or pension credit assistance
- Board and lodging (as defined and managed in CRAG)
- Council Tax net of Council tax benefit
- Building Insurance (and in exceptional circumstances contents)
- Essential service charges and ground rent net of assistance funding

9.7 Couples

When assessing one member of a couple it is the Council's policy to assess in the most beneficial way to the service user. All couples will be offered a joint assessment to identify the most beneficial outcome, whilst noting that a spouse or partner is not obliged to disclose their resources, should they choose not to.

When assessing one member of a couple as a single person;

- 100% of solely owned and 50% of all jointly owned capital and savings will be taken into account (excluding the value of the main home);
- All assessable income appropriate to the service user will be considered,
- An allowance will be made for 50% of the couple's total joint basic household expenditure;
- The 'basic' level of income support or Pension Credit Guarantee will be 50% of the couple's allowance + 25% buffer; and
- An allowance will be made for the service user's proportion of disability related expenditure where they receive a Disability Related Benefit (i.e. Attendance Allowance, Disability Living Allowance or the Severe Disability Premium). This allowance is 25% of DLA middle and lower rate and AA lower rate and 35% of higher rate DLA and AA.

When assessing as a couple:

- The income and savings capital for the couple will be considered. If the spouse or partner is not willing to disclose this information, the service user will be assessed as a single person;
- An allowance will be made for 100% of the couple's basic household expenditure;
- The 'basic' level of Income Support or Pension Credit Guarantee will be that of a couple;
- The couple's assessed disposable income is then halved prior to considering any individual Attendance Allowance or Disability Living Allowance awarded;
- An allowance will be made for the service user's proportion of disability related expenditure where they receive a Disability Related benefits (i.e. Attendance Allowance or Disability Living Allowance) and ;
- When both partners receive a joint care package, the standard CRAG capital limits will be doubled.

9.8 Disability Related Expenditure

In order to ensure that service users have sufficient disposable income to meet disability related needs, the following disregards will apply:

- 35% of Disability Living Allowance (DLA) Higher and Attendance Allowance (AA) Higher rate Care component
- 25% of DLA Middle and Lower rate and AA Lower rate

9.9 Shared costs

If more than one person lives in the service user's home the additional costs relating to a disability or condition will be shared between the occupants whose needs contribute to the additional costs. The cost of providing domestic assistance or gardening, if allowed, may be attributed to all the adult occupants of the service user's home.

10. Service user contribution issues

10.1 Decline to provide Financial Details

Service users have the right to choose not to disclose their financial details. If this right is exercised they will be required to pay the full cost of the care, and no weekly maximum rate will apply.

If the service user has savings above the CRAG capital limits, currently £23,250, full cost also applies.

10.2 Delays in completing the Financial Assessment

If a service user unreasonably delays completing the financial assessment they will be required to pay the full charge for the service provided, until the financial assessment is completed. If a financial assessment results in a lower charge than this, consideration will be given to refunding the difference depending on the circumstance of the case. This decision will be made by an Adult Social Care Manager.

'Unreasonable delay' will be determined on a case by case basis, however as a general rule the Council will expect the service user or their representative to assist the Financial Assessment Team. Where the service user or representative prefers to complete the financial circumstances statement by post, then it is expected that this will be returned to the Council within 2 weeks.

If further information is required for the financial assessment then it is expected that the service user will provide this within 1 week of the date it was requested.

10.3 Review of Financial Circumstances

Service users are required to inform the Financial Assessment Team as soon as their financial circumstances change, as this may affect their assessed charge. This specifically includes receipt of a new benefit, other changes of more than £10 per week to their income or expenditure, and changes to capital or savings which mean that they are above the threshold. Service users may inform the Council of lesser changes at any time and should do so promptly if they believe that a change will result in a reduction to their financial assessment and want it to be applied immediately.

Following notification of a change or a review visit, a new financial assessment will be completed using the information provided. If the revised assessment results in an increase in

the weekly charge, the service user will be notified of the revised charge and it will be backdated to when the service user's circumstances changed.

If the revised assessment results in a decrease in the weekly charge, this will be backdated to one month before the date of the review.

Examples of when a financial assessment may take place are listed below:

- On request from the service user or his / her authorised representative
- Following an award or withdrawal of a benefit
- New information is received as to the service user's income and expenditure
- When the Department of Work & Pension increases benefits
- As a result of changes to the hourly rate or maximum charge
- At the request of the appropriate Service Manager
- Annual review

10.4 Annual Review

In addition to the reviews described above, the financial assessment will be reviewed annually to take account of the annual increases in benefits and other income which take place each April. Where the service user is in receipt of benefits paid at standard rates, the revised amount will be substituted. Benefits paid at non standard rates will be increased in line with the benefits changes..

For other components of the financial assessment, such as occupational pension, disability related expenditure, rent and Council tax, a percentage increase linked to the Retail Price Index (RPI) will be applied.

Changes resulting from the annual increase or the application of a revised minimum guaranteed income (protected income) will apply from the date assigned to these changes.

An explanation and full details of the revised assessment will be sent to the service user, who will be asked to check the figures and contact the Financial Assessment team if they believe it is not an accurate representation of their circumstances.

The Financial Assessment Team will send a financial assessment review form to service users annually. The service user can use the form to advise the Council of any changes to their circumstance. The service user also has the option to request a visit from a member of the Financial Assessment Team to assist in completing the form or undertake a financial review in more detail.

10.5 Waivers

A service user who is assessed as being liable to pay a contribution but who believes that paying the charge will cause them financial hardship can apply for the charge to be waived. When the application is received, an Adult Social Care manager will consider the information and make a decision within 20 working days of receiving the application. If the decision of the panel is in favour of the original assessment and the service user did not pay the charge during the application process, outstanding payments will have to be made up

10.6 Reviews, Appeals and Complaints

The London Borough of Barking and Dagenham has a robust complaints process to ensure service users can express their views or make a complaint. The Council welcomes feedback from service users, and has dedicated officers to manage the complaints process.

If a service user is dissatisfied with their assessed charge calculation, believes that they have insufficient funds to pay the charge, or that the charge is incorrect (i.e. incorrect hours or service have been charged) they have the right to request a review.

The service user or their authorised representative can start the review process at any time by contacting their social worker or the Financial Assessment Team.

10.7 Appeals

If an application is refused, and the service user is unhappy with the decision, an appeal can be made in writing within 28 working days of receiving the refusal letter. The appeal should include an explanation of why the service user thinks the decision is wrong and also include any information in support of the case.

The appeal will be considered by a Divisional Director in Adult and Community Services who will then make a decision within 20 working days of receiving the appeal letter. The decision letter will include the reason for the decision and will be sent within 5 working days of the consideration.

If the appeal is turned down and the service user is still not happy with the decision, the Local Government Ombudsman can be contacted.

10.8 Debt recovery

If the service user does not pay the charges either in full or in part and the invoice remains unpaid, the Council's debt recovery procedures may be instigated. This may result in legal action and extra costs to the service user.

11. Privacy

Information will be collected to enable the calculation of charges relating to service provided and assessment of welfare benefit entitlement. In accordance with the Data protection Act 1998, this information will only be shared with other relevant people and agencies in accordance with the data protection principles or with the written consent of the service user or their legally appointed representative.

A service user has the right to request to view their personal information held by the Council at any stage.

12. Equality Impact Assessment

An equalities impact assessment has been undertaken of the London Borough of Barking and Dagenham's Fairer Contributions Policy. A copy of the impact assessment is available on the Council's website. This policy has specific measures in place to ensure that disabled people are treated equally to non-disabled people in relation to service charges.

13. Review of this Policy

This policy will be reviewed in March 2012 and at least annually thereafter. This policy may also be reviewed at other times in response to national changes or guidance.

Appendix 7

Summary of Recommendations

1. The Council should provide free services to people who are assessed as needing to make a contribution of less than £5.
2. The Council should build in an extra £10 protection into the guaranteed maximum income for people aged 85 and over.
3. The Council will include 100% of Severe Disability Premium/Allowance in the financial assessment in line with national guidance
4. The Council will reduce the disability disregard from 75% to 25% for people on lower levels of Disability Living Allowance (DLA) and Attendance Allowance (AA). The Council will reduce the disability disregard from 75% to 35% for people on the higher levels of DLA and AA.
5. The Council will ask for contributions towards the cost of the care package not individual services, as required by Government guidance.
6. The Council will take 75% of disposable income into consideration when setting the maximum level of contribution.
7. The Council implements transitional protection of a maximum of £10 in October 2011 until March 2012 and a maximum increase of an additional £20 from April 2012 and an additional £20 from April 2013.

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THE CABINET

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION

Title: Semi-Independent Housing for Young People Framework Agreement	For Decision
<p>Summary:</p> <p>The Council's Children's Services has a legal obligation under the Children (Leaving Care) Act 2000 to support care-leavers and where necessary it meets its obligations through the provision of accommodation. This is achieved through procuring a range of semi-independent accommodation for young people leaving care from a number of local providers on a spot-purchase basis outside of any tendered arrangement.</p> <p>This report seeks approval for the Council to be named as a participating authority in a tendering exercise led by the London Borough of Haringey and involving a number of other participating authorities (Barnet, Waltham Forest, Havering and Redbridge) for the procurement of a Framework Agreement for the provision of semi-independent accommodation services.</p> <p>The proposed arrangement is anticipated to secure more competitively priced services, particularly through a reverse e-auction process to establish fees, as well as significantly better quality assurance through the improved monitoring of providers and information-sharing between participating authorities. Comparison amongst the participating boroughs shows that many are using providers not known to this Council and it is hoped that the tender will encourage other providers to develop accommodation either within or accessible to Children's Services in Barking & Dagenham.</p> <p>Wards Affected: All</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to agree:</p> <ul style="list-style-type: none"> (i) the Council to be named as a participating authority in a tendering exercise led by the London Borough of Haringey and involving a number of other participating authorities, for the procurement of a four-year Framework Agreement for the provision of semi-independent accommodation services, as described within this report. (ii) The procurement of semi-independent accommodation for care-leavers as and when required by the Council, via the said Framework Agreement. (iii) to indicate whether it wishes to be further informed or consulted on the progress of the procurement and/or the use of the Framework Agreement, or whether is content for the Corporate Director of Children's Services to monitor the progress of the Framework Agreement procurement and, upon conclusion of the procurement, to award contracts for the provision of semi-independent accommodation for care-leavers as and when required by the Council, via the Framework Agreement. 	

<p>Reason(s) To support the Council key theme of “Better Health & Well-being”.</p>
<p>Comments of the Chief Financial Officer</p> <p>The accommodation framework itself focuses on two main aspects - driving down the current costs as well as standardising the quality of the provision. Detailed financial implications are covered in section 3 of the report</p> <p>The direct financial costs associated with being part the Semi Independent accommodation framework are limited. The Borough makes a small contribution towards the expenses of young people who have participated in the actual tender process.</p>
<p>Legal Comments</p> <p>This report is seeking Cabinet’s approval for the Council to be named as a participating authority in a tendering exercise led by the London Borough of Haringey and involving a number of other participating ELS (East London Solutions) authorities, for the procurement of a Framework Agreement for the provision of semi-independent accommodation for young people leaving care, and young asylum seekers.</p> <p>The Government has for some time now been actively encouraging collaborative working between local authorities. As far back as 2006, the Local Government White Paper – “Strong and Prosperous Communities” – encouraged joint commissioning of services by local authorities and highlighted its potential benefits, including achieving economies of scale.</p> <p>The Public Contracts Regulations allows local authorities to enter into Framework Agreements with service providers, following a competitive tendering process, and to select service providers to provide particular services, as and when required, from the Framework Agreements thus established.</p> <p>The particular services to be procured under the proposed Framework Agreement are classified as Part B services under the Public Contract Regulations 2006 (“the Regulations”); therefore there is no strict requirement under the Regulations to tender the contract in the EU.</p> <p>However, as the value of the proposed procurement is potentially above the EU threshold for services (currently £156,442), the provisions of the Council’s Contract Rules, and the EU Treaty principles of non-discrimination and equal treatment of bidders and transparency of the tendering process will still need to be adhered to. Furthermore, although the EU tendering rules do not strictly apply to the proposed procurement, recent case law has established that where services are likely to attract cross-border interest, for example where the estimated value of the contract is high (as in this case), the contract should be tendered in the EU.</p> <p>The report states that the proposed Framework Agreement will be tendered in the EU using the restricted procedure. This complies with the requirements of the Council’s contract Rules and the EU Treaty principles</p> <p>The provisions of the Public Contract Regulations allow selection of service providers from</p>

a duly established Framework Agreement either by way of “call-off” (i.e. without further competition), or by holding a further mini-competition with the services providers on the Framework Agreement.

It is anticipated in this case that the “call off” method of selection will be used.

In deciding whether or not to approve the recommendations of this report, Cabinet must satisfy itself that the proposed procurement of semi-independent accommodation for care-leavers services via the Framework Agreement will represent value for money for the Council.

In accordance with Contract Rule 3.6.4, the report is additionally requesting that Cabinet confirm whether it wishes to be further informed or consulted on the progress of the procurement and/or the use of the Framework Agreement, or whether is content for the Corporate Director for Children’s Services to monitor the progress of the Framework Agreement procurement and, upon conclusion of the procurement, to award of semi-independent accommodation for care-leavers and young asylum-seekers services and when required by the Council, via the Framework Agreement.

Contract Rule 13.3 provides delegated authority to the commissioning Chief Officer, in consultation with the Section 151 Officer (the Corporate Director of Finance and Resources) to award contracts upon conclusion of a procurement process.

Cabinet Member: Cllr. Rocky Gill	Portfolio: Deputy Leader of the Council and Cabinet Member for Children and Education	Contact Details: Tel: 020 8724 2892 E-mail: rocky.gill@lbbd.gov.uk
Head of Service: Chris Martin	Title: Divisional Director Children’s Complex Needs and Social Care	Contact Details: Tel: 020 8227 2233 E-mail: chris.martin@lbbd.gov.uk
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1. Background

1.1 It is widely understood that the transition from being looked after to living independently is exciting but hugely difficult and the support that a young person receives while negotiating this stage in their lives can make all the difference to their becoming a healthy and independent adult. The local authority aims to support care-leavers in building a range of skills that will help them to achieve their self-defined goals and to successfully manage their homes, families and future jobs. Each young person leaving care has an individual pathway plan that establishes their goals and milestones in becoming independent, with their accommodation and support needs being a key element of this. Each setting will support a young person in their journey towards independence in the following areas:

- Health & well-being
- Welfare

- Education
- Training
- Independent Living Skills

1.2 There has been no previous or related report to Cabinet on this matter.

2. Proposal

2.1 Children's Services has a statutory duty to support young people leaving care through the Children (Leaving Care) Act 2000. One of the key means of meeting these obligations are through the provision of an appropriate range of supported accommodation services purchased from the private, voluntary and independent sectors (PVI). The type of accommodation varies greatly according to the individual needs of each young person, with considerable variation in costs according to the level of support, rent element etc. At any one time Children's Services will use approximately 20 different providers, varying in their level of support. At the time of writing this report, the department provides semi-independent housing for 41 young people, ranging from low support settings such as lodgings through to higher support / high-cost settings with 24-hour staffing for the most vulnerable or most challenging young adults.

2.2 Currently all services are spot-purchased from individual providers, ensuring that services are individual to a young person's needs, but not necessarily securing best value for the local authority.

2.3 The local authority currently has limited capacity to monitor the relative performance of providers, to establish which ones provide better value for money, or promote good practice across the sector. This proposal would establish common monitoring across all the participating authorities, allowing large-scale benchmarking of practice and care outcomes amongst providers to take place.

2.4 The advantages of a contractual framework over spot-purchasing would be many. Quality assurance monitoring can take place across the participating authorities both with regard to statistical returns, as well as regular meetings with providers. Good practice and training opportunities can be shared amongst providers and forums held with local partners. Good quality services should lead to more stable and secure placements and young people who feel better equipped for adult life.

2.5 The particular contractual method recommended to Cabinet, that is a Framework Agreement, would have additional advantages. It would not oblige the local authority to purchase any particular volume from a provider, and the final method of establishing prices by reverse e-auction will drive down costs. As the tender would be issued on behalf of some or all of the participating authorities the quality assurance requirements would be identical, leading to efficiencies on the local authorities' side in their respective commissioning and procurement services. Furthermore, the evidence from the pre-tendering activity led by LB Haringey suggests that as many as 50 or more may apply to be on the Framework Agreement, introducing the possibility of many more providers not known or not previously used by LBBD.

2.6 It is proposed that young people themselves will be heavily involved in the tendering process, particularly in the evaluation stages where their own experiences of

housing will be of significant assistance to officers in evidencing the quality of submissions. It is not known at present how this might involve those who are the responsibility of Barking and Dagenham, but they will be widely consulted with throughout the exercise.

- 2.7 The issue of equalities is key to the tender and will be one of the principal criteria for Evaluation and Invitation to Tender. Organisations failing to meet the criteria will not proceed beyond the Pre-Qualifying stage. This includes the ability to support young people of all sexual orientations appropriately and support young people with a disability (where it does not require highly specialised services). Performance monitoring will address all aspects of equalities on commencement of services in 2012.
- 2.8 This tender principally concerns young people known to Children's Services who are entitled to care-leavers support. Young people who are homeless and known to Adult and Community Services are not affected by this activity, although in practice senior commissioning officers from Children's and Adult Services meet regularly to address issues of housing and support for young people.

3. Financial Issues

- 3.1 Within Barking & Dagenham the actual spend for 2010-11 on semi-independent accommodation for young people addressed within this tender was £628,803.
- 3.2 The framework contract when signed will be for 4 years. It is expected to deliver better value for money, as all providers will be encouraged to tender via a reverse auction process. This should lead to significant savings over the four year period and will move us away from the traditionally spot purchase accommodation agreements on an ad hoc, case by case basis. The idea of the framework is also to standardise the quality of provision, across participating boroughs, thereby ensuring better quality of accommodation.
- 3.3 In terms of monitoring the effectiveness of the framework and whether it is delivering Value for Money, a standard monitoring form has been designed that will be completed by each Borough. The idea of this form will be to capture existing costs, benchmarking with other local authorities, as well as sharing good practice and information.
- 3.4 There are no fees associated with being part of the framework. A contribution is being made towards the young people's expenses who are involved in the tendering exercise. All the work and the tendering process will be managed within the existing staffing resources of the Children's Services commissioning team and are costs in kind. No additional staffing has been taken on board for this project. As the tendering exercise is being led by the London Borough of Haringey, together with Barnet, Waltham Forest, Havering and Redbridge, the exercise will be less demanding of officer time both in the commissioning and monitoring phases, than an exercise solely by Barking & Dagenham.

4. Legal Issues

Please see Legal comments (above).

5. Other Implications

5.1 Risk Management

- 5.1.1 There are no specific heightened risk management issues in relation to the tender.
- 5.1.2 As a Framework Agreement there is no specific guarantee to any provider of a level of service. A Framework on behalf of all participating boroughs is likely to attract a higher level of interest from potential providers than one Borough alone, so encouraging more competitive pricing and minimising the risk from default by any individual provider.
- 5.1.3 The risk to service users will be minimised considerably through providers being held to key quality standards within the terms of the Framework Agreement.
- 5.1.4 The supported accommodation market is not an especially stable one, with providers starting-up or ceasing to operate, or provision changing hands. The Framework would tie providers into contractual obligations that would better ensure continuity of provision, as well as service quality for young people.

5.2 Contractual Issues

- 5.2.1 The procurement method will be through a restricted tender. Indications from marketing exercises have indicated a very high level of interest and a strong field of applicants from local, regional and national providers is anticipated. Final short listing will be by means of reverse e-auction to obtain the most advantageous prices. Providers will be expected to have an office base within at least one of the six authorities participating in the exercise.
- 5.2.2 The timetable for the exercise envisages evaluation of tenders to take place in July 2011, short listing of candidates in September and contracts awarded and new services in place for January 2012. No young person who is presently accommodated by a provider who is not successful in the Tender will be expected to change their accommodation. However any such providers who are not successful will not be used further by the local authorities
- 5.2.3 It is intended that a call-off arrangement within a Framework Agreement will have several advantages for the local authority, as well as the proposal that a tender is sought for the participating boroughs.
- 5.2.4 Actual prices will not be fixed, but rather that there will be a mechanism that will be applied to pricing particular requirements during the period of the framework, recognising that payments will vary depending on the time of day, weekend and bank holiday delivery, or whether one or two workers are required at a time. It will also be possible to establish the scope and types of supported accommodation that will need to be called-off. There will not be any objection to upgrading the service required so long as it remains within the scope of the specification.
- 5.2.5 Barking and Dagenham currently uses about twenty providers, but it is noted that fifty attended a provider information day hosted by Haringey. It is likely therefore that there will be sufficient candidates satisfying the selection criteria and that will submit compliant bids meeting the award criteria.

5.2.5 The call-offs could (within the duration of the Framework) be for any length of time. The requirement for the service could be continuous, or for a specific period, for example to provide additional support in a school holiday.

5.2.6 The individual call-offs within the Framework will be a matter for each local authority, although service monitoring and quality assurance measures will be shared as far as possible in order to make efficiencies and compare performance.

5.3 **Staffing Issues**

5.3.1 There are no staffing implications associated with this proposal

5.4 **Customer Impact**

5.4.1 The proposal will lead to more placement choice for young people, with a significantly higher level of quality assurance.

5.4.2 There will be standardised monitoring of providers with the likelihood of better outcomes and improved life chances for care-leavers.

5.4.3 A greater knowledge of the market for this kind of accommodation and closer relationships with the provider sector will lead to enhanced long-term planning and market-shaping, alongside the other participating boroughs.

5.4.4 Young people from the participating local authorities will play a role in the evaluation process of the tender.

5.4.5 The greater number of providers should also allow for more options in reflecting equality and diversity considerations.

5.5 **Safeguarding Children**

5.5.1 All providers will follow and be monitored on adherence to established London-wide procedures. Quality assurance will address matters such as staff training, complaints, etc, as a matter of course.

5.6 **Health Issues**

5.6.1 Health issues are addressed through young people's individual planning and providers will be expected to play an appropriate role in meeting these. One of the five strands of provision is for 24-hour staffed units where higher staffing levels will enable appropriate support to be given to young people with higher-level needs.

5.6.2 Matters concerning health & safety will be addressed in the accommodation's application process and subsequent registration.

5.7 **Crime and Disorder Issues**

5.7.1 Each provider will be expected to have behaviour management policies, but thorough placement matching is the key to ensuring that young people are provided with housing that meets their needs.

5.7.2 It is a factor in working with young adults that there are areas, or postcodes where they do not feel safe, and the greater number of providers should ensure that there are more placement options open to them.

5.7.3 Regular provider meetings with commissioners will ensure that safety issues are regularly addressed.

5.8 Property / Asset Issues

5.8.1 There is no specific property or asset issue associated with this proposal.

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

List of appendices: None.

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR HEALTH AND ADULT SERVICES

Title: Permission to Tender for Tier 2 Gateway Service	For Decision
Summary: This report relates to the provision of drug treatment services for those residents who seek to become drug free. It describes the current service provision, how the services are to be redesigned and seeks Cabinet permission to proceed to procurement. All residents wanting to access drug treatment in the borough come through the open access Gateway Service and are given the necessary support or are referred on to other specialist services to become drug free. The current contract for Gateway Services was awarded for three years from 1 st April 2009, with a further option to extend for one year, subject to satisfactory service provision. The current annual contract value is £482,900. In addition two other services that could become part of the Gateway Service are currently delivered separately. This report therefore seeks approval for the integration and alignment of these services into the Gateway Service and to re-tender as one co-ordinated service. The other services are: (1) Pharmacy Based Needle Exchange Scheme This service is currently co-ordinated by one pharmacy and provided by 11 pharmacies across the borough. The current value of this contract is £50,000 per annum. (2) Arrest Referral Service This scheme is currently provided by the Council who employ 3 Enhanced Drug Workers who operate out of Police Custody Suites and Barking Magistrates Court. The current cost of this provision is £120,000 per annum. The contract value of the redesigned service will be approximately £580,000 per annum. This would bring a potential saving of £73,000 over the current expenditure on the same services.	
Wards Affected: ALL	
Recommendation(s) The Cabinet is recommended to: <ol style="list-style-type: none"> 1. Agree to the procurement of an Integrated Tier 2 Gateway Drug Treatment Service to include static and pharmacy based Borough Needle Exchange Services, an Outreach Service, an Arrest Referral Service and Single Point of Contact (SPoC) Service for offenders in prison, in accordance with the procurement strategy set out in this report. 2. Confirm whether it wishes to be further informed or consulted on the progress of the procurement and/or award of the proposed contract, or if it is content for the Corporate Director of Adult and Community Services, in consultation with the Section 151 Officer to monitor progress of the procurement, and to award the contract upon conclusion of the procurement process. 	

Reason(s)

To assist the Council in achieving its Community Priorities of “Improving Health, Housing and Social Care”. These services also support the Community priorities of creating a Borough that is “safe”, “fair and respectful”, “prosperous” and “inspired and successful”.

Comments of the Chief Financial Officer

The overall value of the new contract is estimated to be in the region of £580,000 per annum and the service anticipates savings of circa £73,000 per annum by aligning the 3 services together. All options for any residual gain will be investigated when materialised.

The re-tendering of this new service, aligning the Integrated Tier 2 Gateway Drug Treatment Service, pharmacy based Borough Needle Exchange Services, and Arrest Referral Service will be funded from existing funds from the Department of Health’s Pooled Treatment Budget (PTB), the Home Office and Department of Health funded Drug Intervention Programme (DIP), NHS Barking & Dagenham, and the Council (via Adult and Community Services core funding).

It should be borne in mind that the NHS is in considerable flux and both the NHS Barking & Dagenham and Pooled Treatment Budget currently carry some uncertainty in future years as decisions are made about the new Public Health Grant and about core NHS commissioning. Members will be aware of the Council’s concerns on this point. However, I am satisfied that the proposal provides the appropriate leeway for the Council to amend the contract values according to fluctuations in external sources of funding.

Legal Comments

This report is seeking Cabinet’s approval to remodel and tender for a single contract for the provision of Gateway and other related services as described in the report. The services are currently provided across the borough via two separate contracts and one in-house service. It is proposed to consolidate the services under one contract.

The report states that remodelling the current service provision strategy will improve the service, and achieve better value for money for the Council.

The aggregate value of the contracts will exceed the EU threshold for services. However the services to be procured are classified as “Part B” services under the Public Contracts Regulations 2006 (the “Regulations”), therefore the full rigour of the Regulations will not apply to the proposed (re)procurement of the contracts.

The above notwithstanding, the Council still has a legal obligation to comply with the EU Treaty principles of equal treatment of bidders, non-discrimination, and transparency in procuring the contracts. Under the Regulations, a contract award notice is also required to be published in the Official Journal of the EU upon selection of a service provider.

Furthermore, the Council’s Contract Rule 3.6 requires the strategy for the procurement of contracts of above £400K in value to be submitted to Cabinet for approval prior to procurement of such contracts. The proposed procurement strategy is set out in this report and appears to comply with the EU Treaty principles of equal treatment of bidders, non-discrimination, and transparency.

In making their decision whether to approve the recommendations or not, Members need to be satisfied that the proposed strategy not only complies with the legal requirements, but that it also meets the Council’s objectives as set out in its community strategy and that the proposed contract structure (single supplier of the all the three services across the borough)

will deliver value for money as well as the savings identified in the report.

The report, in accordance with Contract Rule 3.6.4, is also requesting Cabinet to confirm whether it wishes to be further informed or consulted on the progress of the procurement and/or award of the proposed contract, or if it is content for the Corporate Director of Adult and Community Services to award the contract upon conclusion of the procurement process.

Contract Rule 13.3 provides delegated authority to the commissioning Chief Officer, in consultation with the Chief Financial Officer (Section 151 Officer), to award contracts upon conclusion of the procurement process where the value of a contract is in excess of £50,000

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Councillor Alexander	Portfolio: Cabinet Member for Crime, Justice and Communities	Contact Details: Tel: 020 8724 2892 Fax: 020 8227 2162 E-mail: jeanette.alexander@lbbd.gov.uk

1. Background

- 1.1 The Adult and Community Services Department, together with NHS Barking & Dagenham jointly fund the provision of drug treatment in the borough. The treatment system is funded from a combination of central government grant funding, local authority core funding and local NHS funding.
- 1.2 All residents wanting to access drug treatment in the borough come through an open access Gateway Service for an initial assessment (known as triage) and are given the necessary support or referred on to other specialist services to become drug free, move away from criminal activity, be supported into secure accommodation and helped into employment, training and education. This is known as a Tier 2 Service. Access to shower and laundry facilities is also available at The Gateway. In addition other professional groups run satellite clinics from the premises to meet service user needs. Outreach Services are provided to engage the hard to reach; those who have dropped out of treatment and meet prison leavers on release from prison. The Gateway acts as the Single Point of Contact (SPoC) and provides access to a Prison Link Worker in order that substance misusing offenders can access service upon release from prison and break the revolving door of criminal activity and substance misuse.
- 1.3 In 2009/10 2,032 individuals accessed drug treatment services in the borough with 1,381 of them being new presentations through the Gateway Service. 289 of those individuals had a mental health diagnosis whilst in drug treatment and 355 people accepted Hepatitis B vaccinations. In 2010/11 854 individuals were referred to the Tier 2 Gateway Service for assessments for drug treatment.
- 1.4 The current provider of the service was awarded a contract to deliver the service for 3 years from 1 April 2009, with a further option to extend for 1 year. There are some concerns about current performance and activity and this has been subject to

robust contract monitoring through commissioners. Therefore it is not recommended that the contract be extended for the additional year. At the same time this gives the opportunity to integrate two additional services into the contract to provide economies of scale, efficiency and cost savings. These services are currently provided independently of the Gateway Service

- 1.5 The Gateway provides a static Needle Exchange Service. A Pharmacy Needle Exchange Scheme also operates in the Borough. It is currently being provided by 11 pharmacies across the borough. This is coordinated by one pharmacist who oversees performance and payments. In 2010/11 there were over 30,000 needles and syringes given out through the Pharmacy Needle Exchanges and Gateway Needle Exchange to over an estimated 200 individual Injecting Drug Users in the Borough. Previous Needs Assessments have highlighted the lack of data integrity coming from the Pharmacy Needle Exchange Scheme and lack of referrals from pharmacists of injecting drug users into drug treatment. This service needs to go to public tender as stipulated by the Council's Contract Rules and EU requirements for the procurement of services.
- 1.6 The Arrest Referral Scheme employs three Enhanced Drug Workers who operate out of police custody suites and Barking Magistrates Court. They provide assessments of those individuals arrested for acquisitive crime and assess service users for Drug Rehabilitation Requirements. From March 2009 until February 2010 216 individuals were referred into drug treatment via the scheme and of these 50 people were given a Drug Rehabilitation Order by the Courts. The service is currently funded from Drug Interventions Programme (DIP) Funding provided through the Department of Health and the Home Office. The service is currently provided through the Council's Substance Misuse Team.

2 Proposal

- 2.1 The Tier 2 Gateway contract expiry date is 31 March 2012, as is the current contract for the Needle Exchange Service. There is no contract for the Arrest Referral Scheme as it is delivered in house. It is therefore proposed to integrate these three services into a single contract which will be procured in a two stage process in compliance with EU rules.
- 2.2 Bringing both services within the Gateway Contract will enable improved activity and performance and align service provision to improve access and greater outcomes for drug using offenders. A value for money exercise will also take place and contract prices will be reviewed in order to deliver economical service provision and deliver cost savings to the Community Safety Partnership. It is estimated that the overall value of the new consolidated contract will be in the region of £580,000, resulting in a saving of around £73,000.
- 2.3 The procurement of the service will achieve improved outcomes for residents accessing drug treatment. This will include an increase in service users fully recovering from substance misuse problems as stipulated in the Government's Drug Strategy. Future government funding of drug treatment services will be linked to this outcome. Other outcomes to be sought through this contract will include: an increase in the number of service users who return to or start employment, education or training; a reduction in substance misuse hospital admissions and a decrease in acquisitive crime amongst drug using offenders.
- 2.4 Under the Public Contract Regulations 2006, Health and Social Care services such as those intended to be procured under this contract are regarded as Part B services and as such are not subject the full EU procurement regime.
- 2.5 The first stage of the process will be to invite expressions of interest requiring the completion of a pre-qualification questionnaire which will be assessed against the

responses given. This will result in a shortlist of up to six preferred providers being invited to tender.

- 2.6 Officers are currently drafting the tender specification based on best practice models provided by The National Treatment Agency for Substance Misuse.
- 2.7 The evaluation of tender submissions will be based on a quality cost matrix of 70/30 with weightings to be as follows:

Staffing & Personnel related issues	(10)
Partnership Working and Information	
Sharing to Achieve Effective Outcomes	(10)
Safeguarding	(5)
Service Delivery	(25)
Presentation	(5)
Interview	(15)
Cost / Pricing Schedule	(30)

- 2.8 Tenderers will be advised of these weightings beforehand. This will enable a fair and even handed approach to be taken. Prior to award of the contract an evaluation of the price will be carried out to ensure that provider organisations tendering for the integrated contract provide fair and competitive prices that are consistent with the service specification and the services required to be delivered.
- 2.9 In addition tenders will be designed to ensure compliance with grant funding conditions from all agencies. Statutory requirements mandate that a range of drug treatment options are available within Barking and Dagenham for its residents. The provision of the tendered services will deliver against statutory requirements under the Drugs Act 2005.
- 2.10 **Expected Outline Timetable for Integrated Tier 2 Gateway Service** (all dates are provisional and subject to change)

Action	Date
Cabinet Approval	12 th July 2011
Advertise	26 th July 2010
Expressions of interest to be returned	6 th September 2011
Evaluate returns	16 th September 2011
Invitation to Tender to be sent out	27 th September 2011
Tenders to be returned	25 th October 2011
Interviews to be conducted	15 th November 2011
Approval from Chief Officers and 10 day standstill period	29 th November 2011
Contract Award	13 th December 2011

- 2.11 Contracts will be awarded to the successful provider/s for a period of three years with an option to extend for further period(s) of up to two years dependent upon satisfactory performance and availability of funding. The total contract value for the Integrated Tier 2 Gateway Service over a five year period is £2,900,000. If the contract is not extended beyond the initial three years period, then the total contract price over the three years is expected to be approximately £1,740,000.

3. Financial Issues

- 3.1 Funding for these contracts is currently provided by the Department of Health's Pooled Treatment Budget (PTB), the Home Office and Department of Health's Drug Intervention Programme (DIP), NHS Barking & Dagenham, and the Council via Adult and Community Services core funding. Allocations are as shown below.

Service	Value	Source
Gateway Tier 2 and Community Outreach	£246,319	PTB
	£100,681	Council - ACS
	£96,000	DIP
	£39,900	NHS B&D
	£482,900	
Pharmacy Needle Exchange Scheme	£50,000	PTB
Arrest Referral Scheme	£120,000	DIP
	£652,900	

- 3.2 It is estimated that the overall contract value of the new contract will be in the region of £580,000 per annum resulting in estimated savings of £73,000 by aligning all three services together. This will result in estimated cost savings in the region of £219,000 over the lifetime of the contract (3 Years).
- 3.3 It should be noted that the Department of Health has only guaranteed that the Pooled Treatment Budget will come to the Partnership and remain ring-fenced for drug treatment up until 2011/12. From 2013/14, the Council will be awarded a Public Health Grant, ringfenced for the purposes related to public health activity as specified in regulations, and this is currently expected to include the substance misuse funding received through the Pooled Treatment Budget. This accompanies the merging of the National Treatment Agency for Substance Misuse into Public Health England. This leaves a year - 2012/13 - for which we will have a 'shadow' public health budget allocation and we would reasonably expect that the contents of this budget be honoured by local health commissioners as they prepare for this funding to be formally transferred to the local authority in the following year. The formula for allocating the budget is taking account of current investment in services. Nonetheless, these changes may have a consequent effect on services and the guarantee and certainties of funding cannot be absolute in the current economic climate.
- 3.4 North East London NHS Cluster (ONEL) which supports NHS Barking & Dagenham have agreed that they will continue to work in partnership with the Council to deliver Substance Misuse Treatment services. Confirmation has now been received in writing from ONEL that the cost of drug and alcohol treatment services for 2011/12 will be met. Consultation is underway regarding the level of funding for the duration of the contract with effect from 1st April 2012. Should the appropriate level of funding not be secured from ONEL then the approach to the commissioning of treatment services will have to be revised in terms of any actual contract to be agreed. Accordingly, the contract for the new service will contain break clauses enabling notice to be served at any time should existing funding streams cease or be reduced.

4. Legal Issues

- 4.1 The legal implications have been identified in the Legal Comments section above.

5. Other Implications

Risk Management

- 5.1 Risks associated with the procurement process will be mitigated by ensuring that officers follow Corporate and EU rules and processes in commissioning this service. The support of the Council's Strategic Partner, Elevate, will also be used to ensure the process is followed correctly and in a timely manner.
- 5.2 All potential providers will be assessed for financial viability before progressing to the tender stage. The entire procurement process and the 70:30 balance between quality and price in the evaluation of tenders is designed to ensure that only competent providers progress to the final stage.
- 5.3 Once the new service is in place it will be managed through formal quarterly performance and contract monitoring meetings and ongoing service improvement audits, service user and professional's consultation and informal reviews by Adult and Community Services and the Community Safety Partnership.
- 5.4 As noted above, contracts will allow for the Council to serve notice or amend them at any time should external funding sources be withdrawn.

Contractual Issues

- 5.5 The current contract (Tier 2 Gateway Services and Assertive Detached Community Outreach) contract expires on 31 March 2012 and the proposal that it is not extended, due to performance issues and to allow for the integration and alignment of all Tier 2 services is the subject of this report.
- 5.6 The current Pharmacy Needle Exchange Scheme contract expires on 31 March 2012. This service should be subject to the Council and EU Procurement Rules and as such should be incorporated within a fair competitive tendering process. Aligning the scheme with the static Tier 2 Needle Exchange will also enable improved monitoring processes, performance and provide greater management accountability for this element of the service.
- 5.7 A timescale has been set and is being followed to ensure the procurement of the new service is completed in time for the new service to start on 1 April 2012.

Staffing Issues

- 5.8 There are TUPE implications for the three Enhanced Drug Workers who are employed as Council staff. Officers will advise and consult with the Council staff affected.
- 5.9 As the commissioner, the Council will also facilitate any TUPE discussions between the existing provider and any new provider should a change of provider occur. However, the risks of staff redundancy sit with the commissioned organisation that provides the service and not with the Council.

Customer Impact

- 5.10 There are a range of drug and alcohol treatment services available to all residents of the borough. The Tier 2 Gateway Services that will include Needle exchanges, Drop-ins, Outreach, SPoC, Prison Link and Arrest Referral Scheme are an integral

and essential part of the borough drug treatment system. There are approximately 800 people in drug treatment over the course of a year. The removal of these essential services would impact on the ability to provide necessary frontline drug treatment services to meet the needs of residents. The alignment of Tier 2 service provision and integration and delivery of these services will enable improved access to treatment for new clients and improved outcomes for those currently accessing drug treatment services. The tendering of this service has been informed by the annual needs assessment process and is in line with the needs of the Barking and Dagenham drug using population. The need to provide drug treatment services has been subject to extensive consultation, with the benefit of input from all local partners, key agencies and professional groups.

- 5.11 The Equality Impact Assessment undertaken by the Drug and Alcohol Action Team found that the main areas for improving services were in relation to providing equitable and fair access to and for marginalised groups. This knowledge will directly inform the tender process.
- 5.12 There are a number of improvements for inclusion within the tenders that are expected to have positive customer impacts. These are:
- Extension of current opening hours.
 - Increased opportunities for improved outcomes for those accessing treatment to improve health, wellbeing and safety.
 - Drug Treatment Organisations to set up drug treatment satellite services within community, voluntary and religious organisations to ensure that access is fair and equitable for all residents.
 - In line with the National Drugs Strategy to enable individuals to fully recover from Substance Misuse and associated problems and to gain the maximum opportunities from drug treatment.

Safeguarding Children

- 5.13 Although these services will be provided primarily for adults, under the “Think Family” agenda, drug treatment services and Family Intervention Services will be working more closely and in partnership to safeguard children and improve their wellbeing. In 2009/10 there were a total of 262 drug and alcohol users accessing drug and alcohol treatment who had children residing with them. There were a further 221 drug and or alcohol users who either had children in care or living with another family member or partner. In 2009/10 there were 27 pregnant drug and or alcohol users receiving drug and or alcohol treatment. The withdrawal of these services would have an impact on the parenting capacity of these individuals in drug treatment. Substance misusing parents can affect children and young people greatly in all areas of learning, development and health. Access to drug treatment for parents who have problems with drugs can help improve the wellbeing of their children and also safeguard them against potential harm. All tendered services will have to demonstrate how they will work with the substance misuser’s family in a holistic manner under the ‘Think Family approach’.

Health Issues

- 5.14 Residents with recreational and problematic drug use experience a multitude of both physical and mental health issues. The withdrawal of these services would have a significant health and wellbeing impact on residents requiring these services as well as the wider local community as a whole. From April 2009 until March 2010 there were a total 2,032 individuals accessing the drug treatment services in the borough with 1,381 of them being new presentations to the services. There were 289 individuals with a mental health diagnosis whilst in drug treatment during

2009/10 and 355 people that accepted Hepatitis B vaccinations at these services. Without these two services all these individuals would be at risk.

Crime and Disorder Issues

- 5.15 Section 17 of the Crime and Disorder Act 1998 requires local authorities to integrate consideration of crime and disorder issues into all their functions and corporate thinking. The Act was revised in 2006 and a new provision was made under Section 17, which directly relates to the harm caused by drug and alcohol misuse. Research indicates that effective treatment and aftercare is a key component in the rehabilitation of drug using offenders. The provision of these services contributes to the reduction of crime and community safety amongst adults with substance misuse needs who maybe committing acquisitive crime to fund their illicit drug dependency.
- 5.16 Without these services being in place, the Drug Interventions Project would suffer a marked reduction in the achievement of targets and would be unable to deliver against statutory requirements. Those offenders who would be involved in the scheme would also be at risk of not being engaged with at such an early opportunity, which may lead to re-offending. In addition the Priority & Prolific Offenders (PPO's) scheme benefits directly from these services; there were 23 PPO's accessing drug treatment in 2009/10. The Gateway Service is integral to the success of people leaving prison, the Arrest Referral Scheme and The Single Point of Contact which forms part of the Drug Interventions Project (DIP).

6. Options appraisal

- 6.1 Do nothing/disinvest in drug treatment services – if the contract is not re-tendered these services will cease and customer needs will not be met. The withdrawal of these core substance misuse treatment services would result in the loss of a significant number of service users accessing drug treatment, at a time when the Community Safety Partnership needs to show better outcomes for people entering drug and alcohol treatment. Future funding for drug treatment will be determined by the extent to which the local partnership is successful in achieving drug free outcomes for residents. Therefore the consequences will be a reduction in central government funding for these services. Not having these services will accordingly impact beyond individual drug users themselves and into the local community. Statutory requirements stipulate that a range of drug treatment options and interventions are made available within Barking and Dagenham for its residents.
- 6.2 Maintain the status quo – The two contracts could be re-tendered with their current specifications and arrangements. The value of both contracts would remain the same. This option would not provide any efficiencies and the Council's ability to develop any capacity into the drug treatment system would also be undermined which could have further impacts on crime rates and the health of local residents. There would also need to be two procurement exercises – one for the Gateway Service and the other for the Pharmacy Needle Exchange – which would have an impact on staff resources.
- 6.3 Re-tender with an integrated and revised specification. This option will enable significant cost savings in the region of £73,000 per annum. It will enable the improvement of the provision of services to meet customer needs and increase the capacity within these services. The re-tendering will enable improvements to the health and well-being of residents who experience substance misuse problems and their families. Based on existing levels of activity these services will assist over 2562 residents throughout the life of the contract to lead healthier alcohol/drug-free

lifestyles and increase their opportunities to make a positive contribution to the borough and society as a whole.

6.4 The third option is recommended for the reason's outlined in this report.

7. Background Papers Used in the Preparation of the Report:

Barking & Dagenham Adult Substance Misuse Treatment Plan 2011/12

Barking & Dagenham Drug Treatment Needs Assessment 2010/11

Models of Care update (2006): Published by the National Treatment Agency

DRUG STRATEGY 2010: Reducing Demand, Restricting Supply, Building Recovery: Supporting People to Live a Drug Free Life: HM Government.

Building Recovery in Communities (2011): Consultation - Published by the National Treatment Agency.

8 List of appendices:

None

CABINET**12 JULY 2011****REPORT OF THE CABINET MEMBER FOR REGENERATION**

Title: Barking Riverside Community Management Company	For Decision
<p>Summary:</p> <p>Barking Riverside is a new development in the south of the Borough, adjacent to the River Thames. The initial phases have detailed planning consent for 3,400 homes and a new local centre, the Rivergate Centre. The Rivergate Centre includes the George Carey Primary School, a nursery, a Church and café together with some community offices. The Rivergate Centre is under construction and will be completed by September 2011. The first 350 homes are also under construction, with the first occupations expected in September 2011. As a result of this activity there will be both outside space and “public” buildings that need managing. In the planning of Barking Riverside it was decided that instead of the Council undertaking this function, a management company would be set up to manage the assets of the development.</p> <p>The Barking Riverside Community Management Company (BRCMC) is a Community Infrastructure Company (CIC) that is due to be set up in partnership with Barking Riverside Limited (BRL) and the Council. The Company will manage the assets on the Barking Riverside development and any open space and roads which are not adopted by the Council. It will provide community services and information for new residents. The Cabinet agreed to the formation of the BRCMC (then the BR Community Development Trust) in a report on 20 February 2007. However, due to delays, the BRCMC has not yet been established and previous Members who have been recommended to sit on the Board of Directors have never carried out any duties with regards to the BRCMC.</p> <p>The shadow BRCMC is required to be operational by September 2011 in order to ensure that it is functioning prior to the first resident moving in, and for when the Rivergate Centre opens. It does not exist as a company at present and a working group is currently finalising the documents required for the formation of this company.</p> <p>The purpose of this report is to seek Cabinet approval to a proposed change to the formation of the company, from a Development Trust to a Community Infrastructure Company (CIC) and to confirm the Council Board members.</p> <p>Previously the Cabinet had agreed that the two board members would be two elected Members from the Council. This report recommends that, in addition to the two elected Members (one Cabinet Member and one Thames Ward Member) from the Council, an officer at Corporate level is included as a non-voting board member.</p> <p>Finally the report also seeks Cabinet approval for the identified key lengths of new highway that will be adopted by the Council and not by the CMC. These roads will be bus routes, or suitable for bus routes and adjoin existing adopted roads in the area. Unlike the smaller estate roads in the development, they are not therefore considered appropriate for management by the BRCMC.</p>	

Wards Affected: Thames

Recommendation(s)

The Cabinet is asked to:

- (i) Agree to the establishment and incorporation of the Barking Riverside Community Management (Community Interest Company) (or such other name as the company may be registered as).
- (ii) Agree to the establishment of a Shadow Board of Directors of the Barking Riverside Community Management Committee (in accordance with the structure outlined in this report) pending the establishment and incorporation of the Barking Riverside Community Management (Community Interest Company).
- (iii) Recommend the Assembly appoints a Cabinet Member and a Thames Ward Councillor (and the two other Thames Ward Councillors as the Councillor substitute representatives) as the Council's Member representatives on the Board of Directors of the Shadow Barking Riverside Community Management Committee and that these same representatives be appointed to the full Barking Riverside Community Management (Community Interest Company) (or howsoever such company may be named on incorporation) when it is incorporated and operative.
- (iv) Recommend Assembly appoints the Corporate Director Customer Services, with the Divisional Director for Environment and Enforcement as their substitute representative as the Council's Officer non-voting Board observer on the Shadow Board of Directors of the shadow Barking Riverside Community Management Committee and that these same officer representatives be appointed to the full Barking Riverside Community Management (Community Interest Company) (or howsoever it may be named on incorporation) when it is incorporated and operative.
- (v) Agree that the Council adopts the roads listed in the Appendix 1 to this report (attached).

Reason(s)

The BRCMC will ensure that the new community facilities, housing and population growth at Barking Riverside is managed in a way that will provide a sustainable and safe community for new residents while allowing LBBD to continue providing the same level of service to the remainder of the Borough. This will assist the Council in achieving its Community Priorities of a 'Safe, Clean, Fair and Respectful' Borough.

Comments of the Chief Financial Officer

There are no direct financial implications associated with increasing the size of the Council's representation on the Board of Directors of the BRCMC. In terms of the Council adopting the roads, as set out in Appendix 1, the cost of maintaining these roads will in future need to be borne by the Council from within its existing budgets.

Legal Comments

The proposal set out in this report is to appoint two Members and an officer to sit on a shadow board to be known as the Barking Riverside Community Management Committee. This body is intended as a shadow board pending the establishment and incorporation of the Barking Riverside Community Management (Community Interest Company) which it is intended to create to perform the functions set out in paragraph 2.1 of the report. The Board is transitional and it is intended that the shadow Board and members will eventually become the full Board of Directors of the Barking Riverside Community Management (Community Interest Company) (or howsoever it may be named on incorporation) when it is incorporated and operative.

A Community Interest Company (CIC) is a type of limited company usually used to establish businesses with a social purpose (social enterprises) or to carry on purposes for the benefit of the community. To be established as a CIC the body will have to satisfy a "community interest test" i.e it must satisfy the CIC Regulator that the activities of the company will be for the benefit of the community and also explain how this will be achieved.

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1. Background

- 1.1 Barking Riverside is the largest regeneration project in the Borough and once completed will comprise 10,800 new homes, three new primary schools, a secondary school, office and commercial space, open space and leisure facilities, community facilities and access to 2km of river frontage.
- 1.2 Stages 1 and 2 (up to 3,400 homes, one local centre with primary school) have detailed planning permission. The District Centre in Stage 2, including a secondary school, has Outline Planning Permission and would need a further detailed design permission to go forward. This takes Barking Riverside up to a key development threshold for the future. At 1,500 homes an agreement must be signed with TfL to ensure the DLR extension to Dagenham Dock will be constructed. However the Council have some discretion as to whether they waive this condition in order to keep the development moving. By 4,000 units the DLR must be up and running.
- 1.3 Construction on the first phase of Stage 1 commenced in 2010. Four residential plots are being developed (three by Bellway Homes Essex and one by Mace on behalf of the London Thames Gateway Development Corporation (LTGDC)). These four plots will result in 350 homes, a mix of two blocks of 1, 2 and 3 bedroom flats and predominantly 3 and 4 bedroom terraced houses.

- 1.4 Through planning permissions, the s106 agreement and communication with the developers by Council officers, these four plots will have a minimum of 10% wheelchair accessible units, all units are Lifetime Homes compliant, the homes will be built to a very high environmental standard, with solar panels and green roofs. LTGDC are aiming to provide a few homes at Code 6 (rather than Code 4, this would be extremely innovative and would be good for marketing the area). All of these homes will be an exemplar new development for the Borough.
- 1.5 Alongside the four residential plots, the first local centre, the Rivergate Centre, is being built. This comprises of the George Carey Church of England Primary School, a nursery, Rivergate Church (run by a partnership of the Salvation Army, Church of England and Methodist Church), café and community facilities. The building is owned by BRL who will lease the different parts of it to the tenants. The construction is on programme and the school is planning to open for the new school year in September.

2. Barking Riverside Community Management Company

- 2.1 Before the first home is occupied Barking Riverside Limited (BRL), a 50/50 Joint Venture delivery vehicle of Bellway Homes and the Homes and Communities Agency and the Council will establish a Barking Riverside Community Management Committee (BRCMC).

Some of the key responsibilities of the BRCMC are to:

- Own, manage and maintain the assets on the development.
- Develop residents participation in the management of the open space
- Hold and maintain non-adopted highway, verges and pavements adjoining adopted streets and manage visitors parking
- Hold and maintain non adopted play areas
- Participate in the Transport Steering Group
- Ensure that buildings within its control and management are maintained to a high standard and at an appropriate cost particularly community buildings

- 2.2 The BRCMC is an integral part of the s106 and planning obligations on BRL. It will be funded by estate charges, conveyance fees and commercial rents. The remainder of the funding will come from BRL up to a point when the BRCMC is expected to be self-sustaining (expected after the first seven years). The BRCMC will build up a contingency fund from the charges which will go to reducing the financial input from BRL along with providing for repairs and maintenance.

- 2.3 The BRCMC was originally envisaged (and is set out as such in the s106 for the development) as a Barking Riverside Community Development Trust. Over time, and as a result of, discussions between the developer BRL and the Council, this has transitioned into the proposal to create the BRCMC. The Community Management Company will be a CIC (Community Interest Company). The CIC is considered to be a more appropriate legal model given the aims and objectives of the organisation. As the BRCDT was never established as a Trust or a Development Company, it is logical to refer to it now as the BRCMC to reflect the CIC status. Apart from the name, all other requirements of the s106 for the development are being met through the formation of the BRCMC. The Cabinet is recommended to approve this change in name as part of this report.

- 2.4 The BRCMC will be run by a Board of Directors, consisting of members from the Council and initially, members from BRL. Once there is representation from the four neighbourhoods in Barking Riverside (10,800 homes) the BRL members will step down from the board, and the BRCMC will be a partnership between the Council and residents.
- 2.5 The BRCMC will have two phases, a 'Shadow' phase and a 'Full' phase. The Shadow phase is the phase of the BRCMC prior to resident representation as formally appointed Board Directors, and will be the phase the BRCMC occupies for the first years. At this stage it is estimated it may take up to 7 years before the first resident representation appears on the board as Directors registered with Companies House. Upon a neighbourhood being formed (75% occupied) a resident will be voted in from that neighbourhood to occupy a seat on the Board. Once all four neighbourhoods are occupied, this will be when the organisation becomes the 'full' BRCMC and the 'shadow' BRCMC board ceases to exist. The Council will always be represented on the Board.
- 2.6 The shadow BRCMC must be established by the end of August 2011 to meet the terms of the s106.
- 2.7 Under the terms of the s106 the Shadow Board of the BRCMC is specified as a total of four directors, two from the Council and two from BRL. In a report to Cabinet in November 2009, the Cabinet agreed to advise Assembly to appoint two Members to the Board of Directors. As the BRCMC has yet to be established, these two Members did not assume their places on the Board of Directors. The election in May 2010 has prompted this report, as new Members are now required to be appointed.
- 2.8 Throughout the progress of this report, an 'Elevate' Board model has been examined, as there are merits to having Council Member representation along with Officer representation, from an Officer at Corporate Director level. An Officer at Corporate level will have the much needed experience in specifying service contracts, tendering and awarding contracts along with performance management and monitoring of services. It is felt that the BRCMC board will benefit from the inclusion of this officer. Following consultation with Members, this model was broadly accepted, but to ensure that Member representation was not diluted, Members asked for the Board of the BRCMC to be extended to 6 Directors, with two Members and one Council Officer at Corporate Director level representing the Council.
- 2.9 This model was discussed with BRL who strongly objected to this proposal. The reasons for this are that a 6 member Board of Directors would be impossible for the joint venture of BRL to achieve. BRL has two partners, the HCA and Bellway Homes, so a third director would off-set the balance that the joint venture would bring to the Board of Directors. They identified that to increase the number of seats to 8 (4 for the Council and 4 for BRL) would be difficult for BRL as they do not have the resources to fill that number of seats.
- 2.10 To resolve this issue, it is recommended the Council appoint two Council Members to the Board of Directors and a Corporate Director as an active observer, or a Board Member without voting rights. BRL is willing to accept this arrangement.

- 2.11 Members recommended that the two representatives should be one Cabinet Member and one Thames Ward Member with named substitutes for both, being the two remaining Thames Ward Members.
- 2.12 There have been ongoing meetings between LBBD, BRL, the Homes and Communities Agency (HCA), London Thames Gateway Development Corporation (LTGDC) and Southern Housing Group (SHG) on the establishment and running of the BRCMC. These meetings include discussions over costs and prices of services and who will run the services. This working group will continue to function up to the formation of the Shadow BRCMC and even then will likely continue to provide an advisory role for the Board. The members of the working group have a day to day knowledge of Barking Riverside and can provide technical, financial and operational knowledge along with support for this development.

3. Adoption of Roads and Open Space:

- 3.1 The Council has agreed to adopt some of the roads that will be constructed at Barking Riverside. The plan attached as Appendix 1 shows these roads in pink. These roads are key highway links that will be used by TfL buses now or possibly in the future and they adjoin existing adopted highways.
- 3.2 All other roads, car parks, footpaths and street furniture will be adopted by the BRCMC. Some of the roads are 'home zone' roads, which are a shared surface between traffic and pedestrians.
- 3.3 The Council will not adopt any open space on the site. This is evidenced by a letter attached as Appendix 2. It is considered that the BRCMC will have sufficient resources to maintain and manage the open space on the site. This is a mix of formal leisure resources such as tennis courts, to ponds for attenuation purposes and pedestrian and cycle tracks.

4. Proposal

- 4.1 It is proposed that the Council's representation on the shadow BMC MC consist of the following:
- A Cabinet Member
 - A Thames Ward Member
 - Corporate Director Customer Services Department as a non-voting board observer.
- 4.2 It is felt that the board would benefit from the inclusion of an officer from the Council at Corporate level to provide experience with dealing with service delivery, performance and monitoring of the BRCMC roles and responsibilities. However, to ensure that the balance of the board is maintained, the Council Officer will not have voting status and will be an observer.
- 4.3 At the same time, it is important not to diminish the role of elected members, which is why it is recommended that two Members also sit on the Board of the BRCMC.
- 4.4 The two Members will have named substitutes, being the two remaining Thames Ward Members.

- 4.5 Also Cabinet is asked to consider and agree the roads proposed for adoption in the first phase of construction. These are key infrastructure links that will be used for bus routes and adjoin existing adopted roads.

5. Financial Issues

- 5.1 The Cabinet is requested to refer to paragraph 2.1 of the Cabinet report agreed 22 December 2009 as the financial implications are set out in this report and there has been no change to the structure or business plan of the CMC.
- 5.2 The Council will not be supplying land, finance or guarantees to the shadow BRCMC. The shadow BRCMC will be funded and under-written by Barking Riverside Limited (BRL). However, those Council Members / Officers appointed to the board will have fiduciary duties to the shadow BRCMC.

6. Legal Issues

- 6.1 The legal implications have been set out in the Legal Comments section above.

7. Other Implications

7.1 Risk Management

The membership on the BRCMC will be renewed annually and ensure that current Councillors are members of the Board of Directors of the BRCMC. To make sure that the Members and Council Officer who are appointed to the board of the shadow BRCMC are insured, the Councils insurance section will be advised prior to the formation of the shadow BRCMC.

8. Options appraisal

- 8.1 There is no option within this report to revisit the function or requirement of the BRCMC as this is a Council imposed requirement within the s106. There is no financial responsibility on the Council as one half of the BRCMC and the business plan will be agreed by the Chief Executive.
- 8.2 There is an option to recommend two Members for the shadow BRCMC board, thereby keeping the board at 4 members and not having an officer from the Council in attendance. However, it is felt that through experience of other estate management functions within the Borough, along with the level of knowledge an officer at Corporate level will bring, that a third representative from the Council is required.
- 8.3 There is the option to increase the Board of Director membership from 4 directors to 6 or 8 (with a 50/50 split maintained between the Council and BRL). However, due to BRL being a joint venture between two parties, an odd number of representatives (three) would be inappropriate for them to achieve and an increase in numbers (four) would be too many members for BRL to provide.
- 8.4 With regards to the adoption of the roads, the Council does not have the option to not adopt roads that will be used by Transport for London for bus routes, and for

consistency within the new development, the roads that will be adopted are the principle roads.

- 8.5 The Council can not adopt all the roads being built as the roads within the housing areas are 'home zone' roads, and are not built to adoptable standard. The BRCCMC will have the ability to manage and maintain these roads and therefore the responsibility for these roads will lie with the BRCCMC. The management of these roads will also provide a possible revenue stream for the BRCCMC through parking enforcement, which will support the financial plan.
- 8.6 The Council has the option to adopt the open space if a Leisure Trust is formed. If this happens, the BRCCMC will offer all the open space on the site back to the Council for management. However, the Council has no obligation to take these spaces on for management now or in the future.

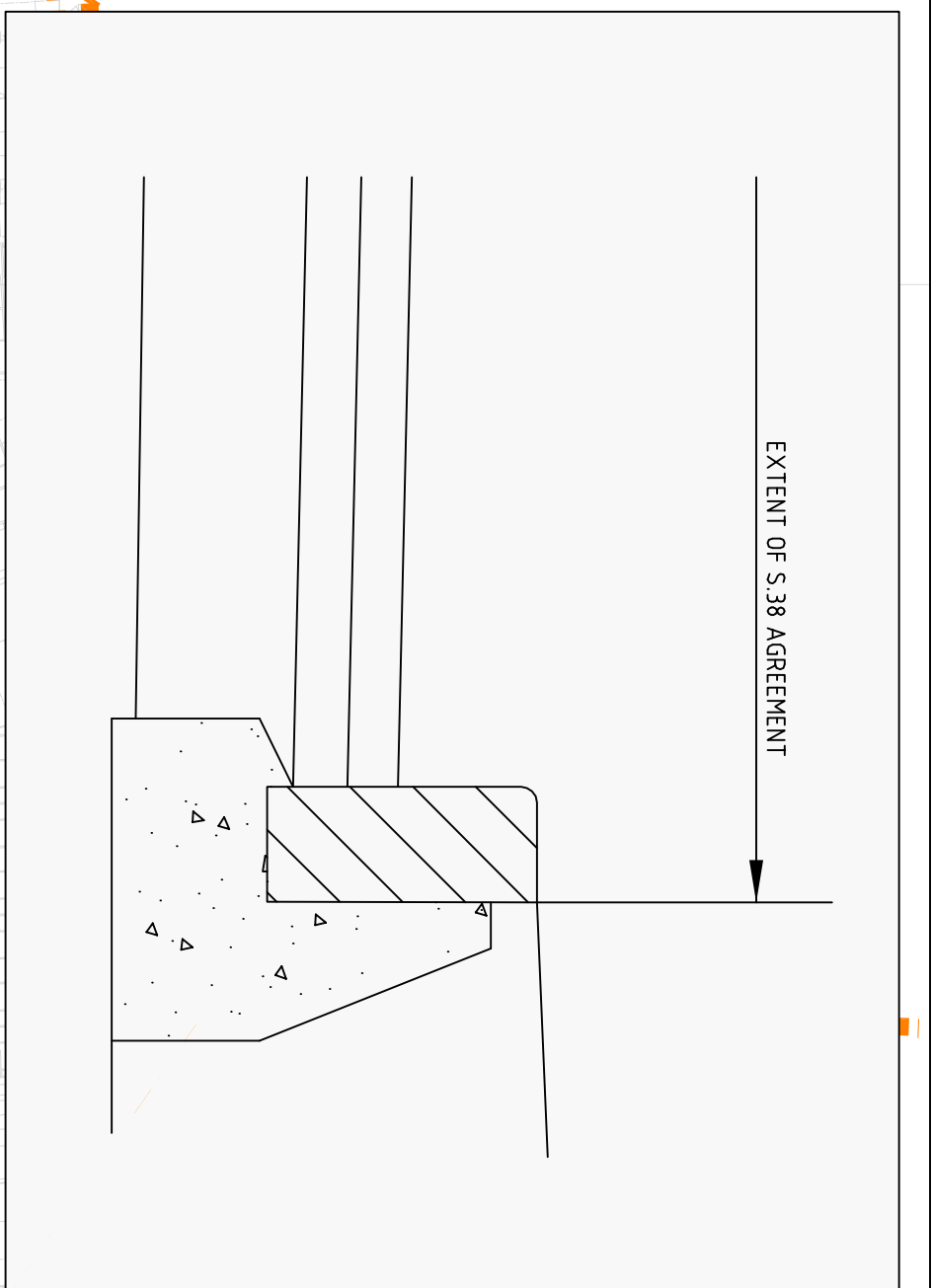
9. Background Papers Used in the Preparation of the Report:

Barking Riverside Community Development Trust (CDT): Cabinet report 20 February 2007 (Minute 142)

Barking Riverside Community Development Trust (CDT): Executive report 22 December 2009 (Minute 101).

10. List of appendices:

1. Map of roads to be adopted
2. Letter confirming the Council will not be adopting any open space dated 2 March 2010



Issue	Description	Dwn	Cnd	Appd	Date
C2	ADOPTION AREA REVISED FOR M100	TC	DM	DM	MAR 2010
C1	FIRST ISSUE	TR	TC	DM	OCT 2010

- LEGENDS:**
- FOR ADOPTION
 - STREET LIGHTS
 - ROAD SIGNAGE
 - SURFACE WATER DRAINAGE
 - GULLIES
 - SECTION 38 BOUNDARY



Client

BARKING RIVERSIDE

Status		FOR APPROVAL	
Date	OCT 2010	Global Scale	1:1250 @A1
Designed by	T Chaudhry	Horizontal Scale	
Drawn by	T Rankin	Vertical Scale	
Checked by	T Chaudhry	Original	A1
Approved by	DM/then	DS/Am / Grid	ODN/WCS84
Filename	K:\db\h38-drawings\Phase 1\shaded\stage -1\central\stage 201010-02\H38-LND		

Project

BARKING RIVERSIDE DEVELOPMENT

PHASE -1 STAGE -1

SECTION 38 AGREEMENT PLAN

Hyder

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Drawing No. H38-GD01671-LND

Issue C2

Version V1

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Development
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Date: 2 March 2010

Dear Clive

Adoption of Open Space in Stage 1 Barking Riverside

The London Borough of Barking and Dagenham (LBBD) recognise that Barking Riverside Limited (BRL) have offered the Open Space in Stage 1 to LBBD for adoption. This is in accordance with Part 7, Section 3, Point 3.1.1 of the s106 (dated 7 August 2007).

This letter is to notify BRL that LBBD will not be adopting any Open Space in Stage 1, in accordance with Part 7, Section 3, Point 3.3 of the s106.

As LBBD will not be adopting any Open Space in Stage 1, the Open Space is to be fully managed and maintained by BRL and then Barking Riverside Community Development Trust (BRCDT) upon formation of the trust.

BRL is required to provide to the Council specifications on the management and maintenance of the Open Space that is to be provided. This will be signed off in accordance with Part 8 of the s106.

BRL are also reminded of their responsibilities to jointly investigate with LBBD the possibility of setting up a Leisure Trust. If a Leisure Trust is formed, all Formal Open Space and all other Open Space will be offered by BRL and the BRCDT to the Council. At this point the Leisure Trust may agree to adopt some or all areas of open space (subject to Part 7, Section 3, Paragraphs 3.13.1, 3.13.4, 3.16 and Part 8, Section 3, Paragraph 3.2 of the s106).

Signed on behalf of Leisure and Arts

Paul Hogan
Head of Leisure and Arts

Clive Wilding
Project Director
Resource Information
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IG11 0DS

Signed on behalf of Regeneration and Economic Development

Jeremy Grint
Director of Regeneration and Economic Development

Dear Clive

Adoption of Open Space in Stage 1 Barking Riverside

The London Borough of Barking and Dagenham (LBBD) recognises that Barking Riverside Limited (BRL) have offered the Open Space in Stage 1 to LBBD for adoption. This is in accordance with Part 7, Section 6, Point 3.1 of the s106 (dated 7 August 2007).

This letter is to notify BRL that LBBD will not be adopting any Open Space in Stage 1, in accordance with Part 7, Section 3, Point 3 of the s106.

As LBBD will not be adopting any Open Space in Stage 1, the Open Space is to be fully managed and maintained by BRL and then Barking Riverside Community Development Trust (BRCDT) upon formation of the Trust.

BRL is required to provide to the Council specifications on the management and maintenance of the Open Space that is to be provided. This will be signed off in accordance with Part 8 of the s106.

BRL are also reminded of their responsibilities to jointly investigate with LBBD the possibility of setting up a Leisure Trust. If a Leisure Trust is formed, all formal Open Space and all other Open Space will be offered by BRL and the BRCDT to the Council. At this point the Leisure Trust may agree to adopt some or all areas of open space (subject to Part 7, Section 3, Paragraphs 3.13.1, 3.13.4, 3.16 and Part 8, Section 3, Paragraph 3.2 of the s106).



2008-2009
Tackling Climate Change

CABINET

12 JULY 2011

REPORT OF THE CABINET MEMBER FOR REGENERATION

Title: Barking Riverside – Thames View Footpath/Cycleway; Sale of Unit 1, The Cromwell Centre, 32 Thames Road, Barking.	For Decision
<p>Summary:</p> <p>As part of the Barking Riverside development it was proposed to establish a direct footpath cycle link between Barking Riverside and the centre of Thames View. The footpath between the centre of Thames View and Thames Road already exists and needs some minor works to bring up to an acceptable standard. The part between Thames View and Barking Riverside required the acquisition of some land. Finance for this was given to the Council by the Homes and Communities Agency (HCA) in 2009. As a result the Council acquired in November 2009 a vacant industrial unit known as Unit 1 The Cromwell Centre, 32 Thames Road, Barking. (“the Property”) for £475,000 with an additional payment of £100,000 as compensation for disturbance of the business. The proposed link was then to run along the culvert (a covered channel carrying a stream), adjacent to the Cromwell Centre. Unit 1 was purchased in order to be demolished so that a new car park for the unit owners at the Cromwell Centre could be provided to free up the culvert land.</p> <p>Further consultation with the unit owners and the Environment Agency, since the building was acquired, has brought to light issues that make this proposal undeliverable as detailed in the report, thereby causing the Property to become surplus to Council’s requirements. Leasing out the Property is unlikely to provide the revenue or capital required to improve existing cycle and pedestrian links within parts of the borough.</p> <p>Therefore, the Cabinet is requested to approve the sale of the Property at open market value and for the funds, grant aided by HCA to be put back into improving pedestrian and cycle networks in the Thames Road/Barking Riverside and Thames View area. The HCA agree with this approach. The property has been valued by Lambert Smith Hampton at approximately £475,000 to £535,000</p> <p>Wards Affected: Thames</p>	
<p>Recommendations</p> <p>The Cabinet is recommended to agree to:</p> <ol style="list-style-type: none"> 1 The sale of the Property for the maximum price that can reasonably negotiated and that the details of disposal to be negotiated and agreed by the Director of Finance and Resources in consultation with the Divisional Director of Legal and Democratic Services 2 Authorise the Divisional Director of Legal and Democratic Services to enter into the necessary legal agreements to achieve the disposal of the Property based on an agreed heads of terms. 	

- 3 Invest the receipt from the sale of the Property in the improvement of pedestrian/cycle links along Thames Road/Crossness Road/ Marine Drive and in the Barking Riverside and Thames View developments.

Reasons

The provision of good pedestrian and cycle links between Barking Riverside and established residential areas such as Thames View will assist the Council to achieve its Community Priorities of 'Safe' 'Healthy' 'Fair and Respectful' and 'Prosperous Borough.

As the proposed footpath cycle link between Barking Riverside and Thames View Estate will not be built, the Council has no further need or requirement for this property. The property is a significant drain on the Council's resources and the capital receipt that will be generated by the disposal will be re-used within the Council's spending programmes to improve other pedestrian and cycle networks in the local area.

Comments of the Chief Financial Officer

During 2009 Unit 1 was purchased by the Council, using funding from the HCA, for a total cost of £575,000, including £100,000 in compensation, with a view to demolishing and redeveloping the site. However as this option has now been deemed unviable, Cabinet is asked to approve the sale of the Unit, which remains in a saleable and operational condition (with utilities disconnected), on the open market. There are no costs to the Authority in this process, apart from minor incidental / office expenses and staff time (which are funded within existing Regeneration & Economic Development budgets).

Approval from the HCA has not been received in respect of re-use of their funding, but is being sought; and therefore subject to this being received, Cabinet is asked to approve the reinvestment of the capital receipts on pedestrian and cycle links in the area, which is still within the same overall aims of the original funding. If such a position could not be reached with the HCA, then potentially the money will have to be returned to them.

Legal Comments

The Council is able to exercise its powers pursuant to section 123 Local Government Act 1972 to dispose of the Property. The 1972 Act sets guidelines for disposal of land for best consideration that can reasonably be obtained. The Property has been identified to be surplus to the Council's requirements and capital realised will be put towards funding for the improvement of cycle and pedestrian networks in parts of the borough. The report recommends a disposal for an amount between £475,000 and £535,000 which represents market value. The above accords with requirements in the Council's constitution.

The freehold land is owned by the Council. There are no known restrictions on the Council's title which would prevent the disposal. A Contract for Sale and Deed of Transfer will be prepared to deal with the transfer of the Property based on an agreed heads of terms.

Cabinet Member:
Councillor M McCarthy

Portfolio:
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Jeremy Grint

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1. Background

- 1.1 As part of the Barking Riverside development, pedestrian and cycle links are key to enhancing the transport network, accessing key facilities, e.g. schools and health centres, providing healthy and interesting ways to get around and linking the areas of open space together. To link Barking Riverside with Thames View and facilitate a quick link between the new school at the Rivergate Centre and the health facilities and shopping centre at Farr Avenue, an extension to the existing pedestrian/cycle link from Bastable Avenue to Thames Road was proposed.
- 1.2 This extension was to run along the top of a culvert that is adjacent to the Cromwell Centre as shown in the map attached to this report (Appendix 1 – the red route is the proposed route and the blue and green routes are the alternative routes). To create this link, the area that the unit owners of the Cromwell Centre and visitors parked their vehicles was to be moved. The Council purchased the Property with the intention of demolishing it to provide a new car park.
- 1.3 The link would then run from Thames Road to the south into Barking Riverside. Providing a quick and safe link from Barking Riverside to Thames View. The existing footpath from Thames Road north to Bastable Avenue would be improved with new fencing, lights and paving.
- 1.4 Unit 1 was purchased with specific funding from the Homes and Communities Agency (HCA) that was required to be spent by March 2011. The Property cost £575,000 (£475,000 in sale price and an agreed £100,000 compensation for the disturbance of the business). The sale was completed in November 2009 and the Council took occupation of the Property in February 2010. The unit has been vacant since that time, it has been fully secured and all utilities to the site have been disconnected in anticipation of demolition.
- 1.5 The funding for this project formed part of a wider funding grant from the HCA (then English Partnerships) for the demolition of the Eastern End of Thames View and the masterplan process for the Thames View Estate. The decision for the funding for the pedestrian/cycle link was agreed on 20 January 2009 and added an extra £875,000 to the existing £1.5m funding for the Thames View project agreed in a funding agreement on 15 May 2008.
- 1.6 Since the acquisition of the Property detailed discussions have taken place with the other unit owners. While the culvert land is unregistered, through investigation and consultation with the other freehold unit owners at the Cromwell Centre, it became apparent that the culvert land is used for more than just parking. The unit owners use this space for storage and manoeuvring, their delivery vehicles which is integral to the way their businesses operate. There is no evidence that the culvert land has been upgraded or maintained by the Council since it was built. The Council does not own any land adjoining the culvert land. The unit owners would have riparian rights by virtue of their ownership of land adjoining the culvert land. The unit owners appear to have been using the culvert land for parking over a long period and are likely to claim adverse possession of the culvert land. In view of the above the legal advice to the Regeneration Department was that it may be very difficult for the Council to claim a superior interest/ownership of the culvert land. Therefore the Council will have to acquire by agreement or compulsory purchase the culvert land.

- 1.7 These risks were identified in the original Cabinet report that was presented on 25 August 2009. In that report the decision was taken that if the culvert could not be obtained through consultation and negotiation, the Council would exercise its CPO powers (Minute 52 refers).
- 1.8 Due to costs and length of time involved in making a CPO and risks of potential challenge by unit owners it is now considered to be financially unviable. In addition to this, from the experience of recent CPOs made by the Council, it is now felt that sufficient grounds could not be proved. Therefore, it is now recommended that this action is not taken.
- 1.9 Further to this decision, the pathways on Barking Riverside have been modified since the original planning permission and the only path that this link would have joined to is an unlit, low-level path alongside Buzzard Mouth Creek. The path is unlit because of an Environment Agency requirement to protect valuable habitats within the stream and riparian areas. With this path un-lit, a key part of the route would be unsuitable in terms of personal safety for parents and children, especially in the winter months.
- 1.10 For these reasons, the recommendation is to sell the Property at open market value and recoup the funding to use towards improving other pedestrian and cycle links in the area. The use of this funding will be subject to the written approval with the HCA, who have approved the sale of Unit 1. These could include:
- Improving Crossness Road as this is one of the main entrances into the new development;
 - Keep the improvements going along Thames Road, including new paving, lighting and wayfinding signage;
 - At least one new pedestrian crossing on Thames Road;

The HCA, as the funder, is informally content with this approach.

- 1.11 The sale price of the property was estimated recently by the Council's agents, Lambert Smith Hampton (LSH), at approximately £475,000 - £535,000. LSH recommended that Unit 1 be sold by way of a private treaty transaction following a marketing campaign.
- 1.12 It is worth noting that Barking Riverside Limited are still committed to investing in pedestrian/cycle links in the area. BRL will be improving the existing link from Thames Road to Bastable Avenue as well as working with the Council to investigate other options for funding and improvement.

2. Proposal

- 2.1 Cabinet is recommended to agree to the sale of Property with the final details of disposal to be negotiated and agreed by the Director of Finance and Resources in consultation with the Divisional Director of Legal and Democratic Services.
- 2.2 To ensure that improved links are provided, the funds that are recouped from the sale of this unit will be fed directly back into pedestrian and cycle links in the area. As the HCA are one half of the Barking Riverside Limited joint venture, the Council should commit to working with them to redistribute this funding as future pedestrian

and cycle provisions will have a positive impact on the new Barking Riverside development. An agreement between the Council and the HCA on the scope of works that the recouped funds will be spent on will be reached once Unit 1 has been sold.

- 2.3 Improved routes are absolutely essential. As discussed in this report, the Council will investigate and identify a package of works that will ensure adequate routes are provided.
- 2.4 While the proposed alternative routes are slightly longer than the original route planned, it should be noted that at no point will these routes be un-lit or lacking in passive or active surveillance.

3. Financial Issues

- 3.1 During 2009 Unit 1 was purchased by the Council, using funding from the HCA, for a total cost of £575,000, including £100,000 in compensation, with a view to demolishing and redeveloping the site. However as this option has now been deemed unviable, Cabinet is asked to approve the sale of the Unit, which remains in a saleable and operational condition (with utilities disconnected), on the open market. There are no costs to the Authority in this process, apart from minor incidental / office expenses and staff time (which are funded within existing Regeneration & Economic Development budgets).
- 3.2 Approval from the HCA has not been received in respect of re-use of their funding, but is being sought; and therefore subject to this being received, Cabinet is asked to approve the reinvestment of the capital receipts on pedestrian and cycle links in the area, which is still within the same overall aims of the original funding. If such a position could not be reached with the HCA, then potentially the money will have to be returned to them.

4. Legal Issues

- 4.1 The freehold land is owned by the Council. There are no known restrictions on the Council's title which would prevent such disposal.
- 4.2 The proposal to dispose of the Property at market value is in accordance with section 123 Local Government Act 1972 and in compliance with the Council constitution.
- 4.3 A Contract for Sale and Deed of Transfer will be prepared to deal with the transfer of the Property based on an agreed heads of terms.
- 4.4 Each party will be responsible for their legal and professional fees incurred in connection with the transaction.

5. Other Implications

5.1 Risk Management

- 5.1.1 The main risk originally identified around this project was that failure to implement it would not maximise the improvement of links between Barking Riverside and

Thames View, which would be a missed opportunity to promote a cohesive, united and functional community.

- 5.1.2 These community benefits are of as much importance at this stage of the project, however, that risk has been outweighed by the risk of continuing with the project as originally envisaged. The time, cost and likely success of a CPO to obtain the use of this culvert is not feasible for the Council at this time. The partners in this project, Barking Riverside Limited and the HCA are also not able to carry out or contribute towards a CPO.
- 5.1.3 It is worth noting that even if a CPO was used to forward this project, the link onto Barking Riverside would not be a path that could be used year round, and this would create significant safety risks for those using the path, especially children, the elderly and women.
- 5.1.4 By selling Unit 1 and re-using the funds from the sale for improved pedestrian and cycle links in the immediate area, the original opportunities to promote a cohesive, united and functional community still exist. The physical distance for people to walk may be a little longer, but as the map included with this report shows, there will be two options for pedestrians and cyclists, opening up a quick and healthy route between the two communities for potentially more people.

5.2 Customer Impact

- 5.2.1 Selling this unit and investing the funds back into improving pedestrian and cycle links in the area will enhance community cohesion and facilitate safe and healthy ways of transport that encourage people out of their cars.
- 5.2.2 Improving a range of pedestrian and cycle links in the area will also promote alternative means of travel for local people working in the area.
- 5.2.3 By selling the unit and using the funds for similar projects in the area, the benefit to the customer is similar, if not as direct as the original proposed pathway. However, the benefits will be wider felt through two different routes which will benefit the surrounding industrial area and existing residents at Barking Reach.
- 5.2.4 As well as improving links from Thames View into Barking Riverside, this project will upgrade and widen the existing footpath between Thames Road and the Thames View Infants and Junior Schools. It will also improve safety for those crossing Thames Road in the vicinity of the link. This should help to increase resident satisfaction with road and pavement conditions.

5.3 Safeguarding Children

- 5.3.1 One of the reasons that Unit 1 is recommended to be sold is that the link once the footpath meets Barking Riverside will not be a safe and secure environment year round, as it is un-lit. This path is un-lit for environmental reasons, as the path runs directly past some sensitive ecosystems in the creek and it would not be possible to provide lighting. To ensure that the safety of the children walking to and from the George Carey Primary School is ensured, an alternative route is proposed. Selling Unit 1 will free up the funds to provide these alternative routes.

5.4 Health Issues

- 5.4.1 Promoting alternative methods of transport such as walking and cycling is a priority for the Council and there are pedestrian and cycle links throughout Barking Riverside which favour these methods of transport over car use. For this reason, the funds from the sale of Unit 1 will be put back into promoting and creating these links between Barking Riverside and Thames View.
- 5.4.2 Provision of improved links will encourage children living on Thames View and attending primary school in Barking Riverside to walk or cycle to school. This will help to increase the proportion of pupils participating in at least two hours of physical education and out of school sports.

5.5 Crime and Disorder Issues

- 5.5.1 The path as originally envisaged by the Barking Riverside design would have run adjacent to the new housing and would have been overlooked and frequented by local residents. However, with the path layout changing, the path in Barking Riverside and up to Thames Road would not have been well overlooked by residents. The path as it runs past the Cromwell Centre would have run past industrial warehouse units that are not occupied in the evening, and this may have created a path that had some safety concerns. The revised plans will be for paths mostly along existing roads, with improved lighting and signage for wayfinding.

5.6 Property / Asset Issues

- 5.6.1 If Members approve this proposal, the property will be sold at open market value following a full marketing campaign by the Council's external agents (Lambert Smith Hampton.) This will ensure that the Council obtains the best price that can reasonably be achieved in today's economic climate. This will help defray the original purchase costs and allow the capital to be re-used elsewhere in the Council's capital spending programmes as detail in the body of this report.
- 5.6.2 This property is a significant drain on the Council's resources as it is a large industrial unit with considerable ongoing costs and outgoings in terms of non domestic rates, security, repairs and maintenance etc. The Council has no use for the property and in line with existing Asset Management policies it should be sold as soon as possible.
- 5.6.3 As the property is not in use, it also represents a significant opportunity cost in that the capital tied up in the building can be put to better use elsewhere in the Council's capital spending programmes, or if the Council is minded to retain the property, it could be leased out to earn commercial income instead.

6. Options appraisal

- 6.1 As discussed in this report, the cost, time and likely success of a CPO to continue with this project is prohibitive. It is not possible for the Council to fund a CPO at this time and there are other factors, such as the unsuitability of the link once on Barking Riverside and the effect on the unit owners at the Cromwell Centre if this

area is taken away from them. It is not recommended that the project continue in this manner.

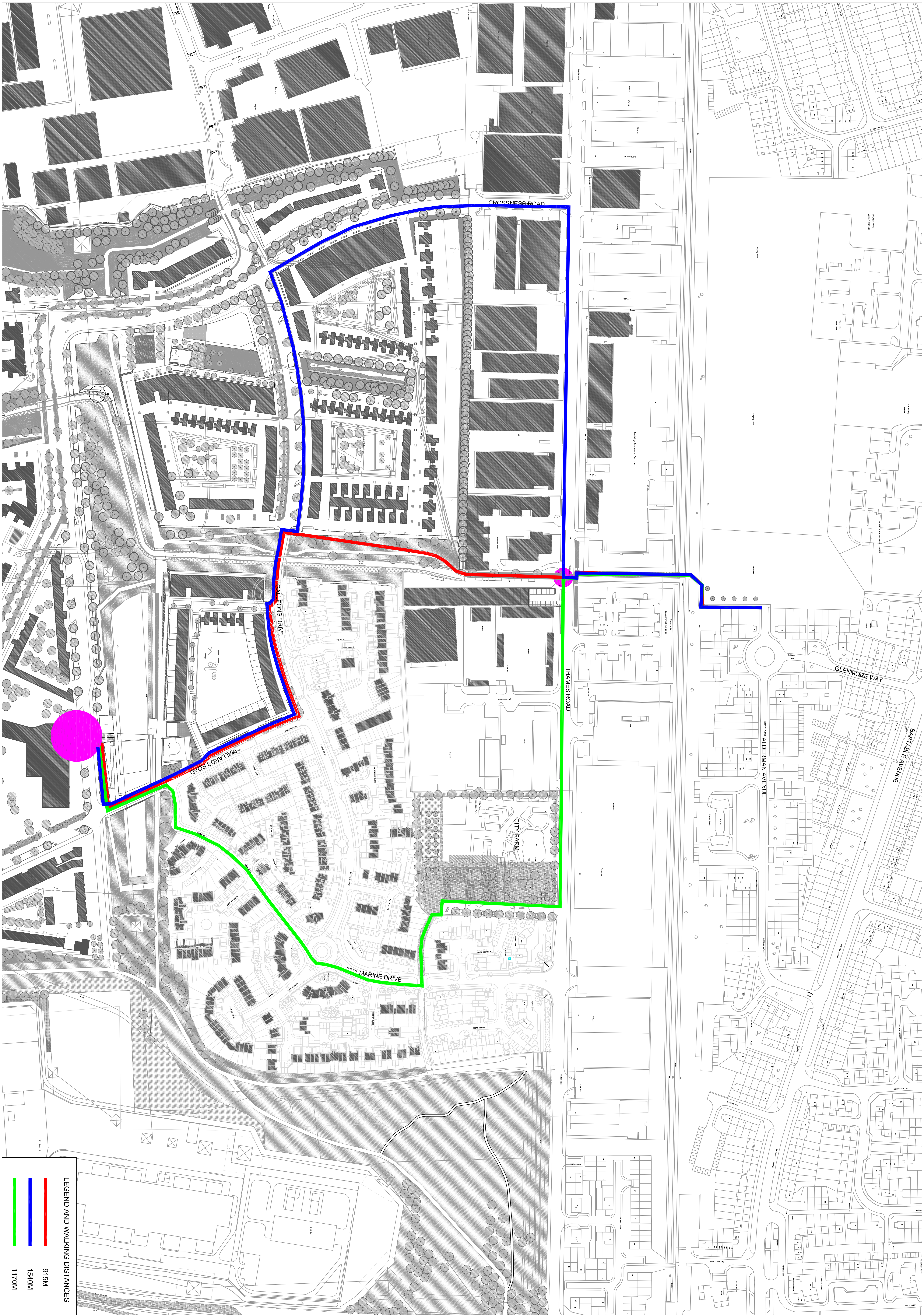
- 6.2 It is not recommended that the unit is retained within the Council assets, as the funding to buy Unit 1 was from the HCA. The HCA are a part of the joint venture that makes up Barking Riverside Limited and there is an expectation from them that these funds are to be used in the manner they were intended, to improve pedestrian and cycle links between Barking Riverside and Thames View.
- 6.3 The recommended option is for Cabinet to agree to the sale of Unit 1 with the final details of disposal to be agreed by the Director of Finance and Resources. The funds will then be used to improve other pedestrian and cycle links in the Barking Riverside and Thames View area.

7. Background Papers Used in the Preparation of the Report:

Barking Riverside Thames View Pedestrian and Cycle Link – Executive Report and Minutes. 25 August 2009

8. List of appendices:

1. Map showing original route and planned routes



LEGEND AND WALKING DISTANCES

	915M
	1540M
	1170M

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CABINET**12 JULY 2011****REPORT OF THE CABINET MEMBER FOR FINANCE REVENUES AND BENEFITS**

Title: Land adjacent. 50 Shortcrofts Road, Dagenham	For Decision
<p>Summary: 50 Shortcrofts Road was sold some years ago under the Right to Buy scheme.</p> <p>The current owner of 50 Shortcrofts Road has applied to purchase the Council's adjoining amenity plot shown hatched black on the plan at Appendix 1, as he wishes to develop his and the Council's land to build an additional 2 bedroom house and two 2 bedroom flats in a terrace to the side of his property. Full planning permission for the proposed development was granted by the Development Control Board at their meeting on 19 October 2010 under reference 10/00248/FUL. This paper does not deal with the nature of the proposed development, as this is handled fully through due planning process. Members are therefore not being asked for a decision on the nature of the proposed development, but only on the disposal of the amenity plot itself.</p> <p>Housing colleagues have confirmed that the amenity green is a fenced grassed area and they have no objection to the Council disposing of this land.</p> <p>The amenity plot was recently valued on the basis of it forming part of this proposed development at approximately £15,000 - £20,000. Members will appreciate that the land's alternative use value as an amenity plot is nominal only and that in Financial terms, the maintenance of the plot represents a cost to the Council. Members are therefore recommended to authorise disposal of the land at best possible price and to authorise the Corporate Director of Finance and Resources to agree the final terms of the transaction in due course.</p> <p>This amenity green is one of a number of similar Council-owned amenity greens across the Borough, which could be disposed of for similar use. Officers will carry out a review of all amenity greens with a view to providing Members with a further report on the possible disposal of other suitable sites for similar use, thereby reducing the Council's ongoing maintenance cost, and achieving capital receipts.</p> <p>Wards Affected: Alibon</p>	
<p>Recommendations The Cabinet is recommended to agree to:-</p> <ul style="list-style-type: none"> (i) Authorise the Corporate Director of Finance and Resources to negotiate and agree terms for disposal of the amenity land at the maximum price that can reasonably be negotiated (ii) Instruct the Council's Legal Practice to complete the transaction in due course. (iii) Instruct officers to provide a further report to Cabinet in due course on the possible disposal of other similar amenity greens for housing use. 	

<p>Reason(s)</p> <p>All land sale proposals are required to be agreed by the Cabinet and Assembly</p> <p>The proposal meets the Council's stated housing priorities by providing three new privately owned/rented homes in the Borough.</p> <p>The proposal will produce a capital receipt for the Council</p> <p>The proposal will mean that costs are not incurred on the maintenance of this small plot of land.</p>		
<p>Comments of the Chief Financial Officer</p> <p>The sale of the land will benefit the Council in a number of ways:</p> <ol style="list-style-type: none"> 1) It will result in a capital receipt of between £15k and £20k which can be used to either fund new capital projects or support the existing capital programme 2) It will reduce ongoing costs to the Council of £83.95 p.a. for maintenance of the amenity green 3) It will, once the dwellings are built, result in additional Council Tax being paid to the Council 		
<p>Legal Comments</p> <p>The Local Government Act 1972 sets a guiding principle requiring that the Council should not dispose of land at a consideration less than the best that can reasonably be obtained. This is supplemented by prescribed processes and procedures in the Council Constitution for the disposal of land. This report recommends sale at the market rate which is in keeping with these requirements</p>		
<p>Cabinet Member: Cllr. C. Geddes</p>	<p>Portfolio: Cabinet Member for Finance, Revenues and Benefits</p>	<p>Contact Details: Tel: 020 227 2116 E-mail: cameron.geddes2@lbbd.gov.uk</p>
<p>Head of Service: Sue Lees</p>	<p>Title: Divisional Director of Assets and Commercial Services</p>	<p>Contact Details: Tel: 020 8227 3300 Email: sue.lees@lbbd.gov.uk</p>

1. Background

- 1.1 50 Shortcrofts Road was sold some years ago under the Right to Buy and Members will note from the plan at Appendix 1 that the overall plot size (shown in bold on the plan) is quite large for an ex LCC "Right to Buy" house.
- 1.2 The current owners have recently applied to the Council to purchase the Council's amenity green shown hatched on the plan at Appendix 1 to this report to enable them to build a two bedroom house and two, 2 bedroom flats in a terrace adjacent

to their property. Photographs of the amenity green are shown for Members information at Appendix 2 to this report.

- 1.3 The owners of 50 Shortcrofts Road were granted full planning permission for their proposal by the Development Control Board at their meeting on 19 October 2010 under reference 10/00248/FUL.
- 1.4 The local Area Housing Officers have checked the amenity green and come to the conclusion that it is simply a grassed over area that adds little to the local area. They are therefore content for it to be sold as per this enquiry.
- 1.5 The land has been valued by the Council's external surveyors (Lambert Smith Hampton) at approximately £15,000 - £20,000.

2. Proposal

- 2.1 As the land appears to provide little amenity value to the local environment, it is proposed that Members approve the disposal of this plot of land to the owners of 50 Shortcrofts Road, Dagenham.

3. Financial Issues

- 3.1 The proposal should result in a capital receipt to the Council of approximately £15,000 - £20,000.

4. Legal Issues

- 4.1 The proposal to dispose of the property at market value is in accordance with the statutory and Council Constitutional regulatory framework.
- 4.2 Because of the plot's limited size and location a disposal at market value by private treaty would be an economic and appropriate means of disposal maximising the value of an asset which bears ongoing maintenance costs at a time of limited funding.
- 4.3 Concerns were raised when this report was being considered over possible use of the new properties as homes in multiple occupation and whether the Council can impose any restrictions on the sale to prevent this possibility. Unfortunately, there are no restrictive covenants or other actions that the Council (**in its capacity as a landowner**) can take that would prevent the properties being used in this way. However, it should be noted that the properties will all be small two bedroom homes (two flats and one house) and therefore they will not lend themselves to such use. The possibility of the new homes being used as multiple occupation properties therefore appears to be very low. The reasons that the Council cannot impose restrictions on the land to prevent the new homes from being put into multiple occupation are:-
 - 4.3.1 The Council is the minor landowner in this instance and the new homes will all be built on the land already owned by the owner of 50 Shortcrofts Road. The only covenants that the Council could impose would be on the amenity green itself and to have any effect at all would restrict the future use of the land to a drive way, parking and front gardens for the new homes that will be

built. However, imposing such restrictions could significantly reduce the capital premium that the Council might gain from the disposal and would have no effect on possible multiple occupation.

4.3.2 Recent Case Law (particularly the Court of Appeal decision in R. v. Braintree District Council (2000)) prevents Council's imposing such restrictive covenants over properties that have been sold under the Right to Buy (RTB). In the past, certain Council's (including London Borough of Barking & Dagenham) sought to prevent subsequent development of RTB homes (with the aim of recovering increases in value due to subsequent changes in planning permission.) However, it was held that such covenants were against the spirit of the RTB Legislation and they have therefore effectively been "ruled out" by the Courts. As a landowner, the Council cannot therefore impose restrictions on the way in which the new homes will be occupied in the future.

5. Other Implications

5.1 **Property / Asset Issues** If approved by Members, the proposal will result in the disposal of this fenced grassed amenity area that provides little visual amenity to the local area in return for a capital receipt of approximately £15,000 - £20,000.

6. Options appraisal

6.1 If Members are not in favour of the proposal, the Council can retain the amenity space instead. In this case the Council would not have the benefit of the proposed capital receipt, and would retain the maintenance liability for the amenity green. The owner of 50 Shortcrofts Road may still be able to build on his land without the Council's amenity green, but due to planning constraints this is likely to result in fewer new homes being built.

7. Background Papers Used in the Preparation of the Report:

Planning application reference no.:10/00248/FUL

8. List of appendices:

Appendix 1: Site Plan.

Appendix 2: Site photographs.

Appendix 1: Land adj. 50 Shortcrofts Road, Dagenham



50 Shortcrofts Road



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Town Hall, Barking,
Essex, IG11 7LU
Tel: - 020 8215 3000

Scale:- 1:1,250
Produced By:- Penny Taberman
Date - 04/05/11

Appendix 2: Land adj. 50 Shortcrofts Road, Dagenham



CABINET**12 JULY 2011****REPORT OF THE LEADER**

Title: Barking and Dagenham Partnership Annual Report 2010 / 2011		For Information
<p>Summary</p> <p>The Local Strategic Partnership (LSP) brings together a range of local public, voluntary and community sector agencies with representatives of local businesses, to work together to make Barking and Dagenham a better borough.</p> <p>The LSP's annual report summarises its role, highlights the major issues it has dealt with over the last municipal year, and looks ahead to work for the next year and beyond.</p>		
<p>Recommendation</p> <p>The Cabinet is asked to note the annual report of the Local Strategic Partnership for 2010/11.</p>		
<p>Cabinet Member: Councillor Liam Smith</p>	<p>Portfolio: Leader of the Council</p>	<p>Contact Details: Tel: 020 8227 2101 E-mail: leader@lbbd.gov.uk</p>
<p>Contact Officer: Heather Wills</p>	<p>Title: Divisional Director Corporate Policy & Public Affairs</p>	<p>Contact Details: Tel: 020 8227 2786 E-mail: heather.wills@lbbd.gov.uk</p>

1. Introduction

- 1.1 The Barking and Dagenham Partnership brings together all those who want to make the borough a better place to live, study, work, play and visit. Partners include the Council, health services, police and fire service, local businesses, representatives of the voluntary and community sector and members of the local community.
- 1.2 Many of the challenges facing the borough are complex, and can only be addressed through joint working between a range of agencies. The Partnership works to build good relationships between each of the public agencies working in the local area, bringing them together with representatives of businesses and the community in order to develop and deliver solutions.
- 1.3 The main work and priorities for the Partnership are summarised in the Community Plan, and are based on the views of local people. The Plan's overarching vision is:

We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and where our young people are inspired and successful.

- 1.3 The publication of an Annual Report is an opportunity for the Partnership to take stock, and to set out the highlights of the work it has achieved over the last year in support of this vision. The report itself appears at Appendix 1, and includes a substantial body of important work.
- 1.4 The report contains the contributions of the different theme boards which deliver much of the work of the Partnership:
- Children's Trust
 - Clean, Green & Sustainable Board
 - Community Safety Partnership
 - Shadow Health & Wellbeing Board
 - Skills, Jobs & Enterprise Board
- 1.5 The annual report was reviewed and agreed by the LSP's Public Service Board, which includes senior representatives of the Police, Council, Health Service, voluntary and business sectors.

2. Looking to the future

- 2.1 An overarching Local Strategic Partnership Board is being established to help provide a greater focus on the big issues for the borough. The Board will identify the areas where, by working together, partners can achieve the greatest impact for the people of Barking and Dagenham, including lobbying for a better deal for the borough.
- 2.2 The membership of the Board will consist of over 40 people representing a wide variety of partners. In addition to theme board chairs, the Board will involve representatives from many different sectors including schools, young people, elected Members, businesses and third sector organisations. The first meeting will take place on 18th July 2011.
- 2.3 These representatives will consider the larger cross cutting issues facing the borough such as, how we can increase household income, the attainment of young people, supporting vulnerable young people, the impact of being a Host Borough for the 2012 Olympic and Paralympic Games, Community Cohesion and how best to use our resources in the borough.
- 2.4 Assembly has approved the following Member representatives to the LSP Board:
- Cllr Smith
 - Cllr Rocky Gill
 - Cllr Carpenter
 - Cllr Kangethe
 - Cllr Obasohan
 - Cllr Poulton

Background papers used in the preparation of this report:

- None

Annual Report 2010 / 2011



**Dagenham Town Show
Summer 2010**

Barking & Dagenham
Partnership

This is the annual report for the Barking and Dagenham Partnership for 2010/11. To help you understand what we are all about we have put together a few pieces of information on what we do. We have followed this up with the key achievements of the Partnership in the past year.

What is the Barking and Dagenham Partnership?

The Barking and Dagenham Partnership brings together all those who want to make Barking and Dagenham a better place to live, study, work, play and visit. Partners include the Council, health services, police and fire service, local businesses, representatives of the voluntary and community sector and members of the local community.

What is the Community Plan?

The Community Plan summarises the borough's priorities, based on the views of local people. These priorities inform the work of the Partnership and the actions taken to improve the borough.

The Plan's overarching vision is:

“We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and where our young people are inspired and successful.”

The Partnership works hard to turn these priorities into reality by working together and finding joined up solutions to problems and opportunities that the borough is facing.

How does the Partnership deliver the Community Plan?

There are five theme boards within the Partnership, they are:

- Children's Trust
- Clean, Green & Sustainable Board
- Community Safety Partnership
- Shadow Health & Wellbeing Board
- Skills, Jobs & Enterprise Board

The Theme Boards meet at least quarterly. The leadership and members of each Board depend on the issues that they address: Boards consist of representatives

from public, private, Community and Voluntary services. Up to date membership lists can be found on the Partnership website www.barkingdagenhampartnership.org.uk.

At these meetings action plans are reviewed and partners work together to raise concerns, discuss borough-wide issues and find opportunities to deliver appropriate solutions for people across the borough.

The Public Service Board is an overarching Board made up of the theme board chairs, the Chief Executives of the Local Authority, College, Health Services and Council for Voluntary Service, the Police Borough Commander and a representative from Job Centre Plus. At this Board, cross cutting issues are discussed and the community priorities are monitored.

What has the Partnership been working on?

In the past year there have been a number of changes that have impacted on the way Local Strategic Partnerships operate nationally. We have been working hard in Barking and Dagenham to ensure that we can be flexible to meet the priorities of the people in the borough, to build a strong community and to ensure strong leadership in these tough times.

The challenges and changes that we have faced include cuts in public sector spending, the Coalition Government's Big Society philosophy including a focus on localism, health service reforms, policing reforms, the introduction of Local Enterprise Partnerships, Community (Place Based) Budgets and being nominated as an Olympic Host Borough, to name just a few.

The Public Service Board has worked hard to understand the impact of national policy changes for the communities of Barking and Dagenham. We are striving to lead the borough to take advantage of the opportunities these changes present and minimise the risks. The key projects and work are distributed to and managed by individual theme boards.

A summary of the Partnership's achievements of the past year and its future aims are contained in the following pages.

THE CHILDREN'S TRUST HAS . . .

Won the Local Government Chronicle (LGC) Children's Services Award 2011, which recognises how all agencies working with children in Barking and Dagenham have worked closely with young people to shape and improve their services

Had a Safeguarding Peer Review and an unannounced social care inspection; both highlighted the quality of inter-agency working and strategic planning across the Children's Trust to support children's welfare.

Been short-listed for awards for the Youth Access Card - a reward based system which encourages healthy eating and lifestyles, and has significantly increased the take up of school meals (achieved by working with the Shadow Health & Wellbeing Board)

Developed a new Children and Young People's Plan 2011 - 2016

Prepared new strategies to support Children's Health and Wellbeing

Focussed on cross agency working to significantly improve attendance in schools

Implemented Joint Commissioning of the Family Nurse Partnership to support young mothers

The Future: Children's & Young People's Plan 2011 - 2016 five top priorities

Ensure children & young people in our borough are safe

Narrowing the gap - raise attainment and realise aspiration for every child

Improve health and wellbeing, with a particular focus on tackling obesity and poor sexual health

Improve support and fully integrate services for vulnerable children, young people and families (particularly children in care and children with disabilities)

Challenging child poverty - preventing poor children becoming poor adults

"We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and where our young people are inspired and successful."

CLEAN, GREEN & SUSTAINABLE BOARD HAS . . .

Constructed 451 new homes during 2010/11, of which 194 were new 'affordable' homes

Endorsed Bio Diversity, Trees & Development Supplementary Planning Documents

Contributed to the overall reduction of 4.45% in CO2 from the Corporate Estate in 2010/11.

Supported the Barking Low Carbon Zone which has provided funding for over 300 properties to have packages of energy savings measures. So far 35 'hard to heat homes' have been improved - including new heating systems and external wall insulation.

Identified and endorsed the submission of funding for the Dagenham Low Carbon Zone to Greater London Authority /Mayor. Work within new Zone is to start in 2011/12 subject to funding approval.

Campaigned for allotments: the Groveway and Linkway allotment sites were re-opened. Committed to working with stakeholders to re- open Thatches Grove allotments in 2012 bringing the number of sites in the borough to 17 - thereby exceeding the 13.15 ha of provision in the borough recommended by the Planning Inspectorate.

Fully supported the designation of all allotments in the Borough as Statutory Allotments.

Had over 800 new Street Trees and 500 saplings in Parks planted during the year.

Monitored the completion of 7 new Play Areas providing over 2,000 children and young people improved access to play in a natural environment.

Had a £5m contract for improvements to Barking Park awarded and the masterplan and funding package approved for Mayesbrook Park improvements.

Encouraged a Joint Waste Action Plan for the four Boroughs (including LBBD) in the East London Waste Authority (ELWA).

Achieved the Government target for the amount of household waste in the borough sent for re-cycling (31%)

In future the Clean, Green & Sustainable Board will . . .

Support, steer and facilitate the good work of partners

Maximise the benefits of the Green Deal in line with the Government agenda and the local Fuel Poverty Strategy

"We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and young people are inspired and successful."

COMMUNITY SAFETY PARTNERSHIP HAS . . .

Launched an Independent Domestic and Sexual Violence Advocacy Service (with support from the Health & Wellbeing Board) to reduce repeat victimisation, including a maternity based project. The Domestic Violence (DV) arrest rate was 83% (against a target of 77%) and repeat incidents of DV were 32% (against a target of 28%)

Formed a Serious Youth Violence partnership to tackle the gang related issues. High level gang members have been identified and targeted and 2 services have been commissioned to engage with young people on the fringes of gang membership. There has been a 10% reduction in serious youth violence compared with 2009/2010.

Developed coordination of the Safer Neighbourhood Team ward panel meetings, improving communication with the public about the work of the SNTs, placing 2 police officers within the Council's Anti Social Behaviour (ASB) team to increase coordination of key ASB cases

Implemented a Borough wide Designated Public Places Order that allows the police to stop people drinking on the street

Created a dedicated police Parks Safer Neighbourhood Team to cover the 32 parks and open spaces in the borough.

Reduced residential burglary by 12% (against a target of 9%) through targeted campaigns and the provision of a Safer Homes service that provides security measures to victims of burglary and vulnerable residents to reduce repeat victimisation.

In future the Community Safety Partnership will

Improve the partnership response to the most challenging locations, the most difficult offenders and the most vulnerable victims of crime and ASB through a joined up operational tasking process involving all partners.

Develop a new Violence Against Women and Girls Strategy

Focus on alcohol as a driver of offending

Where possible, broaden our efforts from burglary onto other forms of acquisitive crime (e.g. motor vehicle)

Maintain and continue the partnership work that has proved successful with the SNTs

“We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and where all our young people are inspired and successful.”

HEALTH & WELLBEING BOARD HAS . . .

Endorsed the Health and Wellbeing Strategy

Implemented the Youth Access Card - an integrated incentive scheme for children and young people to eat healthy food, participate in physical activity and healthy lifestyles. To date we have seen an 11% increase in uptake of school meals and 15% increase in Free School Meal uptake (working with the Children's Trust)

Supported the B&D Tobacco Alliance who won the No Smoking Day charity's Best Community Partnership award

Commissioned a new Alcohol Treatment Service incorporating improved links to the Mental Health Service

Exceeded the Stop Smoking Service Quit targets with 563 at Quarter 3, approximately 90 above the target outlined in the Health and Wellbeing Strategy

Secured £12 million from the Olympic Delivery Authority to invest in local sports facilities and to build a new sports centre in Mayesbrook Park.

Changed its governance and membership as it began to adapt to its new responsibilities under the Government's proposed NHS changes. The borough became an officially-recognised 'early implementer' of Health & Wellbeing Boards.

In future the Health & Wellbeing Board will . . .

Develop the local health and social care system in line with the Government's agenda for NHS reform, ensuring that it delivers for Barking & Dagenham

Oversee the move of the Public Health team to the local authority, further strengthening the Council's contribution to improving the health of residents, working closely with the NHS.

SKILLS JOBS AND ENTERPRISE HAS . . .

Created a single programme - encapsulating the whole agenda and giving a basis for the Board to consider the complexities and determine their priorities - visit www.barkingdagenhampartnership.org.uk/sje/projects for more information

Provided a wide range of support to business, including:

- Supported 57 new people into self employment and business start ups
- Engaged & supported the existing 350 self employed / business start ups
- Advised 441 businesses and engaged 217 businesses through retail forums
- Created at least 31 jobs
- Enabled 161 people to complete a 4 day business start up training course
- Held 945 one to one business counselling sessions
- Assisted over 920 borough residents into work.

Achieved a total of 324 apprenticeship starts between the start of the local programme in February 2009 and March 2011 across 12 vocational areas, including 9 apprenticeships in Domiciliary & Residential Care.

Placed 18 local residents into employment through its Skills for Jobs and Response to Redundancy

Secured 50 paid six month job opportunities for young people from the Future Jobs Fund by the Adult College of Barking and Dagenham.

Created job opportunities through its innovative Enterprise Academy enabling 40 young people to gain real work through a range of local commissioned design projects.

The Future

The Dagenham Business Centre and Barking Enterprise Centre opens in October 2011.

There are targets for the Olympic Host Boroughs to achieve convergence with the rest of London against key performance indicators. In addition SJE will be focussing on its inward investment strategy in preparation for the Olympics.

Additional European Social Fund monies are being sought to support local employment and skills initiatives and there will be a continued push to open up more apprenticeship opportunities

“We want to ensure that everybody can live, work and thrive in a borough that is safe, clean, fair and respectful, prosperous, healthy and where our young people are inspired and successful.”

THE FUTURE OF THE BARKING & DAGENHAM PARTNERSHIP

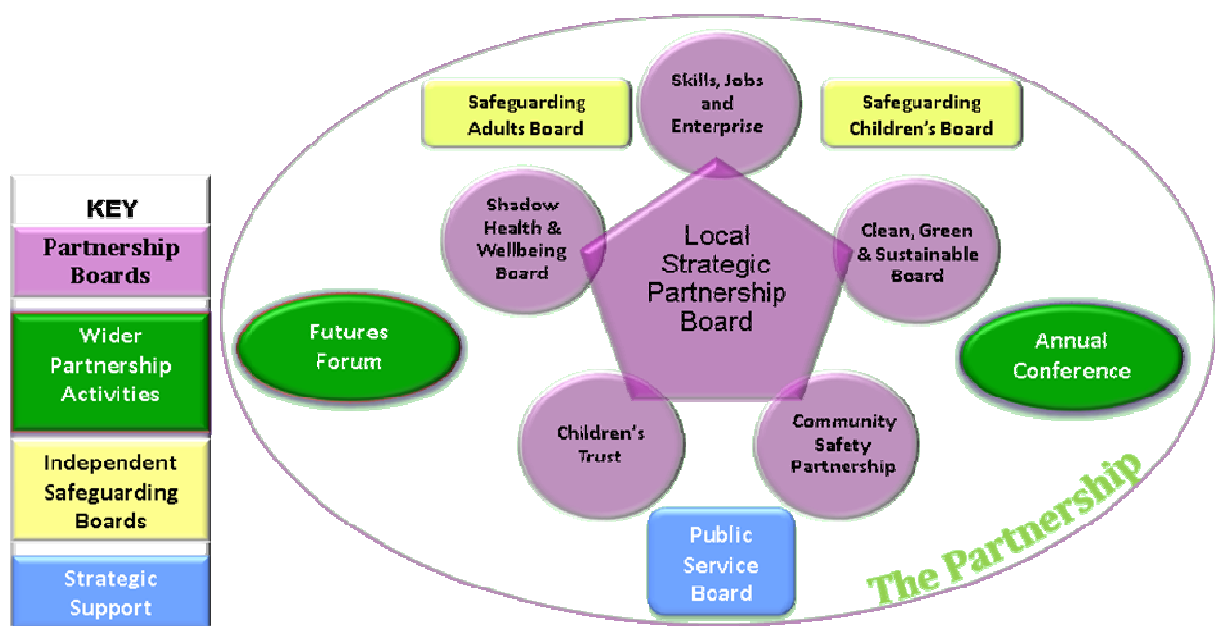
An overarching Local Strategic Partnership Board is being established to help provide a greater focus on the big issues for the borough. The Board will identify the areas where, by working together, partners can achieve the greatest impact for the people of Barking and Dagenham, including lobbying for a better deal for the borough.

The membership of the Board will consist of over 40 people representing a wide variety of partners. In addition to theme board chairs, the Board will involve representatives from many different sectors including schools, young people, elected Members, businesses and third sector organisations.

These representatives will consider the larger cross cutting issues facing the borough such as, how we can increase household income, the attainment of young people, supporting vulnerable young people, the impact of being a Host Borough for the 2012 Olympic and Paralympic Games, Community Cohesion and how best to use our resources in the borough.

The Theme Boards will be continuing with their good work in the coming year, and the Local Strategic Partnership Board will provide the Chairs opportunities to raise concerns, feed back good news and develop their work further by networking with other partners.

The new structure of the Partnership is outlined below. Further information and briefing papers regarding this Board can be found on our website.



GETTING INVOLVED IN THE PARTNERSHIP

If you are interested in getting involved in the Partnership or you would like to find out more about the work that we are doing please do not hesitate to contact us.

You can find our website at:

www.barkingdagenhampartnership.org.uk

This contains all of the latest information on the work of the Boards, the minutes from meetings and news stories on upcoming events. You can also become a member and receive regular newsletters to your inbox letting you know what we have been up to.

If you have any specific queries then you can:

Drop us an e-mail at the Partnership offices on:

partnership@lbbd.gov.uk

Send us a letter to:

**Barking and Dagenham Partnership
Barking Town Hall
Barking
IG11 7LU**

Or call us for a quick chat on:

0208 227 2326

We look forward to hearing from you soon,

Edith Galliers

Corporate Partnerships Adviser
Barking and Dagenham Partnership