

# Notice of Meeting



## CABINET

**Tuesday, 20 March 2012 - 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 P T Waker, Councillor J R White and Councillor M M Worby

Date of publication:

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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 (14 February 2012) (Pages 1 - 9)**

**4. Budget Monitoring 2011/12 - April to January 2012 (Pages 11 - 37)**

**5. Housing Strategy 2012 - 2017 and Council Housing Business Plan 2012/13 (Pages 39 - 175)**

The draft Housing Strategy and HRA Business Plan documents (referred to as Appendices A and B in the report) are available to view on the Council's website at <http://modern.gov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=180&MIId=5667&Ver=4>

**6. Improved Housing Management and Environmental Services in Town Centres and Flatted Housing Estates (Pages 177 - 202)**

The appendices referred to in the report are available to view on the Council's website (see link above).

**7. Housing Repairs and Maintenance Service (Pages 203 - 216)**

**8. Pay Policy Statement 2012/13 (Pages 217 - 226)**

The Pay Policy Statement document referred to in the report is available to view on the Council's website (see link above).

**9. Parking and Traffic Enforcement Policy (Pages 227 - 327)**

The Parking and Traffic Enforcement Policy and other appendices referred to in the report are available to view on the Council's website (see link above).

**10. Statement of Licensing Policy 2012 - 2015 (Pages 329 - 363)**

The Licensing Policy and other appendices referred to in the report are available to view on the Council's website (see link above).

**11. Beam Park Prospectus (Pages 365 - 382)**

The Beam Park Prospectus document referred to in the report is available to view on the Council's website (see link above).

**12. Single Equality Scheme 2012 - 2016 (Pages 383 - 400)**

The Single Equality Scheme Action Plan document referred to in the report is available to view on the Council's website (see link above).

**13. Transitions Strategy for Disabled Young People with Support Needs 2012 - 2015 (Pages 401 - 443)**

The Transitions Strategy and other appendices referred to in the report are available to view on the Council's website (see link above).

**14. Amalgamation of Grafton Infant and Junior Schools and William Bellamy Infant and Junior Schools (Pages 445 - 452)**

**15. Retendering of Five Children's Centre Day Nurseries (Pages 453 - 462)**

**16. Framework Contract for the Provision of Independent Travel Training for Children, Young People and Vulnerable Adults (Pages 463 - 471)**

**17. Re-tendering of Contract for Leasehold Property Insurance Services (Pages 473 - 476)**

**18. Programme of Meetings 2012/13 (Pages 477 - 479)**

**19. Debt Management Performance and Write-Offs 2011/12 (Quarter 3) (Pages 481 - 500)**

The appendices referred to in the report are available to view on the Council's website (see link above).

20. **Any other public items which the Chair decides are urgent**
21. **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.***

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

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## CABINET

Tuesday, 14 February 2012  
(5:00 - 5:32 pm)

**Present:** Councillor L A Smith (Chair), Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor P T Waker, Councillor J R White and Councillor M M Worby

**Also Present:** Councillor E Carpenter, Councillor G Letchford, Councillor J Ogungbose, Councillor A K Ramsay and Councillor D Twomey

**Apologies:** Councillor R Gill, Councillor M A McCarthy and Councillor L A Reason

### 101. Declaration of Members' Interests

Councillor Alexander declared a personal interest in relation to the report "Establishment of an Additional Resourced Provision at Ripple Primary School" as a Council-appointed member of the Ripple Primary School Governing Body.

### 102. Minutes (17 January 2012)

The minutes of the meeting on 17 January 2012 were confirmed as correct.

### 103. Budget Monitoring 2011/12 - April to December 2011

The Corporate Director of Finance and Resources presented a report from the Cabinet Member for Finance and Education on the Council's revenue and capital budget position for 2011/12 as at 31 December 2011.

The General Fund continued to show an improved position with a projected year-end underspend of £0.7m (before the planned £1.5m contribution to balances) compared to a projected £1.2m overspend as reported at the last meeting. The Corporate Director advised on the key areas of improvement, which included reductions in the overspend positions within the Children's Services and Housing and Environment directorates as well as underspends in the Chief Executive's and Finance and Resources directorates due to vacant posts and an underspend in the Central Expenses budget due to lower interest payments and a one-off VAT claim.

The Housing Revenue Account (HRA) showed an improvement on the previous month's position, with a projected underspend of £649,000, and the Corporate Director also referred to the current position in respect of the Capital Programme and proposals to adjust some capital budgets to reflect the current status of projects.

Cabinet **agreed:-**

- (i) To note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 to 2.11 and Appendix A to the report;
- (ii) To note the progress against the 2011/12 savings targets as detailed in

paragraph 2.12 and Appendix B to the report;

- (iii) To note the position for the HRA as detailed in paragraph 2.13 and Appendix C to the report;
- (iv) To note the projected outturn position for 2011/12 of the Council's capital budget as detailed in paragraph 2.14 and Appendix D to the report; and
- (v) The capital budget adjustments as set out in Appendix E to the report.

#### **104. Budget Framework 2012/13**

The Corporate Director of Finance and Resources introduced a report from the Cabinet Member for Finance and Education on the proposed budget framework for 2012/13 which incorporated the following:

- The Medium Term Financial Strategy
- The level of savings already approved over the period 2012/13 - 2014/15
- The detailed annual revised estimates for 2011/12 and 2012/13
- The financial outlook for 2013/14 onwards
- The proposed level of Council Tax for 2012/13
- The Capital Programme
- The Prudential Indicators

The Corporate Director advised that the General Fund revised net budget for 2011/12 was £183.381m and the proposed net budget for 2012/13 was £177.379m. The budget for 2012/13 incorporated a c£6m reduction in Central Government funding as well as other statutory, economic and demographic pressures but was mitigated by the budget savings agreed by Cabinet at its meeting on 14 December 2011 and other financial adjustments.

The Corporate Director commented that difficult decisions had again had to be made by Members to ensure that the Council maintained a robust and balanced budget going forward which protected front line services as far as possible and provided value for money to residents. The approach taken had also meant that it was possible for the Council to keep its Council Tax at the same level for a fourth consecutive year while at the same time implementing initiatives such as the London Living Wage which would benefit the Council's lowest paid workers.

The proposed Capital Programme for 2012/13 to 2015/16 was c£459 and reflected the Council's major programmes to expand school place provision and the regeneration of housing estates, which included the building of new Council homes.

In respect of the budget savings agreed by Cabinet on 14 December 2011, the Leader agreed to accept a supplementary paper, under the provisions of Section 100B(4)(b) of the Local Government Act 1972, in respect of the call-in of the specific proposal to delete the post of Divisional Director of Assurance and Risk Management as part of the Chief Executive's senior management organisational review. The matter was considered by the Public Accounts and Audit Select Committee (PAASC) at its meeting on 17 January 2012 who upheld the call-in and recommended the Cabinet to rescind its decision and commit to maintaining the

post for at least two years. PAASC did acknowledge, however, that in the event that it was necessary to achieve savings associated with this post it would support a proposal for a shared arrangement with another Council, along the lines of the arrangement with Thurrock Council in respect of the shared Divisional Director of Legal and Democratic Services role. The Chief Executive referred to the rationale behind her reorganisation proposals and to the commitment that she had given at PAASC regarding the future arrangements that would ensure that the Council had in place robust assurance, compliance and risk management measures going forward.

Cabinet **agreed**:

(i) To **recommend the Assembly**:

- a. To approve a revised revenue budget for 2011/12 of £183.381m as detailed in Appendix B to the report;
  - b. To approve a base revenue budget for 2012/13 of £177.379m as detailed in Appendix C to the report;
  - c. That the current surplus arising from additional specific grant income be held in the Contingency budget, pending the announcement of the top-slice requirement and to mitigate future risks;
  - d. That the Statutory Budget Determination for 2012/13 reflect a freeze, for the fourth consecutive year, on the amount of Council Tax levied by the Council, along with a 1% reduction in the Greater London Authority precept;
  - e. Approve the adjusted Medium Term Financial Strategy position for 2011/12 to 2014/15, which allowed for other known pressures and risks, as detailed in Appendix E to the report; and
  - f. Approve the Council's five-year Capital Programme as detailed in Appendix G.
- (ii) To confirm its decision taken on 14 December 2011 to delete the post of Divisional Director of Assurance and Risk Management as part of the budget savings for 2012/13;
- (iii) To note the capital accounting arrangements and the prudential indicator capital guidelines as set out in the report; and
- (iv) To note the continued need to identify relevant efficiency gains throughout the organisation.

## **105. Fees and Charges 2012/13**

The Corporate Director of Finance and Resources presented a report on the fees and charges for Council services which were proposed to come into effect from 1 April 2012.

The Corporate Director advised that the proposed fees and charges had been

developed within the framework of the Council's Charging Policy and the Council's savings targets for 2012/13. An across-the-board increase was not proposed in the overall best interests of the local community and increases that were proposed were reflective of competitive market rates for those services.

**Cabinet agreed:**

- (i) The proposed fees and charges for 2012/13 as set out in Appendix A to the report, to be effective from 1 April 2012;
- (ii) That the fees and charges set out in Appendix B no longer be applicable from 1 April 2012;
- (iii) To authorise the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources and the Cabinet Member for Finance and Education, to set fees and charges applied from September 2012 for schools and academic year based activities; and
- (iv) To authorise the Corporate Director of Adult and Community Services, in consultation with the Cabinet Member for Culture, Leisure and Sport, to amend the Splash Park fees and charges mid-year as required, to enable the continued provision of the service.

#### **106. Housing Revenue Account Estimates and Review of Rents and Other Charges 2012/13**

The Cabinet Member for Housing presented a report on the Housing Revenue Account (HRA) estimates, rents and other related charges for 2012/13.

The Cabinet Member advised that Government policy on the formula rent level was dictated by the rate of inflation (5.6%) and other additional factors, and if the Council had followed that approach the average rent increase for 2012/13 would have been 7.98% (or £6.37 per week). However, mindful of the impact on Council tenants of any level of increase in the current economic climate the Cabinet Member confirmed that an average increase of 6.8% (£5.38 per week) was proposed for 2012/13, which represented one of, if not the lowest increase by any London borough based on the information currently available.

The Cabinet Member referred to the proposed changes to other HRA-related services, which included a 10.7% (£1.91 per week) reduction to tenant service charges (excluding concierge services), and outlined the main proposals within the HRA Business Plan, which would be brought to Cabinet at its next meeting, for progressing the major estate renewal and new Council house build programmes. It was noted that those programmes would be supported by changes to the council housing finance regime effective from 1 April 2012 as well as other planned reductions in expenditure, all of which would enable the Council to set a balanced revenue budget and maintain prudent reserves.

**Cabinet agreed:**

- (i) The HRA estimates for 2012/2013, as set out in Appendix 1 to the report and, in doing so:



- a. An overall average Council dwelling rent increase of 6.8%, equivalent to £5.37 per week, which comprised the following
  - New build Council homes - rents set at 50% of the appropriate Local Housing Allowance level
  - Other houses - 7.1% average increase
  - Other flats - 6.3% average increase
- b. A decrease to tenant service charges (excluding concierges) of 10.7% (£1.91 per week)
- c. An increase in the Concierges charge of 9.6% (£1.02 per week)
- d. No increase to communal heating and hot water charges
- e. That rents for commercial properties increase in line with lease agreements

(ii) The above changes taking effect from 2 April 2012.

### 107. Treasury Management Strategy Statement 2012/13

The Corporate Director of Finance and Resources presented the Council's draft Treasury Management Strategy Statement for 2012/13 which set out the proposed borrowing limit for the year and a range of other aspects aimed at ensuring that the Council had prudent and robust arrangements in place to meet all of its financial commitments and responsibilities, in line with the requirements of Section 15(1) of the Local Government Act 2003.

The Corporate Director commented on the Investment Strategy and Borrowing Strategy which were the key elements of the overall Strategy and advised that the particular changes proposed in these respects would be kept under constant review in the light of the considerable uncertainty at the present time in the global economy.

Cabinet agreed to **recommend the Assembly** to approve the Treasury Management Strategy Statement for 2012/13 at Appendix 1 to the report and, in doing so:

- (i) The current treasury position for 2011/12 and prospects for interest rates;
- (ii) The revised Authorised Borrowing Limit (General Fund and HRA) of £465m for 2011/12, which included £265m for the HRA self-financing debt settlement and £55m estimated borrowing to finance the 2011/12 Capital Programme;
- (iii) The Borrowing Strategy, Debt Rescheduling Strategy and Policy on Borrowing in Advance of Need for 2012/13, including the Housing Reform and effects on treasury management of Housing Revenue Account reform;
- (iv) The Minimum Revenue Policy Statement for 2012/13 setting out the Council's policy on repayment of debt;
- (v) The Authorised Borrowing Limit (General Fund and HRA) of £528m for 2012/13 as the statutory limit determined by the Council pursuant to section 3(1) of the Local Government Act 2003;
- (vi) The Treasury Management Indicators and Prudential Indicators for 2012/13;

and

- (vii) The Annual Investment Strategy and creditworthiness policy for 2012/13, which outlined the investments that the Council may use for the prudent management of its investment balances.

#### **108. Statement of Priorities 2012/13**

The Leader of the Council presented a report on the draft Statement of Priorities for 2012/13 which summarised the main actions and activities to be taken by the Council during the coming year, based on its Policy House and set in the context of the Medium Term Financial Strategy.

The Leader outlined some of the key achievements to date in respect of the key priorities of 'Raising Household Incomes', 'Raising Standards in School and Post-16 Education' and 'Housing and Estate Renewal' and he referred to the plans set out within the draft Statement of Priorities document to further deliver on those aspects.

Cabinet **agreed to recommend the Assembly** to approve the draft Statement of Priorities for 2012/13 as set out at Appendix 1 to the report.

#### **109. School Capital Programme - Basic Need Allocation 2012/13**

Further to Minute 51 (18 October 2011), the Corporate Director of Children's Services presented a report on the first phase of investment proposals, aimed principally at primary school schemes, to help meet the projected growth in demand for school places in the Borough, together with procurement proposals in respect of school expansion projects already approved and due for completion for the start of the 2012/13 academic year.

The Leader addressed the members of the public at the meeting who had an interest in the Adult College in Fanshawe Crescent, Dagenham to reassure them that the inclusion of the reference to the 'Fanshawe' project in the table at paragraph 2.2 of the report was entirely in error. The Leader confirmed that any proposals to address the school places shortage in that part of the Borough which impacted on the Adult College would be the subject of a further, detailed report to Cabinet and that representatives of the Adult College would be properly consulted on any proposals before they were put forward for the Cabinet's consideration.

The Corporate Director advised on the Government's recent funding allocation of £49.56m for 2012/13 to support the Council's overall school and children's services estate and referred to the first phase programme totalling £15.6m which would create additional capacity at a number of the Borough's primary schools from the commencement of the 2013/14 academic year.

With regard to the projects that would create additional capacity from the start of the 2012/13 academic year, the Corporate Director referred to the intention to commission the works via the Local Education Partnership (LEP) to ensure their delivery. In respect of the possible expansion project at Village Infant and Junior Schools, issues regarding the feasibility of the project were raised and the Corporate Director agreed to take these on board.

**Cabinet agreed:**

- (i) That the Basic Need and Redirected Basic Need grants totalling £45,804,949 be included in the Council's Capital Programme for 2012/13;
- (ii) The allocation of £15.6m of that sum to provide additional, mainly primary school places at the schemes detailed in paragraph 2.2 of the report subject to the schemes being approved via the Corporate CPMO process, with the exception of the Fanshawe project which was included in that list in error and which would be the subject of a separate report in due course;
- (iii) To note that a further report would be presented on proposals for the allocation of the remaining £30.2m grant funding which would focus on additional secondary school places and provision for reception classes;
- (iv) The inclusion in the 2012/13 Capital Programme of the School Improvement Grant for capitalised repairs of £3,759,770 to support the improvement of condition and modernisation of the Borough's schools and the wider Children's Services property portfolio;
- (v) The revised procurement proposals, as detailed in paragraph 8 of the report, in respect of the use of the Council secured Local Education Partnership (LEP) for the current year projects to ensure completion for the 2012/13 academic year; and
- (vi) To authorise the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources, to award the respective project contracts based on the checked and independently validated prices.

**110. Establishment of an Additional Resourced Provision at Ripple Primary School**

The Corporate Director of Children's Services presented a report on the proposal to formally establish an Additional Resourced Provision (ARP) at Ripple Primary School from the start of the Autumn Term 2012.

The Corporate Director advised that the ARP would cater for pupils with statements of Special Educational Needs who had been diagnosed with social, emotional and behavioural difficulties and she outlined the reasons for, and benefits of the new facility.

Cabinet **agreed** the formal establishment of an Additional Resourced Provision at Ripple Primary School for children with statements of Special Educational Needs who had a diagnosis of social, emotional and behavioural disorders.

**111. Framework Contract for the Provision of Short Break Activities for Disabled Children and their Families**

The Corporate Director of Children's Services presented a report on proposals for the procurement of a Framework Agreement, facilitated by East London Solutions and in collaboration with the London Boroughs of Waltham Forest (the lead borough), Havering, Redbridge and Tower Hamlets, for the provision of short

breaks and activities for disabled children and their families.

Cabinet **agreed**:

- (i) That the Council participate in the joint procurement of a four-year Framework Agreement, commencing April 2012, for the provision of short break activities for disabled children and their families, on the terms detailed in the report; and
- (ii) To authorise the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources, to enter into the framework agreement upon conclusion of the procurement process.

## **112. Barking Station Masterplan Supplementary Planning Document**

Further to Minute 136 (10 May 2011), the Cabinet Member for Regeneration presented a report on the finalisation of the Barking Station Masterplan Supplementary Planning Document following an eight week public consultation on the draft Masterplan.

The Cabinet Member advised that the aims and objectives within the draft Masterplan had been broadly welcomed and he referred to the proposed amendments which had arisen from the consultation. The Cabinet Member confirmed that the final Masterplan would continue to retain a degree of flexibility around future plans in the area.

Cabinet **agreed to recommend the Assembly** to adopt the final Barking Station Masterplan Supplementary Planning Document.

## **113. Adoption of Supplementary Planning Documents - Biodiversity, Trees and Development and Residential Extensions and Alterations**

Further to Minutes 77 (3 November 2009) and 67 (23 November 2010), the Cabinet Member for Regeneration presented a report on the finalised Biodiversity, Trees and Development and Residential Extensions and Alterations Supplementary Planning Documents (SPDs) following public consultation on the draft SPDs.

The Cabinet Member referred to the two significant changes to the Biodiversity SPD, in response to comments from the Environment Agency and Greenspace Information for Greater London, and the one significant change to the Residential Extensions and Alterations SPD.

Cabinet **agreed to recommend the Assembly** to adopt the Biodiversity, Trees and Development and Residential Extensions and Alterations Supplementary Planning Documents.

## **114. Community Infrastructure Levy**

The Cabinet Member for Regeneration presented a report on proposals for the Council to set a Community Infrastructure Levy (CIL).

The Cabinet Member advised on the benefits of moving to a CIL regime and

confirmed that a CIL would largely take over from Section 106 planning agreements as the primary means of obtaining a contribution from developers towards new infrastructure requirements as a consequence of new developments. It was noted that affordable housing would continue to be delivered through Section 106 agreements and the Cabinet Member referred to the approach that had been taken in this regard in the proposed CIL charging schedule, as well as the processes and timetable for implementation and associated consultation requirements.

Cabinet **agreed**:

- (i) The Community Infrastructure Levy Preliminary Draft Charging Schedule, attached at Appendix 1 to the report, for consultation; and
- (ii) The draft Barking and Dagenham Infrastructure Plan for New Development and the Barking and Dagenham 2011 Community Infrastructure Levy and Section 106 / Affordable Housing Economic Viability Assessment for publication.

#### **115. Confirmation of Article 4 Direction for Houses in Multiple Occupation**

Further to Minute 74 of the Assembly meeting of 30 March 2011, the Cabinet Member for Regeneration reported on the proposal for the Council to formally implement a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 withdrawing permitted development rights for change of use of dwelling houses (Class C3) to houses in multiple occupation (Class C4).

The Cabinet Member referred to the particular circumstances within the Borough which led to a policy being adopted in 1995, as part of the Council's Unitary Development Plan, to control the number of family homes that were converted to houses in multiple occupation (HMOs) and the Cabinet Member for Housing commented on the on-going concerns in that respect.

Cabinet agreed to **recommend the Assembly** to confirm an Article 4 Direction, covering the whole borough, withdrawing permitted development rights for changes of use from use class C3 (dwelling house) to use class C4 (house in multiple occupation), to be effective from 14 May 2012.

#### **116. Single Equality Scheme 2012 - 2016**

This report was withdrawn pending further discussion on the proposals.

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## CABINET

20 MARCH 2012

<b>Title:</b> Budget Monitoring 2011/12 - April to January 2012	
<b>Report of the Cabinet Member for Finance and Education</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Kathy Freeman, Group Manager. Corporate Finance	<b>Contact Details:</b> Tel: 020 8227 3497 E-mail: <a href="mailto:kathy.freeman@lbbd.gov.uk">kathy.freeman@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Jonathan Bunt, Divisional Director of Finance	
<b>Accountable Director:</b> Tracie Evans, Corporate Director of Finance and Resources	
<p><b>Summary:</b></p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the ten months to the end of January 2012 projected to the year end.</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.</p> <p>At the end of January 2012, total Service expenditure for the full year is projected to be £182.1m against the approved budget of £183.4m; a projected under spend of £1.3m. Pressures arise in Children's Services (Complex Needs and Social Care) and Housing and Environment (reduced income and cost pressures in Environmental divisions). Further explanatory summaries are contained in section 2 of this report.</p> <p>The 2011/12 budget includes a planned contribution of £1.5m to further improve GF balances. The current projected under spend of £1.3m, and the planned contribution to balances of £1.5m, could result in the General Fund balance increasing by £2.8m to £13.6m.</p> <p>The Housing Revenue Account (HRA) is projected to contribute £0.7m more than budgeted to the HRA reserve. The projected contribution to the HRA reserve currently stands at £2.2m. 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 and the budget at the end of January stands at £164.1m. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur.</p>	

## **Recommendation(s)**

The Cabinet is recommended to:

- (i) Note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 to 2.11 of the report;
- (ii) Note the progress against the 2011/12 savings targets in paragraph 2.12 of the report;
- (iii) Note the position for the HRA as detailed in paragraph 2.13 of the report;
- (iv) Note the projected outturn position for 2011/12 of the Council's capital budget as detailed in paragraph 2.14 of the report;
- (v) Approve the revenue budget adjustment as set out in paragraph 2.15 of the report.

## **Reason(s)**

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.

## **1 Introduction and 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 has been 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 and HRA revenue and capital positions. 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 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 Directorate revenue projections (before the planned contribution to balances of £1.5m) indicate an under spend of £1.3m for the end of the financial year of which:

- £0.2m over spend arises from pressures in Children's Services with the main pressure existing within the Complex Needs and Social Care budget;
- £0.4m over spend arises from cost pressures in Environmental Services;
- (£0.5m) under spend in Finance and Resources due to vacant posts;
- (£0.5m) under spend in the Chief Executive's Directorate due to vacancies;
- (£0.9m) under spend in Central Expenses due to lower interest payments and a one off VAT claim.

The initial net forecast of a £2.8m under spend (£1.3m add £1.5m) would result in the Council's General Fund balance remaining above 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 net 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 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 £13.6m.

The HRA budget for 2011/12 includes a contribution to the HRA reserve of £1.5m. At the end of January, the HRA is forecasting an under spend of £0.7m.

	<b>Balance at 1 April 2011</b>	<b>Projected Balance at 31 March 2012</b>	<b>Target Balance at 31 March 2012</b>
	£'000	£'000	£'000
General Fund	10,841	13,623	10,000
Housing Revenue Account (including Rent Reserve)	4,448	6,610	4,448

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

<b>Council Summary</b>	<b>Net Budget</b>	<b>Full year projection at January 2012</b>	<b>Over/(under) Budget Projection</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Directorate Expenditure</u>			
Adult and Community Services	63,846	63,846	-
Children's Services	65,555	65,755	200
Housing and Environment	22,113	22,532	419
Finance and Resources	23,186	22,686	(500)
Chief Executive	931	450	(481)
Central Expenses	7,751	6,831	(920)
<b>Total Service Expenditure</b>	<b>183,382</b>	<b>182,100</b>	<b>(1,282)</b>
Planned Contribution to Balances			(1,500)
<b>Total Projection at end of January 2012</b>			<b>(2,782)</b>

If the projected under spend is delivered at year end this would result in a large contribution to the General Fund. The current projection would take the General Fund £3.6m over the minimum level recommended by the Corporate Director of Finance and Resources.

The Medium Term Financial Strategy (MTFS) approved by assembly on 22 February 2012 shows significant pressures in 2013/14 and 2014/15. At year end members may consider creating additional reserves to offset future MTFS pressures and smooth the profile of required savings.

#### 2.4 Directorate Performance Summaries

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

#### 2.5 Adult and Community Services

<b>Directorate Summary</b>	<b>2010/11 Outturn</b>	<b>2011/12 Budget</b>	<b>2011/12 Projection</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Net Expenditure	69,951	<b>63,846</b>	<b>63,846</b>
Projected over/(under)spend			-

The Adult and Community Service (ACS) budget position at month 10 of the 2011/12 financial year is projecting a break-even position for the year end.

The Directorate is experiencing severe pressures at the interface with local hospitals and the PCT at this time, which may have led to budget over spends if the Directorate had not been successful in securing through negotiation the funding "to support social care where it benefits health" of £2.4 million. Discussions continue with the ONEL PCT cluster about the impact of their budgetary policy on jointly commissioned services and on Council services.

The current budgets reflect savings decisions made last year as part of the Council Tax setting process, which amounted to reductions of £4.6m from the ACS Budget, this will represent a challenge to deliver without service detriment.

The Directorate and its Management Team have a track record of dealing with issues and pressures throughout the year to deliver a balanced budget and are expecting to achieve its 2011/12 saving targets.

## 2.6 Children's Services

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	61,913	<b>65,555</b>	<b>65,755</b>
Projected over/(under)spend			<b>200</b>

Last month the Children's Service was reporting a pressure of £0.4m.

At month 10, the Directorate is reporting a year end pressure of £0.2m, a reduction of £0.2m on the previous month. This reduction is a result of management actions to hold back all non-essential spend and the reduction of expenditure in the current financial year. Managers continue to identify actions to further reduce the pressure of £0.2m by year end.

A number of management actions identified to reduce pressures in 2011/12 are non-recurrent and will not be available in 2012/13 as they form part of approved savings. The non-recurrent management actions, at month 10, total £3.1m of which £0.5m relates to maximising grant flexibilities and £2.6m relates to holding back on non-essential spend, vacancy management and bringing forward 2012/13 savings.

The service is committed to finding the £4.5m of savings built into the 2011/12 budget. There are risks around some of these savings and a £74k shortfall is currently projected:

- £35k Court Assessment Team (CHS/SAV/21) – There are pressures reported against this budget and these are being reviewed;
- £39k Woodland premises costs (CHS/SAV/32) – This property is still operational and the savings will not be achieved in 2011/12. The shortfall will be met elsewhere within the service.

## 2.7 Dedicated School Grant (DSG)

The DSG is a ring fenced grant to support the education of school aged pupils within the borough. The grant is allocated between the Schools and Centrally Retained budget in agreement with the Schools Forum. In 2011/12 DSG of £187.9m was received with £19.5m being retained centrally.

## 2.8 Housing and Environment

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	23,961	<b>22,113</b>	<b>22,532</b>
Projected over/(under)spend			<b>419</b>

At the end of January 2012 Housing and Environment is forecasting to over spend by £419k which is £65k less than the previous month's over spend position of £484k.

The main pressures within the Directorate are:

- Refuse income related to trade waste;
- Staff costs in refuse;
- Rising fuel & energy prices above budgeted inflation;
- Supplies and services in relation to car parks and parking administration;
- Reduction in school buy-backs impacting on refuse and grounds maintenance income;
- Temporary accommodation costs due to changes in Housing Benefit Subsidy rules. The service is addressing this through a combination of converting more expensive Private Sector Landlords on to a lower cost portfolio, as well as using the council's own properties where feasible.

The overall savings target for Housing and Environment was £4.3m of which the latest forecast is that £3.6m will be delivered this year leaving a shortfall of £0.7m. This is due to:

- £54k Road Safety (CUS/SAV/9) – The service has borne the costs of 2 FTEs for 2 months until the process was completed in January 2012;
- £686k Parking: Controlled Parking Zones (CPZ) (CUS/SAV/6) – Pressures in achieving income targets as outlined in the proposal.

The pressures are being managed by a strong action plan including limiting spend on non-essential items and by offset of the £750k Directorate contingency. There is a risk that the reported over spend may increase if proposed action plans slip.

The service is also bringing forward efficiency savings planned for 2012/13 e.g. double-shifting of refuse freighters.

## 2.9 Finance and Resources

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	14,662	<b>23,186</b>	<b>22,686</b>
Projected over/(under)spend			<b>(500)</b>

The Finance and Resources Directorate is projecting a £500k under spend.

There have been under spends across the Directorate mainly from vacant posts.

The Directorate is expecting to achieve its 2011/12 saving targets.

## 2.10 Chief Executive

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	991	<b>931</b>	<b>450</b>
Projected over/(under)spend			<b>(481)</b>

The Chief Executive Directorate is currently reflecting a £481k under spend mainly due to part year vacancies held within the Directorate.

The Directorate is expecting to achieve its 2011/12 saving targets.

## 2.11 Central Expenses

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	(19,482)	7,751	<b>6,831</b>
Projected over/(under)spend			<b>(920)</b>

As part of the Central Expenses savings target for this year, £1.0m was planned to be generated through the implementation of revised Terms and Conditions of Employment across the Council. This has now been implemented but will not generate the full year saving included in the budget. In 2011/12, as implementation occurred part way through the financial year, only part of the saving will be achieved. An impact assessment arising from the delay in implementing this project has been undertaken and shows a £630k shortfall. A budget transfer from contingency has taken place to offset this pressure.

Following a change to the Value Added Tax (VAT) liability of various Council services the Council successfully submitted a one off VAT claim for £420k. The claim related to VAT payments made over a number of years on sports tuition, parking charges and cultural admission.

Due to the management of our cash balances a net under spend of £500k is projected against the budgets for interest payable and interest receivable.

## 2.12 In Year Savings Targets

The delivery of the 2011/12 budget is dependent on meeting a savings target of £20.3m. Directorate management teams are monitoring their targets and providing a monthly update of progress which is summarised in the table below. The savings shortfalls have been included in the Directorate projections set out in section 2.5 to 2.11 above. A detailed breakdown of savings is provided in appendix B.

<b>Directorate Summary of Savings Targets</b>	<b>Target £'000</b>	<b>Projection £'000</b>	<b>Shortfall £'000</b>
Adult and Community Services	4,620	4,620	-
Children's Services	4,500	4,426	<b>74</b>
Housing and Environment	4,264	3,524	<b>740</b>
Finance & Resources	1,046	1,046	-
Chief Executive	1,914	1,914	-
Central Expenses	4,000	3,370	<b>630</b>
<b>Total</b>	<b>20,344</b>	<b>18,900</b>	<b>1,444</b>

### 2.13 Housing Revenue Account (HRA)

There is an under spend projected on the HRA as at month 10 of £693k. The HRA budget includes a contribution to the HRA reserve of £1.5m and this surplus would result in a net contribution to reserves of £2.2m. The current budget pressures are:

- Severance costs of £238k have been offset by reduced staffing costs where there are vacant posts. The Council was unable to capitalise the severance costs in the HRA as the criteria set by government was not met;
- Rising insurance costs which may not all be recoverable until the next financial year when the costs can be passed on to the leaseholders;
- The pressures are being offset by additional rental income from properties which are earmarked for decants. This is because the rate of decants is slower than originally budgeted for.

A detailed HRA is provided in appendix C.

### 2.14 Capital Programme

The Capital Programme budget has been updated to reflect the capital roll forwards approved by Cabinet on 14 June 2011 and all subsequent approvals.

<b>Directorate Summary of Capital Expenditure</b>	<b>Original Budget £'000</b>	<b>Revised Budget £'000</b>	<b>Projected Outturn £'000</b>	<b>Projected Variance £'000</b>
Adult & Community Services	10,322	13,154	13,190	36
Children's Services	56,993	77,406	75,429	(1,977)
Housing & Environment	37,472	52,786	53,049	263
Finance & Resources	16,868	20,762	17,171	(3,591)
<b>Total</b>	<b>121,655</b>	<b>164,108</b>	<b>158,839</b>	<b>(5,269)</b>

In addition to the above projected capital expenditure, the Council has also entered into a Private Finance Initiative (PFI) with Thames Partnership for Learning for the construction of a new building for Dagenham Park School. The projected capital expenditure on the project for 2011/12 is £13.8m.

However, as part of the PFI contract the construction costs and associated risks are met by Thames Partnership for Learning and in return the Council pays an agreed annual charge. The PFI is due for completion in March 2012 with a total projected spend of £23.8m.

At the end of January 2012 the overall status of LBBD's Capital Programme is 'Green'. All departments attained a status of 'Green'.

No further capital budget adjustments will take place this year. Under or over spends at year end will be requested for roll forward as part of the 2011/12 outturn report.

The over spend in Adults & Community Services mainly arises from:

- Ripple Hall (£195k under spend) – Through robust project management the service was able to achieve an under spend on this project;
- Abbey Leisure Centre (£325k over spend) – The project is proceeding faster than expected and funding earmarked for 2012/13 will be used to fund the over spend.

The under spend in Children's Services mainly arises from:

- Eastbury (£177k under spend) and Barking Riverside (£947k under spend) – Projects are complete but a retention payment to the contractor is being held back until 2012/13, which is standard practice;
- Thames View Juniors (£400k under spend) – The project was completed under budget and the under spend will be utilised on other school projects;
- William Bellamy (£264k under spend) – Design and feasibility works have taken longer than anticipated and a request to roll forward the under spend will be submitted;
- Dagenham Village (£190k under spend) – Spend is dependent on when the diocese submit their invoices. A request to roll forward the under spend will be submitted.

The over spend in Housing & Environment mainly arises from:

- Lift Replacement (£112k over spend) – Professional fees such as design were higher than anticipated. Budgets from other projects will be used to cover the over spend;
- Central Heating Installation (£300k over spend) and Kitchen & Bathroom Replacement (£325k over spend) – Expenditure is higher than originally anticipated when the budgets were apportioned. The over spends will be funded from other projects;
- Council Housing New Builds (£300k under spend) – A retention payment to the contractor is being held back until 2012/13, which is standard practice;
- SNAPS (£156k under spend) – The project has completed and the remaining budget will be utilised on highways projects.

The under spend in Finance & Resources mainly arises from:

- All Borough Wide Estate Renewal Projects (£3,197k under spend) – Spend profile has differed from expectation and a request to roll forward the under spend will be submitted;
- Barking Station Forecourt (£134k under spend) – The project has been delayed due to adverse weather conditions. A request to roll forward the under spend will be submitted;

- Improvements to the Mall (£183k under spend) – The project has been delayed due to agreeing aspects of the design. A request to roll forward the under spend will be submitted;
- New Market Square (£112k under spend) – Expenditure has not occurred as quickly as anticipated. A request to roll forward the under spend will be submitted.

Further explanations for variances are provided in the detailed Capital Programme at appendix D.

## 2.15 Revenue Budget Adjustment Requesting Approval

Cabinet are requested to approve the transfer of £235k from Housing General Fund, within the Housing & Environment Division to Revenues & Benefits in the Finance & Resources Division.

The transfer relates to amounts that should have transferred to Revenues and Benefits to offset the budget gap which arose due to changes in Housing Benefit Subsidy.

## 2.16 Financial Control

At the end of January all key reconciliations have been prepared and reviewed and no major reconciling items unexplained.

## 3 Options Appraisal

- 3.1 The report provides a summary of the financial position at the relevant year end and as such no other option is applicable for appraisal or review.

## 4 Consultation

- 4.1 The report has been circulated to appropriate Divisional Directors for review and comment. Specific implications are noted in section 7.
- 4.2 Individual Directorate elements have been subject to scrutiny and discussion at their respective Directorate Management Team meetings.

## 5 Financial Implications

- 5.1 This report details the financial position of the Council.

## 6 Legal Issues

- 6.1 There are no legal implications for a budget monitoring report.

## 7 Other Implications

- **Risk Management**

The risk to the Council is that if spending is not managed effectively the level of balances will fall below the recommended value of £10.0m as set 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.

- **Property / Asset management Issues**

Property and asset management issues are covered in the Capital section of the report, paragraph 2.14.

- **Human Resources**

Budget plans for 2011/12 included a number of savings proposals which impacted on staff numbers employed by the Council. These were managed according to the Council's change management policies and procedures. Negotiation of the collective agreement with the Trade Unions in respect of changes to terms and conditions took longer than expected and the savings levels achievable in this year are lower than planned (which is shown in Appendix B).

## **8 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.

## **9 Appendices**

A – General Fund expenditure by Directorate

B – Savings Targets by Directorate

C – Housing Revenue Account Expenditure

D – Capital Programme

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## GENERAL FUND REVENUE MONITORING STATEMENT JANUARY 2011/12

Directorate	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<b><u>Adult &amp; Community Services</u></b>					
Adult Care & Commissioning	48,705	45,896	45,824	45,824	-
Mental Health	4,172	3,837	3,799	3,799	-
Community Safety & Neighbourhood Services	3,736	4,360	4,630	4,630	-
Culture & Sport	12,671	10,449	9,311	9,311	-
Management	667	247	282	282	-
	<b>69,951</b>	<b>64,789</b>	<b>63,846</b>	<b>63,846</b>	<b>-</b>
<b><u>Children's Services</u></b>					
Education	12,455	6,111	8,411	8,330	(81)
Targeted Support	1,359	14,406	13,498	12,294	(1,204)
Complex Needs and Social Care	34,773	31,646	31,818	33,283	1,465
Commissioning and Safeguarding	6,031	4,877	4,920	4,340	(580)
Other Management Costs	7,295	8,104	6,908	7,508	600
	<b>61,913</b>	<b>65,144</b>	<b>65,555</b>	<b>65,755</b>	<b>200</b>
<b><u>Children's Services - DSG</u></b>					
Schools	(15,175)	(21,148)	(21,154)	(21,154)	-
Quality & Schools Improvement	9,040	5,343	5,349	5,349	-
Integrated Family Services	2,544	3,510	3,592	3,592	-
Safeguarding & Rights Services	214	4,763	4,763	4,763	-
Children's Policy & Trust Commissioning	1,163	1,442	1,360	1,360	-
Skills and Learning	770	-	-	-	-
Other Services	1,444	6,090	6,090	6,090	-
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b><u>Housing &amp; Environment</u></b>					
Environment & Enforcement	20,601	16,948	18,735	19,140	405
Housing General Fund	3,360	3,378	3,378	3,392	14
	<b>23,961</b>	<b>20,326</b>	<b>22,113</b>	<b>22,532</b>	<b>419</b>
<b><u>Finance &amp; Resources</u></b>					
Directorate of F&R	(109)	414	334	121	(213)
Commercial Services (including JV contract)	4,482	2,598	4,689	4,577	(112)
Financial Services	(5)	-	173	(2)	(175)
Audit & Risk	(20)	-	-	(102)	(102)
Regeneration	4,571	5,229	5,404	5,304	(100)
Corporate Management	4,694	4,681	4,681	4,681	-
Barking & Dagenham Direct	4,242	6,532	7,905	8,107	202
ICT (now within JV contract)	(3,193)	-	-	-	-
	<b>14,662</b>	<b>19,454</b>	<b>23,186</b>	<b>22,686</b>	<b>(500)</b>

## Appendix A

Directorate	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<b><u>Chief Executive Services</u></b>					
Chief Executive Unit	1,185	-	(90)	(152)	(62)
Legal & Democratic Services	795	441	381	213	(168)
Corporate Policy & Public Affairs	(957)	300	300	128	(172)
Human Resources	(32)	250	340	261	(79)
	<b>991</b>	<b>991</b>	<b>931</b>	<b>450</b>	<b>(481)</b>
<b><u>Other</u></b>					
Central Expenses	(27,608)	1,257	(1,197)	(2,117)	(920)
Contingency	-	2,834	361	361	-
Levies	8,126	8,587	8,587	8,587	-
	<b>(19,482)</b>	<b>12,678</b>	<b>7,751</b>	<b>6,831</b>	<b>(920)</b>
<b>TOTAL</b>	<b>151,996</b>	<b>183,382</b>	<b>183,382</b>	<b>182,100</b>	<b>(1,282)</b>

## GENERAL FUND SAVINGS MONITORING STATEMENT JANUARY 2011/12

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
<b><u>Adult &amp; Community Services</u></b>				
ACS/SAV/8	Adult care restructure	250	250	-
ACS/SAV/9	Cross directorate staffing reductions	320	320	-
ACS/SAV/12	YOS/DAAT family focused skills	75	75	-
ACS/SAV/13	Crime prevention	250	250	-
ACS/SAV/14	Youth Offending & Substance Misuse	50	50	-
ACS/SAV/15	Parks police	100	100	-
ACS/SAV/16	Adult care commissioning	1,177	1,177	-
ACS/SAV/17	Charging policy review	125	125	-
ACS/SAV/18	Community Grants	250	250	-
ACS/SAV/19	Joint working/closer integration	300	300	-
ACS/SAV/20	Meals on wheels income	125	125	-
ACS/SAV/21	Broadway theatre	100	100	-
ACS/SAV/22	Parks & Events	150	150	-
ACS/SAV/25	Community halls	125	125	-
ACS/SAV/26	Community equipment	100	100	-
ACS/SAV/27	Mental health budget reduction	100	100	-
ACS/SAV/28	PPP review	300	300	-
ACS/SAV/29	Support services	300	300	-
ACS/SAV/30	Security costs	200	200	-
ACS/SAV/32	Reduce Family Learning	23	23	-
ACS/SAV/33	Reduce Security provision in Buildings	150	150	-
ACS/SAV/34	Increase Volunteers in Libraries	50	50	-
		<b>4,620</b>	<b>4,620</b>	<b>-</b>
<b><u>Children's Services</u></b>				
CHS/SAV/1	Directorate re-organisational efficiencies	1,599	1,599	-
CHS/SAV/2	Children's Policy and Trust Commissioning Management	(15)	(15)	-
CHS/SAV/3	Youth Provision Reconfiguration	300	300	-
CHS/SAV/4	Childminding	35	35	-
CHS/SAV/5	Management Children's Centres	114	114	-
CHS/SAV/6	Teenage Pregnancy	127	127	-
CHS/SAV/7	Supplies & Services Budget	12	12	-
CHS/SAV/8	Advisory Teachers/National Strategy	(70)	(70)	-
CHS/SAV/9	Attendance Service Reduction	150	150	-
CHS/SAV/10	City Learning Centre	150	150	-
CHS/SAV/11	Community Music Service	140	140	-
CHS/SAV/12	Director's representatives at Governors Meetings	5	5	-
CHS/SAV/13	Inspection Service	150	150	-
CHS/SAV/14	Language Support Service Grant	(38)	(38)	-
CHS/SAV/15	Modern Foreign Language Support	(10)	(10)	-
CHS/SAV/16	Transport Savings From Adjustments for Affordability	500	500	-
CHS/SAV/17	Transport to DSG	200	200	-
CHS/SAV/18	Trewern	66	66	-

## Appendix B

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
CHS/SAV/19	Westbury Centre	41	41	-
CHS/SAV/21	Court Assessment Team	35	-	35
CHS/SAV/24	Service Development Support Officer	50	50	-
CHS/SAV/25	14-19 ABG Funded Staff	53	53	-
CHS/SAV/26	Aim Higher	(35)	(35)	-
CHS/SAV/27	Apprenticeships Savings	502	502	-
CHS/SAV/28	Job Brokerage Services	125	125	-
CHS/SAV/30	School Gates	(25)	(25)	-
CHS/SAV/31	Children's IT service	60	60	-
CHS/SAV/32	Woodlands Premises Cost	39	-	39
CHS/SAV/34	Crisis Intervention	32	32	-
CHS/SAV/35	Family Group Conference	53	53	-
CHS/SAV/36	Safeguarding & Quality Assurance	55	55	-
CHS/SAV/37	Charging for CiC	100	100	-
		<b>4,500</b>	<b>4,426</b>	<b>74</b>
<b><u>Housing &amp; Environment</u></b>				
CUS/SAV/1	Customer services management re-structure	424	424	-
CUS/SAV/2	Redesigning street cleansing operations	200	200	-
CUS/SAV/3	Passenger Transport - remodelling of services	1,119	1,119	-
CUS/SAV/4	Environmental & Trading Standards	150	150	-
CUS/SAV/5	Parks & open spaces	370	370	-
CUS/SAV/6	Street Scene - Parking CPZ	686	-	686
-	Street Scene - Parking Staff Permit	354	354	-
CUS/SAV/7	Street Scene - Call Outs	75	75	-
CUS/SAV/8	Street Scene - Depot	48	48	-
CUS/SAV/9	Street Scene - Road Safety	54	-	54
CUS/SAV/10	Housing Advice Proforma Restructure	75	75	-
CUS/SAV/11	Housing Advice Re-align Recharges to HRA	150	150	-
CUS/SAV/13	Environment reduction in staff post	30	30	-
CUS/SAV/14	Revenues and Benefits Head of Service post	85	85	-
CUS/SAV/15	Housing Advice Reduce subsidy gap	200	200	-
CUS/SAV/21	Supplies & services	(81)	(81)	-
CUS/SAV/22	B&D Direct - Service Efficiency in new One Stop Shop	(50)	(50)	-
CUS/SAV/23	B&D Direct - Staff Saving in new One Stop Shop	(25)	(25)	-
CUS/SAV/28	Temporary Accommodation Re-design	400	400	-
		<b>4,264</b>	<b>3,524</b>	<b>740</b>

## Appendix B

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
<b><u>Finance &amp; Resources</u></b>				
FIN&RES/SAV/2	Asset & Capital Delivery Staffing Reductions inc Capital staff	825	825	-
FIN&RES/SAV/4	Rationalisation of complaints & FOI's	71	71	-
FIN&RES/SAV/8	Regeneration & Economic development re-structure	300	300	-
FIN&RES/SAV/9	Corporate Finance review	497	497	-
FIN&RES/SAV/10	Audit & Risk	23	23	-
FIN&RES/SAV/11	Corporate Director of Resources Post	80	80	-
FIN&RES/SAV/12	Reduction in corporate projects	150	150	-
FIN&RES/SAV/13	Deletion of total commissioning service	200	200	-
FIN&RES/SAV/14	Reduction in Building Schools for Future budgets	650	650	-
FIN&RES/SAV/15	Misc MWOW & One B&D Savings	186	186	-
FIN&RES/SAV/16	Misc Support Services non-recurring savings	(1,936)	(1,936)	-
		<b>1,046</b>	<b>1,046</b>	<b>-</b>
<b><u>Chief Executive</u></b>				
FIN&RES/SAV/1	Human Resources - Staffing Review	306	306	-
FIN&RES/SAV/3	Marketing and comms review	554	554	-
FIN&RES/SAV/5	Rationalisation of Legal practice	470	470	-
FIN&RES/SAV/6	Rationalisation of Democratic Services	197	197	-
FIN&RES/SAV/7	PPP review	387	387	-
		<b>1,914</b>	<b>1,914</b>	<b>-</b>
<b><u>Corporate Savings</u></b>				
JV/SAV/1	Initial Savings from the Joint Venture	3,000	3,000	-
CORP/SAV/01	Terms & Conditions Review	1,000	370	630
		<b>4,000</b>	<b>3,370</b>	<b>630</b>
<b>TOTAL</b>		<b>20,344</b>	<b>18,900</b>	<b>1,444</b>

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## HOUSING REVENUE ACCOUNT MONITORING STATEMENT JANUARY 2011/12

HOUSING REVENUE ACCOUNT	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
Rents	(73,118)	(76,625)	(76,625)	(77,659)	(1,034)
Non Dwelling Rent	(2,367)	(2,565)	(2,565)	(2,558)	7
Other Income	(12,128)	(11,603)	(12,067)	(12,652)	(585)
Capitalisation of Repairs	(2,518)	(2,500)	(1,000)	(1,315)	(315)
Repairs and Maintenance	22,874	23,153	21,492	21,972	480
Supervision and Management	31,533	28,926	29,464	30,304	840
Rent Rates and Other	990	920	1,007	915	(92)
Subsidy	18,048	18,931	18,931	18,931	-
Depreciation	13,481	14,697	14,697	14,697	-
Bad Debt Provision	658	953	953	953	-
Interest Charges	1,173	3,431	3,431	3,431	-
Corporate & Democratic Core	811	811	811	811	-
Pensions	-	80	80	113	33
Interest	(484)	(78)	(78)	(105)	(27)
<b>Contribution to HRA Reserve</b>	<b>(1,047)</b>	<b>(1,469)</b>	<b>(1,469)</b>	<b>(2,162)</b>	<b>(693)</b>

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## CAPITAL PROGRAMME MONITORING STATEMENT JANUARY 2011/12

PROJECTS	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's
<b><u>Adult &amp; Community Services</u></b>				
<b>Community Services, Heritage &amp; Libraries</b>				
Ripple Hall (St Georges/Vol Group Relocation)	100	375	180	(195) Anticipated savings
Valence Site Redevelopment	300	435	434	(1) Minor Variance
Eastbury Manor House Redevelopment	-	18	18	-
Fews Lodge (Extra Care Scheme)	-	84	84	-
	<b>400</b>	<b>912</b>	<b>716</b>	<b>(196)</b>
<b>Leisure &amp; Olympics</b>				
Contingency	116	61	61	-
Barking Park Restoration & Improvement	4,303	4,047	4,047	-
Abbey Sports Centre (Wet Side Changing Areas)	-	9	9	-
Becontree Heath Leisure Centre	4,617	5,119	5,026	(93) Roll forward into 12/13 to be requested
Goresbrook Leisure Centre - Olympic Training Venue	139	47	47	-
Maysbrook Park Improvements (Phase 1)	747	1,004	1,004	-
Maysbrook Park Athletics Arena	-	1,650	1,650	-
Abbey Leisure Centre 2012-14	-	250	575	325 to be roll forward into 12/13
Barking Park Light Railway & Rowing Boat Equipment	-	55	55	-
	<b>9,922</b>	<b>12,242</b>	<b>12,474</b>	<b>232</b>
<b>Total For Adult &amp; Community Services</b>	<b>10,322</b>	<b>13,154</b>	<b>13,190</b>	<b>36</b>

## Children's Services

### Primary Schools

Eastbury	150	578	401	(177)	Retention to be paid in 12/13
Cambell Infant & Juniors	25	237	237	-	
Barking Riverside first Primary School	3,015	8,362	7,415	(947)	Retention to be paid in 12/13
Roding Primary School - Cannington Road Annex	250	323	323	-	
Beam Primary Expansion	100	404	404	-	
St Joseph's Primary - expansion	1,850	1,967	1,967	-	
St Peter's Primary - expansion	75	107	107	-	
Thames View Infants - London TG Agreement	420	507	507	-	
Cambell Junior - Expansion & Refurb	25	167	167	-	
Thames View Juniors - Expansion & Refurb	2,230	2,075	1,675	(400)	Under spend to be utilised on other school projects
Former UEL Site - New Primary School	8,500	10,135	10,135	-	
Westbury - New Primary School	1,750	2,574	2,574	-	
St Georges - New Primary School	2,260	3,140	3,140	-	
	<b>20,650</b>	<b>30,576</b>	<b>29,052</b>	<b>(1,524)</b>	

### Other Schemes

Renewal School Kitchens 2009/10	25	32	32	-	
SMF - School Modernisation Fund (Inc 2009-10 SMF Element)	997	3,275	3,275	-	
Youth Access Card	15	285	285	-	
School's Kitchen Extension/Refurbishment 10/11	490	534	534	-	
Cross-Government Co-Location Fund	50	44	44	-	
Basic Needs Projects ( Formerly Additional School Places)	1,501	1,535	1,535	-	
Schools Legionella Works	-	168	168	-	
Schools L8 Water Quality Remedial Works 2010/11	15	143	143	-	
Schools Reboiler & Repipe Fund	250	329	319	(10)	Project will spend to budget
Schools Asbestos Management & Removals 2010-11	-	8	8	-	
William Bellamy Childrens Centre	-	3	3	-	
John Perry Childrens	-	10	10	-	
Alibon Childrens Centre	-	18	18	-	

				Overspend due to higher than anticipated 11 maintenance costs
Youth Bus		(11)	-	
512a Heathway - Conversion to a Family Resource		147	147	
512A Heathway (Phase 2) - Conversion to a Family Resource with additional teaching space		260	260	
Develved Capital Formula		2,671	2,671	
Robert Clack Comprehensive Expansion		3,058	3,058	
Monteagle Primary (Quadrangle Infill)		300	300	
Eastbury Primary (Expansion)		300	300	
Gascoigne Primary (Expansion)		50	50	
Parsloes Primary (Expansion)		300	300	
Godwin Primary (Expansion)		300	300	
William Bellamy Infants/Juniors (Expansion)		300	36	Under spend to be utilised on other school (264) projects
Dagenham Village Rectory Road Library (Expansion)		200	10	Under spend to be utilised on other school (190) projects
Southwood Primary (Expansion)		300	300	
Sydney Russell - Schools For The Future	24,000	12,078	12,078	
Provision of New School Places (Basic Needs) Contingency		799	799	
Provision of New School Places (Basic Need Funding - 11/12)		10,550	10,550	
	<b>27,343</b>	<b>37,986</b>	<b>37,533</b>	<b>(453)</b>
<b>Skills, Learning &amp; Enterprise</b>				
Advanced Skills Centre	9,000	8,844	8,844	
	<b>9,000</b>	<b>8,844</b>	<b>8,844</b>	
<b>Total For Children's Services</b>	<b>56,993</b>	<b>77,406</b>	<b>75,429</b>	<b>(1,977)</b>

**Housing & Environment****HRA**

Housing Futures	3,363	-	-	-	-
Millard Terrace	34	35	35	-	-
Lifts replacement	1,810	1,020	1,132	112	Over spend to be funded from other projects
SAMS formerly remote concierge	-	65	65	-	-
DH works Framework contracts	-	626	626	-	-
Major maintenance renewals	2,500	1,000	1,000	-	-
Heating works (Thaxted, Maxey & Humphries Houses)	-	283	283	-	-
In House Costs/Contract Preparation	1,000	800	800	-	-
CHP Programme	1,000	63	63	-	-
Electrical Switchgear Project	520	744	790	46	Over spend to be funded from other projects
Extensions and deconve	-	20	20	-	-
Communal Lighting and Electrical Switchgear	1,500	1,050	1,050	-	-
External Enveloping Work	3,000	373	373	-	-
Sheltered Alarms Upgrade	-	38	38	-	-
Colne & Mersea Blocks	4,269	5,509	5,509	-	-
Capitalised Improvement Works	-	224	224	-	-
Estate Improvement Project	-	800	800	-	-
Oldmead & Bartlett Remedial Works	-	100	100	-	-
Door Entry Project 11/12	-	630	630	-	-
External Enveloping & Fire Proofing Project	-	1,200	1,200	-	-
Defective Overflow Works	-	45	45	-	-
Central Heating Installation	-	1,850	2,150	300	Over spend to be funded from other projects
Kitchen & Bathroom Replacement Project	-	2,075	2,400	325	Over spend to be funded from other projects
High Rise Surveys	-	550	550	-	-
Capitalised Improvement Works (Estates)	-	500	500	-	-
Estate Improvements	-	350	350	-	-
Adaptations - Housing	-	200	200	-	-
King William St Qtr	1,816	429	429	-	-
Council Housing & Thames	12,621	3,801	3,801	-	-
Council Housing - New Builds	463	596	296	(300)	Retention to be paid in 12/13
New Council Housing Phase 3	-	11,988	11,988	-	-
Disabled Adaptations (HRA)	500	502	502	-	-
Central Heating Installation (Phase II)	-	2,000	2,000	-	-
Kitchen, Bathroom, Central Heating & Rewire	-	5,500	5,500	-	-
Electrical Rewiring	-	1,500	1,500	-	-
Voids	-	1,000	1,000	-	-
	<b>34,396</b>	<b>47,466</b>	<b>47,949</b>	<b>483</b>	

**Non-HRA Housing**

Private Sector Households	800	1,118	1,118	-
Private Sector Households (105)	-	687	687	-
Housing Modernisation Programme	-	57	57	-
	<b>800</b>	<b>1,862</b>	<b>1,862</b>	-

**Environment & Enforcement**

Highways Maintenance(TFL)	380	-	-	-
Land Quality Inspection Programme	80	130	130	-
Street Light Replacing	1,000	1,215	1,215	-
Flats recycling banks scheme	-	307	307	-
Principal Rd Resurfacing - Longbridge Rd (TFL)	-	341	341	-
Road Safety Improvement Schemes (TFL)	-	96	96	-
SNAPS	-	174	18	(156) Highways
Becontree Neighbourhood Improvements	-	63	24	(39) Highways
Environmental Improvements	630	353	353	-
Environmental Improvements - On Street Waste Receptacles	-	190	190	-
Christmas Lighting (2011/12)	45	45	45	-
Parking Strategy Implementation	-	300	300	-
	<b>2,135</b>	<b>3,214</b>	<b>3,019</b>	<b>(195)</b>

**>GSS**

Pondfield Park	-	60	57	(3) 12/13
Abbey Green Park Development	33	36	26	(10) Roll forward into 12/13 to be requested
Valence Park Improvements	24	43	31	(12) Roll forward into 12/13 to be requested
BTC Public Art Project	-	11	11	-
Barking Park Artwork	84	84	84	-
Play Builder	-	10	10	-
	<b>141</b>	<b>244</b>	<b>219</b>	<b>(25)</b>

**Total For Housing & Environment**

	<b>37,472</b>	<b>52,786</b>	<b>53,049</b>	<b>263</b>
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## Resources

### Asset Strategy

L8 Surveys and Risk Assessment Updates	35	-	-	-	-
L8 Control of Legionella Remedial Works	-	277	277	-	-
Asbestos (Public Buildings)	128	81	84	3	Sponsor to ascertain where budget will be realised to cover over spend
Automatic Meter Reading Equipment	119	11	11	-	-
Backlog Capital Improvements	375	214	214	-	-
CMRP DDA for Buildings	-	27	27	-	-
Implement Corporate Accommodation Strategy	2,073	1,607	1,607	-	-
New Dagenham Library & One Stop Shop	-	60	60	-	-
Energy Efficiency Programme	-	187	237	50	Salix funds to be added to budget to cover anticipated overspend.
	<b>2,730</b>	<b>2,464</b>	<b>2,517</b>	<b>53</b>	
<b>Regeneration</b>					
Legi Business Centres	3,647	4,852	4,852	-	-
Industrial Area Improvement	-	79	84	5	Over spend to be funded from other projects
Barking Town Square (Phase 2)	494	536	536	-	-
Retail Premise Improvement Grant	21	153	153	-	-
Barking Town Centre - Low Carbon Emission (TFL & GLA)	85	133	117	(16)	Project anticipated to spend below budget
BTC Public Realm - Tsq & Abbey	103	73	73	-	-
Area Based Schemes (Shopping Parades)	-	183	190	7	Over spend to be funded from other projects
Robin Hood Shopping Parade Enhancement (TFL & S106)	-	324	324	-	-
East End Thames View Demolition	57	54	54	-	-
Axe Street Housing	263	28	31	3	Over spend to be funded from other projects
Demolition of Kingsbridge Site	-	7	7	-	-
Rainham Road Corridor (TFL)	-	96	96	-	-
Green Lane Corridor (TFL)	-	119	119	-	-
London Road/North Street Site Acquisitions	1,100	1,003	1,003	-	-
Boroughwide Estate Renewal - Decants and Leaseholder	6,382	393	278	(115)	Roll forward into 12/13 to be requested
Buybacks(Gascoigne)	-	225	191	(34)	Roll forward into 12/13 to be requested
Boroughwide Estate Renewal - Decants and Leaseholder	-	762	509	(253)	Roll forward into 12/13 to be requested
Buybacks(Goresbrook Village)	-	4,766	2,104	(2,662)	Roll forward into 12/13 to be requested
Boroughwide Estate Renewal - Leaseholders	-	170	37	(133)	Roll forward into 12/13 to be requested
Boroughwide Estate Renewal - Resources & Master planning	-	100	100	-	-
Boroughwide Estate Renewal - Demolition	-	1,028	894	(134)	Roll forward into 12/13 to be requested
Barking Station Forecourt - Phase 1 Implementation (TFL & S106)	800	366	366	-	-
Maysbrook Park Access Improvements (TFL)	-	144	144	-	-
Merry Fiddlers Junction Improvements (TFL)	-	144	144	-	-
Cycling on Greenways and Local Cycle Links (TFL)	-	48	48	-	-
Station Access Improvements (TFL)	-	29	25	(4)	Under spend will be used to fund other projects
Future Scheme Development - various locations (TFL)	-	14	14	-	-
Car Club Expansion (TFL)	-	-	-	-	-



Biking Borough Initiative (TFL)	-	123	128	5	Over spend to be funded from other projects
Minor Works - Various Locations - Local Transport Fund (TFL)	-	67	67	-	
Improvements to the rear of the Mall, Dagenham Heathway	-	223	40	(183)	Roll forward into 12/13 to be requested
New Market Square (Barking)	-	136	24	(112)	Roll forward into 12/13 to be requested
Dagenham Job Shop	-	11	11	-	
Demolition Westbury Pub	-	45	57	12	Sponsor to ascertain budget to cover overspend
Resurface Sky Ride Event	-	242	242	-	
	<b>12,952</b>	<b>16,676</b>	<b>13,062</b>	<b>(3,614)</b>	
<b>ICT</b>					
Microsoft Enterprise Agreement	36	126	38	(88)	Roll forward into 12/13 to be requested
Modernisation and Improvement Capital Fund (formerly One B & D)	1,150	558	558	-	
Service Management Tool	-	75	75	-	
Information & Workplace Strategy (Formerly STRATEGIC INFORMATION FRAMEWORK)	-	207	207	-	
E-Services - On-line Portals	-	656	656	-	
Oracle R12 Joint Services	-	-	58	58	Funding has been identified to cover the expenditure
	<b>1,186</b>	<b>1,622</b>	<b>1,592</b>	<b>(30)</b>	
<b>Total For Resources</b>	<b>16,868</b>	<b>20,762</b>	<b>17,171</b>	<b>(3,591)</b>	
<b>GRAND TOTAL</b>	<b>121,655</b>	<b>164,108</b>	<b>158,839</b>	<b>(5,269)</b>	

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## CABINET

20 MARCH 2012

<b>Title:</b> Housing Strategy 2012 - 2017 and Council Housing Business Plan 2012/13	
<b>Report of the Cabinet Member for Housing</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> James Goddard, Group Manager Housing Strategy Andrew Sivess, Group Manager Projects and Programmes	<b>Contact Details:</b> Tel: 020 8274 8238 E-mail: james.goddard@lbbd.gov.uk Tel: 020 8274 5732 E-mail: andrew.sivess@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Ken Jones, Divisional Director Housing Strategy	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing & Environment	
<p><b>Summary:</b></p> <p>This report introduces the two centrepieces of the Council's strategic approach to housing in the Borough.</p> <ul style="list-style-type: none"> <li>• The Housing Strategy 2012 - 2017</li> </ul> <p>This sets out the Council's ambitions for housing in Barking &amp; Dagenham. It is a high-level vision and strategy which assesses needs, highlights the key issues, determines priorities and outlines the broad direction of travel for housing in the Borough. The strategy is holistic and encompasses all tenures and all residents. It focuses upon communities and individuals rather than just bricks and mortar.</p> <ul style="list-style-type: none"> <li>• The Council Housing Business Plan</li> </ul> <p>This sets out the strategic objectives that underpin the operation of the Council's Housing service in meeting the housing needs and aspirations of local people in the new era for Council housing which will be brought about by the self financing arrangements being introduced by Government in April 2012. The Council Housing Business plan is a sub-plan of the Housing Strategy: it is integral to and should be read alongside the Housing Strategy.</p> <p>Both align with the Council's key objective of building a better life for all and deliver the key priorities of "Housing and Estate Renewal" and "Raising Household Incomes."</p> <p>This report constitutes a coversheet for the Barking &amp; Dagenham Housing Strategy 2012 - 2017 and the Council Housing Business Plan (attached as Appendices A and B respectively). It provides a brief detail of the major considerations applied to the development of the Strategy, highlights the four priorities for the Housing Strategy and gives an outline of the Council Housing Business Plan.</p>	

The Housing Strategy forms part of the Council's Policy Framework and, as such, is reserved to the Assembly for approval. The Cabinet is therefore asked to consider the Housing Strategy and make any necessary comments / amendments for consideration by the Assembly.

### **Recommendations**

The Cabinet is asked to:

1. Recommend the Assembly to approve the Barking and Dagenham Housing Strategy 2012 – 2017 as set out at Appendix A to the report, subject to any comments / amendments it wishes to make; and
2. Approve the Council Housing Business Plan 2012/13 and note that annual reports will be brought to Cabinet to update the Business Plan and Council Housing Asset Management Strategy.

### **Reason(s)**

To assist the Council in achieving its key objective of "Building a Better Life for All"

## **1. Introduction and Background**

- 1.1 Local Authorities are required by Section 87 of the Local Government Act 2003 to have in place a Housing Strategy. The Act requires the Housing Strategy to provide an "overarching framework against which the Authority considers and formulates other policies on more specific housing issues." The Housing Strategy must set out "objectives and targets on how the local authority intends to manage and deliver its strategic housing role."
- 1.2 The strategic housing role is set out in "*Homes For The Future: More Affordable, More Sustainable*" (DCLG, 2007) as
  - Understanding local housing markets;
  - Assessing and planning for current and future housing needs;
  - Making the best use of the existing housing stock;
  - Planning and facilitating new housing supply;
  - Planning and commissioning housing support services;
  - Incorporating the regional and sub-regional housing agenda;
  - Developing partnerships that secure effective housing and neighbourhood management.

The role therefore requires a Housing Strategy that is applied to all tenures across the entire housing stock in Barking & Dagenham and to the housing services and partnerships within and beyond the Council that seek to address the very complex issues applying to housing need, supply and conditions.

- 1.3 The Barking & Dagenham Housing Strategy 2007 - 2010 has expired and the Housing Strategy attached to this report aims to replace it for the period 2012 - 2017. Whilst not a wholly new document (the Housing Strategy 2012 -2017

progresses many of the key issues in the previous Housing Strategy) it is nevertheless a very significant update with a number of new factors needing consideration and incorporation. The rationale and salient issues concerning these new factors are outlined in the following paragraphs (full details can be found within the Housing Strategy, as attached).

- 1.4 The financial system for Council housing is to be fundamentally changed in April 2012. The new arrangements are based upon aggregating at a national level the outstanding housing debt of local authorities in England and then reallocating the debts. In return for taking on debt LB Barking & Dagenham and other debt receiving authorities retain all rent income. This system of self financing allows for significant self determination and for long term planning, which was impossible under the former regime. As a consequence of this a 30 year Council Housing business plan has been produced and a Council Housing Asset Management Strategy is being developed and will be brought to Cabinet.

## **2. Proposal and Issues**

### **2.1 Developing a Housing Strategy during a period of change**

Many of the challenges set out in the Housing Strategy are entirely familiar: high prices; excessive demand; improvements required to both Council and private sector housing. Against this background the Housing Strategy has been developed within an environment of considerable change, especially at national policy level

- 2.2 A number of these challenges and considerations relate to socio-economic factors which have made home ownership difficult to achieve and which have made it harder for developers to build new homes. The borough has also experienced a burgeoning private rented sector in the last five years as well as changes to its demographic profile. In addition a number of challenges have arisen while assessing emerging national policy developments, including:

- Significant cuts to national housing grant;
- Development of an “Affordable Rent” tenure;
- A new self-financing regime for Council housing;
- Welfare reforms;
- Proposed new powers in the Localism Act;
- Reductions in funding for housing-related support services and supported accommodation.

- 2.3 Many of these changes and policy developments are new and yet to be fully assessed and understood. As a result, much further analysis and impact assessment will be required over the coming months and during the lifetime of this strategy. The strategy has therefore been developed with a degree of flexibility to meet the new considerations and challenges emerging at national level. It is not set in stone and current intentions are to undertake a refresh and develop an updated statement in 18 – 24 months.

## 2.4 Evidence Base

A detailed and robust evidence base underlies the Housing Strategy and Business Plan, in fact the most robust evidence base ever undertaken by Barking & Dagenham, including:

- B&D Private Sector Stock Condition Survey (2009);
- B&D Council Stock Condition Survey (2010);
- B&D Housing Needs Survey (2011);
- B&D Strategic Housing Market Assessment (2011);

## 2.5 Barking and Dagenham Housing Strategy 2012 – 2017

Attached to this report is a draft of the Barking & Dagenham Housing Strategy 2012 – 2017. In summary the Housing Strategy determines four objectives:

- Delivering social and economic regeneration through building high quality homes and thriving communities
- Investing in new council housing and establishing new ways to deliver affordable housing
- Good quality services
- Sustainable communities

Unique to the new Housing Strategy, the success of these objectives will be measured by their general “outcome.” The new strategy does not focus upon myriad targets and outputs but rather, for example, on whether newly built housing delivers high resident satisfaction and better health and education outcomes over the long term.

## 2.6 “Generation Rent” and access to the housing market

National research has indicated that approximately two-thirds of potential first time buyers have no realistic prospect of owning their own home in the next 5 – 10 years and lack the long term saving potential needed to get on the housing ladder. The Housing Strategy outlines how we shall attempt to address this position through a number of different models and approaches to housing including new build affordable housing, innovative housing joint ventures and licensing landlords and improving conditions in the private rented sector. The strategic aim being to create thriving mixed income communities.

## 2.7 Improving Quality of Life and Well Being

The Housing Strategy is holistic and its focus is upon delivering better outcomes for people, particularly quality of life and well being. The strategy outlines numerous quality of life and well being objectives and improvements including, for example:

- Better housing space standards (so families can eat together and have space to undertake school homework);
- Environmental and social sustainability (homes for life, adaptations strategy for example )
- Tackling fuel poverty

To achieve these aims, the Housing Strategy has been developed alongside and integrated with the Barking and Dagenham Joint Strategic Needs Assessment (JSNA) and the emerging B&D Health and Well Being Strategy. The Housing Needs Assessment has been integrated with the JSNA and the Housing Strategy itself will be reported to the B&D Health and Well Being Board to ensure continued improvement on health, quality of life and well being outcomes.

## 2.8 **Accessibility**

The strategic housing function can be a complex area requiring specialist knowledge. Government guidance is that Housing Strategies should be written for “interested parties,” not necessarily the general public. The approach taken in Barking and Dagenham is therefore to develop a detailed and holistic strategy for any interested or specialist audiences but subsequently to develop a short, accessible to the general public, six page summary and action plan version which, to all intents and purposes, can be used as the Housing Strategy. The summary version will be therefore published immediately following final approval of the full Housing Strategy and will include an “easy read” version.

## 2.9 **Housing Revenue Account Business Plan (HRA Business Plan)**

The Borough’s Council Plan sets out the overarching strategic objectives that underpin the business objectives for Council housing in Barking & Dagenham. The provision of good quality housing is fundamental to the achievement of the Council’s Priorities. It is therefore important that the borough has - operating exclusively within its boundaries - an effective, flexible and efficiently run housing organisation which is able to meet the evolving housing aspirations and needs of residents and their families – the provision of quality affordable housing is essential to delivering the Council’s long term objectives of a creating a safe, healthy and prosperous borough.

From 1 April 2012 the national council housing subsidy system will be dismantled. Local Authorities will be expected to operate their housing revenue account functions as stand-alone businesses. Providing well maintained housing and a range of affordable tenures that meets the community’s and market’s needs will be essential to maintaining a long-term viable Council Housing service.

Self-financing offers the Council the opportunity to completely recast how it delivers housing services and to widen housing choice to make a major contribution to delivering the Council’s corporate priorities.

From next April the Council will:

- operate a fully funded 30 year housing business plan
- plan long-term to provide cost effective housing management services
- embark on a £1.3bn investment programme to refurbish council housing
- deliver a substantial estate regeneration programme
- generate a new build affordable Council housing programme with our development partners
- provide a wider range of intermediate tenures by being able to directly operate the HCAs new affordable rent model and access grant for new homes

The Borough's housing landlord and housing asset investment programme will be delivered through a ring-fenced business unit within the Council's Housing & Environment Department. Underpinning delivery of the business plan, and the strategy to invest in new Council homes and make major improvements to tenants' living conditions, is the assumption that overall the rental income will rise by RPI plus 0.5% for the next 30 years. Any deviation from this would mean the Council cannot deliver the levels of investment in new build, major works and estate renewal

#### 2.9.1 Council Housing Asset Management Strategy (AMS)

To deliver the investment opportunities under HRA self-financing, a new 30-year asset management strategy is being prepared and will be implemented along with this business plan. The new asset management strategy is based on the resource position under the self-financing settlement, and on the findings of a new stock condition survey, that underpin the 30-year investment strategy.

During 2011/12 a comprehensive review of the way in which the housing investment programme is delivered was undertaken. Consequently, a new Housing Asset Management Strategy will be adopted which will set out how we will provide residents with a higher standard of repair and refurbishment: this will involve a programme of elemental renewal that goes beyond the minimum Decent Homes standard. The investment programme will seek to renew all major building elements through one internal and one external refurbishment visit to each home; thereafter homes will be maintained according to a planned programme of major building element life-cycle renewal.

Within the housing investment programme tackling fuel poverty for tenants, providing affordable warmth and reducing carbon emissions will be central themes.

The following strategic investment themes will be adopted under the AMS:

- |                                   |  |
|-----------------------------------|--|
| Decent Homes investment programme | A detailed 10 year investment programme is being developed and profiled to align with available resources and to address the decent homes backlog within a 5- 8 year period. The rolling programme contained in this report enables progress to be maintained in addressing the stock's investment backlog.  |
| Estate renewal programme          | A fundamental element of the investment strategy is to demolish and redevelop c1700 flats on estates that are deemed uneconomic in which to invest to produce mixed income and tenure communities. The intention is to decant these flats over a 5 year period (in line with the HRA self financing settlement): this will free resources for investment in the remaining stock. |
| New build programme               | A programme of new affordable homes is being developed within the HRA and with external partners. This will help meet housing need and   |



aspiration and support delivery of the estate renewal programme.

The investment streams above are interrelated themes. Successful delivery of our new build and estate renewal programme are fundamental to bringing the existing stock up to modern standards. This is because a proportion of the stock needs to be demolished and redeveloped and the new build homes provide essential decant units for the estate renewal programme. Without this order of investment priority then a disproportionate amount of resources will be absorbed by maintaining homes that are beyond their economic life and would not represent best value.

To deliver the investment programme we will establish a rolling programme of schemes that will be delivered across a three to five year period. Establishing such a programme will provide the flexibility required to move resources between investment streams as the programme is implemented to provide flexibility to deal with unforeseen factors and to take advantage of new opportunities as they arise.

#### 2.9.2 Capacity to deliver the HRA Business Plan

The HRA Business Plan outlines how the Council will be able to completely recast how housing services can be delivered. Nevertheless the scale of this challenge should not be underestimated particularly in terms of the current staffing capacity to deliver. Over the course of the next six months we will therefore need to consider the adequacy of the current structures to deliver the long term aims of the Business Plan. We will also need to assess our how our partners and partnering arrangements can assist our capacity to deliver.

#### 2.10 **Monitoring and Evaluation**

The Barking and Dagenham Housing Strategy 2012 – 2017 and Council Housing Business Plan will be monitored, evaluated and reported at regular intervals to Council officer groups, the Strategic Housing Group and Living and Working Board. There will be regular reporting to the Cabinet lead Member for Housing and an annual progress report will be presented to all Council Members. The Business Plan will in addition be subject to an annual report to Cabinet and progress reports will be given to the recently established housing forums of tenants and residents.

### **3. Options Appraisal**

- 3.1 The Housing Strategy highlights the issues facing all housing tenures and communities in the Borough and incorporates the Council Housing Business Plan. A number of options appraisals have been undertaken concerning specific aspects of the strategy (for example investment issues). Other options appraisals are ongoing at the time of writing particularly in relation to the Council Housing Asset Management Strategy which will be brought to Cabinet whilst others are programmed throughout the lifetime of the strategy. Each appraisal will be reported separately.

### **4. Consultation**

- 4.1 The Housing Strategy incorporating the Council Housing Business Plan was developed through a detailed consultation process between May 2011 and January

2012. A number of events and processes took place and over 2000 contacts occurred including:

- Resident surveys
- Resident and stakeholder meetings
- Focus groups

Numerous individuals, partners and groups were consulted during the development of the strategy including:

### **Councillors**

Cabinet Member for Housing

Members of the Estate Renewal Housing Group

Various Members at Housing Portfolio and other meetings

### **Residents of all housing tenures:**

- Owner occupiers
- Private sector tenants
- Council tenants
- Housing Association tenants
- Housing needs register applicants
- Residents in temporary accommodation

### **Staff and Partners:**

- CMT
- All B&D DMTs
- Over 100 individual officers
- Housing Associations
- Private sector landlords
- Voluntary sector organisations
- Health sector professionals
- Supported accommodation providers
- Regional and sub-regional housing partnerships and contacts

## **5. Financial Implications**

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 The Housing Strategy outlines the key objectives for the housing service. Underpinning this document is the Business Plan which outlines the surpluses generated from in-year operational activities together with a broad outline of how those surpluses will be allocated to meet the Council's investment needs both in terms of maintaining its existing stock and the provision of new units. These two documents should be read in conjunction with the Housing Asset Management Strategy which describes the Council's strategy for maintaining its existing stock. This document is subject to a separate Cabinet report.
- 5.2 As outlined in the Business plan there are a number of variables and assumptions in the projections which may be subject to change. In year 1 the Council has opted to increase rents by 6.8% which is below the proposed rent convergence increase of 7.98% which has resulted in the loss of approximately £950k of resources which would otherwise be available for investment. The future compounding effect of this

loss is far higher. Any further decisions not to increase rents by RPI +0.5% will again impact on surpluses generated and reserves available for investment. Any increase in costs over those contained in the Business Plan will similarly impact on the level of reserves.

- 5.4 If future surpluses outlined in the business plan are reduced it is most likely that the investment in existing stock will be reduced as the other investment streams (new build and estate renewal) are already likely to be committed. The maintenance of the existing stock is an important consideration to ensure that the future income streams projected in the debt settlement are achieved particularly as the HRA will be servicing debt attached to those properties.
- 5.3 The implementation of self-financing has introduced a borrowing cap for the HRA. Other than a small amount of borrowing headroom (around £7m) there is no further capacity for the HRA to borrow for investment purposes and the business plan makes no provision for debt repayment which would enable further borrowing in the future. Careful consideration should be given to future decisions made around the investment of surpluses should take into account the fact the resources are restricted to those generated on a "cash" basis in any given year assuming that there are no brought reserves available. The current Business Plan does not propose to increase reserves beyond those accumulated as at 1 April 2012 which are currently projected to be in the region of £6m.
- 5.4 The estate renewal stock has been removed from the debt settlement calculations and therefore does not have any debt attached to it. However, a condition of the stock removal was that the properties are decanted, empty and ready for demolition within 5 years.
- 5.5 The two documents attached to this report outline the need to fund the continued estate renewals programme. They also highlight the need for a new build programme as a priority in order to accommodate tenants displaced as a result of the estate renewal. In the estate renewals report that went to Cabinet in 2010 it was indicated that new supply and use of voids would fully accommodate those displaced and therefore there would be no additional costs of re-housing. The assumptions that there will no additional costs and that the programme of decanting will be delivered within 5 years remain.
- 5.6 Although the Business Plan outlines a £50m new build programme it does not detail this programme i.e. how many new units will be generated and in what timescales. The Business Plan includes income and costs projections associated with the delivery of new build but does not detail.
- 5.7 The Business Plan does not include any capital receipts from right-to-buys although we will be allowed to keep 25% of any receipts under the new self-financing rules. The Council currently approves around 60 RTBs in a year with annual receipts around £5.5 million. Since the new self-financing rules have been approved the Government has announced new measures to invigorate the RTB process. Any increases in RTBs could potentially have a financial impact on the Council as they would not have been allowed for in the settlement calculations and the Council would still be servicing debt attached to those properties. Although the details have not yet been made known to local authorities assurance has been given that

Council's will not be financially impacted by the introduction of the new RTB rules and allowances.

- 5.8. It should be noted that the Estate renewal properties are currently being used as temporary accommodation after they are decanted and will, therefore, be generating income streams for the first five years which will cover the general maintenance costs associated with these properties. This has not been reflected in the Business Plan.
- 5.7 The funding and future servicing of the £265m borrowing required to make the settlement payment to DCLG on 28 March 2012 will be a key feature of the successful deliverability of the Business Plan. The plan is to borrow the funds from the Public Works Loan Board at the end of March taking advantage of the reduced rates available via the National Loans Fund. These rates, which are approximately 0.9% lower than the standard PWLB rates, are only available for the specific amounts required for the settlement payment and can only be borrowed between 26-28 March 2012. The exact rates will only be known at the time that the borrowing is requested.
- 5.8 As the Council is not currently initially planning within the Business Plan to repay the debt, and as the advantageous rates are only available at this time, the intention is to lock in the debt for a longer period so there is financial certainty on that element for future planning. If the Council had plans to repay the debt, it would be sensible to match the length of the borrowing to points in the Business Plan at which sufficient fund would be available to repay some or all of the debt.

## **6. Legal Implications**

Implications completed by: Paul Field, Senior Lawyer

- 6.1 The Council is a Local Housing Authority for the purposes of the Housing Act 1985. The Local Government Act 2003 obliges each local housing authority to devise and publish its own housing strategy which should set out its vision for housing in its area with its objectives and housing role. The strategy document provides an overarching framework against which the authority considers and formulates other policies on more specific housing issues.
- 6.2 The legislation allows the Council to add to the strategy over time so it may produce supporting documents to the strategy over time to reflect changing events. This is likely to be the case as the practice of housing is going through further changes by measures introduced by the Localism Act 2011.
- 6.3 The Localism Act will have a significant impact on social housing going forward. It establishes the power to formulate a locally focused allocations policy. Further the Localism Act will enable Housing authorities to utilise different lengths of tenure and introduce the duty to provide homelessness support by use of private sector letting.

## 7. Other Implications

- 7.1 **Risk Management** - A risk management plan has been developed for the key priorities and strategic objectives of the Housing Strategy 2012 -2017. This plan will be monitored on a quarterly basis, by the Barking and Dagenham Strategic Housing Group to which the Group Manager Risk Management will be invited to attend on a bi-annual basis to scrutinise and to ensure that the Housing Strategy Risk Management Plan is fully implemented, that any risks are suitably managed and that performance improvements are taking place.
- 7.2 **Contractual Issues** - Wherever the Housing Strategy indicates a procurement or contractual solution, this will be delivered in consultation with the Corporate Procurement service and best practice will be adopted to ensure effective procurements, delivering value for money outcomes.
- 7.3 **Staffing Issues** - Any staffing related implications arising from this strategy will be dealt with through policies, procedures and consultative processes agreed between the Council and the trade unions.
- 7.4 **Customer Impact** - A full Equality Impact Assessment has been carried out and key actions have been identified based on the analysis that took place. These actions will form an integral part of the business plan for the housing strategy, ensuring that it remains accessible and takes into account the needs of different groups within our community. A number of key recommendations for improvement have been identified including:
- Developing a Young Peoples Housing Strategy
  - Developing easy-read housing information, especially around repairs and housing options
  - Developing better monitoring systems to understand the full impact of housing policies delivered by our partner organisations, especially Housing Associations
- 7.5 **Safeguarding Children** - The strategy has been shared at Children's Services DMT and agreed. The strategy is a key document with regard to the borough's contribution to improving the well being of families in Barking & Dagenham. There is abundant evidence available which describes the correlation between poor housing and poor outcomes for children. This is specifically in relation to health outcomes but can also contribute to academic performance and familial stability where issues of overcrowding can exacerbate existing family tensions. The development of affordable, high quality, social care housing is vital to the borough aspiration of progressively improving outcomes for children, young people and their families.
- 7.6 **Health Issues** - With the passage on the Health and Social Care Bill, the Government is returning responsibility for improving public health to local government. From the 1<sup>st</sup> April 2013 a fully integrated public health function in the Council at both strategic and delivery levels offers exciting opportunities to make every contact count for health and wellbeing. Housing and improving health and wellbeing outcomes are inextricably linked as described in the Joint Strategic Needs Assessment 2011 Strategic action on housing can make a significant contribution to preventing inequalities across a number of functions including, health and social

care services, economic and environmental regeneration, strategic planning, education, children and young people's services, fire and road safety.

With the establishment of the Health and Wellbeing Board and the development of the joint Health and Wellbeing Strategy, there will be links between the two strategies describing Housing's contribution in addressing issues such as fuel poverty and seasonal excess mortality, overcrowding and working with Planners to create space for families to sit down eat together and encourage good eating habits.

**7.7 Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act places a duty on local authorities as a responsible authority to have regard to crime and disorder reduction and prevention in all development of strategy and operational delivery of services. This Housing Strategy gives regard to this duty. Good quality housing and estate development has a positive impact on the wellbeing of communities. Furthermore good housing and estate stock reduces the opportunity for crime and disorder. Developing communities where people have the opportunity to live together in a neighbourly way will further have a positive impact on community cohesion. A number of key priorities are outlined for the first 24 months of the Housing Strategy, including:

- Mandatory training for all housing staff on domestic violence issues
- Development of a vulnerable adults housing policy
- Further joint funding of police officers and special officers to patrol the Council's estates

**7.8 Property / Asset Issues** - The Housing Strategy sets out our overarching proposals for all housing stock in the borough and therefore indicates the strategy for Council owned stock. As such it determines our broad intentions for the purpose, sale, maintenance and development of Council housing stock and describes our overall approach to Council Housing Asset Management and investment. Accordingly it directly impacts on the Council's Capital Programme and is reflected therein.

#### **Background Papers Used in the Preparation of the Report:**

None

#### **List of appendices:**

- Appendix A** – Barking and Dagenham Housing Strategy 2012/17
- Appendix B** – Council Housing Business Plan 2012/13

# **Barking and Dagenham Housing Strategy**

**2012 – 2017**

**Final Draft**

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## Foreword

Councillor Phil Waker, Cabinet Member for Housing



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# Introduction

## Summary

This Housing Strategy sets out Barking and Dagenham's resolve to improve the quality of life for all residents and to create a thriving community where families and single people live in safe and healthy homes in attractive neighbourhoods. The strategy addresses the needs of residents living in different types of housing tenure including council homes, other social rented housing provided by housing associations, the private rented sector and private ownership.

Barking and Dagenham is an ambitious borough undergoing rapid change. We are situated in the Thames Gateway growth area with the potential to develop 15,000 new homes over the next ten years largely concentrated in Barking Town Centre and whole new community developments at Barking Riverside. To assist in the achievement of this aim we have begun the refreshing of our Housing Strategy for 2012-2017. This strategy will be at the centre of the Council's renewal agenda – driving physical regeneration of estates and the town centre; linking to programmes to tackle low skills and joblessness; and providing good quality housing and services.

Barking and Dagenham Council is an organisation that is also in the process of tremendous change. The Council has stated its determination to prioritise the provision of new homes, including building new Council housing to meet local need and to contribute towards creating thriving communities. In achieving this, the Council is leading the way in building innovative forms of partnerships to bring about new developments. The Council will also lever in to the borough additional resources for housing through partnerships with housing associations where appropriate.

Additionally the Council is a major landlord and has a wide range of roles and responsibilities. The ever challenging financial position and magnitude of savings we have to make moving forward means that we have to reduce costs and overheads and look at how we can deliver services with decreasing budgets without compromising the quality of provision. Additionally, the housing strategy in its refreshed state needs to ensure that all housing services are properly commissioned to achieve high quality, locally accountable, good value for money services.

We are determined to create communities and places where people positively choose to live. The importance of the provision of the transport and social infrastructure including schools, health and leisure facilities and employment opportunities is integral to our approach. We are committed to ensuring that our housing strategy will benefit and enhance our local community.

This strategy examines the housing context in Barking and Dagenham and sets out our approach for addressing the main priorities and challenges. It includes consideration of all housing tenures and looks at all housing in the borough. In framing the Housing Strategy particular emphasis has been placed on addressing current economic conditions, specifically that a growing proportion of households on middle incomes can no longer afford to own their own home. The strategy highlights the actions being taken by the Council to provide new homes that will be affordable to these families within new housing developments.

Our strategy is placed inside a framework of national, regional and sub-regional priorities and takes strategic direction from the London Housing Strategy and the East London Housing Strategy. Inevitably however our main focus is upon the local. We therefore analyse housing need in the borough and how we can work in partnership to address this need and deliver positive benefits to the community by working together.

We have established our strategic direction by identifying priorities through a rigorous strategy development process. This housing strategy therefore identifies four key objectives:

- 1. Delivering social and economic regeneration through building high quality homes and thriving communities**
- 2. Investing in new council housing and establishing new ways to deliver affordable housing**
- 3. Good quality services**
- 4. Sustainable communities**

Each objective is detailed in its own section and has an action plan setting out the targets at the end of this document. Importantly this Housing Strategy is moving away from output based targets in order to emphasise long term outcomes. We have therefore identified a number of outcome measures to be monitored including:

- Resident satisfaction ratings at 90%
- Improved health, community safety, education, training, skills development and employment outcomes on regeneration estates and schemes

Naturally a number of targets sit behind these outcomes. In summary our top strategic housing targets for the period of this Housing Strategy are:

- **An estate renewal programme removing 1,790 non decent flats on three regeneration estates with the reprovision of mixed tenure high quality new homes**
- **Delivery of 1,112 new affordable homes borough-wide by 2015**
- **Delivering the Housing Business Plan**
- **Tackling the problems faced by “Generation Rent”**
- **Implementing a “Localities Management Model” for Landlord Services to drive improvements**
- **Commissioning new repairs and maintenance arrangements**
- **Introducing Selective Mandatory Licensing for private sector landlords**
- **Completing our Housing Allocations Policy Review**
- **Developing a Children and Young Peoples Housing Accommodation Plan**
- **Implementing plans for supported housing to promote independence and choice**
- **Continued tackling and reduction of fuel poverty**

This strategy states how we shall measure and review progress in the years to come. It includes actions to address the findings of stock condition surveys on both the Council’s stock and on the private sector housing stock as well as other significant research surveys such as the LBBB Strategic Housing Market Survey. As such this strategy represents a significant update for Housing Strategy in Barking and Dagenham.

We will publish and distribute this Housing Strategy to ensure widespread availability. The strategy and all supporting documents are published on our website at [www.lbbd.gov.uk](http://www.lbbd.gov.uk)

### **Barking and Dagenham: the borough of aspiration**

The Council, whilst focusing on building new social rented and Council homes is determined to support its regeneration objectives by delivering homes for working households with other aspirations who may not be able to access home ownership who may have changing tenure needs over the next few years.

We are ideally placed in London as the destination borough for key workers and for individuals and families on medium incomes to make their home. We are progressing with the supply of new affordable housing including affordable rent products. Coupled with the borough’s attractively priced housing, many green spaces and excellent transport links, we are well placed to attract and retain working people to invest in the long term future of themselves and their families in Barking and Dagenham. This should also be seen in the context of the opportunity that the development of Barking Riverside represents, given that much of the market priced homes there will be very good value in relation to average London prices.

## **The Strategic Housing Context in Barking and Dagenham**

Housing in Barking and Dagenham, like much of London, is characterised by high prices relative to national levels, a shortfall of accommodation and high development costs. These challenges are not unfamiliar. To this list we would also need to add a rapidly growing population in Barking and Dagenham, especially single person households, while in the public sector, specifically council housing, we require major investment to reach decent home standards. The Council's stock is also subject to high levels of purchase through "right to buy". In the private sector there exists a small but significant number of vulnerable households living in non-decent housing. Fuel poverty and high energy costs are prevalent throughout all sectors of housing in the borough. Finally there is a large number of potential first time buyers who have no realistic prospect of owning their own home in the next 5 – 10 years, the so-called "Generation Rent."

### **The "Credit Crunch" 2008 and Recession**

Excessive lending in property markets (amongst other factors) has resulted in a recession; an unstable economic climate with reduced (and at times negative) growth, low levels of output, higher unemployment and fragile business and consumer confidence. As a consequence there has been a significant downturn in housing markets with reduced levels of housing investment and house building, including affordable housing. Additionally, limited levels of borrowing available from banks and other institutions has impacted upon the ability of developers to fund new housing, as well as crucially the ability of individuals to access mortgages or other finances to purchase or improve existing properties.

These national factors inevitably play out at a local level. The average house price in Barking and Dagenham in July 2011 was £208,927 (Land Registry). While this figure is amongst the lowest in London, this is an increase over the previous twelve months (£201,224 in August 2009) but down from a pre-credit crunch peak of £245,916 in June 2008 (Land Registry). Nevertheless even the current lower figure still costs over six and a half times the average household income for the borough (£32,200 – CACI PayCheck data 2011).

Royal Institute of Chartered Surveyors housing market data suggest that any recent momentum in the property markets is likely to diminish for the next twelve months, although the trend will remain stable.

### **"Generation Rent"**

National research has shown that two-thirds of potential first time buyers have no realistic prospect of owning their own home in the next 5 – 10 years and lack the long

term saving potential needed to get on to the housing ladder (“Generation Rent,” Halifax Building Society, National Centre for Social Research, 2011). The Halifax report adds that over half of those questioned expected that the UK would become a nation of renters within the next generation.

In Barking and Dagenham this position is not only reflected but actually accentuated by key socio-economic conditions, particularly low wages and a relatively high affordability gap. This Housing Strategy outlines how we shall attempt to address this position through different models such as new build affordable housing, innovative housing joint ventures and licensing landlords and improving conditions in the private rented sector.

Nevertheless – and despite these planned interventions - the scale of the issue should not be underestimated. A large proportion of Barking and Dagenham residents are effectively shut out from home ownership.

These circumstances have a disproportionate impact in the borough. The socio economic profile is combined in Barking and Dagenham with the challenging landscape in so far as local development opportunities and development viability are concerned. The borough has relatively low property values but high development costs – which can produce an outcome resulting in a reduced attraction for development opportunity. This factor is a major challenge in meeting local housing need.

As at August 2011 20.5% of the working age population in Barking and Dagenham was on key state benefits, compared with 15% across London. The recession continues to impact upon local people, with unfilled job vacancies having fallen by a third since March 2008 while in February 2011 there was one vacancy for every 17.6 Job Seeker Allowance Claims (source: Job Centre Plus). The percentage of Barking and Dagenham residents claiming Jobseekers Allowance increased from 4.3% in 2008 to 6% in 2011.

The local housing market has inevitably experienced difficulties. The market for and availability of mortgages has contracted significantly while deposit requirements for first time buyers have risen sharply, meaning that home ownership remains out of reach for many local residents looking to buy a home. The volume of sales transactions fell dramatically between 2008 and 2009 and although a small recovery occurred in 2010 the market remained very flat through the whole of 2011.

Since 2008 the borough has also seen a slow-down in the number of new homes developed. Housing development has been hugely affected by the recession. Like everyone, developers have found access to funding curtailed and are contending with low demand for their products. The affordable housing market incurs an additional disadvantage in that developers can be very reluctant to build given that such new homes cannot be sold as open market housing should financial problems arise further down the line.

A final factor linked to rising house prices and the general housing market concerns the rise in the number of households on the housing register over the last ten years. The borough has experienced a steep rise from 2157 households on the housing register in 2001 to 11,800 in 2011, with a sharp rise from 2005 onwards. This position does in fact reflect the wider trends in London with a significant increase, especially since 2005, in the numbers of households seeking social housing.

## **National Policy**

Since the last Baring & Dagenham Housing Strategy significant political and policy changes have taken place at the national level. In May 2010 the Conservative/Liberal Democrat Coalition Government came to office with a core policy commitment to curtail the national financial deficit with a programme of reduced spending and cuts. These reductions have affected housing in a number of key areas:

- Grant funding for affordable housing development during the period 2011-15 has been reduced by approximately 50% (from the previous four year grant programme). In order to maintain affordable housing development, the Government has introduced a new tenure of housing, "Affordable Rent," where rents can be charged at up to 80% of local market rent. In this new model the Coalition Government sees the higher levels of income produced by higher rents as allowing a social housing provider to borrow more, thereby making up for the grant reduction.
- Welfare and benefit reforms are, when applied to housing costs, making most impact in terms of Housing Benefit payments to tenants who live in the private rented sector. These reforms include changes to the method of calculation and capping the amount of benefit. A number of consequences, some very significant, could arise from these reforms, including:
  - A movement of tenants from higher-rent areas in inner London to the lower-rent housing markets of outer and suburban London, like Barking and Dagenham;
  - The potential for households to be remain on benefits as the only way of paying the rent - therefore creating a poverty trap;
  - Significant increased service pressures arising from the potential migration of workless households;
  - The likelihood for larger families to be most affected and therefore the potential for significant movements of children. Such movements would impact upon support required for children in need as well as even more pressure for school places;
  - The pressures on affordable housing could increase, especially for family sized accommodation.



- Homelessness applications may rise, also putting pressure on securing suitable temporary accommodation.
- Relocations often cause disruption to formal care delivery, with consequent effects on community cohesion.

Prior to 2010 the then Labour Government instigated a reform to the Housing Revenue Account which could allow a local housing authority to retain all its housing rents in exchange for taking on a share of national council housing debt to become self financing. This reform coupled to the credit crunch and other economic factors, highlighted previously in this strategy, frames the financial position for the Barking and Dagenham housing service.

National policy changes mean the Council also needs to implement a savings and efficiency programme across the period of this strategy. This programme will include:

- New repairs and maintenance contracts;
- Better procurement (i.e. of temporary accommodation, energy etc);
- Efficiencies arising from a localities model of housing and environmental management on housing estates and areas.

The Government has also instigated a number of significant changes to national housing policy:

- **Localism Act** – a cornerstone of the Coalition Government’s “localist” approach. The Act proposes a number of powers useable by local communities and organisations as well as local councils. Importantly for Local Housing Authorities it provides for the creation of fixed term tenancies for new tenants. It also allows the authority the power to restrict eligibility for those people who do not have a priority for social housing and allows the local authority to place homeless households in private rented accommodation.
- **Self-financing** - Reforms to the financial system for financing Council housing are being implemented. Effectively these reforms see a move away from the current method whereby national council rent is pooled and then redistributed to Local Authorities via a formula, to a “self-financing” method which sees a one off financial settlement between the Government and the Local Authority. Theoretically this new regime makes Local Authority housing debt financially sustainable and the Authority can retain all rental income from its stock. Decisions about rent levels and stock improvement, regeneration and investment can then be made at a local level.
- **Affordable Rent Model** - The Affordable Rent Model provides a significant challenge and opportunity for the approach to developing affordable housing, which over the last two decades has traditionally involved Housing Associations.

The reductions in grant and introduction of the Affordable Rent tenure require a new approach to affordable housing development which can see the Local Authority developing homes itself or putting its own land into development schemes. Barking and Dagenham has been pursuing innovative development models (including joint venture arrangements using the our Building Schools for Future joint venture vehicle for example) for many years and our development plans and projects take advantage of the new models.

## **Regional Policy**

This Housing Strategy for Barking and Dagenham is required to achieve “strategic conformity” with the Mayor of London’s revised “**London Housing Strategy**,” published in 2011. It has five key objectives:

1. Building partnerships with boroughs – overseeing programme delivery through governance and partnership arrangements with boroughs
2. Increasing supply – with a particular focus upon affordable, family sized homes and the release of public land for development
3. Raising standards – through new design standards, better quality existing homes and improvements in the private rented sector
4. Enhancing mobility and choice – through improved options for home ownership, improved options for social tenants to move to find employment and help for under occupiers to move
5. Tackling need – focussed upon London-wide challenges including street homelessness and overcrowding

Similarly we also seek to achieve conformity with the **East London Housing Strategy**. Published in 2010 the strategy was developed in partnership with the eight east London local authorities (City of London, Hackney, Tower Hamlets, Waltham Forest, Redbridge, Barking and Dagenham, Havering and, Newham). The strategy highlights housing need in east London and focuses upon housing supply and affordability. It has five broad targets:

1. Increasing housing supply
2. Ensuring homes are affordable
3. Improving the quality and sustainability of homes
4. Enabling mobility
5. Ensuring that housing is “inclusive” and benefits all people

The East London Housing Partnership has allowed the east London authorities a platform to develop relationships over the years. This joint working is being realised on numerous projects across East London including reciprocal arrangements for tenants to

move within the sub-region and under-occupation projects, domestic violence and gang related projects.

## **Local Policy**

Barking and Dagenham has embarked upon the most far reaching and ambitious housing and regeneration programme the borough has seen since the creation of the Becontree Estate by the London County Council ninety years ago. The borough is located at the heart of the Thames Gateway Growth Zone and our Housing Strategy combines housing and regeneration priorities, themselves underpinned by an approach which tackles social and economic issues and addresses the challenge and opportunities of climate change. Central to delivering many of the Boroughs key objectives and outcomes is the regeneration of our housing stock to help diversify the economic and demographic base by taking advantage of Barking and Dagenham's characteristics – particularly excellent transport infrastructure and close proximity to the City, Docklands and other important areas.

The Council has recently approved a Policy Framework to guide the prioritisation, development, specification, performance and delivery of its strategies, plans and services. The framework exists under one overarching objective: **Building a Better Life for All** which has three policy priorities:

- 1. Raising household incomes**
- 2. School and post-16 education**
- 3. Housing and estate renewal**

The priorities are underpinned by four central themes:

- **Better Together** - *'We 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.'*
- **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 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 and Dagenham somewhere people can raise their*

*family- knowing that their Council is working hard to make the Borough somewhere they can call home.'*

- **Better Health and 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'.*
- **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.'*

The **Better Home** theme sets a number of outcomes specifically for the Barking and Dagenham Housing Strategy:

- More affordable housing for local residents, with a particular focus on family-sized houses
- Improved estates and homes that people chose to live in, whether owned by the Council, other social landlords, privately rented or owned
- A safe home for every child
- A clean borough with low levels of litter and graffiti and where residents look after their own homes and gardens.

Equalities, diversity and cohesion are integral to the new Policy Framework. Barking and Dagenham has used the **Equality Standard for Local Government** as a measure of its commitment to the equality agenda. In March 2009 we were externally assessed against the Standard and achieved **Level 5**, the highest level.

The Council has produced a **Single Equality Scheme, 'For All of Us'** for the period 2010 – 2013. Although not a statutory requirement under the Equalities Act 2010, the scheme replaces and combines three separate schemes (disability equality, race equality and gender equality) into a single, updated scheme aimed at bringing a new focus upon equalities issues in a consistent and joined-up manner.

The Council's objective, **Building a Better Life for All**, helps to ensure that everything we do is focussed on supporting and enhancing the lives of people in Barking and Dagenham. **Building a Better Life for All** is a holistic objective and requires that the Council and its partners work together to achieve this and subsidiary objectives. We have therefore ensured that this Housing Strategy is strategically integrated with the

priorities, aims and objectives of the Barking and Dagenham Policy Framework. Examples are set out in the table below:

<b>Objective</b>	<b>Housing Contribution</b>
<b>Better Together</b>	Promoting choice and independence through housing policies. Balanced mixed tenure communities providing greater community cohesion.
<b>Better Home</b>	New family sized Council housing for rent built. Replacement of outmoded housing through estate renewal and regeneration schemes. Investment in decent homes and decent neighbourhoods.
<b>Better Health &amp; Well Being</b>	New properties built to Lifetimes Home standard, with 10% wheelchair accessible housing. Increased internal space standards and larger family homes with gardens and green space Encouraging healthier lifestyles
<b>Better Future</b>	High quality sustainable housing to meet the needs of the community. Wider range of housing types including aspirational and intermediate housing.

## Consultation

A broad cross-selection of external and internal stakeholders has been involved in the consultation process during the development of this strategy. The consultation process has played a critical role in influencing the development of the strategy and a number of recurring themes were identified. Examples of how the strategy has changed through consultation are provided in the following table:

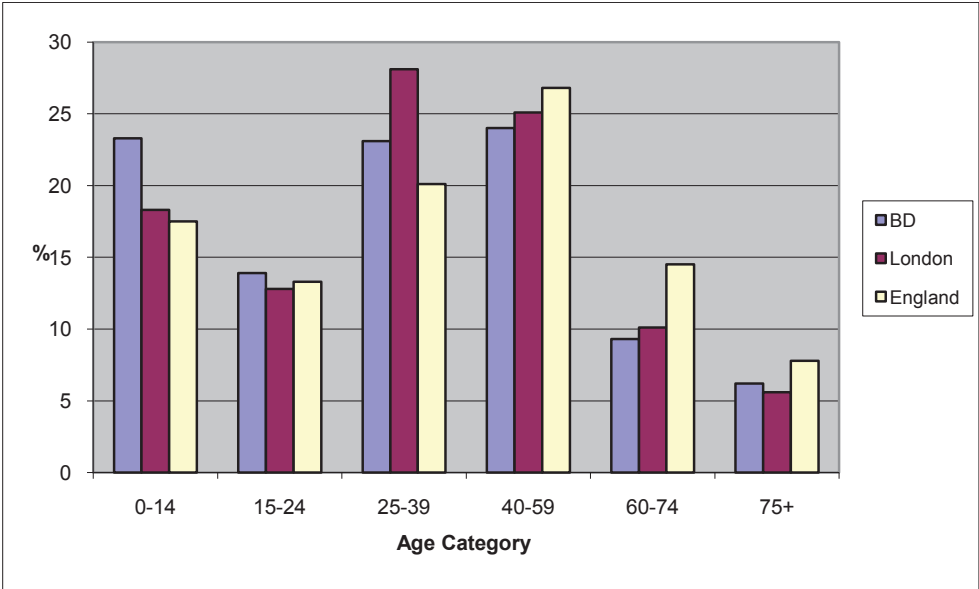
Consultation Event	Key Issues Raised	How influenced strategy
Homelessness Forum	Not enough housing. Need to tackle crime. Need to recognise the impact of housing on health and well being. Need to improve the quality and range of housing.	Key objective to increase housing supply. Targets to measure health and well-being outcomes. Targets to tackle and improve all tenures in B&D.
LD and Complex Conditions Housing Group	Not enough housing. Need to provide more support for people to live in their own homes. Need to make sure housing is accessible.	Pathway based support to help people remain in their own homes. Better information to ensure services are more accessible.

RP Forum	Need more affordable housing	Key objective to increase housing supply.
Tenants and residents	Not enough housing. Not enough affordable housing.	Key objective to increase housing supply.
Older Peoples Strategy Group	Not enough housing. Need to tackle crime.	Key objective to increase housing supply. Targets to improve community safety outcomes.

## 2. Barking and Dagenham in Context

Barking and Dagenham is located at the heart of the Thames Gateway, approximately 11 miles east of central London. The most recent figures indicate a population of approximately 176,000 (ONS mid-year estimate 2011) in 70,000 households. Primarily as a result of high birth rates, the Borough's population growth is one of the fastest growing in the country: the GLA estimates that by 2020 the borough's population will be 205,000.

At present approximately 26% of the population is aged 0-16, 62% aged 17-24 and 12% aged 65+: a higher proportion of younger and older people than the London average.



GLA population projections, 2010 Round

An important recent change has been the recent increase in the borough's population including among black and minority ethnic groups. In 1991, 6.8% (Census 1991) of the borough's population was non-white. This had risen to nearly 15% in 2001 (Census 2001) and is now estimated to be around 33% (LBBD Community Mapping 2010). Historically there has been a stable white, working class population in many parts of the borough, although in Barking there has been significant ethnic diversity since the 1960's. Increasing diversity offers very considerable opportunities but the pace of change can also pose a number of real challenges for community cohesion (which the council is working hard to address).

Barking and Dagenham has areas of high deprivation. The borough is ranked 11<sup>th</sup> of 352 authorities in the Index of Multiple Deprivation (DCLG 2007) with 14 of 17 wards in the 20% most deprived areas in England. Barking and Dagenham also has the lowest average household incomes in London. This uniform deprivation across the borough is unusual for a socio-economic profile (most profiles see deprivation concentrated in distinct neighbourhoods or areas)

The percentage of residents with no qualifications (23.2%) is almost twice the London (12%) and national (12.4%) rates. The percentage of borough residents with degree level qualifications (22.37%) is the lowest in London, almost half the rate for the capital (39.7%) (source: all annual population survey 2010). Levels of adult basic skills are very low, albeit improving. As a result of long-term development, primary and secondary pupils achieve test and examination results close to the national average on a number of measures while the rate of improvement at GCSE grades 5A\*-C since 2002 puts Barking and Dagenham above the median for all authorities. There is however a strong link between educational attainment gaps and low skill levels with earning potential and the numbers of households in poverty.

Health outcomes for residents, especially adults, are variable. Life expectancy is approximately 1.5 years lower than the UK average, although rates are improving. Rates of limiting long-term illness are also high as are teenage pregnancy rates and childhood and adult obesity. The Borough has higher than average fertility rates, with birth rates above average for women at younger ages. Data for Barking and Dagenham indicates relatively high levels of low weight births, although infant mortality rates are comparatively low (B&D JSNA 2011).

As at August 2011 a fifth (20.5%) of the working age population was on key out of work benefits compared with 15% across London. The effects of the recession continue to impact upon local people. Unfilled job vacancies have fallen by over a third since March 2008, with Job Centre Plus reporting current rates of one vacancy for every 15 Job Seeker Allowance claimants, compared with one vacancy for every 10 claimants London average and one vacancy for every 7 claimants UK average. In employment

terms, key sectors such as manufacturing and port related sectors have been in decline since the 1970s.

### **Barking and Dagenham Housing Profile**

The borough's housing stock comprises around 71,000 dwellings of which approximately 19,200 (27%) are Council rented. This is almost three times the average rate for England and Wales (10%). At 53%, private owner occupied dwellings represent a much lower proportion of the housing stock than the average for England (70%), while at 15% the private rented sector is slightly larger than the average for England (12%). Reflecting historic low rates of activity by Housing Associations in the borough, properties rented from Registered Social Landlords (RSLs) represent only 5% of the stock, which is just over half the rate in England as a whole (8%).

The Housing Strategy (2007-2010) included an objective, based on the results of the 2005 Stock Options Appraisal, to bring 16,300 rented homes in the public sector up to the Government's Decent Homes Standard by 2010 and Decent Homes Plus Standard by March 2016. Also on the basis of the Stock Options Appraisal, the Strategy contained the objectives of releasing 3,000 units for demolition and renewal under an Estates Renewal Programme together with 1,300 units (in 17 point blocks) to be redeveloped through a Private Finance Initiative (PFI) programme.

Although some £104m has been invested in improving the Borough's public housing stock over the last ten years, the amount of funding available for the improvement programme has been approximately £30m below levels originally anticipated. This has been due to:

- falling right to buy receipts;
- limited available capital receipts;
- higher than expected costs in reaching decent homes standards, and;
- higher than anticipated build cost inflation rates.

In addition the cost of reaching the 'Decent Homes' standard will rise further due to the delay in the Estates Renewal programme. The refusal to grant PFI credits to secure the redevelopment of the identified 17 point blocks brings an added pressure with the implication that 4,300 additional properties are placed within the HRA which, in turn, increases the level of investment required to meet the 'Decent Homes' standard. As a consequence, in line with good practice and in anticipation of HRA Self-Financing, the Council has completed a Stock Condition Survey to assess the investment needs of the stock and to review its strategic approach to investment to underpin a new 30-year Asset Management and Investment Strategy which will be delivered under the new HRA self-financing system.



The main findings of the new Stock Condition survey are:

- |   |         |
|---|---------|
| ▪ 30 year Decent Homes investment programme | £1.31bn |
| ▪ 30 year revenue programme                 | £ 470m  |
| ▪ Homes currently non-decent                | 33.6%   |

The **Private Sector House Condition Survey** (2009) established that 18,000, or 37.9%, of the private sector stock (owner occupied and rented) in the borough is non decent, slightly above the national average of 35.3% for equivalent tenures. The failure rate is largely driven by Category 1 Hazards – primarily in Barking and Dagenham due excess cold, falls on stairs and falling on level surfaces. Category 1 hazards are strongly associated with older properties. In Barking and Dagenham this reflects the age of private housing which has been built mainly in the period 1919-1944. It has been estimated that in order to reach the Government's minimum standard of 70% of vulnerable households being able to live in decent homes, some 1,080 non-decent private sector dwellings in LBB, occupied by vulnerable households, need to be improved to meet the minimum standard.

The borough's **Homelessness Strategy 2008-13** shows the Council's commitment to preventing homelessness and supporting those at risk of homelessness. We recognise that partnership working is critical to the successful implementation and delivery of the Strategy. We have worked closely with Government colleagues on good practice relating to homelessness prevention and housing options. Additionally, we have sought specialist advice on developing a new approach to maximising the Council's resources to assist those who are threatened with homelessness as the changes to Housing Benefit regulations have affected the availability of private sector accommodation. We are working in partnership with our colleagues in adult support services to deliver effective pathway models for customers with multiple needs to access social housing.

The review of our Homelessness Strategy reflects a fundamental rethink to our delivery of the homelessness service as a result of new challenges and population changes. However, whilst we aim to prevent homelessness and ensure that all options are considered, there continues to be considerable demand and pressure on affordable housing.

The Council has had significant success in tackling **overcrowding** in the borough through a variety of projects. In addition to funding extensions to Council houses, the Council has established the posts of two specialist housing officers designated to provide tailored advice and housing options to overcrowded and under-occupied households. Freeing up under-occupied properties is an effective way of providing larger homes into which overcrowded households can move.

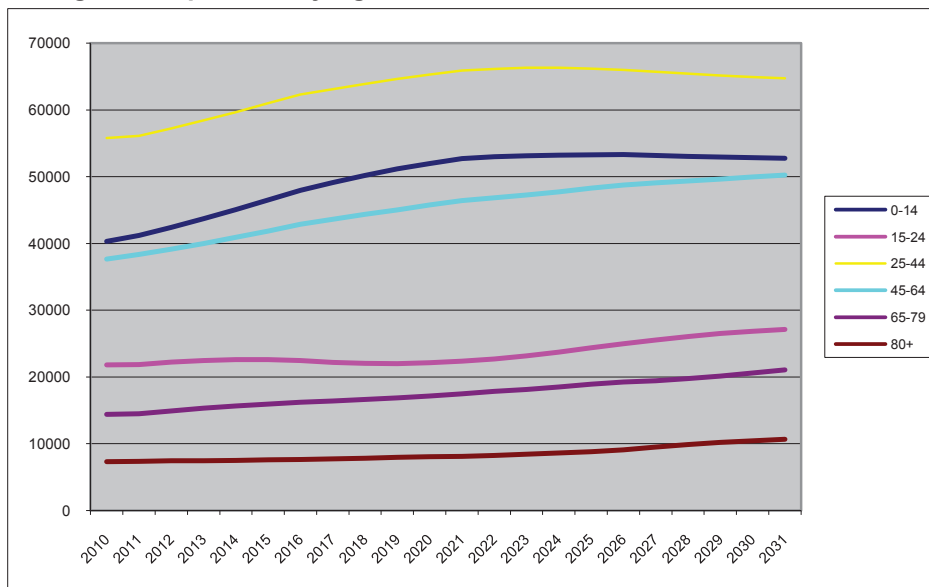
The specialist advisors are able to provide effective personalised support to assist people move home. Our experience is that this approach is key to the success for an under-occupier to move to a smaller more manageable home.

The Private Sector Housing Team has targeted Houses in Multiple Occupation (HMOs) to tackle overcrowding and the Council finances opportunities through rent deposit for overcrowded households or adults with children to re-locate. Whilst the pursuit of this range of initiatives can help (including the Seaside and Country Home scheme, mutual exchanges and ‘homeswapper’), we consider the principal route to tackling overcrowding is through securing an adequate supply of new affordable homes to alleviate housing needs arising from over-crowding.

### The Housing Market in Barking and Dagenham

Population projection figures produced by the Greater London Authority in 2010 estimate that the population of Barking and Dagenham will increase by approximately 49,000 people between 2010 and 2031, from approximately 177,000 to 227,000. This growth equates to a 28 per cent increase in population over the 21 years.

#### Changes in Population by Age Band



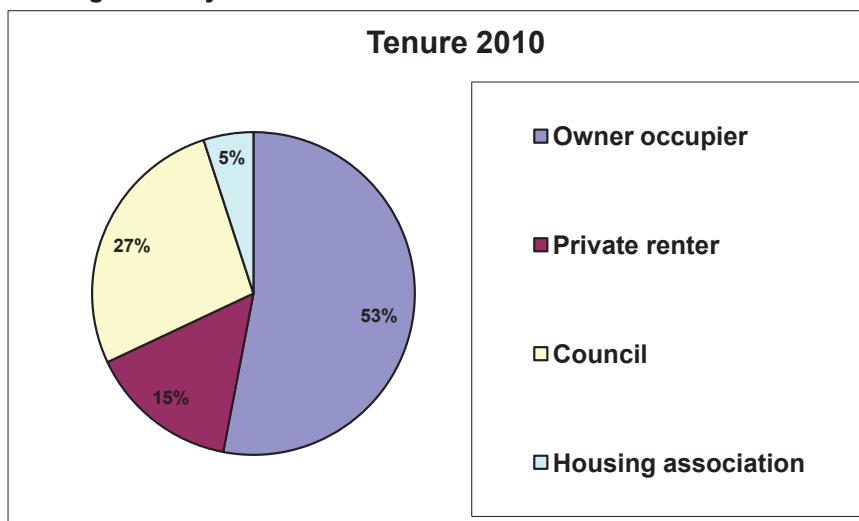
GLA 2010 Round of Demographic Projections

In the period up to 2020 the 0-14 and 25-44 age bands are expected to see the highest rates of growth.

Household numbers are also estimated to increase by 24,000, from 73,700 in 2010 to 97,700 in 2031 (GLA 2010). This represents an average of around 1,142 additional households each year. The most significant change is expected to be in the category of single person households, with a 25 per cent increase between 2010 and 2031.

Close to 27 percent of the stock in Barking and Dagenham is owned by the Council and 5 percent by housing associations. The social sector is proportionately larger than the London and England averages. Additionally there were an estimated total of 400 Houses in Multiple Occupation (HMOs) in the borough on the 1st of April 2010, which is 0.6 percent of the stock.

**Dwelling Stock by Tenure**



Source: HSSA, RSR, Ecorys estimates 2011

**Affordability**

With the average house price at £208,927 and average monthly rent for a two bedroom property at £884 per month (Land Registry HPI, July 2011), Barking and Dagenham property prices are amongst the lowest in London. Nevertheless the affordability of housing for local residents is a real challenge with the average property costing over six and a half times the average household income for the borough, £32,200 (CACI PayCheck data 2011).

The Barking and Dagenham Housing Needs Analysis 2011 indicates the scale of the problem:

### Market Entry Gross Income Requirements by Bedroom Size

	1 bed	2 bed	3 bed	4 bed
Market level entry price	£125,000	£150,000	£180,000	£250,000
15 percent deposit	£18,750	£22,500	£27,000	£37,500
Amount to be funded by mortgage	£106,250	£127,500	£153,000	£212,500
Annual gross income required (dual income)	£35,500	£42,500	£51,000	£70,800
Annual gross income required (single earners)	£26,560	£31,750	£38,250	£53,125

Source: Ecorys analysis; Ecorys Right Move survey; Money Supermarket.com 2011

It can be seen that the average Barking and Dagenham household income is below most of the annual gross incomes required at market level entry prices to home ownership.

A similar picture emerges for the private rented sector:

### Market Entry Monthly Private Rent Levels by Bedroom Size

	1 bed	2 bed	3 bed	4 bed
Market level monthly rental	725	890	1,050	1,300
Monthly gross income required:				
-Household with children	£2,420	£2,970	£3,500	£4,334
-Household without children	£2,070	£2,540	£3,000	£3,710
Annual gross income required:				
-Household with children	<b>£29,000</b>	<b>£35,600</b>	<b>£42,000</b>	<b>£52,000</b>
-Household without children	<b>£24,900</b>	<b>£30,510</b>	<b>£36,000</b>	<b>£44,570</b>

Sources: Ecorys analysis and Right Move survey 2011

The table shows that entry to the private rented sector is lower for both groups of households but again can still prove prohibitive for any property size outside the 1 bedroom group.

While it is acknowledged that information on average incomes and house prices does not necessarily provide a full assessment of affordability, the evidence in the tables

above indicate that for a majority of residents in Barking and Dagenham it is not possible to enter into owner occupation. Making substantial savings for a deposit and raising a mortgage of three times the average income falls far short of the current average property price in the borough. This situation leads to an increasing number of households who are unable to secure accommodation in Barking and Dagenham. As a result the requirements for social rented and intermediate aspirational housing are of high priority for Barking and Dagenham.

## Housing Need

Barking and Dagenham has seen a steep rise in the number of households on the Council’s Housing Need Register (HNR), the “waiting list” for housing, from 2,157 in 2001 to over 12,000 in 2011. We know however that the HNR should be treated with caution as an indicator of housing need. Many people on the HNR do not have a priority need required by both the law and the Council’s housing allocation policy (source: 2008 HNR Survey). For example, a proportion of people on the HNR are not living in temporary or overcrowded accommodation or living in a property with serious disrepair. As a Council, we will therefore need to undertake a full review of the HNR in conjunction with the development of the review of our housing allocations policy.

However, the HNR cannot be assessed in isolation. The 2008 HNR Survey indicated that while many of those on the register do not have a priority housing need, the majority had household incomes below £20,000 per annum, meaning they could not easily afford either home ownership or renting in the private sector. The indication of demand for affordable housing in Barking and Dagenham, highlighted by the HNR, is therefore considerable.

The Barking and Dagenham Housing Needs Survey 2011 further identifies a clear need for new affordable housing. The survey states that an additional 1,333 affordable homes will be needed every year for the next five years:

### Need and supply: all affordable housing

	1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Total
Total Need	354	674	1,180	295	2,503
Total Supply	381	491	285	13	1,170
Shortfall	-27	183	895	282	1,333
Supply: need ratio	1:0.9	1:1.4	1:4.1	1:22.7	1:2.1

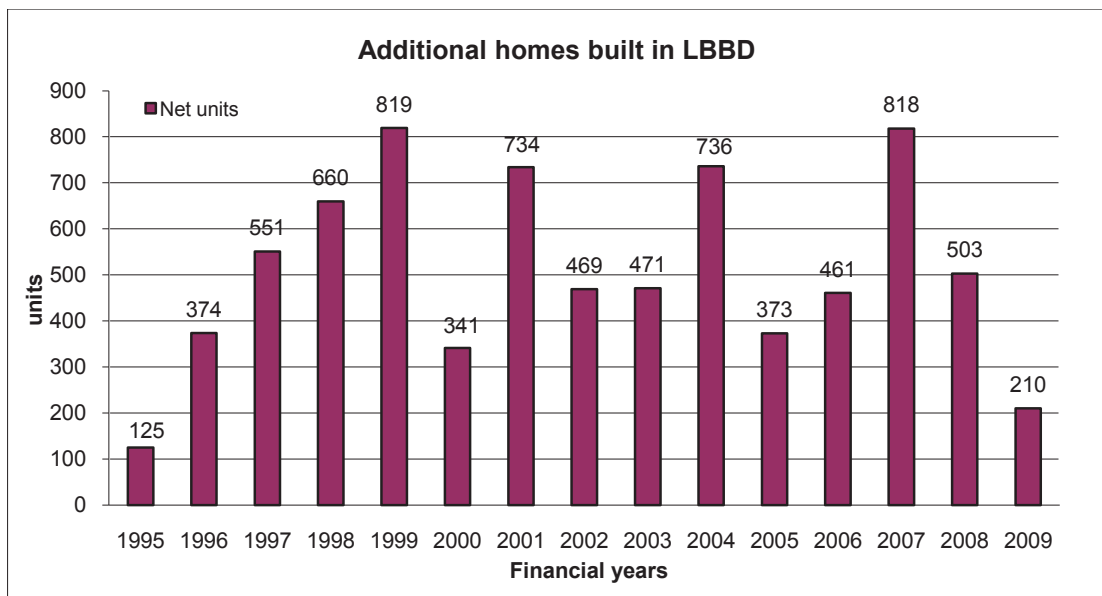
Source: Ecorys Analysis 2011

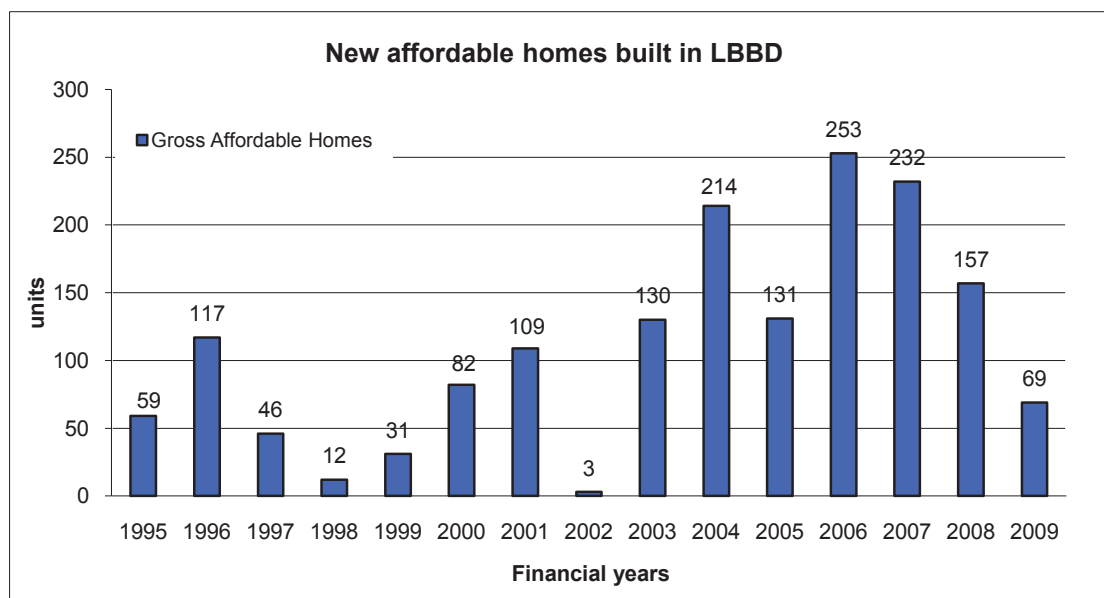
The survey indicates a priority need for family-sized affordable housing, three and four bedroom properties, including social and intermediate housing. Evidence forming the basis for the components of housing need in the survey indicates that overcrowding was the biggest factor forming the housing needs of 'unsuitably housed' households.

## Housing Supply

The current turnaround of existing social rented homes is restricted mainly as a result of a higher number of one and two bedroom properties being available for letting. Larger family sized accommodation becomes available for letting at disproportionately lower levels. Additionally a proportion of the stock is continually reserved for use as decants.

The graphs below illustrate the numbers of new and new affordable housing delivered since 1995.





The graph indicates that over the period since 1995 the numbers of new affordable housing units produced have generally increased. Since the credit crunch of 2008 however the trend has become downward. In any case the stark message is that even at peak production levels the need for new affordable housing in Barking and Dagenham has always outstripped supply.

## LBBD Housing Strategy 2012 -2017

The housing objectives of the Barking and Dagenham Housing Strategy 2012 – 2017 are developed from an independent evidence base and through consultation with the local community. They also mirror the priorities set out at the national and regional level, particularly the London Housing Strategy 2011 Update. Fundamentally the objectives set out to tackle the key issues rising out of the circumstances specific to Barking and Dagenham:

- A rapidly growing and changing population
- A high demand for housing
- A generation of potential first time buyers unable to enter into home ownership
- High development and regeneration costs
- A high “affordability” gap – rapidly rising house prices and private sector rents
- Requirements for investment in both the social and the private sector housing stock

- Rising energy costs and significant pockets of fuel poverty

The remainder of this document sets out the Barking and Dagenham Housing Strategy under four key objectives. The final part of the document provides the implementation plan for delivering the strategy. The objectives are:

**Objective 1: Delivering social and economic regeneration through building high quality homes and thriving communities**

**Objective 2: Investing in new council homes and establishing new ways to deliver affordable housing**

**Objective 3: Good quality services**

**Objective 4: Sustainable communities**

## **Objective 1: Delivering social and economic regeneration through building high quality homes and thriving communities**

### **Outcome Measures:**

- 1. New Homes leading to better health, employment, training and skill levels and community safety**
- 2. Achieving a resident satisfaction rating in new developments and regeneration sites of 90%**

### **Key Objectives**

- **Estate renewal programme to have demolished 1,790 non-decent homes and provide 1,225 quality new dwellings of mixed tenures**
- **Delivery of 1,112 new affordable homes by 2015**
- **Develop a Decent Homes Plus Standard**

### **1 Context of Regeneration**

The Regeneration Strategy 2008-2013 underpins objectives for creating an attractive, sustainable borough which promotes pride, a sense of belonging, increases prosperity with social mobility and improves the quality of life for all people in our community.

By working with public, private and voluntary sector stakeholders that ambition is being realized through plans for estate renewal, the development of new homes across



different tenures and by raising the decency and quality of existing stock through our asset management strategy and the new Barking and Dagenham housing investment regime. The borough is striving to improve the social and economic mobility of our residents and creating a sense of place-making and aspiration which encourages a new generation of residents to make Barking and Dagenham a borough of choice.

Housing renewal is an integral part of the borough's regeneration. Barking and Dagenham is an identified Thames Gateway Growth Zone expected to deliver 15,000 new homes in the next 10 years with Barking Riverside and South Dagenham designated as Opportunity Areas in the London Plan. Barking Town Centre alone has become a centre for residential and urban revival and estate renewal schemes across swathes of the borough will eliminate non-decent dwellings and deliver quality homes for existing and new residents alike.

The development of new transport hubs like the East London Transit route through Barking Town Centre will eventually be coupled with further key transport infrastructure initiatives, including the extension of the Docklands Light Railway, the redesign of Barking station forecourt and the upgrading of the A13 and Renwick Road.

The shaping of Dagenham Dock's Sustainable Industries Park, the successful Local Enterprise Growth Initiative, the development of the Creative Industries Quarter in Barking and the potential leverage of Outer London Fund investment to refresh smaller shopping parades across the borough also seek to stimulate employment prospects and underpin the economic development of the area.

The regeneration of the borough also provides an opportunity to create new housing markets for the increasing number of low-to-middle income households struggling to move into home ownership or being unable to access social housing. Changes in housing tenure and the growth in the private rental sector means that new supply must account for the needs of a 'Generation Rent' market, especially in the council's affordable rent model, if that sense of belonging, place-making and social mobility is to be realised.

### **1.1 New Housing Supply**

The borough is estimated to have the capacity to provide 24,000 new homes over the next 15 years and under the Draft London Plan, Barking and Dagenham has already been set the target of building 15,100 by 2021. The borough is expected to make sure that 40% of those homes delivered should be affordable housing, splitting in tenure with 60% at market rent level, 24% at social rent and 16% intermediate.

The Strategic Housing Market Assessment and Housing Needs Survey 2011 highlighted the fact that Barking and Dagenham's housing market faces challenging and

uncertain times. Even though the borough has some of the lowest house prices, land values and private rent levels in the capital, residents are still struggling to access the market.

Household incomes remain low in the borough. The proportion of economically inactive people has been rising at a faster rate than London and England averages, placing acute pressure on housing affordability. In Barking and Dagenham 9,552 households are considered to be in housing need and are unable to access suitable market housing without some assistance and this is expected to grow by almost 600 a year.

The Regeneration Strategy and estate renewal programme aim to deliver new homes to alleviate that need. For this to be realised completely over the next five years, the Council and its development partners would have to build around 2,500 units per year to clear the existing back-log of need plus the new need arising each year. In particular family-sized accommodation around three-bedroom and four-bedroom dwellings will be required to satisfy the growing demographic projections.

Capacity for the next fifteen years is focused in the two Key Regeneration Areas of Barking Town Centre and Barking Riverside which form part of the London Riverside Opportunity Area. Currently significant capacity is being delivered outside this area at the Lymington Fields and University of East London sites.

Barking Riverside provides the opportunity to create a major new community in the borough with 10,800 homes, new schools and all the facilities of a thriving town. Whilst 41% of the accommodation is planned to be affordable, the majority of the private market housing will be priced so that it is accessible for working families at or around the median income for London. Importantly it is a unique site for London in terms of the scale of the family sized housing it will contain – 30% of homes will be three bedrooms or larger.

There are also a number of opportunities in Barking Town Centre at various stages of planning including the Freshwharf Estate, Abbey Retail Park, Cambridge Road and Cultural Industry Quarter sites which have a combined capacity of 2000 new homes. Barking Riverside has outline consent for 10,800 new homes, and within this detailed consent for 3250 new homes. The first homes are due to be completed in January 2012 with 350 built by 2014, the George Carey Primary School opened September 2011.

The Government has introduced a New Homes Bonus to incentivise delivery of new homes. This allocates £7500 to each additional home built in the borough and an extra £2100 for every new affordable home. Separately the Mayor of London and the Council now have the option of introducing a Community Infrastructure Levy (CIL). The Mayor's CIL will be introduced on April 1 2012, the Council's CIL is the subject of a separate

report and if implemented would come in 2013. Initial work on the Council's CIL has demonstrated that there is limited value to extract from new housing due to poor viability and this is compounded by the fact that grant to deliver new affordable housing via Section 106 is now more limited. This work has served to demonstrate that whilst the New Homes Bonus is a welcome additional income source it will not in itself address the underlying viability issues which cause the mismatch between capacity and delivery. Therefore the Council will look at other innovative ways of delivering new housing such as institutional investment and asset backed special purpose vehicles.

### 1.1.2 Major regeneration sites

Coupled to the estate renewal programme have been long-term development plans on large-scale regeneration sites including the construction of Barking Riverside which will be similar in size to legacy housing scheme planned for the Olympic Park and surrounding areas of Stratford.

Increased delivery is expected at University of East London's Academy Central site and Barking Riverside, the next phases of Lymington Fields coming on stream, delivery of Phase 1 of the Creative and Cultural Industries Quarters and the building out of Phase 2 of the William Street Quarter on the former Lintons site and the East End of Thames View.

Scheme	Site Planning	Regeneration objective
<b>UEL Academy Central</b>	<ul style="list-style-type: none"> <li>• 1,042 new homes</li> <li>• New primary school</li> <li>• Combined heat and power energy centre and green roofs</li> </ul>	<ul style="list-style-type: none"> <li>• Diversified tenure</li> <li>• Helping support a greener, low carbon borough</li> <li>• Promoting higher educational attainment</li> </ul>
<b>Lymington Fields</b>	<ul style="list-style-type: none"> <li>• Phase 1 comprising 319 new homes</li> <li>• Phase 2 planning application comprising 602 new dwellings</li> <li>• Community facilities and new access to Whalebone Lane South</li> </ul>	<ul style="list-style-type: none"> <li>• Offering diversified tenure on 12.9 acres of land</li> <li>• Improved road and transport links</li> </ul>

### **Barking Riverside**

- 10,800 new homes
- Community facilities, three primary schools, one secondary school, place of worship, office space, retail and outdoor and leisure facilities
- Four stages of development, stage 1 underway now
- Increased transport to the area in form of East London Transit and proposed DLR expansion
- All homes to minimum of Code Level 4 with green roofs and built to high quality
- Provide a high number of new homes in the borough at different tenures
- First stage ensures 41% affordable homes
- Houses delivered at the same time as community facilities and schools

Although plans for the major regeneration sites, which were master-planned during a different economic climate have suffered from the impact of recession and the fragile recovery, the ambition remains that the diversity of tenure in these schemes will bring wider vitality to Barking and Dagenham and increasing spending power in the borough's retail areas.

#### **1.1.3 Space Standards**

A key objective of the Council is that homes are developed to larger internal space standards. For example, a recent development in Barking Town Centre included one bedroom apartments at a size of 42 sq m. The first developments in our Barking Town Centre regeneration programme have one bedroom apartments sized at 51 sq m. Our approach is aimed at achieving a better space standard for family sized accommodation which promotes basic activities such as allowing families enough space to eat together as well as additional benefits such as providing space which can be allocated, for example, as an area for children to undertake homework.

#### **1.2 Estate Renewal**

In recent years the Council has completed a raft of regeneration schemes identified under the 2003 Housing Futures appraisal and has begun the task of demolishing a

further 1,790 flats which are non-decent and uneconomic to refurbish. The demolition has allowed for the delivery of affordable and council-owned housing developments as well as supporting the diversification of tenure in places like Barking Town Centre, which have traditionally been dominated by high levels of social housing:

<b>Previous scheme</b>	<b>Site planning</b>	<b>Regeneration objectives</b>
<b>Tanner Street, Barking</b>	<ul style="list-style-type: none"> <li>• Demolition of the Clevelands, Bloomfields and Wakerings blocks</li> <li>• 165 mixed tenure homes of 1 and 2 bed flats and 4 bed houses</li> </ul>	<ul style="list-style-type: none"> <li>• Removal of blighted and non-decent homes</li> <li>• High quality new accommodation including family-sized homes</li> </ul>
<b>Axe Street, Barking</b>	<ul style="list-style-type: none"> <li>• 93 social rent, intermediate rent and shared ownership homes</li> <li>• Green roof communal top terrace flats</li> </ul>	<ul style="list-style-type: none"> <li>• Helping support a greener, low carbon borough</li> <li>• Diversified tenure</li> </ul>
<b>The Foyer, Barking</b>	<ul style="list-style-type: none"> <li>• 112 flats offering accommodation, training and skills support for 16-25 year olds encouraging independent living</li> </ul>	<ul style="list-style-type: none"> <li>• Encourage higher educational attainment</li> <li>• Higher skill levels and employment</li> <li>• Supported people and appropriate housing</li> </ul>
<b>Cadiz Court, Dagenham East</b>	<ul style="list-style-type: none"> <li>• 54 mixed use flats and houses</li> <li>• EcoHome design</li> </ul>	<ul style="list-style-type: none"> <li>• Low carbon borough</li> <li>• Diversified tenure</li> </ul>

A number of long-standing estate renewal schemes have been revised and planned for in the Council's Housing Asset Management Strategy and Housing Revenue Account Business Plan which will drive the delivery of decent homes. The Council resolved in July 2010 to establish an estate renewal financing stream funded through external grants, the reallocation of monies, capital receipts from targeted land disposals and Right to Buy sales to fuel regeneration.

Master-planning, acquisition and development at the East End of Thames View and Phase 2 William Street Quarter are part of a wider urban repair programme. Barking and Dagenham Council has created an innovative joint venture delivery model with the

Build Schools for Future Local Education Partnership (BSF LEP) to capitalize maximum investment for regeneration, new schools and housing delivery in these areas and continues to review alternative delivery models.

<b>Scheme</b>	<b>Site planning</b>	<b>Regeneration objectives</b>
<b>William Street Quarter</b>	<ul style="list-style-type: none"> <li>• 31 new Council-owned, council-rented homes</li> <li>• New Barking Business Centre</li> <li>• 200 new homes in Phase 2, 100% affordable with 20% at 'social' rent levels</li> </ul>	<ul style="list-style-type: none"> <li>• Offering new affordable homes for those excluded from the private market at a range of rent levels</li> <li>• Close to transport hubs</li> <li>• Replacement of non-decent housing and The Lintons with quality new homes</li> </ul>
<b>East End Thames View</b>	<ul style="list-style-type: none"> <li>• 4 tower blocks of 280 non-decent flats demolished</li> <li>• 274 new quality homes planned</li> <li>• Improvements to the Renwick Road</li> <li>• 100% affordable rent with 20% at social rent level</li> </ul>	<ul style="list-style-type: none"> <li>• Improved road and transport links</li> <li>• Gateway estate to Barking Riverside estate</li> <li>• Removal of non-decent homes and tower blocks</li> <li>• Offering new affordable homes for those excluded from the private market at a range of rent levels</li> </ul>

During 2010/2011, the Council agreed the allocation of a provisional £23m of capital funding to enable progress to be made on further estate renewal, covering the costs of decanting tenants, buying back leasehold interests, compensation and demolition on 364 high-rise and medium rise units on the Gascoigne estate; 215 medium rise dwellings on the Leys estate and 283 high-rise blocks in Goresbrook Village. The Council has now agreed to procure appropriate development partners for these sites and demolish the remaining buildings by 2014 to be replaced with a mix of private for sale and social rent homes with the socially rented units being delivered as council homes on Goresbrook and Leys and a more balanced mix across Gascoigne.

<b>Proposed site</b>	<b>Site planning</b>	<b>Regeneration objectives</b>
<b>Gascoigne East</b>	<ul style="list-style-type: none"> <li>• 1,298 flats planned</li> </ul>	<ul style="list-style-type: none"> <li>• Diversifying tenure to</li> </ul>

	<ul style="list-style-type: none"> <li>for demolition</li> <li>Phase 1 expected to demolish 364 homes</li> <li>1/3 social rent, 1/3 intermediate rent and 1/3 for sale</li> </ul>	<p>improve the social and economic regeneration of the estate</p> <ul style="list-style-type: none"> <li>Providing up to 400 new homes under Phase 1</li> </ul>
<b>Goresbrook Village</b>	<ul style="list-style-type: none"> <li>280 flats to be demolished</li> <li>Long-term plans for A13 bridge improvements by Transport for London</li> <li>Minimum 20% social rent with mix of tenure</li> </ul>	<ul style="list-style-type: none"> <li>Remove poor quality tower blocks with history of anti-social behaviour issues</li> <li>Provide 150+ new homes with mix of flats and family homes</li> <li>Improve outdoor space and community facilities for residents</li> </ul>
<b>Leys estate</b>	<ul style="list-style-type: none"> <li>215 flats to be demolished</li> <li>200 new homes with 60% affordable and 40% for sale</li> </ul>	<ul style="list-style-type: none"> <li>Remove poor quality low-rise blocks</li> </ul>

### 1.3 Delivering Decent Homes

#### Ensuring quality accommodation in the Council's existing stock

Ensuring homes provide decent quality accommodation is the second central theme of the Council's housing renewal objectives and the borough seeks to roll out the Government's Decent Homes Standard across its own stock as part of the revised 30-year Housing Asset Management Strategy.

From the 1<sup>st</sup> April 2012 the Council's housing investment programme, including decent homes, will be funded within a ring-fenced HRA Business Plan under the Government's new financial arrangements for Council housing.

Although the Government's 2010 timeline for the Decent Homes Standards to be met has been relaxed, the Council is keen to ensure that the four detailed criteria of the standard are delivered as a minimum to all Council housing:

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## **Decent Homes Standard**

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- **Property should meet the current statutory minimum standard for housing**
- **Be in a reasonable state of repair**
- **Have reasonably modern facilities and services**
- **Provides a reasonable degree of thermal comfort**

The Council's Stock Condition Survey 2011 highlighted the extent of the disrepair problem when it analysed the continued investment needs of cyclical, void and responsive maintenance in our stock and found that:

- 33.6% of stock is non-decent – this equates to 6,460 council dwellings
- £1.3 billion needs to be invested into stock over the next 30 years
- There is a need for significant short-term investment such as new kitchens and bathrooms

Currently there exists a £2.9 million backlog of catch-up repairs to bring elements up to a reasonable standard. The Council bid for £65 million to help address the extent of non-decent housing over the next eight years but was awarded only £42 million leaving Barking and Dagenham with a £57 million funding shortfall in the initial years of the new HRA self-financing regime.

The new HRA self-financing regime will mean that Barking and Dagenham will have to pay the Government a proportion of the nation's combined notional housing debt by borrowing £277.6 million. In the initial years of the new HRA system the funding available within the HRA will constrain the delivery of the Decent Homes standard but will ultimately allow the Council to invest extra resources in maintaining its stock by retaining all of its rental income in time.

In light of these challenges the borough seeks to mitigate the initial years' problems by:

- Developing efficient procurement solutions with our contractors and other external partners;
- Structuring HRA borrowing to maximise HRA investment resources ;
- Investment plan re-profiling in line with projected investment resources;
- Using greater leverage of CERT and CESP funding streams to deliver the thermal comfort element of the programme.

The Housing Asset Management Strategy and HRA Business Plan will detail a 30 year investment programme, targeting resources over an initial 10 year period so that the Decent Homes backlog is cleared by 2020. This will be done in conjunction with an



estate renewal programme and new build affordable housing programme which will redevelop some of the borough's most uneconomic stock and increase the HRA's asset base and are fundamental elements in addressing the investment needs of the stock. Working in consultation with the new tenant engagement framework, the Council also has the ambition to develop a far-reaching Decent Homes Plus Standard which will seek to renew all major building elements and once renewed, maintain them according to a life-cycle renewal programme. A key element of this programme will be improving fuel efficiency in our homes to increasing the disposable income of our residents and reducing our carbon footprint.

Part of the Council's current Housing Capital Investment Programme for 2011/2012 includes the following works contributing to the delivery of decent homes:

<b>HCIP Project</b>	<b>Budget (£)</b>
<b>External enveloping and fire proofing</b>	<b>2,528,000</b>
<b>Central heating installation</b>	<b>2,150,000</b>
<b>Kitchen replacements</b>	<b>1,575,000</b>
<b>Bathroom replacements</b>	<b>500,000</b>
	<b>6,753,000</b>

## **Objective 2: Investing in new council homes and establish new ways to deliver affordable housing**

### **Outcome Measures:**

- 1. New Council Homes and investment in the Council's housing stock leading to better health, employment, training and skill levels and community safety**
- 2. Achieving a resident satisfaction rating in existing Council homes and new built Council homes of 90%**

### **Key Objectives**

- Implementation of the Council's HRA Business Plan**
- Implement a £1.3 billion investment programme to refurbish Council homes**
- Delivering new-build Council homes**

The provision of good quality housing underpins the achievement of the Council's Priorities. It is therefore important that the borough has - operating exclusively within its boundaries - an effective, flexible and efficiently run housing organisation which is able to meet the evolving housing aspirations and needs of residents and their families. The provision of quality affordable housing is essential to delivering the Council's long term objectives of a creating a safe, healthy and prosperous borough.

From next April the Council will:

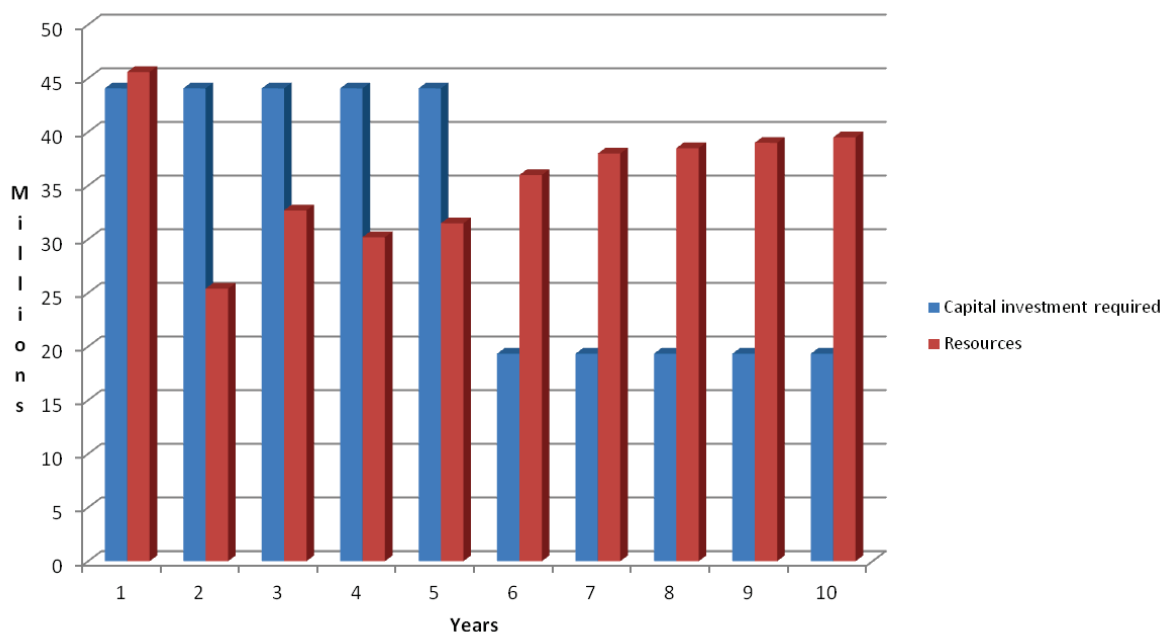
- operate a fully funded 30 year housing business plan with a 30 year turnover of approximately £3.9 billion for the existing stock
- plan long-term to provide cost effective housing management services
- embark on a £1.3 billion investment programme to refurbish council housing
- deliver a substantial estate regeneration programme
- generate a new-build affordable Council housing programme with our development partners
- provide a wider range of intermediate tenures by being able to operate the HCAs new affordable rent model and access grant for new homes

The Housing Revenue Account (HRA) Business Plan (published separately – insert web link) sets out the route to enable the council to develop a housing business that is able to enhance the services it offers together with wider housing tenure options that better meet the needs of local people within the context of changing market conditions at the local, sub-regional and regional level. The borough's housing landlord and housing asset investment undertakings will be delivered through a ring-fenced business unit within the Council.

## **2.1 Resources and Affordability**

The table below sets out the Council's capital investment required for the next 10 years.

## Capital Investment V's Resources Over 10 years



### ***Capital investment required for retained stock 2012 – 2022***

As can be seen from the above graph there are sufficient resources to meet the investment needs of the retained stock over the first 10 years of the HAMS. However due to the need to invest heavily in the stock over the first five years there is a mismatch in the available resources in the first five years – as the investment need in the stock exceeds available resources in the first five years. This means there is a need to “balance” the investment need to the available resources over the next 10 years. In essence approximately £55m will need to be deferred to years 6-10.

## **2.2 Building more Council homes**

One of the key priorities for the Council is the supply of more new Council homes. In the last two years the Council has built 144 new Council homes – the first in thirty years. These new dwellings are award winning, high quality and family sized homes at affordable social rents. The council has secured grant to build more council homes in our development schemes at two estates in the borough, the Leys Estate and Goresbrook Village. Additionally we will use surpluses generated by our HRA Business Plan to build more new Council homes. Our HRA Business Plan sets out the full detail.

## **2.3 Delivery vehicles for new supply, affordable rent and widening housing choice**

Given the financial burdens in delivering new mixed tenure housing schemes on new and existing estate renewal sites the Council continues to explore project finance-based solutions like the BSF LEP joint venture to attract private sector investment to meet the housing challenges of the future. The Council as a public sector landowner and through its ability to offer rental guarantees has been able to attract private investment to build new properties for people on council waiting lists as well as for those unable to access social housing or home ownership. This is one of a range of models being explored to encourage innovative affordable housing investment in new housing delivery. The development models for such sites are likely to vary, including a combination private sale mixed with new affordable rent tenures.

Development of such models is considered essential to bring forward our redevelopment programme under the current adverse market conditions and can be adapted to a range of development sites with different development characteristics. Several sites have been through several years of decanting, leasehold buy-backs, demolition, master planning and failed attempts to secure development constrained by adverse market conditions and low land values. In their vacant states, none are currently contributing to increasing the vitality of the local economy. Fundamentally, redevelopment will help raise land values in the area thereby enabling further regeneration and private sector funded development.

As well as focusing on the provision of new social rented homes to satisfy priority cases on the Council's waiting lists, the Council is determined to support its regeneration objectives by delivering homes for households with different economic circumstances who may not be able to access social housing or home ownership but who are in employment and who may have changing tenure needs over the next few years.

The new Affordable Rent product will allow this growing, intermediate constituency of residents to access assured short-hold tenancies, of up to 5 years, over a range of homes with a mix of rents between 65% and 80% of the market rate. This will create mixed tenure estates and communities, giving access to those previously excluded from cheaper housing options as well as providing future investment for new-build properties as part of the emerging regeneration of Barking and Dagenham. Phase 2 of the William Street Quarter and the East End Thames View developments will in part pilot the product.

### **Objective 3: Good Quality Services**

The provision of high quality and value for money services is one of the key objectives of the Council. The Council aims to provide professional management of homes across all tenures. Services are also required that are responsive to the changing needs of a

diverse community. In this respect “Locality Management” will form a key element of our approach to how we provide housing landlord and environmental services in the years to come. Our performance standards are high and it is therefore encouraging to report that we are improving across the board on all our performance indicators.

#### **Outcome Measures:**

- 1. Tenant and leaseholder satisfaction rating at 90%**
- 2. Improved visual estate and street scene environment**
- 3. Improved standards and quality of life leading to better health, employment and community safety in Council and rented private sector housing**

#### **Key Objectives**

- **Development of LBBB Tenancy Strategy**
- **Implement Localities Model across Barking and Dagenham**
- **Commissioning new repairs and maintenance arrangements**
- **Achieving top-quartile rent performance by 2013**
- **Continued programme of anti-tenancy fraud**
- **Tackling anti-social behaviour**
- **Improving services for leaseholders**

#### **LBBB Tenancy Strategy**

The Localism Act places a duty on a local housing authority to publish a Tenancy Strategy. The Tenancy Strategy is required to set out the policies for individual social landlords on the granting of tenancies relating to:

- The type of tenancies granted;
- The circumstances in which we will grant a tenancy of a particular kind;
- The lengths of tenancy term;
- The circumstances in which a further tenancy is granted on the ending of an existing one.

The strategy must be published within 12 months of the enactment of the Localism Bill: the Barking and Dagenham Tenancy Strategy will therefore be published by November 2012. We will begin consultation with Housing Associations, other social landlords, tenants, voluntary and community associations in early 2012 as we initiate the development of the Tenancy Strategy.

### 3.1 Locality Management

Locality Management is a concept that aims to improve service standards as well as customer experience by joining landlord services with teams from the Council's Environmental and Enforcement (E&E) division to form one intensive management team in identified areas.

Locality management aims to secure improved resident involvement, and empower residents to take a more active role in their communities and to take greater control and responsibility for their home and environment. This involves a range of interventions including monitoring and reporting, developing service standards, co-design of services, active engagement (through a range of routes), as well as wider community development.

It also serves to improve community cohesion, to deliver joined up services, by so doing identify savings, reduce costs, and work in a more effective and efficient way, to co-design service delivery and outcomes with residents at the heart of it and to make the locality a cleaner, safer place, where residents want to live, work and play.

The Locality projects brings together the services and key partners in the area, making them work and collaborate better, so as to share resources and vision that will deliver a common purpose or outcome which will be beneficial to the locality. The Locality pilot aims to deliver the following outcomes:

- Increased satisfaction of residents with the locality
- Co design of solutions to issues in the area between services and residents
- Ongoing community group activity that draws local people together to take pride and ownership of the place where they live
- Improved model that can be used to roll out across the borough
- 20% efficiency savings on current cost of services delivered

Proposals are now being developed to enable the roll out of the locality model across the borough. These will involve restructuring services across the Housing and Neighbourhoods and Environmental and Enforcement Divisions Services. A full detail on the roll out of the localities will be provided in the Housing Strategy update in 2013.

Barking and Dagenham Council has already run two locality pilot schemes across the Abbey and Heath wards. Locality managers are seen as a positive resource in their areas and locality management is seen as successful by residents and elected members. There is greater joint working to solve problems and a flexibility to target resources where problems have been identified. Street cleaners, grounds maintenance and caretakers are also working closely together to target priority areas.

In terms of engagement with the community, surveys were carried out in partnership with the Tenant Participation team (TP) to establish key priorities. The priorities for the localities, including overall satisfaction levels for both areas is as follows:

#### Abbey Locality

- Anti Social Behaviour
- Repairs (Enterprise contract)
- Internal Cleanliness i.e. Caretaking
- Overall satisfaction 60%

#### Heath Locality

- Anti Social Behaviour
- Repairs (Enterprise Contract)
- External Cleanliness i.e. Refuse collection
- Overall satisfaction - 66%

Work is underway to set service standards and provide local offers on caretaking, grounds maintenance and to include refuse. Roles and responsibilities of the council are to be included as well as resident's own responsibilities and details on the frequency of service to be provided.

### **3.2 Landlord Services**

The Council is the biggest landlord in Barking and Dagenham. It provides landlord and related services to around 23,000 tenants and leaseholders. Council properties are dispersed across the borough in estates as well as street properties. The stock is characterised by large numbers of houses built before 1945 and medium rise flats built between 1945 and 1974. The core focus of the Landlord Service is to provide a good quality housing management service including:

- Pre-tenancy visits and helping tenants settle in to their new homes;
- Dealing with transfers, mutual exchanges and changes in tenancy;
- Tackling antisocial behaviour, harassment and domestic violence;
- Providing caretaking, cleaning, grounds maintenance and parking enforcement services;
- Ensuring that properties are repaired and maintained and that empty properties are speedily re-let;
- Addressing health and safety issues on estates, particularly fire safety;
- Providing security and improvements to estates;

- Ensuring tenants and leaseholders have the opportunity to participate, engage and be involved in management decisions about their homes.

Customers are able to contact the service via the Barking and Dagenham Contact Centre, a single one stop shop point of contact. Additionally tenants and leaseholders are able to view accounts on-line, undertake transactions and access a wide range of self-service information.

The Landlord Service has developed a detailed service improvement plan and, subsequently, has made significant progress in improving the provision of its services to residents. We have benchmarked our services against top quartile performers and subsequently share and adapt good practice. We have also re-launched our Tenant and Resident Involvement Team, ensuring that work to improve our services is integral to consultation with tenants.

In addition to improved performance, the Council achieved a number of key successes in the last two years:

- 144 new council homes have been built
- £16 million worth of investment has been put into the Harts Lane Estate
- Over 200 secure door entry systems have been installed across the borough
- Three additional police officers dedicated solely to the Gascoigne Estate (funded by the Gascoigne Estate residents) have been recruited
- Tenancy audit successes
- Clean up and engagement days
- Anti Social Behaviour action
- Tenant profiling

Our greatest challenge over the next five years is financial challenge: namely how the new HRA self-financing regime will secure the funding needed to improve the Borough's housing stock. In the short-term our priorities for the coming two years are:

- Reorganisation of Landlord Services to a locality management structure
- Improving our satisfaction rating
- Raising resident expectations
- Agreeing housing standards with residents (including performance management and quality assurance)
- Updating operational policies and procedures
- Further development of ICT
- New arrangements for repairs and maintenance



- Continuing a programme of tenancy audit and tackling tenancy fraud

There are high levels of worklessness concentrated on some of the Council's estates; the service will consider how it can best contribute to the overall task for the Council to tackle unemployment, increase skills levels and household incomes.

### 3.3 Repairs and Maintenance Contract - LBBB / Enterprise

The repairs and maintenance service is responsible for day to day repairs to the council's housing stock. The service is high profile and operates within an environment of high demand. The operational delivery of this service is carried out by Enterprise AOL Ltd, a strategic partner to the council. The contract is for a period of 10 years from 1 May 2003. The contract was procured on the basis of partnering principles with an operating budget of circa £17 million per year.

Enterprise took over the contract for provision of the repairs service in September 2007 when they bought the Accord Group and acquired all of the going concern contracts.

Key facts:

	Thames Accord 07/08	Enterprise 09/10 Up to 30/09/09	Enterprise 10/11	Enterprise 11/12 Up to 30/09/2011
Performance:				
Right to repairs completed on time	95%	99.24%	98.41%	98.43%
Average days to complete non urgent repairs	8.72	11.87	6.63	7.70
Average turnaround times for minor voids	28	29	15	15
Gas safety-valid CP12's	92%	95%	99.86%	99.13%
Customer Satisfaction	93%	94%	95.8%	99.0%
Revenue	£20,399,859	£20,560,000	£19,500,000	£17,000,000
Capital	£5,014,511	£2,500,000	£2,500,000	£1,000,000
		On budget	underspent	On budget

### **3.3.1 Improvements introduced to the Repairs Service to date include:**

- New IT system for work programming with further enhancements after Capita Housing implementation.
- Call centre operation transferred to Enterprise national call centre for all calls including out of hours calls, increasing number of agents available for repair requests
- Increased performance management and interventions
- Enterprise Foundation supporting young people in LBBB getting into work.
- Annual intake of new apprentices.

### **3.3.2 Future**

Our repairs contract is due to expire on the 30<sup>th</sup> April 2013. We are currently consulting with tenants and leaseholders as to the next steps to support increased performance.

Although the current contract is due to expire in April 2013 there are still improvements being made to ensure that the contract:

- Fulfils landlord obligations to provide housing that provides protection from the elements of the weather; that services supplying water, heating and power are working satisfactorily and that functionality of the home is appropriate.
- Ensures value for money is obtained from the service provider in maintaining the properties to the standards specified.
- Fully complies with the legal requirements for safety checks of gas appliances within council owned properties.
- Achieves high and improving customer satisfaction from service users.

Real action has and is still ongoing in tackling the core issues around financial management, performance, quality and customer care. Additional expertise has been introduced with a clear focus on the outcomes needed to obtain an excellent service.

## **3.4 Housing Rent Service**

The LBBB Rent Collection Service is responsible for the rent maintenance and rent collection of the Councils 19,200 properties (plus 2,600 garages) equating to an annual gross collectable debit of £96m.

The function of rent account maintenance includes setting up and closing rent accounts. The service contacts tenants in arrears in a timely way to make sure they have a responsibility to pay their rent. Those who go into rent arrears because of budgetary problems are supported to help clear the debt based on their individual financial circumstances. Team members will signpost tenants to independent financial advice and advice is given on how to apply for housing benefit.

Those who refuse to pay or fail to keep to arrangements will be served with Notices of Possession proceedings and court action. Eviction can follow if payments continue to be missed.

The rent collection rate was 96.75% at March 2011 and our target for 2012/13 is to collect 96.75%. In respect of debts owed by former tenants we are seeking to collect 5.4% of the £1.9m which was outstanding at the beginning of this financial year. We are confident of achieving target.

The key projects for the Rent Collection Team in 2011/12 are:

- Identifying abandoned/sublet properties with housing management and taking swift repossession action
- Ensuring that the tenancy sign up process is geared to preventing arrears arising. Initiatives include assessing tenant HB claims face to face at the One Stop Shops to ensure HB is paid from week one of the tenancy. The service also works to ensure that an individual's support needs are identified before the tenancy starts and that direct debit payments are set up in all cases where this is possible.
- Introduction electronic rent payment reminders through text messaging and self service ordering of statements on line
- Ensuring vulnerable residents are supported to make timely rent payments
- Achieve top quartile rent collection in London by 2012/13

### **3.5 Tackling Tenancy Fraud**

The Council is committed to tackling tenancy fraud. It is estimated that up to 5% (950) of the total number of Council homes in Barking and Dagenham may be unlawfully

occupied. Our priority is to ensure that these homes are returned to those who are in need of them by undertaking the following:

- We are continuing a programme of tackling tenancy fraud. The programme constitutes a high-profile approach and will be publicised in a number of different ways including posters, newspaper adverts and direct mailings.
- Tenants and residents will be encouraged to report suspected cases via telephone or email.
- We will also work with our RSL partners to expand the tenancy fraud reporting scheme across the social housing stock.
- We will investigate cases of suspected fraud through our Tenancy Audit Team. The team employs skilled and qualified investigators who are experienced in undertaking detailed investigations. We will always prosecute individuals where we find clear cut evidence of tenancy fraud.

### **3.6 Home Ownership**

The Home Ownership and Leasehold Team provides a management service to over 3,000 leaseholders and also administers Right To Buy applications from tenants wishing to purchase their properties. A key focus for the service is to engage and liaise with lessees and their representatives. The team undertake regular site visits, investigates fraudulent right to buy cases and services the Leaseholders Association

Over the past year a number of improvements have been made to the service including:

- Dedicated and regular leaseholder surgeries
- Face to face advice for all prospective leaseholders
- A new website for leaseholders

Priorities for the service during 2012 include:

- Ensuring value for money for services directly provided to leaseholders
- Improving information for leaseholders
- Improved engagement

## **Objective 4: Sustainable Communities**

### **Outcome Measures:**

#### **1. Energy efficiency interventions leading to improved standards of health**

- 2. Improved employment, training, skill and education opportunities**
- 3. Enhanced independence and choice for vulnerable people**

### Key Priorities

- 1. Introduce the selective mandatory licensing of private sector landlords**
- 2. Insulate up to 4,000 council homes by 2013**
- 3. Develop a new Affordable Warmth Plan**
- 4. Implement the LBBB Housing Protocol**
- 5. Launch the B&D Homelessness and Supported Housing Forum**
- 6. Develop and implement Housing Action Plan for Older People**
- 7. Implement Temporary Accommodation Strategy and complete the review of the LBBB Allocations Policy**
- 8. Develop an Accommodation Strategy for Children and Young People**
- 9. Ensure the safeguarding of children, young people and adults is embedded to all housing services and partner organisations**
- 10. Implement mandatory Domestic Violence training for housing staff**

This section addresses sustainability from both the environmental and social perspectives and scopes the way that housing initiatives are being developed and implemented to:

- promote housing choice and independent living
- support social cohesion,
- increase social mobility and to reduce deprivation
- tackle fuel poverty and address climate change

The Council has a major role to play here. The authority is undertaking major regeneration programmes over the next ten years which will create a number of opportunities for local people to enter into employment or to receive training in a wide number of skills and professions. The Council is overseeing major investment into its housing stock and will implement a number of initiatives and programmes including:

- employment opportunities and local labour clauses in contracting arrangements
- apprenticeship schemes
- skills and training initiatives
- education support and opportunities

Additionally we will work with a broad range of partners, especially Housing Associations as well as the Council's own Housing Service, to ensure the greatest

number of local people are able to enter into employment or training opportunities through our regeneration and renewal programmes.

A sustainable community is a high priority for the borough. Barking and Dagenham enjoys a diversity of communities from many different faiths, cultures and ethnic groups. By and large our communities are integrated and work well together. Nevertheless there is no room for complacency. The Council is well aware that a number of different factors can impact upon local communities, especially where services and scarce resources such as council housing are experiencing high levels of demand and pressure.

The development of a sustainable community is a key objective of the Council Plan. With high and uniform levels of deprivation across the borough, the lowest weekly wages in London and a life expectancy significantly below the London average the remainder of this section highlights the strategic housing initiatives developed to tackle these critical challenges.

## **4.1 Private Sector Housing**

### **Aims and priorities**

- Implement a targeted Mandatory Landlord Licensing Scheme;
- To introduce an Article 4 Direction covering HMOs;
- Improve the thermal comfort/efficiency of homes in the borough thus reducing fuel property and the impact on climate change;
- Increase the number of private sector empty properties brought back into use;
- Improve the standards of private rented sector homes and HMO's in the borough;
- Assist housing renewal and make homes decent;
- Encourage landlords to work alongside the local authority in providing quality and affordable housing.

### **Private Sector Housing**

The private sector comprises approximately 68% of all dwellings in Barking and Dagenham. The number of private sector rented properties in the borough has risen in recent years from approximately 4,220 in 2003 to 10,600 in 2011, a figure around 15% of the total housing stock. Some 41% of these residents are vulnerable or in receipt of benefits or both (compared with 30% in owner occupied accommodation).

The council's Private Sector Stock Condition Survey figures also highlight that 47% of the private rented stock is non-decent with nearly a quarter suffering from disrepair, poor conditions or inadequate warmth (15% of households are fuel poor). It is therefore

essential that local residents who rent in the private sector are assisted to live in safe and well managed homes.

Barking and Dagenham Council values private rented homes as a useful resource to meet housing demands for families and individuals, as well as reducing homelessness in the borough. The Council also values private sector stock as a useful source of housing supply for students and those on lower incomes. The Private Sector Housing Team works to improve the conditions of these homes through the use of enforcement and non enforcement interventions such as Landlord Accreditation, Health and Safety inspections, HMO Licensing, Housing Renewal Grants and Empty Property Grants as well as advice and referrals to partner organisations.

### **Working with private sector landlords: Accreditation and Mandatory Licensing Scheme**

The Council recognises that with a large number of landlords comes a varying standard of property management. Our priority is therefore to promote a single standard of high quality management for private rented housing. The Borough uses the London Landlord Accreditation Scheme (LLAS) and advises that all landlords sign up to its standards and code of conduct. The scheme is voluntary but once a landlord has met the standards they become an “accredited landlord” and as such are able to advertise themselves as landlords of good and professional standing.

The borough is committed to extending and increasing the number of accredited landlords. In addition to promoting the LLAS, beginning in 2012 we intend to consult on the implementation of a **mandatory selective licensing of landlords** in the borough. Initially the scheme is proposed to be “selective” in that it will be limited to a number of geographical pilot areas in the borough. Selective licensing has the benefit of making it mandatory for landlords to meet standards where voluntary schemes such as the LLAS have failed to attract engagement. In order to maximise the impact of this initiative the Council – in concert with its partners - will look to see how it might be possible to coordinate other positive interventions in these pilot areas to address environmental issues and crime.

### **Working with private sector landlords: Advice and Support in the Community**

Barking and Dagenham Council continues to assist landlords within the borough to provide affordable and high quality housing. The Council currently promotes and actively encourages landlords to join the London Landlord Accreditation Scheme offering reduced rates of HMO licensees and for members. This London-wide Scheme rewards landlords who achieve a high standard of management of their properties; it is

a resource of legal information and offers continual professional development opportunities.

The Council also promotes a Landlord Forum which meets on a quarterly basis and is chaired by elected landlords in the borough. It is a unique opportunity for landlords to meet with officers from Council services and to obtain information on the issues and policies that really affect them such as housing benefits and housing standards. It is a resource that encourages debate and an occasion to feed back to services on what is successful and what is not. The Forum allows up to date information on grants, legislation, good practice, rents and changes in procedure to be shared which is very useful in the current climate of change.

Barking and Dagenham Council also hosts an annual Landlord Day where landlords, letting agents and partners are invited to promote their services and inform landlords of schemes that are available to them. This takes place in the form of speakers delivering information on what we do here and interactive workshops where further specific questions are able to be answered. These events have proven very useful for the promotion of Warmzone, Landlord Accreditation and Warmfront schemes in the borough.

### **Supporting Private Sector Tenants**

Our Private Sector Housing Team and the Barking and Dagenham Housing Advice Service continue to provide specialist support and advice to private sector tenants. There is a particular focus on tackling harassment, tackling disrepair, resolving disputes and preventing illegal evictions. Additionally, the team has specialist officers able to provide legal advice, advise on benefit issues and promote different housing options. The focus of the service is aimed at assisting tenants to keep their accommodation or find a suitable alternative option, thereby helping to prevent homelessness. We are committed to delivering a good quality support service for tenants and in fact seek to improve this area of work during the life of this Housing Strategy.

### **Empty Properties**

There are approximately 816 empty properties in the borough with some 460 of these constituting long-term empty homes. Properties in the borough stay empty for a number of reasons usually as a result of probate issues or an inability to afford the works necessary to renovate homes in a poor state of repair. Empty properties are a key element in the reduction of homelessness and a catalogue of other negative issues that affect society. Further, empty properties have the potential to negatively impact house prices of neighbouring properties, can attract anti social behaviour, vandalism and pose a public health risk as they fall into dilapidation. In 2010, the Council managed to bring 191 empty properties back into use with the aid of grant assistance and advice. This is



an increase of almost 50% from the previous year; it is estimated that the Council is on target again to exceed 190 empty properties brought back into use within 2011.

Bringing empty homes back into use is also a key contributor to our objective to increase housing supply in the borough. The Private Sector Housing Service offers a number of initiatives as well as grants to assist owners of empty properties to bring them back into use. Grants are offered to owners of properties that have been left empty for 12 months or more and have at least one category 1 hazard present. This not only helps make sure good quality housing is available that is energy and thermally efficient but also eases housing demand. The Council has nomination rights over a grant assisted property for a set period of time depending on the grant amount, usually around 4-5 years, in which time the authority will house a family or person from the homeless persons list within the borough.

Empty properties are currently identified with the use of information shared from other departments such as council tax. The team also encourages the reporting of empty properties from the general public, other Council employees and associates. We offer information packs on empty properties that assist home owners with choosing builders, applying for grants, letting properties and practical help on bringing a property back to use. We share data where appropriate across departments with the assistance of the "FLARE" database and continue to work with planning, environmental health and building control to ensure our success is maximised and legislation is complied with.

In the current situation of chronic housing need, it is not feasible or responsible to leave homes empty. Where incentives fail, enforcement action is used to prevent wasted resource and public nuisance, including legal action and Compulsory Purchase Orders.

The future funding and structure of the empty homes function is undecided at present but is in a state of review at both national and local levels. The New Homes Bonus commenced in April 2011, and will match fund the additional council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes, for the following six years.

The Department of Communities and Local Government has set aside almost £1 billion over the Comprehensive Spending Review period for the scheme, including nearly £200 million in 2011-12 in year one and £250 million for each of the following three years.

### **Tackling Hazards**

The Council has a statutory duty to remove "category 1 hazards" (for example excess cold or falls on stairs) that are present in a property. We discharge this duty through grant works, inspection and enforcement in empty properties, owner occupied properties, HMOs and rented accommodation. Around 22% of private rented properties

have a category 1 hazard as identified in our Stock Condition Survey. Category 1 hazards that are identified under the Housing Health and Safety Rating System (HHSRS) must be removed. We aim to achieve the removal of hazards through an informal route, essentially through negotiation with the landlord. However, if this is not possible, enforcement action is undertaken to reduce the hazard to an acceptable level.

In the last year numerous inspections were carried out and hazards identified: around 253 properties were brought up to the required standard using enforcement with only 22 cases having to have works carried out in default in 2010. This position will continue to be monitored to identify trends although it is anticipated that more works in default will be carried out than previous years due to the financial strain on landlords. There are currently two housing standards officers that are allocated to dealing with disrepair in private rented properties although there is scope for this to change in the future.

### **Houses in Multiple Occupation**

The removal of category 1 hazards is also required for compliance with the Housing Act 2004 in Houses of Multiple Occupancy (HMO). An HMO is defined as a property that houses five or more occupiers and is three or more stories high (and which includes bed and breakfasts hostels and hotels). By their very nature, these sort of properties must meet a more stringent level of safety against the risk of fire. As a result of this, HMOs require a license which can be applied for through the Private Sector Housing Team's HMO officer. This officer locates and inspects HMOs to ensure they meet the necessary HHSRS requirements and that the landlord is a fit and proper person. The licensing scheme ensures a high level of safety and housing standards are achieved and lasts for five years. At 2011 we estimate that approximately 400 HMOs exist in the borough with 190 applicable for mandatory licensing. This figure is expected to noticeably increase due to changes in housing benefits and allocation policies over the coming year, underlining the importance of adequate intervention.

A key aspect of our HMO strategy is that the Council will introduce an Article 4 Direction to withdraw permitted development rights for changes of use from use class C3 (dwelling house) to use class C4 (house in multiple occupation).

### **Private Sector Renewal**

All the aforementioned intervention and incentive schemes assist with housing renewal in the borough, whether through empty property grant assistance or the removal of category 1 and 2 hazards through enforcement.

Renewal is also achieved with the use of Warmfront and Warmzone schemes that are part funded and promoted throughout the Council. Financial assistance in the form of a repair or minor works grant are available where owner occupiers and landlords are

unable to facilitate repairs of their properties. Over the past year 35 homes in the borough have been assisted this way. The grants are aimed at people on low incomes, older people and those with 'passporting' benefits ensuring those most vulnerable in society are assisted. The renewal of homes will obviously have a significant positive impact on thermal comfort and the modernisation of facilities. As a corollary, there will be a marked absence of category 1 hazards, which in turn achieves decent homes standards. Unfortunately funds available for grants and insulation schemes in the borough are reducing and Warmfront will eventually cease in 2013. However, Barking and Dagenham Council is determined to seek alternative solutions to the reduction of fuel poverty in the borough.

Barking and Dagenham Council promotes the use of home equity release schemes for residents that allow cash to be released from their home in the form of a loan in order to facilitate renovation works such as the House Proud scheme. The borough also provides Disabled Facility Grants to help disabled people in the borough who are in need of adaptations to allow them to live more independently.

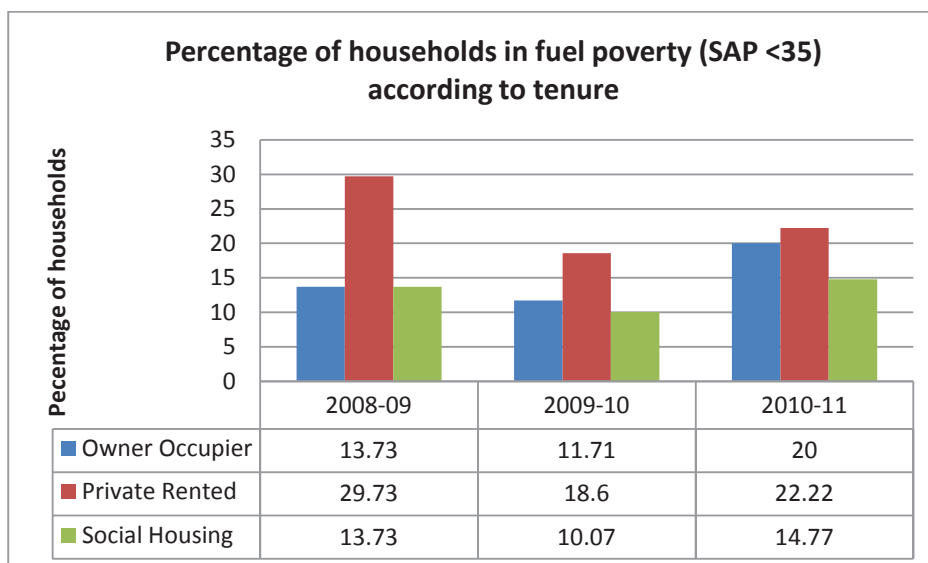
#### **4.2 Tackling Fuel Poverty and Addressing Climate Change**

This policy consideration is driven by the requirements laid out in the Mayor of London's *Draft Climate Change Mitigation and Energy Strategy 2010*, the Government's *Heat and Energy Saving Strategy 2009* and *Warm Homes, Greener Homes: A Strategy for Household Energy Management*, which state an ambition that all existing homes will be retrofitted with energy efficiency measures and renewables by 2030.

The drive to ensure levels of decency, insulation and warmth and reduce the carbon impact of older existing stock takes place amidst recognition of the fact that a majority of the borough's stock has reached a stage in its life span which requires investment if the regional and national priorities on climate change and reducing energy consumption are to be achieved.

The Council's stock condition surveys suggest that the average SAP (Standard Assessment Procedure – a standard method of measuring energy efficiency) energy efficiency rating of private stock in Barking and Dagenham is 51, whereas within council stock, the rating stands at 66. Whilst this figure is above the national average, it is below the target of 70, set by the Government to meet its obligations to reduce climate change.

Some 12-18% of households are also estimated to be suffering some level of fuel poverty in Barking and Dagenham. With energy prices as high as they are in 2012, this figure could climb to between 36 - 44%.



National Indicator 187 Fuel Poverty Survey 2010/11

### **Retrofitting homes to improve energy efficiency**

Barking and Dagenham Council has for the last four years worked in collaboration with sub-regional partners such as London Warm Zone to encourage the installation of energy efficiency measures in some of the poorest households. A similar national scheme called Warm Front, run by Eaga also operates in the borough and now the Council is supporting the pan-London scheme called RE:NEW to implement the Mayor of London's ambitions.

#### *a) Barking Town Centre Low Carbon Zone*

Barking and Dagenham's bid for a Low Carbon Zone in Barking Town Centre was given approval in 2009. The proposal requires residents, businesses, community groups and schools to help cut carbon emissions by 20.12% by 2012 and by 60% by 2025. Part of the project concentrates on residential dwellings in the Zone and targets them for home energy audits, installation of 10 energy saving measures, provides green home guides, referral to potential grant funding via the Council's Housing Assistance Policy and offers free insulation to landlords for energy efficiency measures to tackle rented properties with poor insulation and energy efficiency.

A similar Low Carbon Zone is being rolled out in Heath and Village Ward to replicate the same the reduction in carbon emissions for Dagenham.

#### *b) Improving energy efficiency with Warm Zone and Warm Front*

As part of our on-going commitment to maximise the use of external funding for energy efficiency measures, the Council continues to support and develop the work of Warm

Zone, an organisation which identifies households in need of assistance and then works to make their homes more energy efficient. In partnership with the sub-regional East London Renewal Partnership, Warm Zone act as managing agent for insulation and heating works for eligible households. Since 2007, 1,176 properties in the borough have benefited. The sub-regional scheme has also been supplemented by the Council entering a contract with Warm Zone to deliver more insulation with the borough's own capital money. Since 2004, this element of activity has assisted 725 households.

Warm Front has assisted 2,210 households since 2007 with an investment of £2.28 million in insulation and heating works.

Warm Zone and Warm Front continue to install measures including:

- Loft insulation to 270mm;
- Cylinder insulation to 70mm;
- Cavity wall insulation;
- Installation of modern high-efficiency gas boilers;
- Full central-heating.

#### *c) Rolling out insulation to council stock*

The programme for loft and cavity wall insulation being carried out in private sector properties is also being delivered in up to 4,000 council properties over the next year. Using Carbon Emissions Reduction Target (CERT) and Community Energy Saving Programme (CESP) funding, council homes and several conventional hard-to-treat tower blocks will benefit from warmer homes and reduced fuel bills.

The scheme could save Council tenants over 5,800 tonnes of carbon each year and deliver the maximum of £1.4 million of fuel cost savings per annum equating to up to £350 saving each year per property. This will help to alleviate fuel poverty and support the delivery of the thermal comfort element of the Council's Decent Homes Programme, as well as help the Council meet its carbon reduction target.

#### *d) Smart meters*

The Government has mandated energy suppliers to roll-out smart meters for gas and electricity usage across Britain by 2020 and as part of the Low Carbon Zone within the borough, British Gas will be installing meters as part of the project. The Council intends to work with energy suppliers to spearhead the smart-metering programme as a commitment to reduce energy consumption and allow residents to assess, in real-time how much energy they are using.

### *e) Implications of the Home Energy Conservation Act 1996*

The Council is mindful of the overarching ambitions of the Home Energy Conservation Act 1996 (HECA) which required a 30% reduction of domestic energy use by 2011. The last HECA report, which was commissioned by the Council in 2005, indicated that we were able to achieve savings of 11.6% across all tenures. The stock condition surveyors calculated that by 2009, the borough's total savings stood at 22.01%, representing an annual average reduction of 2% a year since 2004.

### **Barking and Dagenham Energy Co-operative / Company**

Barking and Dagenham is looking to create an "Energy Co-operative" to tackle fuel poverty in Barking and Dagenham. The Energy Co-op should allow the Council to buy and then supply energy to Council tenants and those living in fuel poverty. The Co-op would be able to use an economy of scale to purchase and then supply cheaper electricity and gas to residents.

The project is in an early stage at present but will be developed during May to September 2012 as part of the development of the Barking and Dagenham Affordable Warmth Plan,

### **Promoting energy efficiency in the private rented sector**

The stock condition survey (2009) found that private rented sector properties tend to be the least energy efficient, usually because the landlord derives no direct benefit from improvement measures and because there are few incentives to encourage take-up.

The private rented sector caters for niche markets and as well as providing choice of tenure for the aspirational, it is also a tenure for some of the most vulnerable, including migrant labour and households living on benefit. These households are more likely to be fuel poor. Barking and Dagenham Council is therefore targeting landlords advertising the Government's Landlord Energy Saving Allowance, which is a tax allowance up to £1,500 on energy efficiency measures installed in the property before 2015.

The Landlords & Lettings Agents Forum is also being used to incentivise energy conservation as well as making sure that private sector tenants are being given access to mandatory energy performance certificates (EPCs). EPCs are an important tool demonstrating both energy performance and environmental impact, allowing tenants to estimate the cost of running their home.

### **Affordable warmth and fuel poverty**

The Government still expects local authorities to contribute towards eradicating fuel poverty at present and there are dwellings in Barking and Dagenham where households

are unable to keep their homes warm at a reasonable cost. A household is deemed to be living in 'fuel poverty' when energy costs more than 10 per cent of that household's net income.

At least 9,000 households are deemed to be suffering from fuel poverty in Barking and Dagenham, equating to more than 12% of stock. The two most telling statistics are that 71% of those households on the lowest of incomes (income of £10,000 or below) are in fuel poverty, whilst 15% of the private rented sector is suffering the same poverty. To eliminate fuel poverty in all of the 9,000 dwellings would cost in excess of £11 million.

The most recent reductions in fuel poverty were largely driven by targeted visits to vulnerable households and the installation of heating and insulation works provided by Warm Zone and Warm Front. Households which are considered to be income poor are also referred to DABD UK for advice on income maximization, which may sign-post them to benefits they are entitled to claim for, which in turn can reduce the amount they pay on fuel bills.

The borough's partnership with East London WarmZone ensured that in 2009, 1,176 vulnerable households had home insulation and heating works committed, thereby reducing their rate of thermal failure. Equally, the Eaga Partnership with WarmFront carried out insulation, heating and other thermal comfort works in 2,210 vulnerable households in Barking and Dagenham to achieve a similar outcome.

However, in light of the costs of the Green Deal and high fuel bills a more robust plan regarding affordable warmth is being developed (for completion in 2012). This will allow for further fuel poverty work to be directed at those parts of the borough already identified as ripe for area-based renewal.

### **Building new homes to an environmentally sustainable standard**

Dealing with the environmental impact and energy efficiency of older stock is by far the most pressing target in reducing carbon emissions. This also means it is important that the standards for new-build private sector stock secure long-term environmental sustainability and take into account the Mayor of London's *Draft Climate Change Adaptation Strategy 2008*.

The Council works to ensure that the amended building regulations of Part G and Part L, relating to water efficiency and a reaching a zero carbon standards by 2016 are applied. This has been given significant weight within the Local Development Framework under the Borough-Wide Development Policies. There is an expectation that strategic and major housing developments will meet the Code for Sustainable Homes Level 3-4 for major developments and 4-5 on strategic developments.

### **4.3 Supported Housing and Independent Living**

#### **LBBB Protocol**

The Council has agreed a quota of thirty tenancies per year, starting in year 2011/12, for adults and young people assessed as priority vulnerable or at risk. The quota allocation will be open to people with a wide range of underlying conditions including people with chronic and enduring mental illness, people with a learning disability, people in long term recovery from substance misuse problems, or people with other long term conditions which place them at risk.

The process will only be available to people who want and can be supported (if required) in individual tenancies within the borough available through the Council's general needs allocation system. People requiring specialist support will be referred through a separate allocations process applying to specialist schemes.

The risk element refers to any individual who has been assessed as being at a significant risk over time. The level of assessed risk is equivalent to the "moderate" level (or above) within Fair Access to Care (FACS) criteria. Barking and Dagenham council operates at the "substantial" and above level of eligibility for funded social care provision but for the purposes of this Housing Strategy, the lower bar of "moderate" is being used. The lower threshold is in place because the purpose of this tenancy allocation is that it is intended as part of a wider preventative strategy.

#### **Accommodation Review**

The Council will undertake a new review of "supported housing" type accommodation during 2012. The review will predominantly focus upon accommodation for older people, i.e. sheltered housing, with the aim being to look at how best to maintain and promote independent living for older people. Where the review indicates that accommodation is not suitable for older people, then we will consider its use for other client groups or indeed whether the site could be used or developed for other forms of housing.

The review will build upon the recommendations of a previous review undertaken in 2005 which identified a number of schemes as unfit for purpose. Subsequently, these schemes were utilised for different client groups. Our aim is to enable independent living and to ensure that the type and quality of existing housing schemes are relevant and appropriate to the 21<sup>st</sup> century.

#### **Pathways**

Barking and Dagenham was successful in securing Government funding, via the PSA16 programme, to develop a "pathway" approach for supported housing. Our practical



experience developed during this programme forms a significant priority throughout the life of this Housing Strategy.

Barking and Dagenham's policies are aimed at supporting people so that they can move from a position of relative dependency to a position of independence. The pathway concept lies at the heart of our approach to promoting independence and sustainable communities. A pathway is a planned progression, with various stages and milestones, towards independent living. It is a partnership approach, involving the Council and other agencies, working with people so that they can move on to and achieve an independent life. The approach has a number of key features:

- Individual support plans – with single, holistic support plans for each individual. Progress will be mapped out clearly through the pathway structure within each support plan
- Focus upon outcomes – plans will be developed such that they focus upon delivering a positive outcome. Each outcome will be agreed with the service user and underlying activities will be organised around specific areas such as tenancy management, training and life skills. We will need to work with service providers to establish and agree methods to more accurately measure the progress and personal development of an individual service user against an agreed outcome.
- Prioritising skills and employability – our key objective is to enable independent living; facilitating educational, training and employment opportunities constitutes critical part of the plan and pathway.
- Choice and good quality accommodation – we will need to ensure improved choice and good quality accommodation. Improvements to accommodation are not just about the physical standard but can also concern such issues as the ratio of staff to residents.
- Strategic use of providers – underlying the pathway approach will be a strategically commissioned network of service providers. Each provider will provide a clear management of service users and their expectations through the pathway.

### **Pathways and Personal Responsibility**

Fundamental to our strategy is the view that people should be able to pursue options and solutions that allow them to deal with and resolve issues. Promoting and facilitating choice allows people to understand the options they have and to understand the outcome of their decisions. We want to promote personal responsibility and independence by supporting people to resolve their own issues. Our strategy is, therefore, focused upon ensuring that people have access to information and that they receive full support and guidance on their options and the consequences and outcomes of their choices. During the period of this strategy there will not be the required amount

of suitable affordable homes to provide a solution to the housing and the homelessness problems faced by Barking and Dagenham. Our strategic focus majors on ensuring that when people are homeless they belong to a stable and supportive community and can learn, receive training, get and hold a job. Our ultimate aim is to encourage the development of independent, informed and responsible citizens.

The Council has, therefore, developed a number of housing options and choices giving individuals an alternative to the long wait for a council home. Nevertheless, over the lifetime of this strategy we will develop more choices and solutions to help people cope with the multiple nature of housing problems.

### **Homelessness and Supported Housing Forum**

In 2012 the Council will launch a new strategic forum which will oversee both homelessness and supported housing services in the borough. The proposed role of the forum includes:

- Developing Homelessness and Supported Housing strategies and plans;
- Overseeing the implementation and undertaking regular reviews of Homelessness strategies and plans;
- Oversight of service performance and reviews;
- Sharing information and good practice;
- Working in partnership – bringing together a broad range of services and service users.

#### **4.3.1 Older People**

Older people play an important part in the life of Barking and Dagenham as workers, carers, taxpayers, producers and consumers of local goods and services. The housing and support requirements of older people are determined by a range of factors much wider than simply their housing background. These factors include family, financial and health circumstances for example.

The number of older people aged 65 and over in Barking and Dagenham is expected to increase from 19,500 in 2010 to 21,800 in 2030 (LBBD Housing Needs Survey 2011, B&D JSNA 2011). Increased life expectancy is impacting upon the numbers of the very elderly with an expected increase from 1,100 people over the age of 90 in 2010 to 1,900 by 2030, an increase of 72% (B&D JSNA 2011). The borough has a higher proportion of older people aged 75+ than the London average. We are also seeing an increase in the numbers of older people from black and minority ethnic populations. Additionally although there are people of all ages with a physical disability, 74.6% are aged 65 and over (B&D JSNA 2011). In May 2011, the borough had an estimated 3,500 people with

a physical or sensory disability (B&D JSNA 2011). The number of people with dementia is expected to increase by 70 to 1,630 by 2030 (B&D JSNA 2011).

Barking and Dagenham funds and supports a wide number of services for older people, including sheltered housing, floating support and community alarm services. Our focus is to ensure as high a quality of life for older people as possible.

Remaining independent is central to quality of life so our strategy is aimed around supporting older people to stay in their own homes for as long as possible. If this is not possible, then the individual may move to adaptable accommodation. Supported living options are considered where neither of the previous solutions are possible.

In Barking and Dagenham, there are 31 sheltered housing schemes over 23 sites. Sheltered housing is accommodation designed for people who are aged 55 or over. It is also suitable for disabled people who receive a Disability Living Allowance. The Council has undertaken a detailed review of its Sheltered Housing stock. We know that we have a number of schemes that are not fit for purpose and we have, therefore, developed a number of options for individual schemes. These options can include letting to a different client group, younger people for example, or earmarking the site for redevelopment. We will finalise and agree the best way forward for each scheme on a site by site basis during 2012.

Extra care schemes provide additional support while the residents remain independent. There are eight extra care schemes within the borough. Extra care housing is part of the provision of support which is available to more frail older people to enable them to continue living independently for as long as possible. This care provision is commissioned by the council, there are a maximum of 275 bed units:

<b>External Schemes</b>	<b>Bed Units</b>	<b>Internal Schemes</b>	<b>Bed Units</b>
Harp House	36	Millicent Preston	33
Fred Tibble Court	31	Ted Hennem	41
Colin Pond Court	31	George Crouch	31
Darcy House	52	Turner Court	20
<b>Total</b>	<b>150</b>	<b>Total</b>	<b>125</b>

Whilst current demand meets supply generally for extra care schemes there is insufficient accommodation for dementia sufferers. The dementia specific scheme at Fred Tibble Court has half of all residents requiring 10 hours or more of personal care a week.

A key issue for the borough is the potential future demand for extra care housing. With a predicted increase in the numbers of older people, especially those aged 80+, a review

will be undertaken during 2012 to establish the likely need for extra care housing over the next 10 years.

Nursing and residential care places are necessary when an individual's care needs have reached a point where they can no longer be cared for at home or in a sheltered/extra care environment. In May 2011, the Council had 404 older people placed in independent care homes both within and outside the borough. Most care homes are run by the private sector, although some are owned by charitable or voluntary organisations.

In addition, the Council currently has one in-house residential care home, Kallar Lodge, specialising in dementia care which has 39 care beds. In the period from January to May 2011, 26 of the 30 people analysed were admitted into specialist residential and nursing care because of dementia.

Barking and Dagenham has an adequate supply of residential and nursing places for current and foreseeable future needs. Current strategy is in fact to minimise the use of residential/nursing and to focus upon the provision of general housing with personalised support.

Following the accommodation review mentioned on page 56 of this Strategy the Council will develop a housing action plan for Older People. The action plan will be broader than a purely accommodation based strategy and will focus upon a number of objectives across all tenures including:

- Sheltered and Extra-Care Housing review;
- Safer and warmer homes (including comprehensive advice and information);
- Promoting and sustaining independence (adaptations, support, personalisation);
- Housing options and advice (housing pathway, affordable housing options and choice);
- Active Neighbourhoods (peer projects, employment, physical regeneration).

#### **4.3.2 Strategy for Disabled Adaptations**

Adapting properties for disabled and older people is an important element in helping them remain independent in their own homes – so that they can live the life they want.

The need for adaptations is driven both by the number of older and disabled people in the local population and the nature of the housing stock in the borough. Older, traditional terraced houses – situated in Dagenham in particular - are difficult to adapt for disabled living with small living and bathroom areas as well as narrow doorways and stairs.

Demand has also been driven through changes in public expectations; the variable quality of housing stock and large injections of capital into the budget in previous years, to clear waiting lists and backlogs. To enable the Council to keep within available budgets, tight eligibility criteria are therefore applied to all referrals.

Analysis of population trends for both older people and disabled younger people suggests that demand will remain constant over the next 4-5 years. A new strategy for disabled adaptations has therefore been developed to continue to meet assessed need but which will also deliver an innovative direct grants programme for preventative adaptations. The proposals include:

- Requiring all landlords to install their own adaptations. It is proposed that all landlords – including social and private sector landlords – arrange adaptations for their own tenants.
- Develop a Direct Payments Grant Scheme. We are proposing that direct payment grants towards the cost of adaptations will be made available to enable older and disabled people to make arrangements for themselves. This proposal would also include people with lower needs who do not currently meet our eligibility criteria. It would operate in similar way to Direct Payments for personal care by allowing the resident to arrange for the installation of the adaptation themselves or by using an accredited installer. This proposal would be implemented as part of a targeted prevention approach.
- Use Disabled Facilities Grant to fund home owner adaptations. We are proposing that home owner applications be funded from Disabled Facilities Grant. We also propose that the administration of this service be brought in-house.

The proposals for the Disabled Adaptations strategy are currently out to consultation and scrutiny. Our final position will therefore be set out in the update to this Housing Strategy in 2013.

### **4.3.3 Learning Disabilities**

An estimated 3,016 adults in Barking and Dagenham are currently living with a learning disability, approximately 640 of whom are estimated to have moderate or severe learning disabilities. At July 2011, 689 Barking and Dagenham adults were registered with the Council, with 404 adults assessed or reviewed and receiving services from the Council. In 2009/10, the percentage of adults with a learning disability known to the Council who were living in settled accommodation in the community was 73.1%.

The Council has developed a *Housing Strategy for People with Learning Disabilities 2010 – 2013*. The focus of this strategy is a commitment to ensuring that people with learning disabilities are fully involved in decision making and are given the choice and

support which allows them to establish a home. The strategy has a number of key outcomes and objectives:

- More housing choice for people with learning disabilities (including private sector rented housing);
- Provide good quality housing and support services, subject to continuous involvement and monitoring by service users;
- Undertake a review of allocations processes and tenancy conditions (especially “succession” issues);
- Provide “easy-read” information for housing services.

We will continue to work with service users, via the Learning Disabilities Housing Group to monitor the strategy and ensure the implementation of the action plan.

#### **4.3.4 Mental Health**

Approximately 5.8% of borough residents are accessing care for mental health services for a range of mental health conditions. Recording of mental health conditions is low in primary care with only about 0.6% of residents registered by GPs on their mental health registers. During 2008/9, 411 adult residents of Barking and Dagenham were admitted as in-patients for mental health care, while 4,403 attended either a mental health outpatient appointment or had contact with a community service (ICS). In the same year, 160 adults were detained under the Mental Health Act. It is estimated that in any given week, 11% of adults in Barking and Dagenham will be experiencing depression. This is higher than the England average (8%) but the same as the London average.

During the latter part of 2012, the Council will undertake a review of accommodation and support services for people with mental health problems. Subsequently, we will develop a Mental Health Accommodation Strategy, with a defined Mental Health Accommodation pathway, for 2013 onwards. It is intended that the pathway provides a clear route towards independence for people, by supporting people to achieve recovery and to live as independently as possible. We know that many people with mental health problems need support to sustain their current home rather than needing specialist accommodation. We will, therefore, continue to commission a wide range of floating support services. Following an accommodation review undertaken in 2009 our current strategy is focussed around five key objectives:

- Services available to meet individual needs;
- Providing options so that people can make personal choices about their accommodation;
- Joined up services;
- Transparent and understandable ways to access services;

- High quality, value for money services.

Demand for supported housing remains high with a particular demand for very high support services, i.e. for those with complex diagnoses. We will continue to improve resettlement services for people discharged from residential placements and hospital wards. We will also focus upon improving services for homeless people with mental health needs such that they are able to access and sustain, often with floating support, appropriate accommodation.

#### **4.3.5 HIV**

Barking and Dagenham faces a challenge in terms of sexual health, with rising levels of sexually transmitted diseases and HIV infections. In the last five years there has been a 31% increase in the number of people diagnosed with HIV in North East London. While in Tower Hamlets and Hackney the ethnic group most affected by HIV is predominantly white men who are gay or bisexual, the main ethnic group affected in the boroughs of Barking and Dagenham, Newham, Havering and Redbridge is Black African, and transmission is predominantly by heterosexual sex. Since 1999, amongst both men and women newly diagnosed with HIV, the highest numbers of cases are seen in the 30-34 age group.

The demand for supported housing in Barking and Dagenham for people living with HIV remains high – particularly services for HIV positive parents. We will continue to commission a number of organisations to provide high quality services including:

- Floating support;
- Housing and legal advice;
- Education and training.

#### **4.3.6 Substance Misuse**

Housing and housing support plays a critical role in assisting drug and alcohol users tackle their problems. Many of the issues faced by this client group are multi-dimensional and complex. We know that improving housing and support will also assist towards improvements in other key areas such as the prevention of homelessness, reducing crime, re-offending and anti social behaviour; and will improve general health and well-being.

We know that men are more likely to be drug users than women, with about 28% female service users nationally. Service use locally by those from white ethnicity is high, but

this may reflect the local population demography rather than any difference in being able to access services by different ethnic groups. The Gascoigne ward, one of the most deprived wards in the borough, has the highest rates of unemployment, and also the highest number of people who had a tier 2 and tier 3 assessment for drug treatment in 2009.

The *Barking and Dagenham Substance Misuse Recovery Strategy and Treatment Plan* has previously identified housing problems as a barrier to treatment. A key priority is to ensure a robust pathway is in place to allow easier access to housing for the client group.

Our objectives for the next three years include:

- Launching a joint working group between housing, the Drug and Alcohol Team (DAAT), offending team / probation services to tackle the link between homelessness and repeat offending;
- Improve the pathway to minimise pressure points and gaps in provision;
- Ensure all Housing Advice staff undergo mandatory training on substance misuse.

#### **4.3.7 Children and Young People**

The Council will develop a specific Children and Young People Accommodation Strategy during 2012/13. The overall aim of the strategy will be to progress our existing plans to prevent and tackle youth homelessness in the borough. We have a number of key objectives:

- Development of existing protocol. The Council has agreed a quota of thirty tenancies per year, starting in year 2011/12, for adults and young people assessed as priority vulnerable or at risk. We will undertake an accommodation review during 2012 to establish whether currently underutilised or non-fit for purpose forms of supported accommodation in the borough could, following some re-modelling, be suitable for children or young people.
- Early interventions to prevent homelessness. We will continue to develop and progress a number of services including the mediation services; school visits; outreach work; tenancy sustainment; domestic violence and family intervention.
- Provision of support to vulnerable young people. We are currently reviewing our provision of services across a number of schemes including the B&D Foyer. Our future approach sees the provision of accommodation for 19 – 25 year olds at the Foyer, with 16 – 18 year olds at The Vineries, mothers and babies at Somerfield



House and families at Bevan House. We will also increase our provision for floating support and look to develop our Keyring Schemes.

- Provide more choice of housing options. We will work with local landlords through our landlord forum and review our rent deposit scheme and empty property programme. A further priority for development concerns the provision of accommodation for care leavers and young offenders.

We will continue to work in partnership with a wide range of agencies and will develop the strategy through the Homelessness and Supported Housing Forum in 2012.

#### **4.3.8 Gypsy and Traveller Pitches**

The borough's population includes an estimated 250 – 350 permanent and semi-permanent residents who are Gypsies or Travellers. The majority live in a range of settled housing or on eleven pitches in the Council owned Gypsy and Traveller site. Additionally, families move into the borough for short periods and then move away again.

We are committed to protecting existing Gypsy and Traveller pitches. The *London Gypsy and Traveller Accommodation Needs Assessment* undertaken in 2008 indicated that Barking and Dagenham had a minimum need of an additional two pitches and a maximum need of an additional nine pitches. During the lifetime of this Housing Strategy we will seek to identify an additional site for the provision of a further nine pitches of Gypsy and Traveller accommodation.

#### **4.4 Tackling Homelessness**

People who are homeless are without a regular place to live. People may be legally homeless because:

- They have no legal right to live in accommodation anywhere in the world;
- They are unable to get into their home, for example because they have been locked out by their landlord;
- It would not be reasonable for them to stay in their home, for example, because of violence or risk of violence;
- They are forced to live somewhere apart from their family because the accommodation is not suitable;
- They are living in very poor conditions, for example in accommodation that is damaging to their health.

The Council must arrange accommodation for people who have become homeless through no fault of their own, are in 'priority need' and 'eligible for assistance'. The number of people in the main priority need groups to whom the Council has accepted a full homelessness duty has reduced over the last three years, although the numbers of people who are homeless due to physical disability or mental illness is fluctuating from year to year.

**Numbers in main priority need groups who are homeless 2008/09 – 2010/11**

<b>Main Priority Need Groups</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>
<b>Household with child/ren/pregnancy</b>	235	157	<b>156</b>
<b>Single people 16/17 yrs – 18/20 yrs</b>	25	30	<b>9</b>
<b>Physical disability</b>	11	8	<b>18</b>
<b>Mental illness</b>	<b>17</b>	<b>28</b>	<b>25</b>

Source: HSSA

The reasons why people become legally homeless are also reflected in the data on main causes of homelessness. This shows that the most common reason is a breakdown in relationships with parents or relatives.

**Main causes of homelessness 2008/9 – 2010/11**

<b>Main Causes of Homelessness</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>
<b>From Parents/relatives</b>	144	109	<b>120</b>
<b>Relationship breakdown - violence</b>	21	15	<b>22</b>
<b>Loss of private rented accommodation</b>	71	45	<b>47</b>
<b>Mortgage arrears</b>	<b>20</b>	<b>1</b>	<b>5</b>

Source: HSSA

**Barking and Dagenham Homelessness Strategy**

Our aim is to prevent homelessness, to provide a range of good quality housing options and to ensure that, wherever necessary, we supply high quality support services to facilitate people to live as independently as possible.

Homeless people should be able to achieve their full potential and enjoy opportunities to determine every aspect of their own lives. We recognise that continued success in reducing homelessness can only be assured through commitment to all our stakeholders. Our Homeless Strategy seeks to address the underlying causes of homelessness with a three-fold approach:

- Managing the demand from homeless households through a focus upon prevention and early intervention;

- Increasing the housing options available to people;
- Delivering through partnership working.

Our key objectives for the next two years include:

- Continued prevention of homelessness;
- Reviewing the Barking and Dagenham Allocations Policy;
- Ensuring a supply of good quality accommodation is available to assist in homeless prevention; where prevention is not achievable, then to provide a suitable home for those to whom the Council has a duty to assist.

#### **4.4.1 Preventing Homelessness**

Early intervention and prevention are central in our strategy to tackle homelessness. Our priority is to develop and deliver services that are proactive and that can also act as the gateway to a wider range of support services and organisations especially across education, health and social care. Homelessness is not just about housing and “bricks and mortar,” it is also about employment, training, education, mediation, family support, health and specialist services aimed at particular sections of the community. It can also be about the Council working to support tenants and enforcing their rights with other landlords.

One of our key priorities is therefore to maximise the role of the Council’s Housing Advice Service. For a large number of people this service is their first point of contact. Our strategy has therefore been to develop and emphasise the service as holistic and proactive as well as a gateway to a wider range of other services. In the last year 2010/11, the Housing Advice Service prevented 863 cases of threatened homelessness by casework interventions (including debt advice, providing adaptations or providing mortgage debt advice for example) while reducing homelessness approaches by nearly 50%.

#### **4.4.2 Temporary Accommodation Strategy**

Current housing legislation requires the Council to provide ‘suitable’ accommodation for homeless households: in the first instance on an interim basis, pending enquiries and subsequently, on a temporary basis until a long term housing solution has been provided (although the Localism Act 2012 will make changes to this position). Suitability of accommodation must take in to account location and medical and welfare requirements of all family members.

Historically, Private Sector Leasing and Licensing schemes (known as PSLs) were promoted as a good option for Local Authorities to use as temporary accommodation. However, changes to housing benefit regulations have made it increasingly difficult to procure a readily available supply to meet the needs of homeless households. The Council has therefore developed a strategy to utilise decanted property as temporary accommodation for families and former homes for older people as temporary accommodation for single persons.

#### **4.4.3 Review of the Barking and Dagenham Allocations Policy**

Only 30 years ago, the Council was landlord of a housing stock of 40,000 homes. By comparison, the housing waiting list fluctuated between 2,000 – 3,000 applications at any given time, and approximately 2,000 properties per year became available for letting. There were strict rules around residential qualifications and a hierarchy of applicants; only existing council tenants could be allocated a house and they were assessed using different criteria to waiting list applicants. There was however a general perception that the allocations policy at the time was fair and residents could expect to be re-housed in a relatively short space of time into a flat. Additionally a surplus of accommodation was available from time to time that led to the allocation of the three bedroom high rise flats to smaller families and even single people.

Unlike most other London Boroughs, Barking and Dagenham was able to use council stock to house the homeless and not rely upon bed and breakfast accommodation or the private sector to any great degree, whilst satisfying local demand from the waiting and transfer list.

A combination of factors has changed the landscape of social housing dramatically in Barking and Dagenham in recent years including:

- the Barking and Dagenham council housing stock has reduced from 40,000 to 20,000, predominantly as a result of right-to-buy
- the “waiting list” has increased to 12,000
- property available to re-let has reduced to approximately 1200 per annum
- the demographic profile of the borough has changed generally later than that experienced in some other London boroughs, but at a far more rapid rate
- amendments to housing legislation in 2002 required the council to;
  - Implement choice into allocations by 2010.
  - Remove the hierarchy of assessments
  - Use the same assessment criteria for both waiting list and transfer applicants.

- Limit exclusions to the waiting list to those subject to immigration control and those who have committed anti-social behaviour only.
- Have a needs based system.

### **The current allocations policy**

The current allocations policy was introduced in April 2005. The policy replaced a complex points system in which direct offers were made to applicants. The majority of applicants now place a bid for any property that is available and advertised in the "Choice Homes" magazine and on the "Choice Homes" website.

The outcome of the current scheme is that the level of housing need determines who is housed, and where applicants have the same level of need then waiting time is applied as the determining factor. Consequently those who are adequately housed have no prospect of being re-housed. In respect of council tenants, this does limit movement and voids within the council's own stock. Although applicants with no local connection can be skipped if they place a successful bid there is no 'reward' specifically for length of residence within the borough.

Consultation began last year as a consequence of the publication of the Government's *Statutory Code of Guidance (Fair and Flexible)* in December 2009. This was suspended to broaden the opportunity for policy change afforded by the Localism Bill and has resulted in the planned review which had been discussed with a wide variety of stakeholders.

### **The Localism Act**

The Act aims to give local authorities the freedom to determine which categories of applicants should qualify to join the waiting list and the type of tenancies offered. Local authorities may create a new 'local authority flexible tenancy' of a minimum fixed term of two years. This is in addition to secure and introductory tenancies. It is not intended to set a statutory maximum fixed term.

The proposals also intend to take transferring tenants out of the allocations framework giving local authorities more flexibility to manage their own stock. This will enable Barking and Dagenham to introduce a reasonable preference category (priority) for certain tenants. Additionally it will no longer be a requirement for local authorities to discharge their duty to homeless households by way of an offer of council or housing association accommodation. Arranging an offer of a private rented tenancy of a minimum of one year will fully discharge any duty.

Alongside these proposals, the Homes and Communities Agency has introduced the 'Affordable Rent Product'. This has been produced to effectively mitigate the impact of significant reductions in the grant to subsidise new affordable housing so that a new build programme can be delivered. This means that new affordable homes can be let at up to 80% of local market rent levels.

### **Banding system**

If all of the proposed changes are agreed following consultation, there will be a significantly higher level of applicants with some form of priority. The changes to the assessment function can be complemented by the introduction of a banding system which will prioritise bids in accordance with the aspiration of the policy changes. The authority is currently consulting on the details of the proposed system but expects to have agreed the banding criteria in early 2012.

### **Objectives and Outcomes**

The proposed changes are intended to bring about greater emphasis on stability within the community; in addition to prescribed housing need there will be the opportunity to recognise those who have established residence, our existing tenants and single working people in the borough. At the same time the 'Affordable Rent Product' should also create a wider variety of options for residents seeking housing solutions. In tandem with this policy review, a project is underway to consider the use of other housing and decommissioned Council owned property in an effort to be more innovative in our approach to better utilise resources. For example decommissioned sheltered housing may be an ideal solution for 'move on' accommodation for people with special needs, which could be allocated on a quota basis.

The Council is currently out to widespread consultation and review of the current allocations policy. We expect to implement the new policy in summer 2012.

#### **4.4.4 Housing Options**

Fundamental to our strategy is the view that homeless people should be able to pursue options and solutions that allow them to deal with and resolve their homelessness. Promoting and facilitating choice allows homeless people to understand the options they have and to understand the outcome of their decisions. We want to promote personal responsibility and independence by supporting people to resolve their own homelessness issues. Our strategy is therefore focussed upon ensuring that people have access to information and that they receive full support and guidance on their options and the consequences and outcomes of their choices.

During the period of this strategy there will not be the required amount of suitable affordable homes to provide a complete solution to the housing and the homelessness problems faced by Barking and Dagenham. Our strategic focus is therefore about ensuring that when people are homeless they belong to a stable and supportive community and can learn, receive training, get and hold a job.

Our ultimate aim is to encourage the development of independent, informed and responsible citizens. The Council has therefore developed a number of housing options and choices giving individuals an alternative to the long or impossible wait for a council home. Nevertheless, over the lifetime of this strategy we will need to develop more choices and solutions to help people cope with the multiple nature of problems associated with losing your home.

Our Housing Options Team are responsible for the provision of advice and information on a range of housing options. As such the team has a central role in helping to tackle and reduce the numbers of households in temporary accommodation and in reducing the numbers of homeless acceptances. Fundamentally the service encourages individuals to play an active role in providing a solution to their housing problems and it works directly with individuals to help them find an option which is best suited to themselves and their circumstances. The team will continue to focus upon developing housing options to prevent homelessness. Priorities for 2012/13 include:

- Reviewing the Rent Deposit Scheme to ensure maximum benefit for customers;
- Maintaining specialist advice to under-occupying tenants to assist with the freeing up of larger homes;
- Working with landlords and other accommodation providers to bring empty homes back into use;
- Securing funding to extend a free Court Advocacy Scheme set up in partnership with Citizen's Advice Bureaux to represent households faced with mortgage repossession proceedings.

#### **4.5 Safer Homes, Safer Communities**

Feeling and being safer is one of the key outcomes set out in the Council's Policy Framework, "Building a Better Life for All." Feeling safe in your town centre, neighbourhood and home is central to a person's quality of life. To achieve this end we work jointly with a number of agencies and partners to promote safety in our streets, homes and estates. Our objectives are to promote safety and to tackle anti-social

behaviour so that people's lives are not constrained by crime or the fear of crime and anti-social behaviour.

#### **4.5.1 Safeguarding Children**

Housing services have a shared responsibility for safeguarding and promoting the welfare of children and young people. Our role includes the provision of housing, sharing information and managing risks. The Housing Service is represented within the Barking and Dagenham safeguarding structures where we work with a wide range of local agencies including local NHS partners and the Council's Children's Services department.

Over the last five years we have strengthened the role of the housing service within children's safeguarding. Housing services are involved in safeguarding structures. We have trained and made housing staff aware of safeguarding issues and have developed information sharing protocols and interdepartmental working. Safeguarding issues are reported on a monthly basis to the Housing Management Team and trained housing staff are present at case conferences (including serious case reviews).

Senior housing managers are represented in Multi Agency Public Protection Arrangements (MAPPA). The MAPPA is a multi-agency partnership that manages individuals who present a serious risk to the community, with a particular focus upon managing convicted sexual and violent offenders in the community. We have also strengthened our involvement with the Persistent and Prolific Offenders Panel where a housing officer sits on the panel providing housing advice and facilitating re-housing moves. Housing officers are actively involved in the MARAC (Multi-Agency Risk Assessment Conference) where we focus upon improving the outcomes for victims of domestic violence (many of who have children). Additionally, Housing Advice officers work with the Family Intervention team and are involved in targeted family support work by attending Common Assessment Framework (CAF) meetings.

A key priority for the housing service has been to raise the profile of safeguarding children. To this end, we have developed and implemented a number of training and awareness programmes. A "whole spectrum" training programme has been developed and aimed at frontline housing staff. The programme has been tailored to individual level where necessary and incorporates "Think Family" principles. We have also developed awareness raising programmes for our critical partners and contractors – for example, a safeguarding children awareness programme has been rolled out to "Enterprise," the Council's housing repairs contractor. Finally we have also begun



awareness raising sessions with private sector landlords via the Council's Landlords Forum.

At a more general level the Housing service has also contributed:

- B&D Foyer – 116 homes and training facilities for 16-24 age group (access is focussed towards young people leaving care);
- LDF policy target of 50% new homes being for families – three bedrooms and larger;
- 141 new Council homes, all three and four bedrooms;
- New affordable homes with improved space standards (allowing for homework / study spaces);
- Extensions to Council homes – providing homes extended by two bedrooms which are let to larger families including foster carers;
- Overcrowding – we employ specific overcrowding and under-occupation officers. In 2009/10 we undertook 25 under-occupation moves (freeing up 30 bedrooms), improving to 70 moves in 2010/11 (119 bedrooms).

For the future our challenge is to further embed and build upon this work such that we can continue to improve and achieve positive outcomes for safeguarding children. Our key objectives include:

- Ensuring safe recruitment such that all housing staff working with children have Criminal Records Bureau (CRB) disclosures;
- Working with local Housing Association partners to ensure that the safeguarding of children is embedded in their strategies and services, including those of their contractors;
- Developing connections with local Housing Associations to better ensure the management of those who pose a significant risk;
- We will work with local tenants and residents associations to raise awareness around good practice in safeguarding children.

#### **4.5.2 Safeguarding Vulnerable Adults**

Housing services also have a shared responsibility for safeguarding and promoting the welfare of adults. As with safeguarding children our role includes the provision of housing, sharing information and managing risks. Again the Housing Service is represented within the Barking and Dagenham Safeguarding Adult Board (SAB) structures where we work with a wide range of local agencies and partners.

This Housing Strategy has been aligned with the priorities and objectives of the Barking and Dagenham Safeguarding Adults Strategy. We have developed five key objectives:

- Identification of vulnerable adults;
- Access to the housing service;
- Adaptation of the housing service to meet the needs of vulnerable adults;
- Ensuring safeguards are in place to protect vulnerable adults when facing legal action;
- Signposting and referrals by housing staff to other agencies and organisations.

Our key objectives for 2012/13 include:

- Development of a vulnerable adults housing policy;
- Working with local residents organisations to help prevent abuse i.e. through awareness raising campaigns;
- Ensuring that adult safeguarding is embedded into the strategic and business action plans of our Housing Association partners;
- Ensuring housing staff are trained in adult safeguarding – especially in recognising the signs and indicators of abuse, being able to handle the disclosure of abuse and how to report abuse.

#### **4.5.3 Anti Social Behaviour**

The Council has undertaken a holistic review of antisocial behaviour (ASB) to assess our effectiveness and tackling antisocial and disruptive behaviour and also to develop our future strategy. As a result a set of antisocial behaviour standards were developed and agreed with residents with early and robust intervention being considered the cornerstones of an effective response. Providing support to residents who are victims of ASB is another key plank in our approach. We have also streamlined our processes such that a resident will receive a response within twenty-four or forty-eight hours (depending upon the nature of the antisocial activity) and within five days to establish any additional security needs to the home. Further actions include:

- Investing directly in Police Officers to patrol estates. Currently, we fund three Police Officers to patrol the Gascoigne Estate. We are also working with our police partners to jointly fund and establish a further twenty police officers and twenty special officers to patrol the Council's estates across the borough;
- Continuing to work with residents, local businesses and local services to target ASB work on areas of particular problems;

- Undertaking estate renewal and regeneration schemes which re-model and design out crime;
- Utilising awareness and profile raising campaigns, including better communications with local residents groups.

#### **4.5.4 Domestic Violence**

Domestic Violence (DV) is described as any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. It can also include issues such as so called 'honour based violence', female genital mutilation (FGM) and forced marriage.

The number of recorded DV crimes has reduced by 11.2% (225 fewer offences) in 2010/11 compared to 2009/10. However, despite this welcome decrease, Barking and Dagenham continues to have the highest DV reported incident rate in London. Domestic Violence remains highly prevalent in the borough and whether actual, social or psychological it remains a major safety issue.

Barking and Dagenham Council has a good track record of working in partnership to help tackle domestic violence. Our priority is to help the victims of domestic violence to stay in their own homes. We have therefore implemented a fast track assessment process for those at risk of domestic violence. The borough runs a 'Sanctuary' scheme which provides increased and improved home security features including extra locks, fireproof letterboxes and stronger doors. Additionally, the borough commissions refuge accommodation and a floating support service for women escaping domestic violence. We are also running a number of training courses and running awareness raising courses for all frontline housing staff. Further actions include:

- Ensuring all Housing Advice staff undergo mandatory training on domestic violence issues;
- Assess potential requirements for an additional refuge;
- Ensure all domestic violence are automatically referred to the appropriate specialist service;
- Introduce a target to increase the numbers of tenants evicted from their home for a breach of tenancy agreement as the result of perpetrating domestic violence;
- Increase awareness of domestic violence;

- Work in partnership with housing associations to tackle domestic violence in their homes.

## **5.0 Delivering the Housing Strategy 2012 - 2017**

The Barking and Dagenham Housing Strategy 2012 -2017 represents, in many respects, an interim statement. The strategy has been developed against a fluctuating backdrop of policy changes at national level and has been impacted by unprecedented economic factors. Many of these factors are yet to result in policy or legislative requirements or have yet to consolidate themselves against a changeable financial outlook. Our intention is that this strategy remains a “holding statement” across the next twenty-four months and will be subject to an update in early 2014.

In the meantime the Housing Strategy will be monitored and reviewed on a quarterly basis against the action plan. Progress will be reported to the Housing Management Team, to the Council’s Cabinet Lead Member and to the Council’s Strategic Housing Board. The board includes representation from a wide range of functions.

Delivery of the strategy will be supported by a number of mechanisms including:

- Performance Management. The strategy will be embedded via a “golden thread” from the Housing Service Plan down to specific objectives in individual members of staff’s appraisal and one-to-one targets.
- Improved management information. We are instigating improved management information systems and techniques to produce pro-active and anticipatory management information for housing management teams.
- Ongoing staff development and training.

## LBBD Housing Strategy 2012 – 2017 Action Plan

<b>Objective 1: Delivering social and economic regeneration through building high quality homes and thriving communities</b>							
<b>Outcome Measure</b>	<b>1. New Homes leading to better health, employment, training and skill levels and community safety</b>						
<b>Objective</b>	<b>Targets</b>	<b>Milestones</b>	<b>Lead</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>
<b>1.</b> Estate renewal programme	Development of 1225 new homes of mixed tenures	Rolling Programme – 400 homes pa 2012 - 2015	Jeremy Grint / Ken Jones				
<b>2.</b> Retrofitting and insulation fitted to 4000 Council homes	- 5800 tonnes of CO2 saved - SAP raised from 64 to 68 - £350 fuel savings per property p.a.	- SOS Dec 2011 - Final surveys complete Mar 2012 - Full programme April 2012 - Completion Dec 2012	Neil Pearce	£1.4 million			
<b>3.</b> Develop and implement Decent Homes Plus standard	Decent Homes Plus Standard agreed for implementation 2013	- Consultation Jul-Oct 2012 - Programme agreed December 2012	Housing Strategy	Officer Time			

<b>Objective 2: Investing in Council Housing</b>							
Outcome Measure	<b>1. New Homes leading to better health, employment, training and skill levels and community safety</b> <b>2. Achieving a resident satisfaction rating in new developments and regeneration sites of 90%</b>						
Objective	Targets	Milestones	Lead	12/13	13/14	14/15	15/16
<b>4.</b> Deliver new Council homes	Develop new Council homes 472	- 156 homes 2012/13 - 316 homes 2013/14	Ola Laniyan	£23.1 million	£46.9 million		
<b>5.</b> Invest and refurbish Council homes	£1.3bn refurbishment programme completed 2022	Programme agreed March 2013. Programme implemented Apr 2013	Housing Strategy	£45 million	£25 million	£32.5 million	£30 million

<b>Objective 3: Good Quality Services</b>							
Outcome Measure	<b>1. Tenant and Leaseholder satisfaction at 90%</b> <b>2. Improved visual estate and street scene environment</b> <b>3. Improved standards and quality of life leading to better health, employment, training and skills and community safety in Council and private sector housing</b>						
Objective	Target/Action	Milestones	Lead	Resources 12/13	Resources 13/14	Resources 14/15	Resources 15/16
<b>6.</b> Develop LBBD Tenancy Strategy	Tenancy Strategy implemented	- Consultation Mar-May 2012	Housing Strategy – Neil Pearce	Officer Time			



<b>Objective 4: Sustainable Communities</b>									
<b>Outcome Measure</b>	<b>1. Energy efficiency interventions leading to improved standards of health</b> <b>2. Improved employment, training, skills and education opportunities</b> <b>3. Enhanced independence and choice for vulnerable people</b>								
<b>Objective</b>	<b>Target/Action</b>	<b>Milestones</b>	<b>Lead</b>	<b>Resources 12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>		
10. Introduce the selective mandatory licensing of private sector landlords	Two pilot areas in place July 2013	<ul style="list-style-type: none"> <li>- Consultation Apr-Sept 2012</li> <li>- Legal processes resolved Oct-Dec 2012</li> <li>- Approval May 2012</li> <li>- Pilot implemented July 2013</li> </ul>	Neil Pearce	Officer Time	Officer Time				
11. Develop and Implement a new Affordable Warmth Plan	Plan implemented Dec 2012	<ul style="list-style-type: none"> <li>- Consultation Apr-Jun 2012</li> <li>- Development Jul-Sept 2012</li> <li>- Approval Nov 2012</li> <li>- Implemented Dec 2012</li> </ul>	Neil Pearce	Officer Time					
12. Implement the LBBB Housing Protocol	Protocol agreed and implemented April 2012	Protocol agreed by March 2012	Saleena Sreedharan, Anne Baldock,	Officer Time					



	James Goddard				Officer Time					Officer Time
<b>13.</b> Launch the B&D Homelessness & Supported Housing Forum	James Goddard	Forum relaunched by July 2012	- Contracts reviewed May 2012 - Forum launched July 2012		Officer Time					Officer Time
<b>14.</b> Develop Housing plan for Older People	James Goddard	Strategy implemented by June 2012	- Sheltered review complete Apr 2012		Officer Time					
<b>15.</b> Complete Housing Allocations review	Anne Baldock	New Lettings Policy agreed by Sept 2012	- IT changes Jan-June 2012 - Staff training June-Sept 2012		£50K IT budget					
<b>16.</b> Develop Accommodation Strategy for Children & Young People	James Goddard	Strategy implemented October 2012	- Consultation Mar-May 2012 - Development Jun-Aug 2012 - Implemented Oct 2012		Officer Time					
<b>17.</b> Implement mandatory DV training for Housing staff	Housing Management Team	All staff trained by March 2013	DV training programme for all housing staff		£10k and Officer Time					

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# LBBD Housing Service

## Business Plan 2012/13 Creating better places to live



LB Barking & Dagenham

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### Part A – Our Operating Environment

#### 1.0 Strategic Context

##### 1.1 Corporate and operational context

The Borough's Council Plan sets out the overarching strategic objectives that underpin the business objectives for Council housing in Barking & Dagenham. The provision of good quality housing underpins the achievement of the Council's Priorities. It is therefore important that the borough has - operating exclusively within its boundaries - an effective, flexible and efficiently run housing organisation which is able to meet the evolving housing aspirations and needs of residents and their families – the provision of quality affordable housing is essential to delivering the Council's long term objectives of a creating a safe, healthy and prosperous borough.

From next April the Council will:

- operate a fully funded 30 year housing business plan with a 30 year turnover of c£3.9bn for the existing stock
- plan long-term to provide cost effective housing management services
- embark on a £1.3bn investment programme to refurbish council housing
- deliver a substantial estate regeneration programme
- generate a new build affordable Council housing programme with our development partners
- provide a wider range of intermediate tenures by being able to operate the HCAs new affordable rent model and access grant for new homes

This business plan sets out the route to enable the Council to develop a housing business that is able to enhance the services it offers together with wider housing tenure options that better meets the needs of local people within the context of changing market conditions at the local, sub-regional and regional level. The Borough's housing landlord and housing asset investment undertakings will be delivered through a ring-fenced business unit within the Council's Housing & Environment Department. Underpinning delivery of the business plan and the strategy to invest in new Council homes and major improvements to tenants' living conditions is the assumption that overall the rental income will rise by RPI plus 0.5% for the next 30 years,

The Council is, in addition to building new Council homes, also working with partners such as the Borough's Building Schools for Future Local Education Partnership (BSF LEP) to develop new affordable rented housing on Council owned sites. These homes will be managed and maintained by the Council's Housing service and will revert to outright ownership by the Council on expiry of the lease. This approach demonstrates the determination of the Council to find innovative solutions to meeting housing need and address housing aspiration in the local community.

### 1.2 Council Plan Priorities

The four Community Themes in the Barking & Dagenham Partnership's Council Plan strategy are:

Priority 1 – Better Together	'We want our Borough to be a place we can be proud of. Pride too in being good neighbours and in 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, theory 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.'
Priority 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 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 people can raise their family – knowing that their Council is working hard to make the Borough somewhere they can call home.'
Priority 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.'
Priority 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.'

To help guide the Council's activities in delivering the Council Plan Priorities a Policy Framework - 'Building a Better Life for All' - has been approved. This sets out three policy priorities which guide the development and implementation of the borough's major investment and regeneration activities:

- Raising household incomes
- School and post-16 education
- Housing and Estate Renewal

These priorities frame the business planning, strategic objectives and operational activities of the Council's Housing service.

### **1.3 Housing Revenue Account Self-financing**

From the 1 April 2012 the national council housing subsidy system will be dismantled. Local Authorities will be expected to operate their housing revenue account functions as a stand-alone business and to provide housing that meets the community's and market's needs. This offers the council the opportunity to completely recast how it delivers housing services and widen housing choice to make a major contribution to delivering the Council's corporate priorities.

Under the new system, each local authority will be required to pay to the Department for Communities and Local Government (DCLG) an amount equivalent to the notional housing debt that is held by central government for each local authority. In the case of LBBB, this will involve the HRA borrowing approximately £265.9m, which will be paid to DCLG.

The net result of the new system is that authorities will retain all their rents and will be responsible for funding the long-term maintenance of their stock. The available resources and capital investment requirement to address the investment needs of the housing stock for the first ten years after implementation of self-financing have been identified.

To deliver the investment opportunities under HRA self-financing, a new 30-year Housing Asset Management Strategy (AMS) has been prepared and will be implemented along with this business plan. The new AMS is based on the resource position under the self-financing settlement, and on the findings of a new stock condition survey, carried out by Savills, that underpin the 30-year investment strategy. The HRA BP and AMS are based on a rent policy that total rental income increases by RPI plus 0.5% each year. It should be noted that the assumed level of increase in the CLG Housing Self – Financing settlement mirrors this, with the exception that for the years leading up to 2015/16 there would also be convergence to local formula rent levels.

Any deviation from this would mean the Council cannot deliver the levels of investment in new build, major works and estate renewal

The stock condition survey (2011) has identified that the 30-year Decent Homes investment programme amounts to approximately £1.31bn and a 30-year revenue repairs programme of £470m. The Council's strategy to address the investment needs of the stock is to adopt the following three investment streams:

<p><b>Major works and Decent Homes programme</b></p>	<p>Currently c33.6% of the Council's homes are classified as non decent. A detailed 10-year investment programme has been developed and profiled to align with available resources and to address the decent homes backlog within an 8-year period.</p>
<p><b>Estate renewal programme</b></p>	<p>A fundamental element of the investment strategy is to demolish and redevelop c1715 flats on largely mono tenure estates that are deemed uneconomic in which to invest and that exhibit high levels of deprivation and worklessness. The intention is to decant and demolish these properties over a 10 year period, which will free resources for investment in the remaining stock. Resources of £7.1m from the General Fund and c£16m from within the HRA (c0£23m in total) have been released to fund decant and demolition costs for the first phase of the programme on the leys, Goresbrook Village and the first phase at Gascoigne Estate. The remaining regeneration of Gascoigne estate requires a further c£23m to be secured and a range of options are being considered, including utilising resources within the HRA and innovative joint venture and funding arrangements. The estate renewal programme seeks to change areas which are failing and to create in their place thriving communities with a range of tenures and a mix of household incomes.</p>
<p><b>New build programme</b></p>	<p>The intention is for a programme of new Council homes construction to be funded from within the HRA and the application of grant secured from the Homes &amp; Communities Agency's Affordable Housing Programme 2011/15. . A key aspect to the Council new build programme is to produce a proportion of the new homes at rent levels that whilst being above traditional Council social rent level are nevertheless affordable for households earning above modest incomes</p>

The investment streams above are interrelated themes. Successful delivery of our new build and estate renewal programmes are fundamental to bringing the existing stock up to modern standards. This is because a proportion of the stock needs to be demolished and redeveloped and the new build homes provide essential decant units for the estate renewal programme. Without this order of investment priority then a disproportionate amount of resources will be absorbed by maintaining homes that are beyond their economic life and would not represent best value.

**1.4 Regeneration in Barking & Dagenham**

Barking & Dagenham has embarked on the most ambitious and far-reaching regeneration programme the Borough has witnessed in the 90 years since the



construction of the Becontree Estate and the Housing service will be integral to delivering this programme.

Located at the heart of the Thames Gateway Growth Zone, the strategy is a combination of both 'city building' and 'urban repair' approaches to physical regeneration. It is anticipated that a range of different joint venture vehicles will be required to meet and take advantage of the regeneration opportunities in Barking & Dagenham.

Given the scale and ambition of the Council's Regeneration Strategy, partnership working with public, private and voluntary sector stakeholders is crucial to efficient and effective delivery. For example the Council intentionally procured its Building Schools for Future joint venture widely so that it could undertake regeneration activities in addition to the provision of new schools. The BSF joint venture has been successful in attracting private sector investment to support its regeneration proposals without recourse to public sector funding. The Council will continue to explore the possibility of establishing similar project finance based solutions vehicles to meet the wide range of regeneration and housing challenges in the borough.

The Borough's regeneration strategy is underpinned by cross-cutting themes of tackling social and economic equality and addressing the challenges and opportunities of climate change. Central to delivering these outcomes is the regeneration of the housing stock to help diversify the demographic base by taking advantage of the areas advantageous spatial characteristics - particularly excellent transport infrastructure and close proximity to the City, Docklands and other important sub-regional areas

Over the next ten years, subject to market conditions, the Council aims to secure the delivery of over 15,000 well designed, high quality new homes at all levels of affordability. The aim is to increase socio-economic diversity to support and underpin economic development of the area. The majority of the new housing will be concentrated in two major growth areas: Barking Riverside and Barking Town Centre.

Redevelopment of the borough's major regeneration sites is key to contributing to the Council's broad regeneration objectives for the two identified growth areas in very challenging economic circumstances.

### ***1.4.1 Widening housing choice***

It is expected that regeneration schemes will include homes at 'social' or Council house equivalent rent to satisfy the housing needs of the vast majority of households on the Council's waiting list. However, it is possible that the majority of affordable homes proposed on redevelopment schemes (on a site by site basis) will need to be above standard Council, or social rents, at 50%, 65% or 80% of market rents. Although technically classified as 'affordable housing' under the revised Planning Policy Statement PS3 – these homes will, nevertheless, be on short-hold tenancies and are aimed at meeting the needs of households that are in employment but not the traditional priority cases on the Council's waiting list. The development model for such sites could be a hybrid one, including private sale and a mix of new affordable rent model tenures. This model and tenure structure allows for the schemes to be adapted to meet changing tenure demands over time.

### ***1.4.2 Immediacy of delivery***

Development of such models is considered to offer the prospect of deliverability under current adverse market conditions and can be adapted to a range of development sites with different development characteristics. Several sites have been through several years of decanting, leasehold buy-backs, demolition, master planning and failed attempts to secure development constrained by adverse market conditions and low land values. In their vacant states, none are contributing to increasing the vitality of the local economy – indeed keeping the sites in their vacant state is regarded by the Council as a disincentive to attracting wider private investment in the Borough. Fundamentally, redevelopment will help raise land values in the area thereby enabling further regeneration and private sector funded development.

### ***1.4.3 Overcoming economic barriers***

Barking & Dagenham has some of the lowest housing and land values in the capital but with London construction costs. Economic viability of development sites is fragile at best. In current market conditions, the market for new owner occupied housing is particularly weak, not least due to lending conditions of banks and building societies. Development of alternative delivery models would secure development and occupation by a broad range of households thereby bucking economic and perception constraints. One of the outcomes of the successful implementation of both the Housing Business Plan and the Council's Housing strategy will be an increase in land values over time.

### ***1.4.4 Diversifying the housing stock***

For Barking Town Centre the development of regeneration sites would meet the overall objectives in the Economic Development Strategy to diversify the tenure of housing in the Town Centre (dominated by a concentration of public housing on social/council rents). The diversification (including households on 65% and 80% of market values) will bring new spending power to the Town Centre and serve to stimulate demand for a broader retail offer that hopefully the market will respond to thereby increasing the vitality of the Town Centre

### **2.0 Council Housing service – mission, strategic vision, strategic objectives and branding**

#### **2.1 Mission**

The mission of the Council's Housing service is very clear. All of our activities will be focused on improving the lives of residents, delivering quality services that are value for money and extending the range of housing options available for our residents.

#### **2.2 Strategic Vision**

The strategic vision of the Housing service is to:

1. Provide high quality homes and services at a price local people can afford
2. Enhance existing communities and create new thriving communities and places where people choose to live
3. Increase the prosperity of our residents and business community
4. Improve the quality of life for people in and around our developments
5. Create attractive and sustainable places that promote pride and a sense of belonging

#### **2.3 Strategic Objectives**

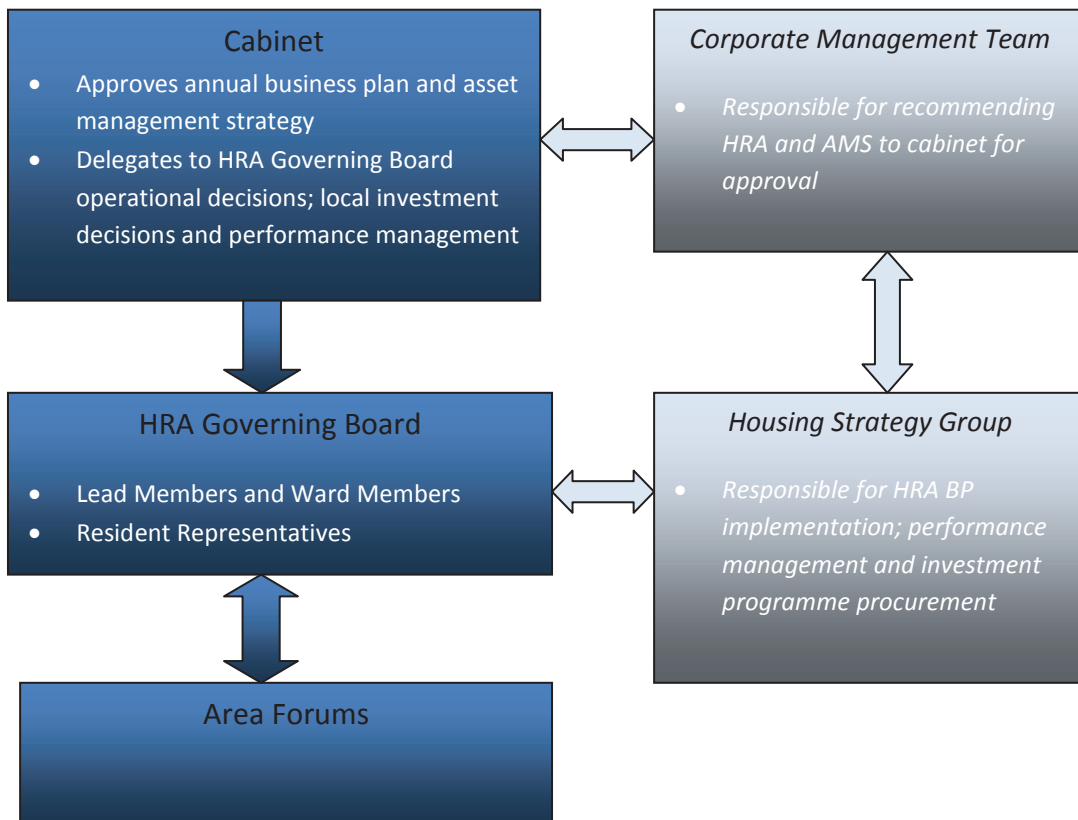
The business objectives to deliver the strategic vision are:

1. Continually improve our services to offer the best value to our residents
2. Continually improve the quality of the retained housing stock and provide a suitable range of supported housing
3. retain and increase the amount and quality of affordable housing, including both social rent and multiple forms of intermediate tenure in the Borough through active asset management and partnership working
4. seek to reduce fuel poverty by using more innovative and sustainable energy solutions and design and refurbish homes that require the consumption of less energy during construction and in use
5. undertake any activity consistent with assisting the Council to deliver its responsibilities arising from its Council Plan, but always consistent with good financial management and the requirement to maintain a balanced HRA budget
6. undertake social regeneration activities aimed at helping households gain greater financial security and choice in accessing a range of housing tenures
7. Lead in the development of sustainable communities, neighbourhood management and community cohesion
8. operate as a social enterprise with an objective to maintain, enhance and develop the Council's housing assets to meet the housing requirements of today's and tomorrow's residents as agreed by Cabinet and the future board of the Council's Housing service (HRA Board)

### 3.0 Governance

#### 3.1 Governance structure

The following governance structure is to be established as follows:



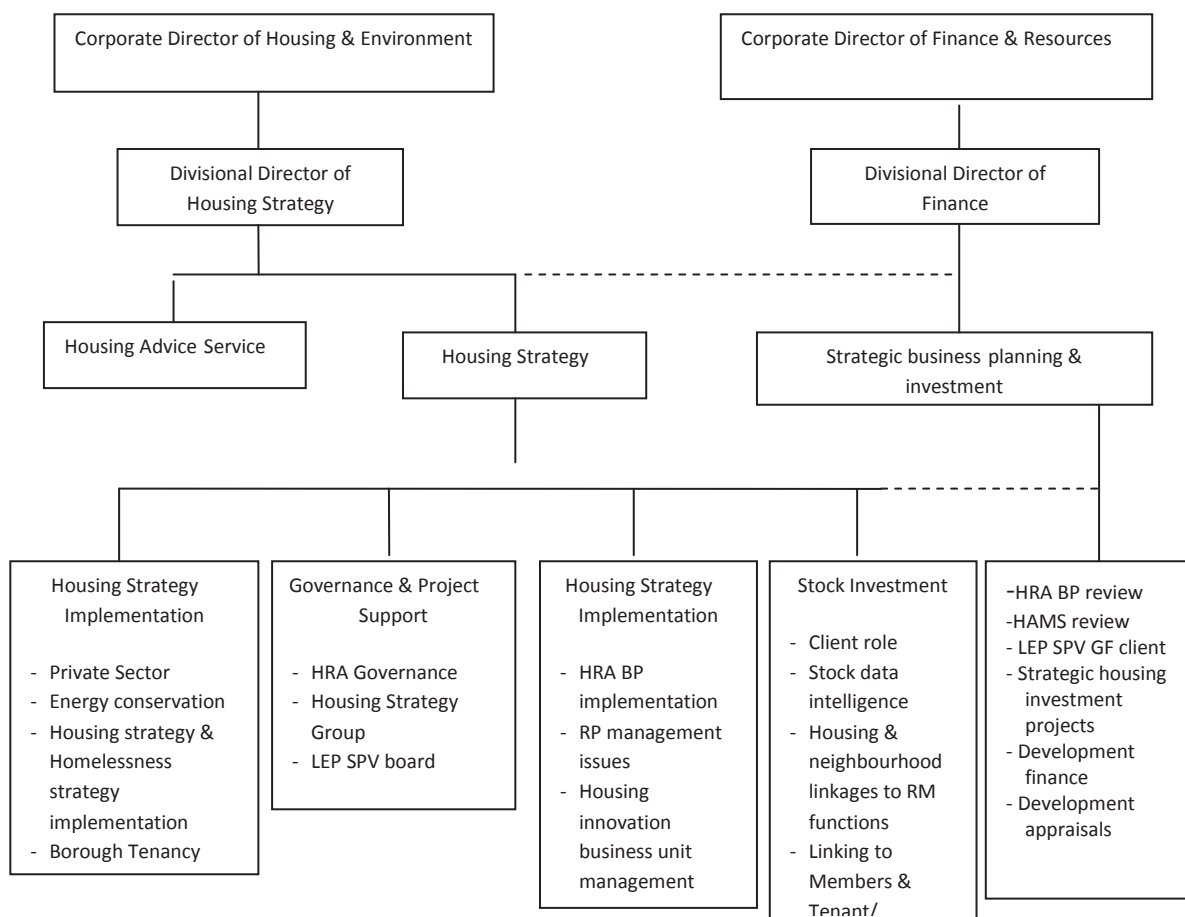
The structure above operates as follows:

<b>Governance</b>	Cabinet	Supported by Corporate Management Team to: <ul style="list-style-type: none"> <li>Approve HRA BP and AMS</li> <li>Annual review of HRA BP and AMS and set rent levels and other charges</li> </ul>
	HRA Governing Board	Supported by Strategic Housing Group to: <ul style="list-style-type: none"> <li>operationally deliver the HRA BP and AMS</li> <li>representing the views and interests of residents</li> <li>review performance management of Housing Service and investment programme delivery</li> </ul>
	Area Forums	<ul style="list-style-type: none"> <li>responsible for representing the interests and views of specific geographical areas</li> </ul>

		<ul style="list-style-type: none"> <li>responsible for participating in detailed investment scheme development and project/ contract meetings</li> </ul>
Officer support to Governance structure	Corporate Management Team	<ul style="list-style-type: none"> <li>responsible for oversight of proposed housing investment programme in line with B&amp;Ds corporate objectives</li> <li>responsible with Cabinet Member for recommending the housing investment and estate renewal strategy to Cabinet</li> <li>responsible for high level monitoring of the investment programme</li> </ul>
	Strategic Housing group	<ul style="list-style-type: none"> <li>responsible for developing decent homes and estate renewal investment strategies in consultation with HRA Board</li> <li>responsible for recommending to the Council's Corporate Management Team and Executive the investment strategy</li> <li>responsible for procuring and implementing the investment programme in consultation with HRA Board</li> </ul>

### 3.2 Executive Management

The organisational chart below shows the core structure and functions for delivering the HRA Business Plan.



The executive management team is accountable for delivery of strategies and key action plans and for reporting progress to Cabinet and the Board.

### 3.3 New Tenant Services Agency Standards

To support delivery of the business plan and key action plans, in line with the new TSA standards, the following work stream project managers will report to a Member, resident and senior staff steering group:

Workstream	Details
Tenant involvement & empowerment standard	<ul style="list-style-type: none"> <li>• customer service &amp; choice</li> <li>• involvement &amp; empowerment</li> <li>• equality and diversity</li> <li>• tenants with additional a support needs</li> <li>• complaints</li> </ul>
Home standard	<ul style="list-style-type: none"> <li>• repairs and maintenance</li> <li>• quality of accommodation</li> <li>• new build affordable homes</li> </ul>
Tenancy standard	<ul style="list-style-type: none"> <li>• allocations</li> <li>• rent</li> <li>• tenure</li> </ul>
Neighbourhood and community standard	<ul style="list-style-type: none"> <li>• neighbourhood management</li> <li>• local area co-operation</li> <li>• anti-social behaviour</li> </ul>
Value for money standard	<ul style="list-style-type: none"> <li>• cost effective, quality services and homes</li> </ul>
Governance and financial viability standard	<ul style="list-style-type: none"> <li>• governance structures capable of delivering aims and objectives</li> <li>• resource management to ensure viability</li> </ul>

### 4.0 Operational Environment

#### 4.1 Business environment

##### LBBB overview

Population	176,000 (projected to increase to 227,00 by 2031; 28% increase over next 21 years)  Highest rates of growth expect in 0-14 and 25-44 age groups
Age structure	0-16 26% 17-24 62% 65+ 12%
BME Groups	1991 6.8% 2001 15% Current estimate 33%
Poverty	11 <sup>th</sup> of 352 Las Index of Multiple Deprivation Second lowest weekly average earnings in London
Household	73,700 in 2010 to 97,700 in 2031 – an additional 1,142 households per year
Education	No qualifications 23.2% (twice London average) Degree 22.37% (almost half London average of 39.7%)
Life expectancy	1.5 years lower than national average
Unemployment	20.5% of working age (15% London average)

Total housing stock	71,000 dwellings
Council rented stock	19,200 (27% of total; 3 times national average)
Owner occupied	53% (70% national average)
Private rented sector	15% (slightly larger than 12% national average)
RSL	5% (8% national average)
Property affordability	<ul style="list-style-type: none"> <li>• Average house price £208,927</li> <li>• 2 bed rent £884 pm</li> <li>• Average property costs over 6.5 times average house hold income for borough of £32,200</li> <li>• Housing Strategy funding is that increasing number of households cannot access owner occupied housing and also access to private rented section for 2 bed plus properties is also not affordable.</li> </ul>

#### 4.2 LBBB Housing Strategy 2012-2017

The LBBB Housing Strategy 2012 – 2017 sets out the key housing issues that need to be addressed to meet the borough's strategic housing objectives:

- Provide a variety of quality housing types for a rapidly growing and changing population
- Provide sufficient housing to meet the anticipated high demand for housing

- Formulate development structures that can deliver viable re-development solutions within the context of high development and regeneration costs
- Provide a range of tenures that meet the high affordability gap for access to owner occupation and private rented units
- Address the significant investment requirements in both public and private rented stock
- Tackle rising energy costs and significant pockets of fuel poverty

#### 4.3 National & Regional Housing Policy

Against the backdrop of increasing demand and the Government's objective to reduce the national debt the following key national housing policy changes will affect the operations of Barking & Dagenham Homes:

<b>Policy Change</b>	<b>Effect</b>	<b>Impact</b>
HRA Self-Financing	<ul style="list-style-type: none"> <li>• Dismantling of national subsidy system</li> <li>• HRA ring fenced income and debt from 1 April 12</li> </ul>	Opportunity to run HRA as a standalone business and adopt a funded 30 year business and asset management plan to meet the housing aspirations of local people
Affordable Rent Model	<ul style="list-style-type: none"> <li>• Introduction of new grant and intermediate rent model</li> </ul>	HRA can now directly operate the new rent model and access HCA affordable housing programme grant to help develop new housing
Welfare & Benefit reforms	<ul style="list-style-type: none"> <li>• Introduction of Universal Credit will replace the current system of benefits</li> <li>• Will cap amount of benefits allowable for housing costs</li> </ul>	<ul style="list-style-type: none"> <li>• May increase incidence of rent arrears</li> <li>• LBBDs level of market rents means that proposed HB caps will not affect LBBD Local Housing Allowances used for the calculation of benefits</li> </ul>
Localism Act	<ul style="list-style-type: none"> <li>• Implements the Governments localism agenda</li> <li>• Allow LAs to offer fixed term tenancies and restrict priority for social housing</li> <li>• Allows discharge of homeless responsibility by housing households in private lettings</li> </ul>	<ul style="list-style-type: none"> <li>• LBBDs proposed governance arrangement for the Housing service will put member and residents at the heart of governance</li> </ul>
GLA London Housing Strategy	Objectives: <ul style="list-style-type: none"> <li>• Build partnership with boroughs</li> </ul>	Self-financing allows the Council to further enhance the leadership role that it has undertaken in



	<ul style="list-style-type: none"> <li>• Increasing supply</li> <li>• Raising standards</li> <li>• Enhancing mobility &amp; choice</li> <li>• Tackling need</li> </ul>	meeting the GLAs objectives.
East London Housing Strategy	Objectives <ul style="list-style-type: none"> <li>• Increasing supply</li> <li>• Ensuring homes are affordable</li> <li>• Quality and sustainability</li> <li>• Mobility</li> <li>• Inclusive housing</li> </ul>	As above
TSA new regulatory framework	Introduction of new standards for affordable housing landlords (see 3.2 above)	Will require the Housing service to review the delivery of its services to tenants

#### 4.4 Market conditions and the impact on Barking & Dagenham

##### 4.4.1 Changing structure of residential markets

At the end of 2010, UK national house prices remained 11.3% below their 2007 peak according to the Nationwide quarterly index. The mainstream housing market recovery stalled in 2010 and is continuing to stall in 2011/12. Annual transactions for the last three years have been at less than 55% of their 2006 peak. Against this national backdrop there are significant local variations: for example the London boroughs of Islington and Camden in 2010 had transaction levels within 10% of the pre-credit crunch norm, whilst boroughs such as Barking & Dagenham and Newham had transaction levels down by over 55%

These are highly significant indicators and are fundamental to indicating the kind of market demand that the Council will need to address in the future. The figures show continued weakened confidence among those able to buy and also indicate increasing structural changes within the housing market. According to research by Savills, households have to increasingly wait until later in life before entering the home ownership market. This is due to:

- increased real house prices
- lack of mortgage finance availability
- lack of deposit finance
- lack of home equity in the under 35 age groups (currently only 5% of housing equity is held by this group)

The financial drivers of home ownership began to change as early as 2000 when the need for higher deposits began to impact upon people's ability to enter the home ownership market. The withdrawal of high loan to value mortgages has greatly exacerbated this problem and is likely to continue at least until the end of the current financial crisis. Consequently, the average age of unassisted first time buyers has risen to age 37. The average Loan to Value ratio is now 73% rather 80% typical in 2006/07 and the 20 year average of 85%. These factors have reduced the numbers of single and

young family household able to enter the home ownership market with home ownership increasingly driven by existing owners with equity or by households with access to sufficient deposits either through earnings or from family sources; the proportion of cash buyers in the first three months of 2011 increased to 36% showing that the market is being increasingly driven only by households with sufficient equity to purchase.

The amount of equity that first time buyers have to find in order to access the mortgage market is close to 100% of annual income - even if loan-to value ratios for first time buyers returned to their 25 year average of 91% then average deposits would still be equivalent to around 40% of a year's earnings. The current mortgage market is almost entirely equity reliant with c25% of the property's value now funded by the buyer. These factors have meant that demand for private renting has been increasing for the last 20 years with the proportion of private rented stock increasing from 7% in 1988 to 14% in 2008. This has increased the number of people renting on Assured Shorthold Tenancies has risen from 945k in 1995 to 1.86m in 2007.

Furthermore, the English House Condition Survey shows that of 298,000 households formed in 2009/10, 70% of them moved into the private rented sector whereas the average between 1999/2000 to 2007/08 was 45.9%.

Another indicator in the changing structure of the housing market is that despite falling capital values in the owner occupied sector the capital value of private rented units fell just -3% in 2008 and actually grew by 13% in London in 2010 – the financial viability for investment in the private rented stock has increased.

**4.4.2 Housing sub-markets and the role of LBBD**

The housing market is a series of inter-related sub-markets between areas and across all housing tenures. Research by Savills characterise the residential market into:

Grade	Investment tiers			LBBD's position
	Tertiary	Secondary	Prime	
A	semi – detached homes near industrial estate	Quality central London conversions	Large detached home in leafy suburb	LBBD is over-represented in the tertiary forms or accommodation
B	1930's semi close to major road/ airport	estate house in secondary location	family homes in high demand area	LBBD is over-represented in the tertiary and Secondary forms of accommodation
C	Poor condition private housing	studio flat in lower demand areas	Ex council properties in poor flatted estates	LBBD occupies an economic and spatial position where it can provide wider affordable tenures directly and in partnership with other organisations

### 4.4.3 Demand and supply

Barking & Dagenham's Housing Needs Study 2011 and Housing Strategy 2012 -2017 show a high demand for affordable housing in the Borough. This trend has been confirmed by a 70% increase in the Council's combined housing register and transfer waiting list in the period between March 2005 and February 2011 – the current list contains 11,800, an increase of 447% since 2001. This trend can be expected to be further confirmed as a result of increased homelessness as a result of the current economic downturn. The 2011 study identified significant need for affordable housing of all sizes on new developments in LBB, particularly 3 and 4 bedroom properties in both social and intermediate tenures.

LBB has determined in its 2012 – 2017 housing strategy the following housing size allocation:

- 1 bedroom units - 30%
- 2 bedroom units - 20%
- 3 bedroom units - 35%
- 4 bedroom units - 15%

The Wilcox Report (2005) identified a potential intermediate market of between 6,000 and 11,000 working households in Barking & Dagenham (Affordability and the Intermediate Housing Market, Steve Wilcox, JRF 2005). More recent studies have shown that half of Barking & Dagenham's working households cannot afford to buy market priced homes in the lowest quartile of price levels in either the Borough or the surrounding area (Review of Intermediate Housing in London, Wilcox and Williams, GLA 2007). Beyond the Borough boundaries, the Department of Communities and Local Government identified a need for up to 160,000 well-designed homes in mixed communities across the Thames Gateway between 2001 and 2016. Approximately 60,000 of those homes are anticipated to be affordable.

### 4.4.4 What this means for Council housing in Barking & Dagenham

The structural changes in the residential market and the market characterisation above have the following implications for the activities of the Council Housing service:

1. Increasing long-term demand for a wide range of affordable tenures at different price points
2. An increase in demand from single persons and family households for intermediate rent and shared ownership tenures
3. A local property market in the borough where property values are increasingly determined by a combination of capitalised rental values (already the case for public sector housing) and owner occupied market values
4. Opportunity to take advantage of underlying regeneration value uplift due to locational and transport advantages in relation to the City of London, Docklands and other major development areas in adjacent borough's
5. A probable increased level of demand for investment rental properties in the borough due to relatively low capital values but strong income streams
6. Increased risk (and conversely opportunities that this brings) that investor demand will increase the proportion of and demand for rental properties in the borough which may help redevelopment become increasingly viable

7. Increasing concentration of housing equity towards private landlords and owner occupied sector away from other income groups
8. Increased opportunities to develop joint venture structures to access institutional/private equity investment through schemes harnessing rising private rental sector capital values to subsidise social rented activities and make more creative use of new affordable rent model and fixed-term tenancies to take advantage of relatively low owner occupied values in LBBDD
9. Increased opportunities for LBBDD to operate a private sector management function

### 5.0 Increasing housing choice for our residents

The long-term structural changes that are occurring in the residential market have profound implications for the types of housing options that need to be provided in Barking & Dagenham. The Council's Housing service is in a favourable position to directly provide and develop these housing options and also in partnership with our private sector partners where this makes financial and economic sense.

### 5.1 Market Demand

The growing number of households in the borough, faced with the financial barriers to access home ownership, will need access to a wider range of affordable housing options.

The Council is developing housing options for the following:

- Social rent
- Wider range of temporary accommodation
- Developing a housing management and asset management service for private affordable housing schemes developed in the borough and funded by institutional investment
- Consideration can also be given to looking at the provision of 65% and 80% of private market rents within new developments

### 5.2 Meeting Market Demand

The Council has considerable land assets which it will use to help regenerate the borough through housing led regeneration schemes as set out below.

Active asset management	The Council has embarked on a detailed 30 year asset management strategy which includes: <ul style="list-style-type: none"> <li>• Investing in the existing stock up to renew all major building elements to an as new standard</li> <li>• Redevelopment or disposal of obsolescent/ uneconomic stock</li> <li>• infill development within existing developments</li> </ul>
New Build affordable housing	The council is actively operating the Homes and Communities Agency's new affordable rent model to support a programme of new build affordable housing within the HRA on Council owned sites which range from social rent to 80% local market rent levels
Housing management and asset management service on trading account basis	Operating a ring-fenced housing management and asset management function to provide cost effective services for joint venture redevelopment and private sector led developments

### Part B – How we will deliver

#### 6.0 Asset Management and new Housing Investment

##### 6.1 Stock Investment Overview

The Housing Strategy (2007-2010) included the following objectives:

- Bring 16,300 rented homes up to the Government's Decent Homes Standard by 2010 and Decent Homes Plus Standard by March 2016.
- Redevelop 3,000 units under an Estates Renewal Programme
- Redevelop/ refurbish 1,300 units through the Private Finance Initiative

Although some £104m was invested in improving the Borough's public stock, the amount of funding available for the improvement programme was approximately £30m below levels originally anticipated. This was due to falling right to buy receipts; limited available capital receipts; higher than expected costs in reaching decent homes standards and higher than anticipated build cost inflation rates. In addition the cost of reaching Decent Homes rose further due to delays in the Estates Renewal programme and the refusal of PFI credits. This has meant that 4,300 additional properties investment requirements have been incorporated within the HRA investment programme to be delivered under self-financing.

In line with good practice, and in preparation for HRA Self-Financing, a new stock condition survey has been undertaken to review the investment needs and inform the Council's new Housing Asset Management Strategy.

##### 6.2 Investment Requirements

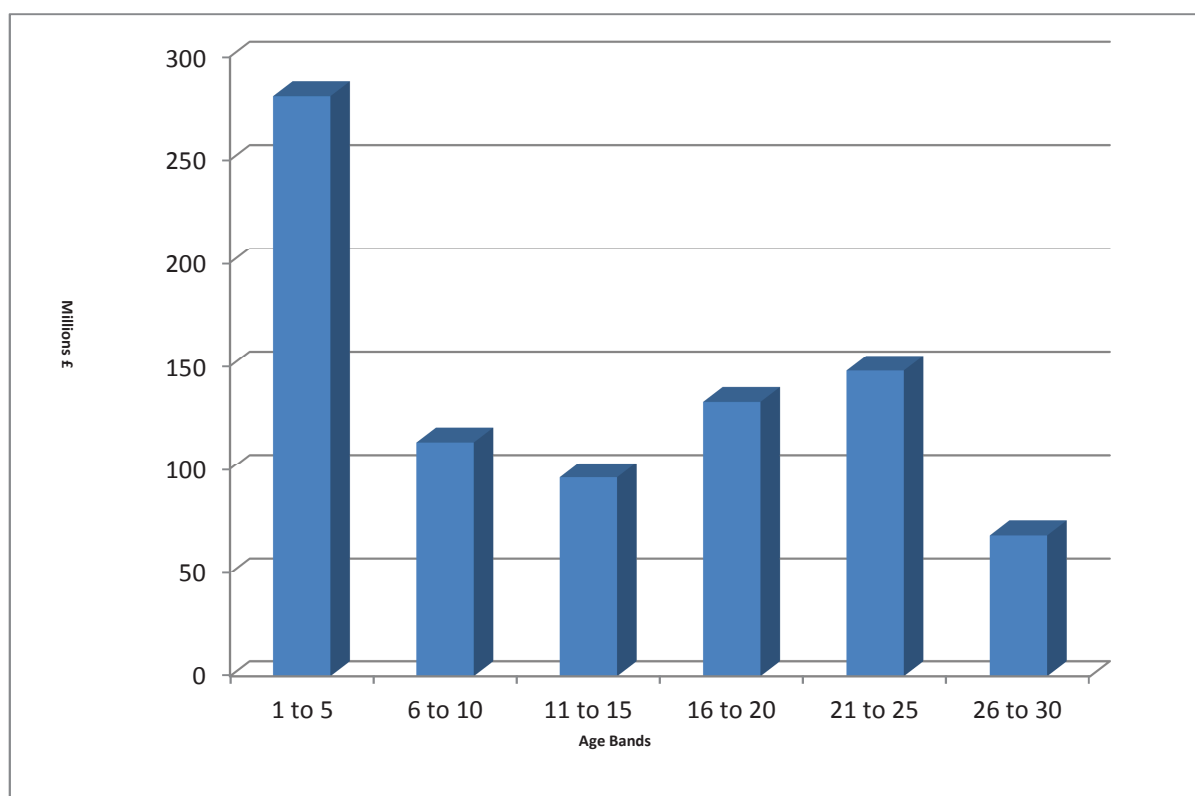
###### 6.2.1 Retained housing stock

In summary the findings of the stock condition survey show that there has been significant past capital expenditure to the external 'wind and weather tight elements such as windows, doors and roofs. In contrast however, there was far less evidence of past capital investment for internal elements and consequently a greater proportion of the stock requires significant investment in the short term to renew elements such as kitchens, bathrooms, electrical and heating systems etc.

The total forecast expenditure to address the investment backlog and maintain the stock including revenue expenditure is £1.309bn over the next 30 years (excluding fees and the impact of inflation).

###### 6.2.2 Investment need time profile

The graph below shows that significant backlog investment is required in the stock in the next five years. This reflects that insufficient resources were available for investment under the previous subsidy based system. Once the initial backlog investment programme is complete then the expenditure required to maintain the stock will follow a life-cycle replacement programme and, provided that rents increase as forecast in the financial model, the stock can be maintained to an 'as new' standard as all major building elements will be renewed according to their life-expectancy.



### **6.2.3 The Decent Homes Standard**

As the Council is adopting a life-cycle replacement approach to maintaining the stock then, after the initial; backlog investment is complete, the Government's Decent Homes Standard and the Council's Decent Homes plus Standard become largely irrelevant. These are minimum standards that do not account for life-cycle replacement of building elements; by adopting such an approach once a dwelling has been through its first cycle of building element renewal it will thereafter be maintained to a level higher than the Decent Homes Standard.

The current level of homes that are non-decent is estimated at 33.6%. The Council's intention is to address this backlog through the backlog investment programme and it is anticipated that the backlog will be dealt with by 2019/20.

### **6.2.4 Our approach to housing investment**

During 2011/12 we embarked on a comprehensive review of the way in which we will deliver our housing investment programme. Under our new Housing Asset Management Strategy we will provide residents with a higher standard of elemental renewal that goes beyond the minimum Decent Homes standard. This programme will seek to renew all major building elements and thereafter homes will be maintained according to a life-cycle basis.

Within the housing investment programme to our existing stock tackling fuel poverty and providing affordable warmth will be a central theme.

**6.2.5 Strategic Investment Themes**

The strategic investment themes are as follows:

Decent Homes investment programme	A detailed 10 year investment programme is being developed and profiled to align with available resources and to address the decent homes backlog within a 5-8 year period. The rolling programme contained in this report enables progress to be maintained in addressing the stock's investment backlog.
Estate renewal programme	A fundamental element of the investment strategy is to demolish and redevelop c1715 flats on estates that are deemed uneconomic in which to invest to produce mixed income and tenure communities. The intention is to decant these flats over a 5 year period (in line with the HRA self financing settlement): this will free resources for investment in the remaining stock. Under self-financing LAs will be expected to undertake an active asset management strategy to ensure that uneconomic and obsolete properties are reconfigured or redeveloped. Consequently, over the course of the 30 year business plan there is likely to be further estate renewal schemes; such proposals will be subject to a full options appraisal and business case to ensure that there is no adverse impact of the viability of the retained stock
New build programme	Subject to the availability of grant from HCA a programme of new Council homes will be funded from within the HRA which will support delivery of the estate renewal programme.

The investment streams above are interrelated themes. Successful delivery of our new build and estate renewal programme are fundamental to bringing the existing stock up to modern standards. This is because a proportion of the stock needs to be demolished and redeveloped and the new build homes provide essential decant units for the estate renewal programme. Without this order of investment priority then a disproportionate amount of resources will be absorbed by maintaining homes that are beyond their economic life and would not represent best value.

To deliver the investment programme we will establish a rolling programme of schemes that will be delivered across a five year period. Establishing such a programme will provide the flexibility required to move resources between investment streams as the programme is implemented and will provide flexibility to deal with unforeseen factors and to take advantage of new opportunities as they arise.

### 6.3 Resources & Affordability

#### 6.3.1 Resources and Affordability

The table below sets out the Council's investment programme for the next 10 years.

For the purposes of this business plan the focus has been on the first 10 years of

Capital investment requirements identified from the recent stock condition survey.

Allowance within the investment budget has been made for areas of investment outside the scope of the survey such as Contingencies, exceptional extensive, disabled adaptations, fire risk assessments etc.

The following table and chart illustrates the total capital investment required over the next 10 years compared to the net available resources. Due to insufficient resources to meet all of the strategic investment themes it has been necessary to profile backlog works to the existing stock over the first ten years. This allows the higher priorities of estate redevelopment and new build to proceed as planned whilst embarking of an increasing level of investment to the existing stock as resources are released as uneconomic stock is redeveloped.

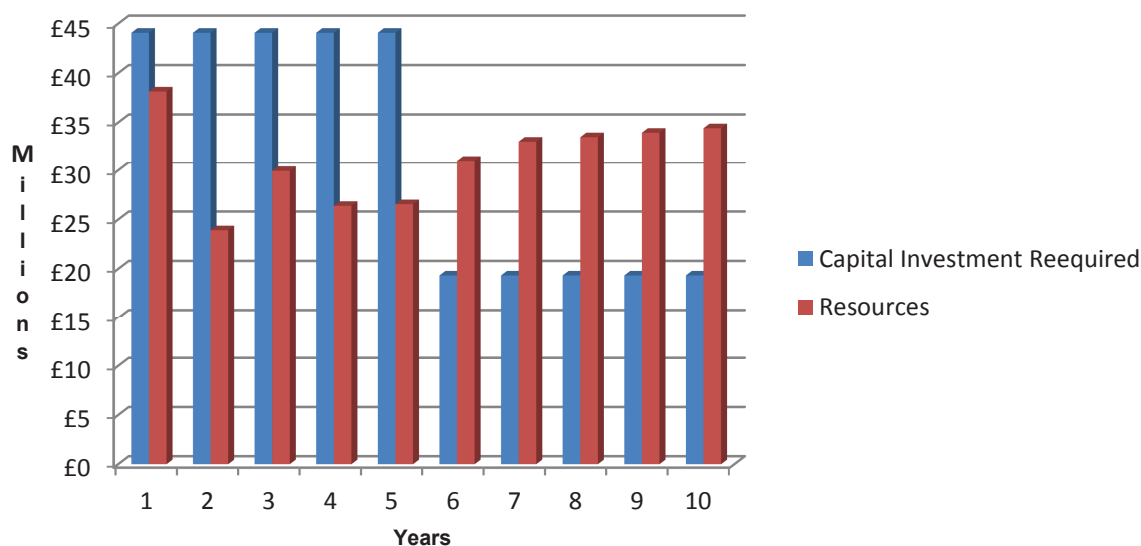
Years	1	2	3	4	5	6	7	8	9	10	Total
<b>Capital investment required</b>	43.81	43.81	43.81	43.81	43.81	19.34	19.34	19.34	19.34	19.34	<b>315.22</b>
<b>Resources (excluding revenue)</b>	38.15	23.92	29.94	26.38	26.56	31.10	33.05	33.51	33.97	34.42	<b>311.00</b>

Note: In line with common practices, the capital resources identified by PwCs financial modelling, include a variety of assumptions relating to inflation and fees, which can make a direct comparison with the Savills stock condition survey results figures problematic as these items are not included. To allow an "apples with apples" comparison the PwC figures have been amended by removing the compound inflation (2.5%) assumption and fees (8%) etc which is why the resources available in the table above show a 10-year resources total of £311m compared to £389m identified in the financial plan on page 30. It should be noted that the table above assumes that the whole of the investment contingency will be used for capital investment in existing stock. Therefore, if the investment contingency is used for one of the alternative investment streams there will be greater shortfall in resources than the £4m identified in the table above.

In addition it is also assumed that the stock identified for regeneration is excluded from the survey results. However, it should be noted that the investment resources do allow a small sum of £500 per property for the regeneration stock in the short term to allow minimum "tick over" investment until demolition.



**Capital Investment V's Resources Over 10 Years**



As can be seen from the above graph there are sufficient resources to meet the investment needs of the retained stock, including addressing the Decent Homes backlog, over the first 10 years of the HAMS. However, this does mean that due to the need to invest heavily in the stock over the first five years there is a mismatch in the available resources for that period. This means there is a need to reprofile the investment programme to match available resources over the first 10 years. In essence approximately £74.13m has been deferred to years 6-10. This has necessitated a view being taken regarding the priority of investment which is set-out in the next section.

The table below shows the timetable to which the Council is working to address the 33.6% non-decent home backlog. However, it is anticipated that this timetable will be brought forward following the Council's adoption of a higher standard whole house renewal investment programme. The AMS will set out the revised programme in detail.

This profile is will be subject to regular reviews.

	2012	2014	2016	2018	2020
Non-decent dwellings – Backlog bid programme	7118	5400	3600	1800	0

**6.3.2 Stock remodelling and redevelopment**

After deferral of investment in the retained stock in years 6-10 and funding of the estate renewal and new build programme any other investment resources that arise which will be allocated to a rolling programme of infill development, further estate renewal, HRA new build and stock remodelling and replacement of technically and socially obsolescent stock.

### 6.3.3 Aligning the investment programme with resources

1	Future Major Works	<ul style="list-style-type: none"> <li>External Roofing Elements: Defer 30% from year 1-5 to 6-10</li> <li>External Windows and Doors: Defer 10%</li> <li>External Stores and Fences etc: Defer 60% from 1-5 to 6-10</li> <li>External Walls: Defer 40% from 1-5 to 6-10</li> <li>Internal Elements Defer 15% - 20% from 1-5 to 6-10</li> <li>Common Areas Defer 30% from 1-5 to 6-10</li> </ul>
2	Related Assets	<ul style="list-style-type: none"> <li>All related Assets: Defer 60% from 1-5 to 6-10</li> </ul>
3	Improvement	<ul style="list-style-type: none"> <li>Concierge Defer from 1-5 to 6-10</li> </ul>
4	Contingencies	<ul style="list-style-type: none"> <li>All Contingencies: Defer £1m from 1-5 to 6-10</li> </ul>
5	Exceptional Extensive	<ul style="list-style-type: none"> <li>Tower Block M&amp;E: Defer 50% from 1-5 to 6-10</li> <li><i>Contaminated Land:</i> Defer from 1-5 to 6-10</li> <li><i>Flood Risk Allowance:</i> Defer from 1-5 to 6-10</li> <li><i>Gas installations to the Tower Blocks:</i> Defer from 1-5 to 6-10</li> <li><i>Recycling Facilities:</i> Defer from 1-5 to 6-10</li> <li><i>Renewable Energy Schemes:</i> Defer from 1-5 to 6-10</li> </ul>
6	Environmental works	<ul style="list-style-type: none"> <li>All Work: Defer 1-5 to 6-10</li> </ul>
7	Area budget	<ul style="list-style-type: none"> <li>For allocation by Area Investment Panels</li> </ul>
8	All other categories	<ul style="list-style-type: none"> <li>Not altered</li> </ul>

This approach seeks to balance the need to invest heavily whilst also ensuring that wind & weather tightness is preserved. In addition all landlord obligations relating to DDA, asbestos, fire risk assessment etc have been ring fenced and are not affected by the investment programme reprofiling. In progressing this programme there will be a concerted focus on tackling fuel poverty

This investment scenario in the table above defers a total of £74.13m from years 1-5 to years 6-1- and in so doing balances the investment need to the availability of forecast financial resources within the business plan.

### 6.4 Supported housing needs

The investment programme will explicitly promote independence, ensuring that people can remain in their homes within the community for as long as possible and for long as they wish. These will be delivered through:

- Ensuring the major works investment programme addresses life-time homes requirements where possible
- That HRA new build homes are built to life-time homes with a proportion of wheelchair units within each new development
- That a range of specialist housing options is provided –e.g. sheltered and extra care housing

The HAMS will set out in detail the supported housing investment programme

**6.5 Investment Programme Formulation**

Whilst the above investment scenario ensures the expenditure and resources are balanced at the macro (whole stock) level, there are challenges to apply this at the micro (property) level. The HAMS assumes that there needs to be an investment presence within all wards during the first five years and beyond as opposed to simply starting in the East and moving to the West over a five year period. In line with common practice a detailed 5 year investment programme has been created which is reviewed on a rolling programme basis each year.

**6.5.1 Putting the programme together**

To develop a detailed micro level investment programme the following approach has been adopted. The investment programme will be subject to annual approval by Cabinet.

1	Analysis of the SCS survey results at macro (stock) level to ascertain overall stock investment need and strategic approach to investment (as set out in table above)																							
2	<table border="1"> <tr> <td data-bbox="215 880 486 1496" rowspan="7">Strategic investment priority categories</td> <td colspan="2" data-bbox="486 880 1501 952">The macro level stock investment requirements will be delivered through the following investment priorities according to the availability of resources.</td> </tr> <tr> <th data-bbox="486 952 730 981">Category</th> <th data-bbox="730 952 1501 981">Details</th> </tr> <tr> <td data-bbox="486 981 730 1086">Health &amp; Safety</td> <td data-bbox="730 981 1501 1086">Works essential to meet Health &amp; Safety obligations</td> </tr> <tr> <td data-bbox="486 1086 730 1191">Wind &amp; Weather tight</td> <td data-bbox="730 1086 1501 1191">Works to protect the fabric of flats and houses</td> </tr> <tr> <td data-bbox="486 1191 730 1296">Internal</td> <td data-bbox="730 1191 1501 1296">Decent home related works and major improvements to internal major elements to bring homes up to an 'as new' condition</td> </tr> <tr> <td data-bbox="486 1296 730 1402">Environmental</td> <td data-bbox="730 1296 1501 1402">Works to external areas within the cartilage of dwellings/ flatted estates e.g. paths and fences; improvements to common areas</td> </tr> <tr> <td data-bbox="486 1402 730 1496">Adaptations</td> <td data-bbox="730 1402 1501 1496">Independent living works</td> </tr> <tr> <td data-bbox="153 1496 209 1771">3</td> <td data-bbox="209 1496 1508 1771"> <table border="1"> <tr> <td data-bbox="215 1496 486 1771">Assessment of Ward level investment need</td> <td data-bbox="486 1496 1501 1771">An investment need and programme analysis matrix –has been constructed to provide an ongoing understanding of the level of investment need required within each Ward and ward sub-areas. This approach enables an investment overview to be taken per key elements at Ward level to underpin programme formulation within across wards to deliver the investment strategy detailed above for the next the next 5 -10 years. This is fully set out in the AMS.</td> </tr> </table> </td> </tr> <tr> <td data-bbox="153 1771 209 1935">4</td> <td data-bbox="209 1771 1508 1935"> <table border="1"> <tr> <td data-bbox="215 1771 486 1935">Agreement of investment programme between Wards</td> <td data-bbox="486 1771 1501 1935">This will be determined by the Housing Board Investment Sub-Committee in consultation with Area Forums</td> </tr> </table> </td> </tr> </table>	Strategic investment priority categories	The macro level stock investment requirements will be delivered through the following investment priorities according to the availability of resources.		Category	Details	Health & Safety	Works essential to meet Health & Safety obligations	Wind & Weather tight	Works to protect the fabric of flats and houses	Internal	Decent home related works and major improvements to internal major elements to bring homes up to an 'as new' condition	Environmental	Works to external areas within the cartilage of dwellings/ flatted estates e.g. paths and fences; improvements to common areas	Adaptations	Independent living works	3	<table border="1"> <tr> <td data-bbox="215 1496 486 1771">Assessment of Ward level investment need</td> <td data-bbox="486 1496 1501 1771">An investment need and programme analysis matrix –has been constructed to provide an ongoing understanding of the level of investment need required within each Ward and ward sub-areas. This approach enables an investment overview to be taken per key elements at Ward level to underpin programme formulation within across wards to deliver the investment strategy detailed above for the next the next 5 -10 years. This is fully set out in the AMS.</td> </tr> </table>	Assessment of Ward level investment need	An investment need and programme analysis matrix –has been constructed to provide an ongoing understanding of the level of investment need required within each Ward and ward sub-areas. This approach enables an investment overview to be taken per key elements at Ward level to underpin programme formulation within across wards to deliver the investment strategy detailed above for the next the next 5 -10 years. This is fully set out in the AMS.	4	<table border="1"> <tr> <td data-bbox="215 1771 486 1935">Agreement of investment programme between Wards</td> <td data-bbox="486 1771 1501 1935">This will be determined by the Housing Board Investment Sub-Committee in consultation with Area Forums</td> </tr> </table>	Agreement of investment programme between Wards	This will be determined by the Housing Board Investment Sub-Committee in consultation with Area Forums
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5	Construct programme at property/elemental level – undertake additional 100% surveys to ensure best value procurement	Once the general principles of the running order of the wards and the likely volume of elemental replacements per ward is decided in principle, additional surveys will be undertaken. These surveys are intended to follow the same collection process as the previous but will also include a digital image of the key elements so the ultimate decision of producing a programme of work at property level will rest with the Council.
6	Procurement of the works	<p>Once this information is available the Assets team will collate the programme together at property/ward level, and apply appropriate costs. This approach will also ensure that the team can keep a running total on affordability which in turn will prevent over specifying of work to the detriment of other wards that may require work etc.</p> <p>Once this process is complete a published 5 year plan will be in place at property/elemental level which in turn will be procured with the full control of the Council, as the Council will be “telling” the contractor what work in each property will be undertaken, giving a far greater level of control not only for the programme as a whole but also regarding expenditure, As the programme is delivered out turn costs will be inserted per element and any under/over expenditure identified early, giving the Council sufficient time to adjust the programme to prevent over spend etc.</p>
7	Affordability and VFM check process of tendered prices	
8	Place investment contracts	

**6.6 Maximising jobs, skills and business opportunities for local people**

There are high levels of worklessness concentrated on some of the Council’s estates, the service will consider how it can best contribute to the overall task for the Council to tackle unemployment, increase skills levels and household incomes.

In addition to this, the investment programmes arising from the HRA Business Plan will generate significant job and business opportunities for local people.

**7.0 Financial**

**7.1 HRA financial plan and resources**

A 30 year HRA financial plan has been developed following the implementation of HRA self-financing. The current draft reflects most recent estimates, but the underlying assumptions will need to be monitored and refreshed in the run up the start of self-financing, and thereafter maintained as a living financial plan to support strategic decision making and operational management.

**7.1.1 Summary financial plan April 2012 - March 2022**

The table below shows the major elements in the HRA from 1 April 2012. It shows:

# Business Plan 2012/13

## Creating better places to live

- HRA rents and operation income under HRA self-financing (rental income less revenue and interest costs)
- Forecast savings to recharges and on-going savings in M&M costs
- Decent Homes backlog grant, Affordable Housing programme grant and additional borrowing to the debt cap
- The allocation of investment resources across the Strategic Investment Categories described in the preceding section
- A top-sliced investment budget of £20m will be established to ensure that resources can be moved between the strategic investment themes in the table below to enable the Council to respond to unforeseen circumstances opportunities as they arise throughout the initial 3 year investment programme. This will be allocated to either investment schemes in the current stock or, subject to a full options analysis and business case, investment in newbuild schemes or further estate renewal schemes.

<b>Barking HRA 8 February</b>											
Stock		18,697	18,462	18,243	18,064	17,850	17,663	17,622	17,622	17,622	17,622
<b>£m</b>	<b>10 yr</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Rent & other income	<b>917.8</b>	83.2	84.8	86.4	88.2	89.8	91.6	94.1	97.0	99.9	102.9
Man & maint	<b>-453.0</b>	-41.4	-42.1	-42.9	-43.7	-44.5	-45.4	-46.5	-47.6	-48.8	-50.1
HRA recharges	<b>25.0</b>	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5
M&M Savings	<b>20.0</b>	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
<b>Net rent</b>	<b>509.7</b>	46.4	47.1	48.0	49.0	49.8	50.7	52.2	53.8	55.5	57.3
Interest	<b>-97.2</b>	-9.7	-9.7	-9.7	-9.7	-9.7	-9.7	-9.7	-9.7	-9.7	-9.7
<b>HRA resources</b>	<b>412.6</b>	36.7	37.4	38.3	39.2	40.1	41.0	42.4	44.1	45.8	47.6
<b>Grant and new borrowing</b>											
New borrowing	<b>6.7</b>	6.7									
HCA new build grant	<b>18.4</b>	8.4	0.0	10.0							
Backlog funding	<b>40.0</b>	9.5	15.0	15.5							
	<b>65.1</b>	24.6	15.0	25.5							
<b>Total capital resources</b>	<b>477.7</b>	<b>61.3</b>	<b>52.4</b>	<b>63.8</b>	<b>39.2</b>	<b>40.1</b>	<b>41.0</b>	<b>42.4</b>	<b>44.1</b>	<b>45.8</b>	<b>47.6</b>
Capital works	<b>-369.2</b>	-33.0	-22.7	-30.3	-31.7	-32.6	-39.0	-42.4	-44.1	-45.8	-47.6
Investment contingency	<b>-20.0</b>	-10.0	-5.0	-5.0							
New build	<b>-50.1</b>	-11.9	-17.2	-21.0							
Estate renewal	<b>-38.4</b>	-6.4	-7.5	-7.5	-7.5	-7.5	-2.0				
<b>Total capital spend</b>	<b>-477.7</b>	<b>-61.3</b>	<b>-52.4</b>	<b>-63.8</b>	<b>-39.2</b>	<b>-40.1</b>	<b>-41.0</b>	<b>-42.4</b>	<b>-44.1</b>	<b>-45.8</b>	<b>-47.6</b>
<b>Debt</b>		<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>

### 7.1.2 Summarised financial plans for 10-20 and 21-30 years

Financial forecasts have been rolled forward beyond the first 10 years to show the following position over the first 30 years of self-financing:

<b>Barking HRA 8 February</b>								
£m	30 yr	10 yr	2012-16	2017-21	2022-26	2027-31	2032-36	2037-41
Stock			18,263	17,630	17,622	17,622	17,622	17,622
Rent & other income	3,764.7	917.8	432.4	485.4	562.5	652.1	756.0	876.4
Man & maint	-1,763.7	-453.0	-214.6	-238.4	-269.7	-305.1	-345.2	-390.6
HRA recharges	75.0	25.0	12.5	12.5	12.5	12.5	12.5	12.5
M&M Savings	60.0	20.0	10.0	10.0	10.0	10.0	10.0	10.0
Net rent	2,136.0	509.7	240.3	269.5	315.3	369.5	433.2	508.3
Interest	-291.5	-97.2	-48.6	-48.6	-48.6	-48.6	-48.6	-48.6
HRA resources	1,844.5	412.6	191.7	220.9	266.7	320.9	384.6	459.7
<b>Grant and new borrowing</b>								
New borrowing	6.7	6.7	6.7					
HCA new build grant	18.4	18.4	18.4					
Backlog funding	40.0	40.0	40.0					
	65.1	65.1	65.1					
<b>Total capital resources</b>	<b>1,909.6</b>	<b>477.7</b>	<b>256.8</b>	<b>220.9</b>	<b>266.7</b>	<b>320.9</b>	<b>384.6</b>	<b>459.7</b>
Capital works	-1,801.1	-369.2	-150.3	-218.9	-266.7	-320.9	-384.6	-459.7
Investment contingency	-20.0	-20.0	-20.0					
New build	-50.1	-50.1	-50.1					
Estate renewal	-38.4	-38.4	-36.4	-2.0				
<b>Total capital spend</b>	<b>-1,909.6</b>	<b>-477.7</b>	<b>-256.8</b>	<b>-220.9</b>	<b>-266.7</b>	<b>-320.9</b>	<b>-384.6</b>	<b>-459.7</b>
<b>Debt</b>			<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>	<b>277.6</b>

Note 1: The forecasts are based on a continuation of the assumptions used in the 10 year forecasts for the full 30 years.

Note 2: Appendix 1 contains the financial modelling assumptions and sensitivity analysis

### 7.2 Rent policy

The delivery of the business plan and the Council's ambitions to invest in new Council homes, progressing the estate renewal programme and significantly step up its major capital works to improve the life chances of tenants and their families are dependent upon securing an income stream based upon an aggregate rent increase of RPI + 0.5% per annum throughout the 30 year life of the business plan

The Government's HRA self financing model was based upon the assumptions set out above and for the period up to 2015/16, convergence to formula rent levels.

Within the overall rent increase it is planned to have differential rates of increase, as set out below:-

- new build Council homes will have rents based on between 50 – 55% of the appropriate Local Housing Allowance
- rents for existing Council houses will be increased at a higher rate than that for existing flats
- rents for existing homes will be increased to bring them to formula level when major refurbishment works have been undertaken

The justification for this approach is that new homes and fully refurbished homes will enjoy significantly reduced heating and energy bills, in addition to the fact that these homes will be more desirable. It is also the case that houses are generally more sought after than flats. The impact of the policy is that the rents for less attractive flats which have yet to benefit from the major investment programme will increase at a lower rate than that for houses and refurbished flats.

There is also a commitment to work to rebalance the current system of service charges for Council tenants and leaseholders to ensure a fairer distribution on estates where currently only tenants and leaseholders of flats pay charges for services that tenants of houses in that estate also receive.

### 7.3 Financial model: sensitivity analysis

The table below sets out the key financial risk categories that have been identified in relation to the HRA financial business plan. The impact of these has been modelled to determine the impact on the business of changes to the expected assumptions. A regular monitoring and reporting process has been established and is set out in the following section.

No	Category	Scenarios tested	Impact
1	Rental Income	<p>i. Speed of convergence of rents to formula rent - will it be in line with Government policy? Two main scenarios have been modelled: separately or combined:</p> <p>a. Convergence by 2015/15</p> <p>b. Convergence by 2019/20</p> <p>Future scenario testing as part of developing the HRA's detailed risk management system:</p> <p>ii. Rent collection rates (bad debts) in the light of benefit changes. E.g. will introduction of universal credit and/or direct payment to tenants reduce collection rates. Increase in bad debt rates by 5% and 10% on current rates.</p> <p>iii. The baseline financial plan uses social rents increasing in line with Government policy (0.5% above inflation) for all properties. Whilst this is a fundamental principle underlying HRA self-financing, greater variation in rents</p>	See Appendix 2.

		<p>and tenures could flow through in future years</p> <p>a. Impact of base inflation assumption varying by plus/ minus 5% to:</p> <ul style="list-style-type: none"> <li>i. 2.625% plus 0.5%</li> <li>ii. 2.375% plus 0.5%</li> </ul>	
2	Inflation rates	<p>i. Variations on the central assumption of a general inflation rate of 2.5% - though the linkage between inflation and interest rates over the medium term need to be borne in mind – sensitivities have been evaluated assuming underlying inflation rates as follows:</p> <ul style="list-style-type: none"> <li>a. Inflation rate for entire 30 years reduced by 1% to 1.5%</li> <li>b. Inflation rate for entire 30 years increased by 1% to 3.5%</li> </ul> <p>Future scenario testing as part of developing the HRA's detailed risk management system will take the following into account:</p> <p>ii. Real cost inflation (i.e. over and above general inflation is not included), and over time there is an argument that it will not be there. Though short term increases are possible, particularly for build cost inflation.</p> <ul style="list-style-type: none"> <li>a. Real build cost inflation has been evaluated as follows: <ul style="list-style-type: none"> <li>i. Years 1-5 0% real</li> <li>ii. Years 6-10 5% and 10% real</li> <li>iii. Years 11 onwards current UK 30 year benchmark gilt yields used</li> </ul> </li> <li>iii. Different interest rates for different elements in the HRA cost base need to be modelled e.g. different inflation rates for staff costs and M&amp;M costs. Due to the current adverse economic circumstances a differential variable inflation impact assessment will be undertaken for the next version of the HRA BP.</li> </ul>	As above
3	<b>Interest rates</b>	<p>Starting from a base of no debt, then interest rates will largely reflect borrowing decisions taken for self-financing. Though to the extent that we take on relatively short term debt, there may be a need to refinance at uncertain future interest rates; this will be picked up in detail in the development of the HRA Treasury management policies</p> <p>a) Interest rate for entire 30 years increased by 0.5% from 3.5% to 4.0%</p> <p>b) Inflation rate for entire 30 years increased by 1% from 3.5% to 4.5%</p>	As above
4	<b>Estate regeneration and new build</b>	<p>(i). Estate renewal</p> <p>This is an important area. The central assumption is that the money set aside for estate renewal enabling will lead to</p>	As above



		<p>successful delivery of the estate renewal and new build schemes in the anticipated timescale. There are a number of risks here - essentially around delay. Analysis has will be undertaken on the basis of a slower and faster estate renewal programme as follows:</p> <p>a) Plus three years  b) Minus 3 years</p> <p>(ii). New build</p> <p>Similarly for the new build programme, the assumption is that the enabling costs and associated HRA borrowing deliver the new HRA properties (with the benefit of grant and cross subsidy). Again delay, change in scheme scale/nature and future financial call on the Council are potential risks. A detailed development strategy has been prepared as part of the AMS which sets out detailed schemes analysis. On a programme basis the adverse impact of a longer programme periods will be modelled:</p> <p>(iii). Active asset management</p> <p>Under self-financing LAs will be expected to undertake an active asset management strategy to ensure that uneconomic and obsolete properties are reconfigured or redeveloped. Consequently, over the course of the 30 year business plan there is likely to be further estate renewal schemes; such proposals will be subject to a full options appraisal and business case to ensure that there is no adverse impact of the viability of the retained stock.</p>	
5	<b>Maintenance and life cycle capital needs of existing housing</b>	<p>Over time there is a risk of additional landlord obligations falling on the Council that would lead to increased costs over and above current estimates.</p> <p>A detailed scenario testing matrix is being developed to assess the likely impact of future policy changes in this area</p>	As above
6	<b>Right to buy</b>	<p>Future loss of property through right to buy will lead to a loss of an asset that generates income to support HRA debt. Uncertainty around future changes in the RTB regime leads to the prospect of the Council not being able to keep sufficient amount of the receipt to compensate for the loss of future rent income.</p> <p>The Government is consulting on the future of the RTB scheme and the impact of this on the HRA will be kept under review. In headline terms as long as the net capital receipt from a RTB is available to the HRA then the impact of likely to be broadly neutral. Subject to future changes to the RTB system it is assumed that the receipt from RTB is ring fenced to the HRA capital programme.</p>	As above

### 7.4 Treasury Management

#### 7.4.1 Self-financing implications

The PWLB have announced that the lending rate for self-financing only will be reduced to pre-spending review rates (i.e. approximately 13 basis points over gilts) which on a mark-to-market basis is below the cost of finance available in the commercial markets and below the general PWLB rates. At this time therefore it is expected that funding for the HRA under self-financing will be initially be sourced from the PWLB. However, in the medium to long-term this is likely to change and the Council will need to develop and maintain a treasury management function that continually monitors and meets the financing needs of the business as it develops over time.

For borrowing authorities, such as Barking & Dagenham, the PWLB will continue to offer early repayment flexibility via the variable rate loan for borrowing authorities. Both the variable rate and the lower rate will be available until the 26 March 2012. Although the PWLB have confirmed that it does not have any long-term concerns that the European debt crisis will have an impact on their ability to lend (because the self-financing borrowing and repayment are within the public sector and therefore has no external impact) the Council will continue to monitor the situation in case the situation does change.

The PWLB has confirmed that it will not split debt between the General Fund and HRA. However, CIPFA recommends that a book exercise is undertaken by authorities who wish to split their debt between the HRA and GF. Barking & Dagenham has decided that it will manage and account for the HRA debt separately from GF activities. This will ensure that the HRA can be operated as standalone business within the Council. This also follows DCLGs policy in this area who have confirmed that the ring fence between the HRA and General Fund will continue after the introduction of self-financing.

The importance of good treasury management under self-financing will be needed to support achievement of business objectives and to conform to the requirements of the debt cap. Although, no specific sanctions have yet been announced if the debt-cap is breached DCLG have confirmed that the Section 151 officer and the Council as a whole would be in breach of the law. Furthermore, DCLG have confirmed that once the debt cap is set it will not be reduced for individual councils; however, in the event that forecasts on which the limit is based are wrong then DCLG will review the limit and issue a revised determination where necessary.

Good treasury management is essential to the operation of the HRA under self-financing and the following section sets out the Treasury Management principles that the Housing Service will adopt.

#### 7.4.2 Treasury management objectives

The aim of the treasury function is to contribute to the maximisation and release of resources to deliver improved front line services and to ensure that sufficient liquidity is maintained to meet the HRA's business requirements. Although the primary focus is cash management (due to the likelihood that the majority of HRA debt will be sourced through the PWLB) there will be an ongoing need to monitor the terms of funding from

the PWLB to ensure that those terms remain on market. It is also likely that the debt requirements of the HRA will be funded from a mixture of short and long-term PWLB funds and private debt over time; the Council's treasury management function will be essential to ensuring the business is funded on the most favourable terms.

### ***7.4.2.1 Funding the self-financing payment to Government***

#### Background

The Government announced on 18th September 2011 that the 'buy out' of the current HRA system would be able to be funded at lower PWLB rates than previously expected. The announcement follows an increase of 0.83 percentage points in the rate of loans from the PWLB to 1% above government gilt rates.

This means margins will be lower and currently makes PWLB the cheapest form of borrowing for fixed rate borrowing.

Generally the housing revenue account has a bias towards fixed rate borrowing as it matches the certainty required in the business plan. However, whether to take fixed rate borrowing or not, is a Treasury Management decision which should reflect the funding needs of the business.

Generally however, if interest rates are low, there is a bias towards taking fixed rate funding over a longer period. When interest rates are high there is bias towards taking shorter fixed rate funding or even variable rate funding until rates fall and taking longer term loans when it is seen to be cheaper.

At present, interest rates appear to be relatively attractive and when the margin is removed for housing authorities actual borrowing rates could be the some of the lowest rates historically available to local authorities.

However, whilst rates look historically low, it is also important to take into consideration the outlook for interest rates. The latest forecast from the Council's Treasury advisors is that interest rates are likely to increase over time as the economy recovers. The lower margin which will be made available on 26 March 2012 will disappear.

On balance, it is therefore likely to be beneficial to take full advantage of the lower margins and borrow the maximum available, commensurate with the associated risks. This strategy may also be useful if combined with the future needs of the General Fund.

#### The funding proposal

1. The opening CFR (and debt) for the HRA will be as follows:
  - a. Settlement amount £265.9m (automatic CFR adjustment 28 March 2012)
  - b. Projected HRA CFR as at 31 March 2012 (£5.0m)
  - c. Borrowing to the HRA Debt Cap £6.7m (this will be reflected in the CFR when the expenditure is incurred)
  - d. Totalling £277.6m (CLG Debt Cap)

2. Years 1 to 10 of the cash flow model, whilst reflecting a total cash flow positive position of £412.6m, does not show that this resource is planned to be invested in the stock leaving no cash flow resource to pay off debt during this period.
3. There is a strong possibility that from years 11 onwards, some of the net cash surplus will be reinvested in new build and further estates regeneration which has not been factored into the financial forecasts (business plan) at this stage.
4. This leaves the borrowing options as follows:

	Possibility	Fixed / Variable	Availability
Cash	Insufficient cash resources to fund initial borrowing requirement of £277.6m.	n/a	n/a
EIP loan	No cash resource to meet debt redemptions in years 1 to 10 so would create future refinancing risk at forecast higher interest rates. Cash resources from year 11 onwards may be low due to other spending priorities.	n/a	n/a
Annuity loan	No cash resource to meet debt redemptions in years 1 to 10 so would create future refinancing risk at forecast higher interest rates. Cash resources from year 11 onwards may be low due to other spending priorities.	n/a	n/a
Maturity loan	Deb repayment could be tied in with periods which were cash positive. Would also suit a strategy where greater certainty of funding costs were required and there was upside risk, on balance, to interest rates. The actual loan repayment in real terms, assuming 2.5% annual inflation, will be lower the longer the loan period chosen.	Fixed (up to 50 years) and variable (up to 10 years) available	PWLB at a small margin over UK Government borrowing rates. Corporate loan up to £20m on a LOBO basis up to 15 years only
Maturity loan for first 10 years and then Annuity or EIP loan repayment from 11 years onwards	May create refinancing risk from year 11 onwards if net cash flows are not sufficient to cover debt repayment.	n/a	This structure is not available from the PWLB. A PWLB Maturity loan could be part or fully repaid at any time after the first year and as long as the loan has at least 1 year to maturity. Corporate loan up to £20m on a LOBO basis up to 15 years only.

The cashflow forecast for the HRA would support taking a maturity loan for a long period to optimise the 'one-off' benefit of a reduced margin over the UK Government Gilt for fixed rate borrowing on the 28<sup>th</sup> March 2012. The amendment reflects that the cash surpluses in the first 10 years are required to support the HRA Investment programme and there is a view that from years 11 onwards, some of the net cash surplus will be reinvested in new build and further estates regeneration. This aspirational expenditure will ultimately determine the period of the borrowing but there remains the opportunity to repay debt prematurely (in part or in full) under the current PWLB rules which raises the possibility, in an interest and margin increasing environment, that loans may be paid at a discount in the future and would support longer-term borrowing.

**7.4.3 Scope of treasury management**

In relation to the primary objective of maximising future operating net cash flow as set out above the scope of the treasury management function is set out in the table below:

Financial strategy & policy	Will need to address: 1. Define types of risks covered in reflecting economic, financial and operational risks 2. Attitude of the Council in relation to operational activities, investment and development risks e.g. the extent to which JV risk sharing will be accepted 3. Which techniques, markets and instruments for management of risks are acceptable 4. Performance measures to be used in the management of risk 5. Board risk reporting and risk management	This will need to be drafted and submitted to Cabinet for approval
Financial governance & operations	Adoption of best practice model based on a cascade of responsibility as follows: 1. Board (Cabinet)– agreement of objectives and risk appetite 2. Finance sub-committee – approval of detailed strategies 3. Chief Executive –executive oversight of treasury management/ risk function and reporting responsibility 4. Finance director/ finance team – responsible for implementation of delegated functions 5. Treasury function - transactional functions 6. Internal Audit - review of control and delegation processes	As above
Financial and operational risk management	1. Liquidity, cash management and investment risk • Essentially cash management to meet operational business requirements and ensure compliance with loan facility terms 2. Funding and refinancing risk • Inability to refinance or to fund new capital expenditure on acceptable terms; involves market monitoring in relation to exiting loan portfolio and new funding	As the HRA cannot perfectly hedge against all these exposures there will be a mis-matched risks incurred relative to income that needs to be understood, modelled and managed and appropriate treasury management policies adopted.

	<p>requirements</p> <p>3. Interest rate risk</p> <ul style="list-style-type: none"> <li>• Related to HRA debt and interest rate assumptions assumed in the HRA financial model</li> </ul> <p>4. Counterparty credit risk</p> <ul style="list-style-type: none"> <li>• Related to direct Treasury management activities and default risk attached to HRA investment and development partners</li> </ul> <p>5. Operational risk</p>	<p>A detailed operational analysis of the HRA business.</p>
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**7.4.4 Treasury Management Framework**

A treasury management framework will be developed and adopted to address the following issues:

<p>Liquidity, cash management and investment</p>	<p>Objectives: manage liquidity risk and maximise returns from investment of cash flow surpluses</p> <ul style="list-style-type: none"> <li>• Cash management: liquidity management and cash transmission</li> <li>• Short-term working capital</li> <li>• Long-term planning (investment and new development)</li> <li>• Cash forecasting: long-term 30 years; medium term 1 year and short term, up to 3 months</li> <li>• Cash pooling: zero balancing cash sweeping</li> <li>• Cash surplus investing</li> <li>• Funds transmission: costs effective income collection and payments systems</li> </ul>
<p>Refinancing and funding</p>	<p>Objectives: maintenance of adequate supply of financing for continued operation of the business</p> <ul style="list-style-type: none"> <li>• Financing structuring and advisors</li> <li>• Long-term cash flow forecasts</li> <li>• Defined financing requirements</li> <li>• Funding method selection</li> <li>• Loan administration</li> <li>• Funding facilities monitoring</li> <li>• Lender relationships</li> </ul>
<p>Interest rate risk</p>	<p>Objectives: management of interest rate risk inherent in funding structures as market rates change and inherent mismatch between sources of income and associated financing costs</p> <ul style="list-style-type: none"> <li>• Basis risk: element of interest rate risk arising from differential movement in actual interest rates in business plan and financing components</li> <li>• Interest rate exposure and management to reduce cash flow volatility</li> </ul>
<p>Counterparty credit risk</p>	<p>Objectives: risk management in relation to counterparty risk (credit risk) in financing transactions and operational transactions</p> <ul style="list-style-type: none"> <li>• Potential for loss modelling</li> <li>• Assessment of credit worthiness</li> <li>• Counterparty limit setting</li> <li>• Counterparty exposure</li> </ul>

Control and operational risk	Objectives: introduction of best practice controls to reduce possibility adverse impact from that treasury management actions <ul style="list-style-type: none"><li>• Control framework: policies, procedures, limits &amp; mandates, segregation of duties, documentation, management and reporting</li></ul>
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#### **7.4.5 General Risk Management**

In addition to the financial risk management discussed above a new risk management framework is being established for identifying and reporting risks that is understood by all staff. Furthermore framework aligns staff with clear delegated responsibilities for addressing and mitigating risks.

The objectives of the risk management framework are to:

- Support the governance structure
- Support the management of risk that threaten our ability to meet the strategic objectives
- Assign responsibility to appropriate staff
- Provide information to Housing Strategy Group and Board members on risks to enable appropriate prioritisations and risk mitigations to be put in place
- Enable staff at all levels to understand and manage risk

The purpose of the risk management framework is not to remove risk but to understand and manage the risks inherent in each of our activities.

**Appendix 1: Financial Modelling Assumptions**

Stock numbers	<p>Assumed that the current housing stock numbers will change as a result of:</p> <ul style="list-style-type: none"> <li>• Reductions as the Gascoigne estate regeneration project is implemented</li> <li>• Increases through the Councils new build projects</li> </ul> <p>At this stage, the impact of future right to buys has been ignored, pending clarification of potential changes to the regime recently announced by Government.</p>
HRA self-financing debt level	<p>Current working assumptions on self-financing debt:</p> <ul style="list-style-type: none"> <li>• £265.9m payment to DCLG on 28 March 2012, combined with £5m HRA CFR leading to starting HRA debt of £270.9m.</li> <li>• Borrowing headroom of £6.7m – assumed that this will be drawn down immediately, leading to HRA debt of £265.9m</li> <li>• There will be no changes to this debt level in the first 10 years</li> </ul> <p>Final debt level will be based on a shadow HRA subsidy determination issued in November, and will not be confirmed until January 2012.</p>
Interest rates	<p>To fund the one-off self-financing payment of £265.9m to DCLG, the Council will be able to access preferential rate funding from the Public Works Loan Board. On average this will be at a rate of gilts plus 13 basis points. Whilst rates may change between now and 26 March 2012, based on today's interest rates this would be 2.32% for an interest only loan repaid in 10 years, or 3.22% for an interest only loan repaid in 20 years. There will also be an opportunity to borrow for a longer term to lock in historically low interest rates to meet the investment needs of the business.</p> <p>With this background, financial modelling assumes a 3.5% interest cost.</p>
Inflation	<p>The general rate of inflation assumed after April 2012 is 2.5% pa. It has been assumed that all costs rise in line with this inflation rate, and that rent increases are also based on this rate (see below).</p>
Rent increases	<p>Rent increases are based on current Government policy of RPI plus 0.5%. Future rent increase decisions will be made annually in the context of the financial needs of the HRA.</p> <p>For social rents this is:</p> <ul style="list-style-type: none"> <li>• Formula/target rents will increase at inflation + 0.5% pa</li> </ul> <p>The 2012/13 starting rent levels is set at the agreed aggregate increase of 6.8%.</p> <p>For now, all rents are assumed to be social rents and no (higher) affordable rents have been included.</p>
Management & maintenance	<p>Future costs of management and maintenance are based on:</p> <ul style="list-style-type: none"> <li>• Current cost base, increasing by inflation</li> </ul>



	<ul style="list-style-type: none"> <li>• Reduction of £2.5m pa relating to reductions in general fund recharges</li> <li>• Reduction of £2m pa relating to other future cost savings</li> </ul> <p>In addition, the modelling factors in changes in management and maintenance costs arising from changes in stock levels. For management costs it is assumed that 75% of costs are fixed and the other 25% vary with stock levels. For maintenance costs, 20% are assumed to be fixed with 80% variable.</p>
<p>New build &amp; regeneration</p>	<ul style="list-style-type: none"> <li>• £38.4m of HRA resources is spent on regeneration enabling works</li> <li>• £31.7m is combined with HCA grant funding to support delivery of new Council housing in Goresbrook and the Leys.</li> <li>• The LEP development will not have any direct financial impact on the HRA as this is a General Fund scheme</li> </ul>

**Appendix 2: Financial Model Sensitivity Analysis and Scenario testing  
 evaluation results**

<b>Resources available for capital works to existing housing stock £m</b>	<b>30 yr</b>	<b>10 yr</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Base case</b>	<b>1,821</b>	<b>389</b>	<b>43</b>	<b>28</b>	<b>35</b>	<b>32</b>	<b>33</b>
<b>Interest rates</b>							
Interest rates for entire 30 years increased by 0.5% from 3.5% to 4.0%	<b>1,779</b>	<b>375</b>	42	26	34	30	31
Interest rates for entire 30 years increased by 1.0% from 3.5% to 4.5%	<b>1,738</b>	<b>361</b>	40	25	32	29	30
<b>Inflation</b>							
Inflation rate for entire 30 years reduced by 1.0% from 2.5% to 1.5%	<b>1,522</b>	<b>368</b>	43	27	34	30	31
Inflation rate for entire 30 years increased by 1.0% from 2.5% to 3.5%	<b>2,184</b>	<b>411</b>	43	28	36	33	34
<b>Revenue costs resulting from additional landlord obligations</b>							
2.5% increase in revenue cost base	<b>1,779</b>	<b>379</b>	43	27	34	31	31
	This sensitivity assumes that the base budget of the HRA increases to reflect additional, higher cost landlord obligations that are unknown at this time. The impact of such changes will be kept under regular review.						
<b>Rental income</b>							
Government convergence by 2015/16	<b>2,112</b>	<b>450</b>	43	30	40	39	40
Delayed convergence by 2019/20	<b>2,098</b>	<b>435</b>	43	29	37	35	37
<b>Estate renewal &amp; new build</b>							
Estate renewal programme changes	0	0	0	0	0	0	0
Current new build programme changes	0	0	0	0	0	0	0

	<p>Changes to the anticipated programmes of the estate renewal and new build programmes do not affect the overall resource position of the HRA. Any such changes will be managed by switching resources between the strategic investment themes to take account of unforeseen changes in each investment theme.</p>
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## CABINET

20 MARCH 2012

<b>Title:</b> Improved Housing Management and Environmental Services in Town Centres and Flatted Housing Estates	
<b>Joint Report of the Cabinet Member for Housing and Cabinet Member for Environment</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Maureen McEleney, Interim Divisional Director of Housing & Neighbourhood Services	<b>Contact Details:</b> Tel: 020 8724 3738 E-mail: maureen.mceleney@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Maureen McEleney, Interim Divisional Director of Housing & Neighbourhood Services	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing and Environment	
<p><b>Summary:</b></p> <p>This report sets out a service improvement programme for Housing Management and Environmental Services in our town centres and areas of mainly high rise housing.</p> <p>The quality and cost effectiveness of our frontline environmental and housing estate management services need to improve. Services such as grounds maintenance, housing repairs and maintenance and street cleaning in some areas of dense social housing and our main shopping areas are not delivered to a consistently high quality.</p> <p>During 2011 two pilot schemes, one in Barking town centre and one in and around the Heath Park Estate in Dagenham, have trialled a new model of service delivery that seeks to join up frontline Housing Management with Environmental Services.</p> <p>These pilots have shown that this type of approach has successfully broken down organisational barriers, made the services more responsive and accountable to local people and most importantly improved the quality and consistency of the service provided.</p> <p>This report proposes to roll out this approach to 4 more areas of the borough and sets out revised staffing proposals for the management of the areas outside of town centres and high rise housing.</p> <p>Members should note that a further report will be submitted to Cabinet early in 2012 to describe proposals to enhance the standard of Housing and Environmental Services in the remaining areas of the borough. The proposals in this report will not reduce the current housing or environmental services budgets held for work in areas outside Flatted Estates and Town Centres.</p>	

## **Recommendation(s)**

The Cabinet is recommended to agree:

- (i) That an integrated Housing Management and Environmental service as described in the report be delivered in the targeted areas broadly outlined in Appendix A, on the understanding that the exact boundaries will be subject to change to reflect operational requirements identified as the model is implemented and developed; and
- (ii) That management commence formal consultations with Unions and staff on the restructuring proposals as detailed in the report.

## **Reason(s)**

These proposals contribute to a number of the Council's overall priorities and in particular address the theme of 'Better together' as well as the priority of being a well run organisation.

## **1. Introduction and Background**

- 1.1 The quality and cost effectiveness of our frontline environmental and housing estate management services need to improve. Services such as grounds maintenance, housing repairs and maintenance and street cleaning in some areas of dense social housing and our main shopping areas need to be delivered to a consistently high quality.
- 1.2 Responsiveness to local community and elected member priorities needs to be further developed and in some instances our organisational structures do not make it clear who is responsible for the overall quality of the living environment, or how our tenants and residents can secure improvements in the environmental and housing services that are provided.
- 1.3 A new way of delivering core front line services between Housing and Environmental and Enforcement Services has been tested by means of two pilot schemes during 2011. This new way of working was devised to explore whether an integrated team with the ability to deliver a range of core front line services led by a locality manager with a broad range of responsibilities, could improve service quality, increase accountability, enhance resident involvement and engagement, secure efficiencies and reduce costs.
- 1.4 Two areas of the Borough were chosen to trial the new approach. They were selected because in both areas it is particularly challenging to provide a consistent, high quality service. One was based around the Heath Park Estate in Dagenham, a mainly residential area of dense social housing and the other Barking Town Centre and the surrounding residential areas. Both pilots crossed the boundaries of three wards.
- 1.5 The two pilots have now been fully operational since April 2011. The outcome from the pilots clearly demonstrates that the new model with a locality manager dedicated to a particular area has been successful in enabling officers to take

'ownership' of an area, and that co locating teams and services has enabled a more joined up approach to be taken to problems. This can be seen across all aspects of engagement and enforcement activity as well as anti social behaviour, both internally within the Council and in our partnership working with the Police.

- 1.6 The locality pilots have also illustrated the need for further join up of our frontline teams. In particular housing repairs and maintenance, grounds maintenance, street cleaning and caretaking. Although improvements have been seen in the responsiveness of estate management, more needs to be done to achieve a service that proactively manages the needs and responsibilities of our tenants and residents both within their home and their wider neighbourhood.
- 1.7 The proposals involve a major restructuring of Housing and Neighbourhoods and Environmental and Enforcement Services. New more generic roles will be created and associated training and change management support at all levels of the organisation will also be put in place. In addition it is clear that through more integrated management and a more generic frontline, efficiencies can be achieved across Housing and Environmental services.

## **2. Proposals**

- 2.1 The new way of working brings together a range of Housing and Environmental Services under a single locality manager, and makes that person responsible for the outcomes of all of those services in a particular town centre or flatted area.
- 2.2 The proposal identifies the services that will be directly managed by the locality manager and the more universal or specialist services where he or she will coordinate delivery but will be provided by other areas of the Council, in particular Environment and Enforcement Services.
- 2.3 The six areas where this approach is proposed are set out in **Appendix A**. These areas have been carefully selected and represent areas of higher density housing and our two main shopping areas at the Heathway and Barking Town Centre. This includes areas of council owned housing as well as private and Housing Association owned properties. The boundaries set out provide a guide, however they are will be subject to change to reflect operational and organisational requirements identified on the ground as the model is implemented and developed..
- 2.4 Where it is operationally logical to do so the areas also include areas of low rise housing and smaller shopping parades.
- 2.5 The services to be directly provided under the management of the locality manager are:
  - 1) Environmental and Maintenance Services
  - 2) Housing Estate Management and Environmental Health Enforcement
  - 3) Resident and Tenant Engagement focussing on Housing and Environmental issues.

## **Environmental and Maintenance Services**

- 2.6 In areas such as town centres and on high density housing estates it is particularly challenging, but also of vital importance, to have maintenance and environmental services that are of the highest quality. The look and feel of our town centres can be a significant part of the general reputation of the borough and therefore must be maintained to the highest standards. The services on housing estates are often paid for through tenant and leaseholder service charges and therefore need to be directly accountable to those residents for price and quality.
- 2.7 The services that will be provided through the locality manager are:
- 1) Caretaking: Including all aspects of internal and external cleaning of Council owned housing blocks and estates.
  - 2) Fly tipping and bulk refuse collection: Housing and Neighbourhoods will provide a service to enable the speedy collection and removal of fly tips and bulk refuse.
  - 3) Grounds maintenance: This is the intensive aspects of horticulture on Council Housing Estates and in town centres.
  - 4) Street cleansing: All aspects of local street cleansing.
  - 5) Maintenance of the communal areas of Council owned housing blocks and other local handyman repairs in council properties.

## **Housing Estate Management and Environmental Health Enforcement**

- 2.8 Of equal importance is the work we do with businesses, residents and tenants to support our residents' and investors' right to enjoy their business and home without suffering from antisocial behaviour or environmental crime. Other forms of estate management such as action against subletting or rent arrears and proactive inspections of tenants homes to assess conditions also benefit greatly from working with environmental health staff that are able to use the criminal law to get improvements, but are also able to tackle residents and landlords in privately rented homes.

The services to be directly managed are:

- 1) Housing Estate Management
- 2) Environmental Health and Private Sector Housing (due to the small size of these teams they will be tasked through the Locality Manager but also work on borough wide issues)
- 3) The management of Barking Market.

## **Resident and Tenant Engagement focussing on Housing and Environmental issues**

- 2.9 The third part of the proposal is the work we do with our tenants and residents to listen to their views about the services we provide and then adapt them where gaps are found. This is vitally important so that when problems occur we find solutions with the residents and business owners so that they don't happen again.



On 10 May 2011 Cabinet agreed to put in place a new model of tenant and resident engagement. Two forums, one focussing on the Barking area and the other on Dagenham have been established.

Of vital importance to the success of this model is the work done in the area through the relationship that the locality manager develops with the local Children's Services Multi Agency Locality Team (MALT) manager and Neighbourhood Crime Reduction Coordinator. These officers provide access to the local Metropolitan Police, the broader Teams who support youth diversion and engagement and lead the management and resolution of neighbourhood Crime and Disorder issues.

We know that not everyone, particularly in higher density housing areas, wants to be involved in formal meetings that require a significant time commitment. Therefore the less formal opportunities for engagement that open up through working with the local children's centre staff, existing residents groups or local Community Safety staff/ Police has proven invaluable in the two pilots.

Service 'co design' has been successfully piloted through the Barking Town Centre Pilot area and will form part of the initial work of each locality manager. Through this work, the locality manager can quickly develop a reputation for open and honest dialogue about the role of the council, but also the role of businesses, residents and tenants in working together to make their environment a better place to trade or live.

### **Universal and Specialist Services**

- 2.10 These are services that are delivered in a similar format borough wide or are provided by teams that are small and highly skilled, and would therefore be uneconomic or inappropriate to be delivered on a fixed locality basis.

These services include:

- Refuse collection to all properties
- Parks and cemeteries maintenance (including Abbey Green)
- Universal street cleansing and horticulture outside estates and denser areas, and for major roads
- Specialist Environmental Health activity and enforcement
- Parking enforcement and control
- Highways maintenance of adopted and unadopted roads
- Street lighting repair and maintenance
- Housing allocations
- Housing repairs and maintenance services
- Specialist repairs such as lifts and gas safety checks.

- 2.11 These services will not be directly managed, but will be coordinated through the locality manager. In practice this will mean that in flatted estates and town centres the first point of call for our residents and businesses will be this manager.

- 2.12 They will also be responsible for making sure the specialist or universal services work effectively with the directly managed services and work on behalf of our residents to make sure the work gets done.

## **Areas of low rise housing, industrial estates and smaller shopping areas**

- 2.13 It is also acknowledged that the standards of the environmental services outside of flatted estates also need to improve. The Divisional Director of Environmental and Enforcement Services will bring forward proposals to members early in 2012, that will reinvigorate management capacity within environmental services with particular emphasis on a programme of skills development for front line staff, alongside consistent and effective front line supervision and organisation of resources. The proposals in this report will not reduce the current environmental services budgets held for work in areas of low rise housing, industrial estates or shopping areas.

### **Staffing structures proposed for Flatted Estates and Town Centres.**

- 2.14 The proposals in this report require a fundamental reappraisal and restructuring of the current Housing Service, and key areas of Environment and Enforcement. There are a number of core aspects of the structures that need to be addressed and these are set out below. Staff affected by the restructuring will be ring-fenced and given the opportunity for assimilation, redeployment or interview for the new posts under the Council's usual protocols.
- 2.15 The transfer of functions between services will be reflected within both the Divisional Director post for Housing and Neighbourhoods and Divisional Director for Environment and Enforcement.
- 2.16 The Group Manager, locality manager and team manager roles will also need to be developed to meet the requirements of the new model. This will be a major change from the current arrangements.
- 2.17 Members should also be aware that as part of the 2012/13 budget proposals the Divisional Director for Environment and Enforcement will bring forward detailed options to restructure and streamline the Group Manager and Service Manager structure within Environment and Enforcement.
- 2.18 Through the Chief Executives review of policy and performance teams the Corporate Director of Housing and Environment is currently implementing a merger of the Housing and Environment Policy and Performance Team and Housing Business Services Team. With reduced numbers of staff this role will be focussing on supply frontline staff with management information, tracking response times, complaints, with an emphasis on meeting standards set to ensure managers know what is working and what is not. This is essential to ensure that both Housing and Neighbourhoods and Environment and Enforcement have a level of customer service information which both services need to drive up service quality and performance.

### **Proposed Management Structure**

- 2.19 The emphasis of these changes is to keep to a minimum the number of managers that will oversee both the direct management of the locality areas but also the management of the Council Housing Stock in the remainder of the Borough.
- 2.20 We propose to delete the current Area Tenancy Service Managers and Estate Services Managers. These posts will be ring fenced to the Housing and

Neighbourhoods locality manager posts for each of the 6 areas identified in Appendix A, and two further posts will be created to oversee Council Housing Management in the remaining areas of the Borough.

### **Housing and Environment Locality Managers**

- 2.21 These locality managers are central to the success of the new approach. This is an entirely new role and will be the main focus for opening up the dialogue with residents and the business community, but more importantly setting clear expectations of high quality and responsive directly managed and coordinated universal and specialist services and commitment from relevant partners. It is expected that the generic title of locality manager will in practice become the name of the locality in which the manager is based e.g. Marks Gate Manager etc
- 2.22 To deliver this new role the managers must be visible not only to the community but to their staff. They will be a key role model for the values of listening to our customers, learning from mistakes and consistently delivering the service standards that we promise. They will work very closely with the other coordinators and managers of other locally delivered council and partners services such as Neighbourhood Crime Reduction Coordinators and Children's Services MALT team managers.
- 2.23 In order to strengthen this link we propose to fund Neighbourhood Crime Reduction Coordinators, located with our Community Safety and Public Protection teams. This is to ensure that crime and disorder issues that are raised by the Safer Neighbourhood Teams and other local meetings are written into the locality action plans and delivered through coordinated work with the Police, Antisocial Behaviour and Youth Offending Teams. These HRA funded officers will form part of a team who will work across all areas.
- 2.24 Frontline supervisors/ working charge hands will report directly to the locality manager and will organise and manage the front line staff. The locality manager will then directly manage all other members of the team including the joint management of Environmental Health and enforcement staff with managers within Environmental and Enforcement services.

### **Combined Roles**

- 2.25 The current split roles of Estate Services officers and Tenancy Services officers will be combined to create Housing Officers.
- 2.26 These new posts will be supported by a strong development programme so they are better able to take the lead for housing issues within both the combined Flatted Estate Management Structure and in the wider areas of the borough. In particular they will develop enhanced skills around antisocial behaviour, subletting, damage to property, rent arrears and the management of voids.
- 2.27 It is also proposed that the current caretaking, grounds maintenance and street cleaning functions be brought together into a single generic job description to give maximum flexibility within flatted estates and town centres.

- 2.28 The potential structure is included as **Appendix B**. This structure has been used for costing/budgeting purposes and will be subject to change as a result of detailed consultation with staff and TU's etc.

### **Wider Areas**

- 2.29 Alongside the six locality areas, proposals have also been developed for the management of the wider areas of the borough. This includes the creation of a team manager post to provide dedicated housing management for the council housing stock in each of these areas, directly managing the provision of housing services including caretaking. The generic housing officer role will also apply in these areas, together with the enhanced roles and responsibilities around all aspects of housing management. This is aimed at improving the housing service provided and will be combined with the introduction of a working chargehand/supervisor role within the caretaking service.
- 2.30 Environmental services will continue to be provided centrally and the service standard will be maintained and improved in line with the proposals currently being developed for this service area. There will be no reduction of resources or services into these areas as a consequence of these proposals.

### **Culture change**

- 2.31 In addition to the need to manage the overall review process in terms of developing J/Ds, consulting with TU's and staff, formal redundancy processes, ring fenced interviews etc it is recognised that introducing this new way of working will require a specific change management programme. A significant cultural change in roles and responsibilities is needed and this extends beyond staffing to the nature of the relationship between the council and its residents.
- 2.32 In order for staff to play their role in this, the staff involved need to take responsibility for their areas and the issues that residents present, working closely with ward councillors. This also involves developing new relationships with residents with clear roles and responsibilities, and encouragement of residents to take an active role in the services delivered in their communities as well as what residents themselves can do. This involves taking a wider role than traditionally taken, as well as 'owning' issues to completion rather than passing them over to others to deal with.
- 2.33 It is recognised that training and development will be required to ensure that staff have the skills needed to undertake this wider role as well as a programme that supports the new roles, the reasons they are needed, and empowers staff to take responsibility. This then also needs to be supported through clear development and performance management processes, with clear expectations on standards to be achieved.
- 2.34 Bringing together caretaking, grounds maintenance and street cleaning into one role within a joint team will require a significant change management approach to ensure the new roles are embedded and developed to provide the culture change needed to provide flexible and responsive services aimed at excellence.

- 2.35 A major part of the change will affect specialist and universal environmental services. Environmental services will need to engage and most importantly deliver the standards of quality services agreed with the community. The Divisional Director of Environmental Services will bring to Cabinet proposals for strengthening the model of service delivery within these services.

### **Customer access**

- 2.36 The staff will be primarily based out of the office and it is important they are publicly visible and contactable by members of the public. The staffing team will be advertised to the community alongside full contact details.

### **Timescales for implementation**

- 2.37 Work to progress the locality model is underway and regular meetings are being held with key Housing, Environment and Enforcement staff, HR, Finance as well as other services. A project plan has been developed which enables progress to be monitored.

- 2.38 Significant work is required to enable all tasks to be completed. Key stages include:

- Staff and TU consultation on JD's, grades, structure, process and staffing lists
- Assimilation/redeployment/interview processes
- Redundancy process to be put in place
- Training and development arrangements to be put in place
- Location and equipment needs identified
- Budgets and establishment set up
- Go live
- Consultation with residents and staff to be ongoing throughout the process.

- 2.39 An overview of progress is provided at the regular TU liaison meetings

## **3 Options Appraisal**

- 3.1 In principle there are a wide number of ways in which these services can be delivered and options include:

### Mixed Economy of all services

- This could be through tendering, establishing community interest companies or arms length arrangements. Although this could potentially provide an option, during the early stages of the Locality model, staff particularly in targeted areas will need to adapt and develop their roles. This would be more difficult if the service was provided through an alternative provider.

### Do nothing

- This would leave current structures unchanged. This would not enable the benefits of more integrated and locality working to be realised, but would not

prevent initiatives to enable improved management and coordination at a local level.

#### Alternative locality models and structures

- There are a very wide range of options available in respect of the functions, activities, geographical areas and structures that could be included within the service model for localities. Alternative options have been considered as part of the development of the model and the current proposal reflects a balance between localism and operational manageability, effective management but flatter management tiers, recognising the balance between local and universal services.

## **4. Consultation**

- 4.1 The proposals in this Report build on existing consultation with staff and residents as well as the findings from the pilots. Work with staff and residents has included surveys, workshops as well as video recording of issues as part of the work carried out with 'Us Creates' engagement specialists funded by the Department of Communities and Local Government, to look at how we ensure that we reach the views of the wider community and that our proposals respond to residents priorities.
- 4.2 Developing new ways of engaging with residents has been central to the pilot approach, enabling the Council to develop a 'new' way of working, finding the right ways to engage as well as to develop a shared understanding between the Council and residents in respect of each other's roles and responsibilities. This in turn helps increase capacity and resilience within communities and it is intended will lead in time to greater local resident decision making and control.
- 4.3 The pilots have also enabled new ways of working with partner agencies to be developed including the Police and local businesses. There has also been more integrated work between services including Community Safety, Children's Services and Youth Services.
- 4.4 Formal consultation with residents, staff and Trade Unions has been planned as the proposals in this report include a formal change in management arrangements as well as require a significant restructuring of the service including roles, responsibilities and functions.
- 4.5 The proposals in this report represent a significant change in management arrangements, and therefore will require formal S105 consultation with residents under the requirements of the 1985 Housing Act. This requires that the views of tenants be sought, and that the outcomes of this consultation be taken into account in the final arrangements.
- 4.6 It is proposed that detailed consultation should be carried out with residents as part of these proposals and this will involve consultation with the newly formed resident panels. An Equalities Impact Assessment will also be required to ensure the impacts of the model reflect the needs of all identified equalities groups.

## 5. Financial Implications

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 The Housing Revenue Account (HRA) currently pays £11.7m for Estates Services across the Borough. This is made up of £8.1m in direct costs for (approximately 175 FTEs), as well as £3.6m in 'recharges' from Environment & Enforcement (E&E) to provide services such as grounds maintenance and cleansing. E&E also hold further budgets to maintain non-housing estate areas such as schools and parks.

**Table 1 – Current HRA budgets for Estate services and E&E area services budgets**

	HRA Direct costs	HRA Recharges	Total HRA	GF – E&E	Total HRA & GF cost
FTE's	175	n/a	175	255	430
Staffing £'000	5,672	n/a	5,672	9,294	14,966
Other £'000	2,429	3,635	6,064	4,291	10,355
Total £'000	8,101	3,635	11,736	13,585	25,321

- 5.2 As part of the localities proposals members of E&E staff will be directly employed by Housing and therefore their costs (plus a proportion of related non-salary costs) will be borne directly by the HRA which will result in an adjustment to the recharges from E&E. Activities covering areas outside of localities will continue to be paid through the recharge mechanism.
- 5.3 Initial calculations have indicated that there is small pressure of around £11k on the General Fund as a result of the reduction in the recharge not being an exact match to the total amount of the staff and other costs transferring to the HRA.

**Table 2 - Revised HRA locality (HRA and GF) budgets**

	HRA Direct localities	HRA non-specific locality	Costs transferred to HRA from E&E	Total HRA budget for Localities	E&E Gen Fund	Total HRA and GF for localities
FTE's	116	32	43	191	9	200
Staffing £'000	3,597	1,208	1,171	5,976	269	6,245
Other £'000	715	160	207	1,082	97	1,179
Total £'000	4,312	1,368	1,378	7,058	366	7,424

- 5.4 The second column in Table 2 is the direct costs of the six specific localities, whilst the third column represents the costs of the two generic localities referred to as East and West. Column four represents the cost of the posts now transferring over

from E&E to be directly managed within the HRA and the fifth column shows the costs of staff transferring to localities but fulfilling wider General Fund activities rather than HRA. These will continue to be funded from the E&E budget.

**Table 3 - Other area budgets outside of localities**

	<b>HRA Special projects</b>	<b>HRA Recharges for areas outside of localities</b>	<b>GF Area services</b>	<b>Total</b>
FTE	27	n/a	203	230
Budget £'000	2,348	2,242	13,231	17,909

- 5.5 From the tables above it can be seen that the total budgets for localities and other areas (in Tables 2 and 3) amount to £25.33m, which when adjusted for the £11k recharge change, is equal to the original budget of £25.321m.
- 5.6 The E&E budgets show a net pressure of £11k as mentioned above. In addition part of its current budget (£366k) will be specific to the locality area. It will retain the remaining budget of £13.231m for non-locality work.
- 5.7 Although the overall costs to the HRA remain unchanged there is an impact on the amount of the costs rechargeable as service charges. For example, the cost of caretaking can be recovered via tenant service charges whereas the cost of EHOs is not recoverable under current policy. The impact from the proposed structure has been estimated at a reduction in costs, recoverable as a service charge, of approximately £49k but it is proposed that this will be managed within HRA budgets.
- 5.8 Paragraph 5.7 refers to services which have been removed from core rents and charged separately. This was done to make the costs of these services more transparent but it also allowed the Council to benefit from around £4.6m of reduced DWP subsidy loss. This was because it enabled the Council to reduce core rents to that below the DWP 'limit' rent. The regulations in respect of service charges require that any recovery from tenants and leaseholders is limited to full cost of providing that service.
- 5.9 At present service charges are apportioned on a generic basis to any resident benefitting from that service. Proposals are currently being considered to find a more targeted method of apportionment but this will subject to a separate Cabinet report.
- 5.10 Any redundancy and/or training costs arising from the implementation of this report are to be met from the HRA.
- 5.11 As a result of the transfer of E&E operational staff to Housing, there is likely to be a saving on managerial roles within E&E budgets but these reductions are still to be determined.
- 5.12 Finance is represented on the Localities project board and the financial implications are continually updated in conjunction with other board members, as the project progresses.



## **6 Legal Implications**

Implications completed by: Paul Field, Senior Lawyer

- 6.1 The proposals will lead to significant change in the way services are delivered and this will have an impact on the community, many of the Council's Partners, its Housing and Environment and Enforcement workforce and other stakeholders. This will require consultation and consideration of the impact the changes may have on groups particularly the more vulnerable and difficult to reach groups such as for example the travelling community or those persons in private letting accommodation. An Equalities Impact Assessment will be necessary to ensure compliance with the expectations of an inclusive service. Furthermore responsibilities such as well being, health and reduction of crime and disorder duties will need to be taken into account in terms of the delivery of services and again consultation will be required with the stakeholders affected.
- 6.2 As observed in the main body of the report where the project has an impact on the service to tenants and leaseholders they will need to be consulted and if the charging regime in terms of rent for tenants and service charges will vary (which is likely) then notice will need to be given. It is likely that the Tenancy Conditions will need to be reviewed to accurately reflect the changes.
- 6.3 The changes proposed in the report will harmonise with the revisions to the Housing Repairs and Maintenance contracts as agreed by Cabinet in August 2011.
- 6.4 The report identifies the staffing changes the project envisages, as is usual in a restructure the Council's agreed processes for consultation with unions and staff must be followed and proper consideration be given to providing training and assimilation to staff affected by the changes.

## **7. Other Implications**

### **7.1 Risk management**

There are a number of risks associated with these proposals and some of the key risks and mitigations are set out below:

#### **7.1.1 Staff concerns at restructuring**

- This will be mitigated through clear communications and engagement with staff throughout the process

#### **7.1.2 Delays in meeting timescales**

- This will be mitigated through having a clear project plan which is regularly monitored and reviewed

#### **7.1.3 Affordability of new structures and savings proposals**

- This will be mitigated by ensuring robust financial modelling of new structures. The modelling and indicative structures developed have identified savings of approx £105k to the General Fund as a result of combining supervisory roles

across services. However it is recognised that there are a number of uncertainties associated with a major change initiative of this nature, and therefore these predicted savings are currently identified to provide a transitional fund as part of this change process. It is therefore anticipated that savings will accrue in future years from these proposals.

#### 7.1.4 Quality of service does not meet expectations

- This will be mitigated through activity based costing to ensure accurate profile of activities and schedules, skills based job descriptions and progression arrangements as well as through detailed training and development programmes.

#### 7.1.5 Poor Budgetary Control.

- This will be mitigated by a clear resource plan for each area. The Group Manager will act as overall budget holder and will be able to shift resource to meet emerging priorities within the councils financial rules. This will ensure the budget is managed effectively, but that we are also able to adapt our approach to meet the overall needs of the community.

### 7.2 Contractual issues

7.2.1 The re-commissioning of the Housing Repairs and Maintenance arrangements will dovetail with the approach of local handyman services for council properties suggested through this report.

### 7.3 Staffing Issues

7.3.1 There are significant staffing implications arising from this Report and there will need to be consultation with staff and Trade Unions throughout this process.

### 7.4 Customer Impact

7.4.1 The focus of the project is to improve local management for business and residents as well as encourage greater participation and engagement with and by communities. We expect this will have a positive benefit for all areas of the community.

7.4.2 The proposals will give the Council and its partners the opportunity to develop better relationships with the community at a very localised level. The service should become directly responsive to that community's needs. It is felt that this approach will support cohesion and help develop a sense of neighbourliness which will have a positive impact on key groups, particular older and more vulnerable community members.

7.4.3 Equalities Impact Assessments will accompany the production of each action plan.

### 7.5 Safeguarding Children

7.5.1 The model involves close working with Children's Services to ensure an integrated approach to service delivery.

7.5.2 As the model will require close working with communities the Safeguarding of Children and Adults at Risk will be an important part of service delivery. All staff will be subject to the appropriate level of checks and training will be provided in this area of work.

## **7.6 Health Issues**

7.6.1 Whilst the improved service to localities is not directly focused on health, the approach mooted, which brings greater opportunity for early problem resolution, will have a positive impact on the health and wellbeing of residents. For example, a well maintained safe environment will contribute to residents' perceptions of safety and their willingness to use available facilities.

## **7.7 Crime and Disorder Issues**

7.7.1 The Crime and Disorder Act places a responsibility on the Council as a 'responsible authority' to give consideration to the prevention and reduction of crime and disorder, including crime affecting the environment, in terms of all its policy planning and service delivery.

7.7.2 In addition consultation tells us that anti social behaviour is a key concern for residents. This is therefore a priority area within locality management. The increased integration and coordination of services together with a greater emphasis on this role for staff is intended to ensure this area continues to be effectively addressed.

7.7.3 The model allows for even greater working with the Police at a neighbourhood level and the tasking of police resources to areas of greatest concern. This will build on the agreed policing proposals enabling cooperative working to tackle areas of concern.

7.7.4 The proposal to fund two new Neighbourhood Crime Reduction Coordinators to work specifically on crime and disorder issues will substantially benefit the work to support residents feeling safe in their homes and businesses and reduce crime.

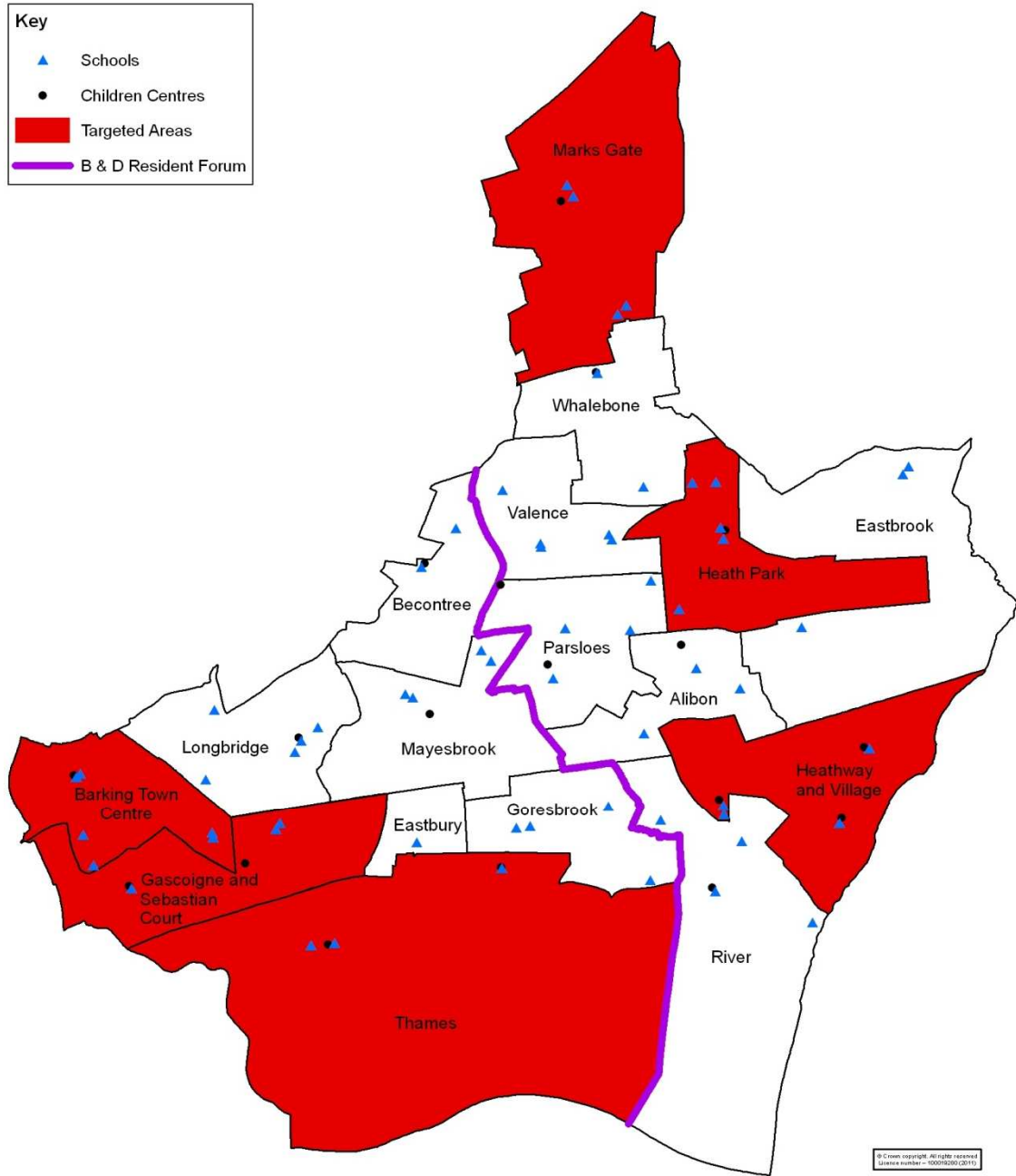
**Background Papers Used in the Preparation of the Report: None**

## **Appendices**

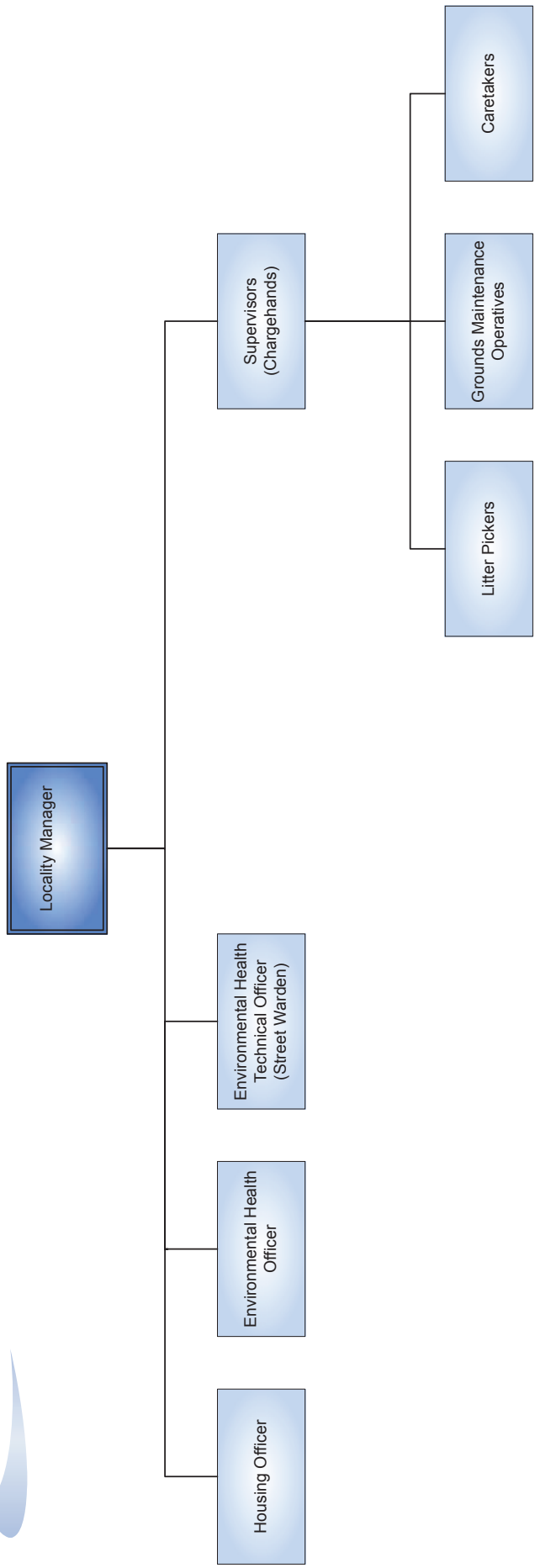
Appendix A - Outline boundaries for Flatted areas and Town Centres  
Appendix B - Outline Structures

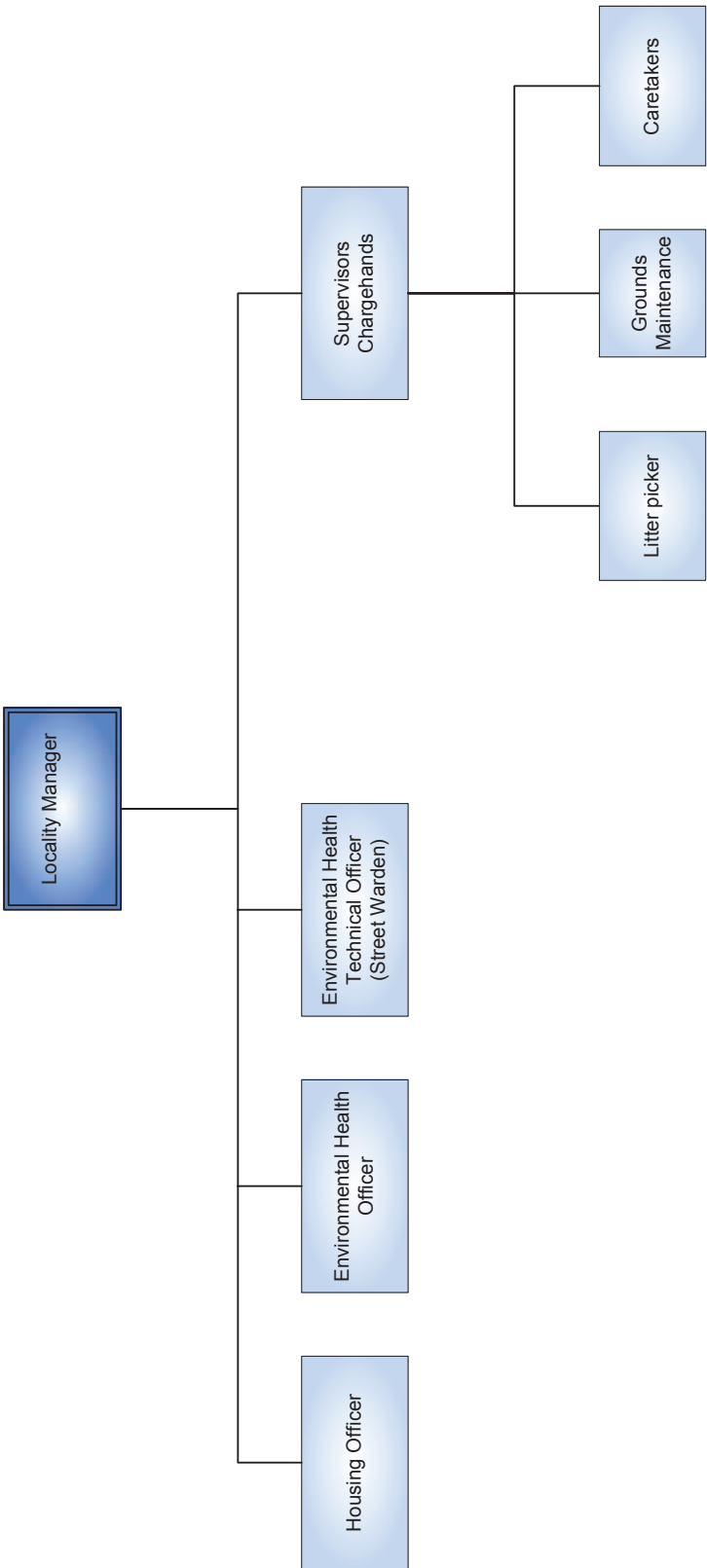
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# Appendix A - Proposed Targeted Areas

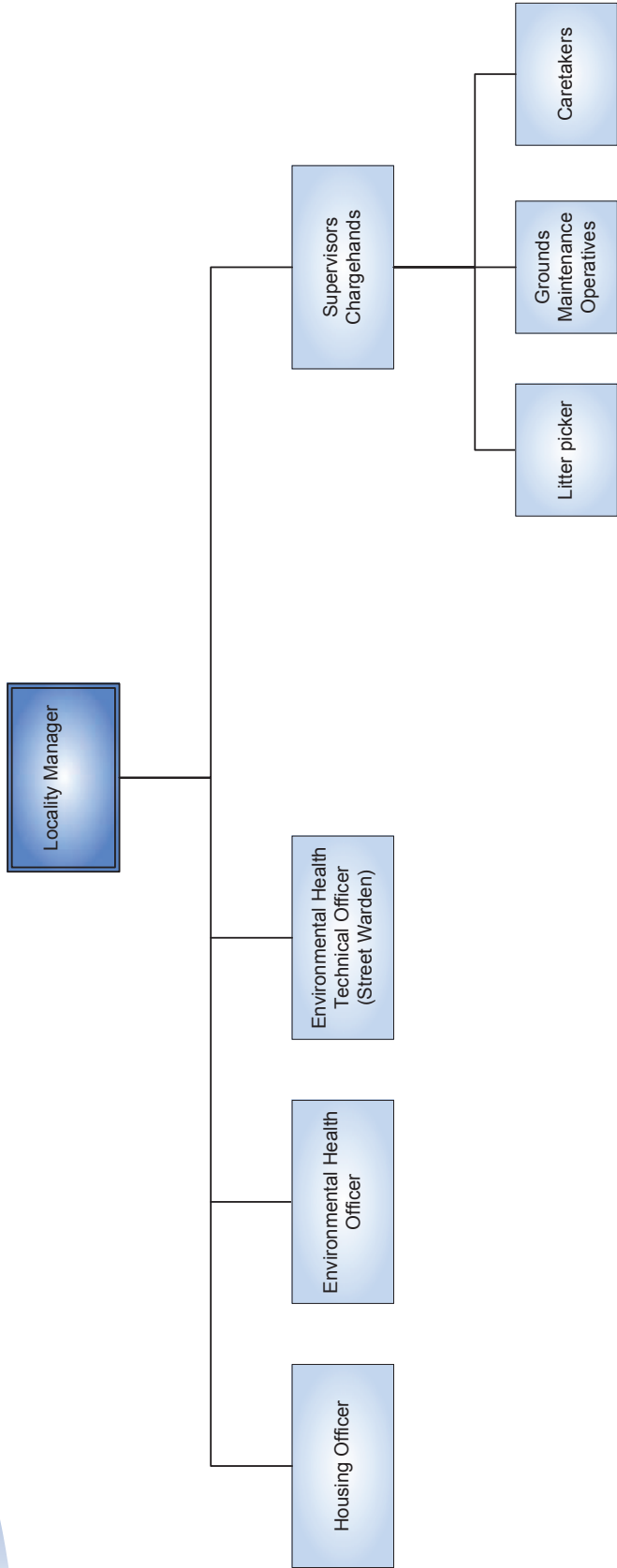


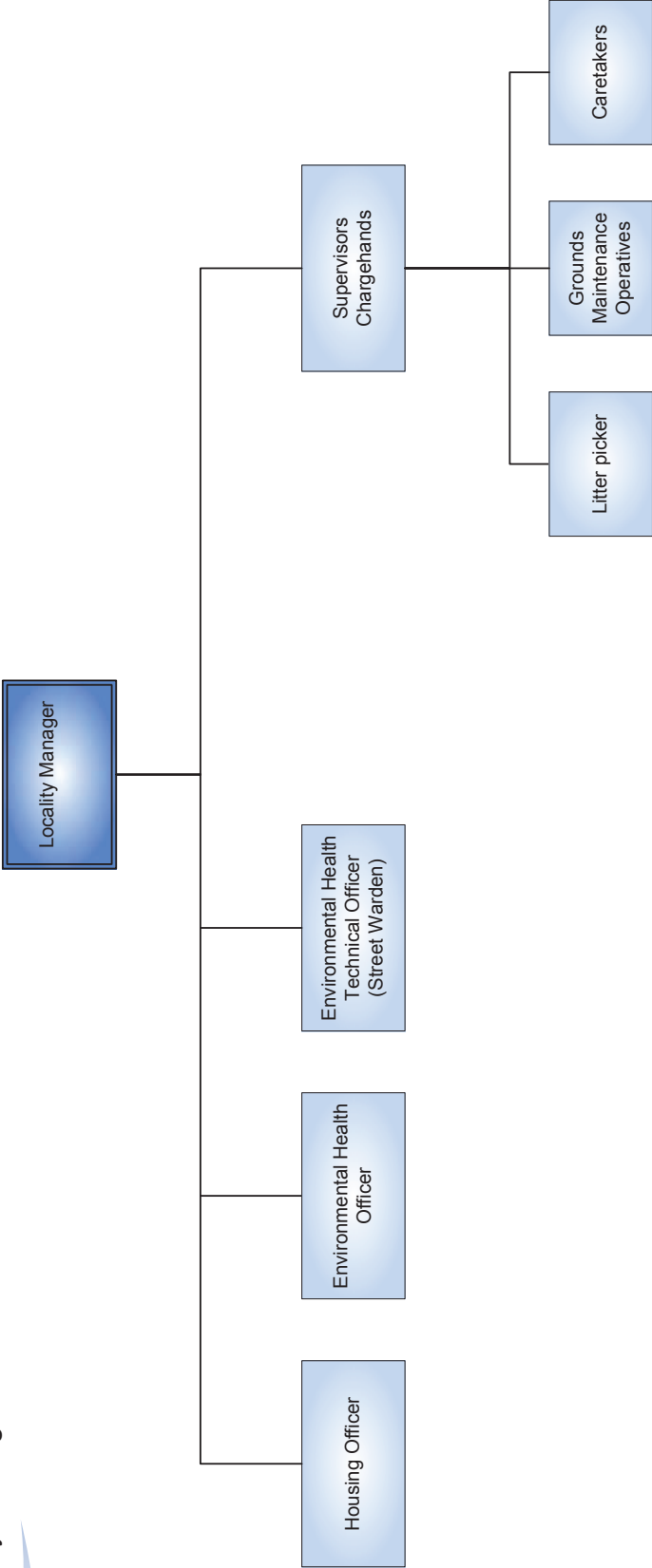
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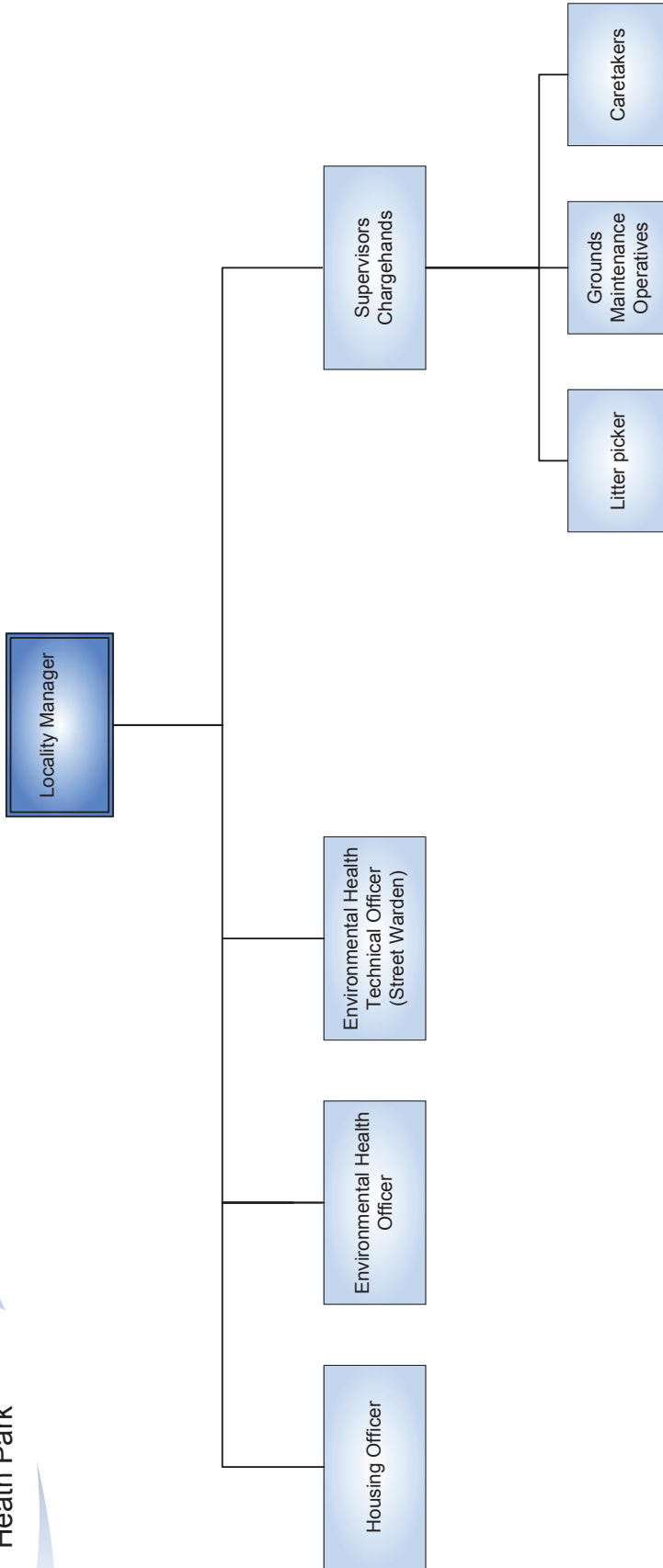


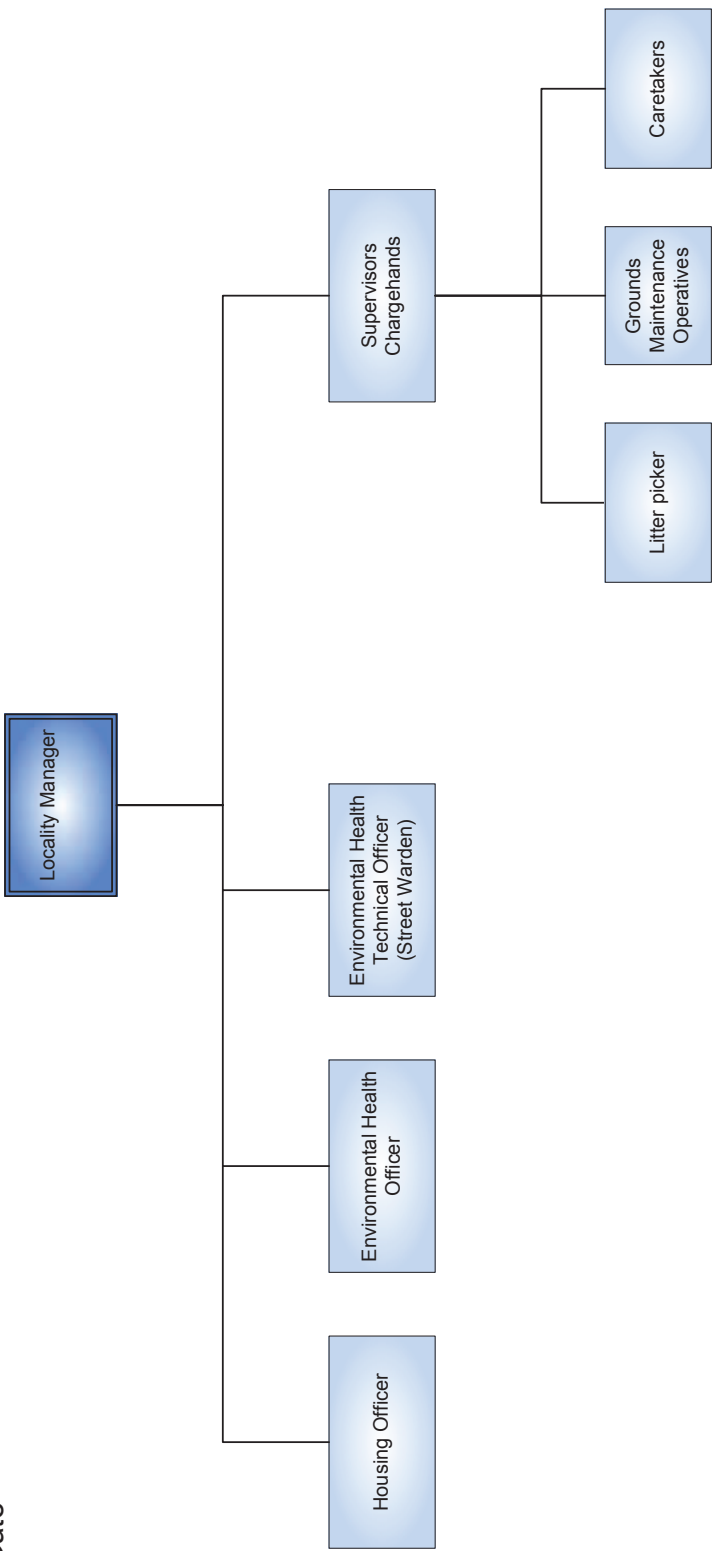


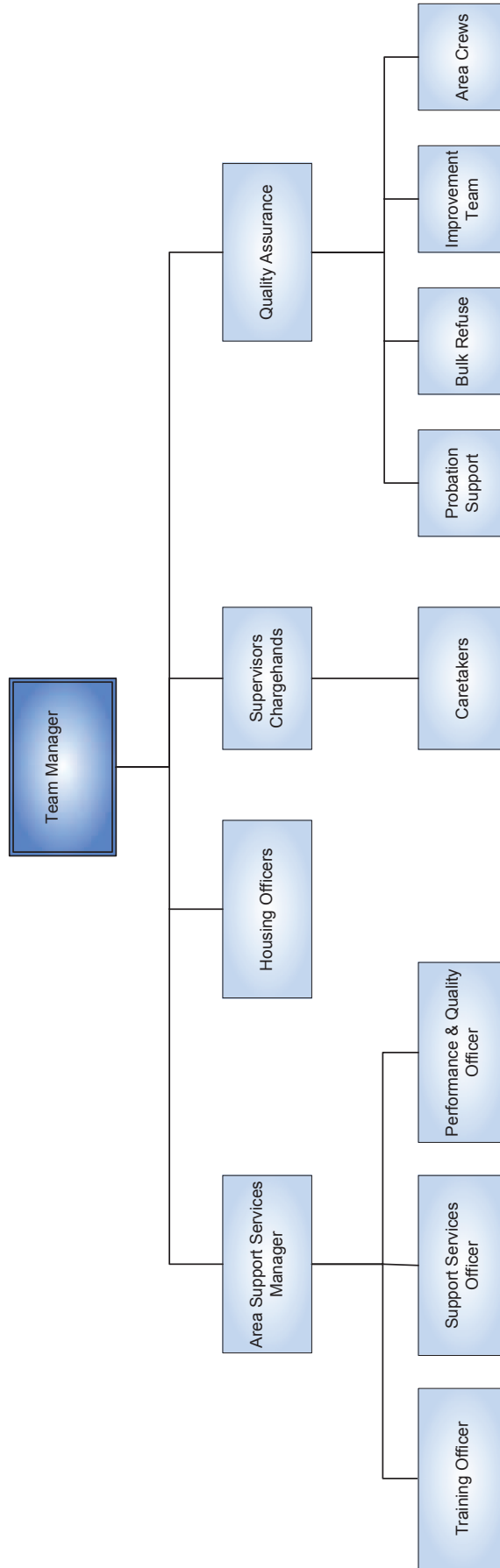


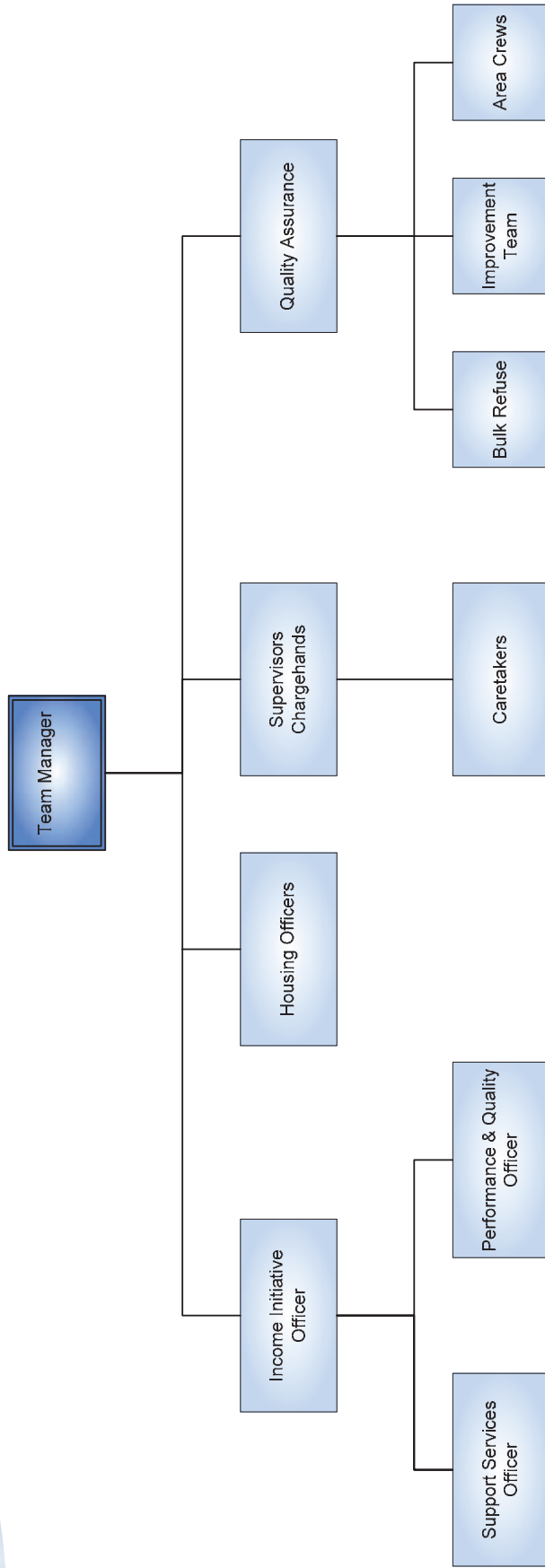












## CABINET

20 MARCH 2012

<b>Title:</b> Housing Repairs and Maintenance Service	
<b>Report of the Cabinet Member for Housing</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Darren Henaghan, Corporate Director of Housing and Environment	<b>Contact Details:</b> Tel: 0208 227 5700 E-mail: Darren.Henaghan@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Maureen McEleney, Interim Divisional Director of Housing & Neighbourhood Services	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing and Environment	
<p><b>Summary:</b></p> <p>The current Housing Repairs and Maintenance Contract expires at the end of April 2013. This report reviews the current procurement process agreed by Cabinet on 23 August 2011, which agreed that a procurement exercise would take place to establish new separate contracts for the delivery of specialist repairs, cyclical maintenance (including voids) and general repairs and maintenance to tenants' homes. The remaining services, the call centre, the current contractor's client arrangements and the maintenance of primarily common parts on estates would transfer in-house, or in the case of the call centre potentially to Elevate East London LLP ("Elevate").</p> <p>This Report sets out proposals to bring further elements of the service in house. The Report sets out the reasoning for this approach as well as the resourcing needed to achieve this, including the service delivery, legal, human resources, financial and risk implications. The Report also highlights the steps needed to enable this proposal to be put in place.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to agree that:</p> <ol style="list-style-type: none"> <li>1 The day to day responsive housing repair, gas servicing and voids services be provided primarily as an in-house function from the end of the current contract in April 2013;</li> <li>2 The current Housing Repairs and Maintenance procurement exercise approved by Cabinet on 23 August 2011 be revised to provide for the procurement of a service provider for voids and repairs services (to supplement the in-house function) on a call-off term contract;</li> <li>3 A procurement exercise be conducted for the selection and award of one or more</li> </ol>	

contracts to external providers of gas servicing and maintenance services (to supplement the in-house function) with contract lots based on geographic areas;

- 4 The Council continue with its procurement exercises for the selection and award of contracts to external providers of mechanical and electrical services, aids and adaptations services, and a range of small contracts including asbestos testing and removal services;
- 5 A procurement exercise be commenced or incorporated in the existing procurement exercise, for the procurement of a stores function, any necessary infrastructure requirements, equipment, vehicles, ICT hardware, software, licenses and services, and all other necessary supplies and services, required for the operation of in house services;
- 6 The existing proposals to provide an in-house client and complaints team continue to be developed;
- 7 The existing OJEU procurement strategy and process be revised as necessary to facilitate the implementation of recommendations 1 to 6 above, and that any required new or revised notices in respect of voids, repairs and gas servicing services, values and scope, be issued and published;
- 8 In line with Cabinet's earlier decision of 23 August 2011, authority is delegated to the Corporate Director of Housing and Environment, in consultation with the Corporate Director of Finance and Resources, the Divisional Director for Legal and Democratic Services and the Cabinet Members for Housing and Finance, Revenues and Benefits, to agree the procurement strategy (including the procurement procedure, contract structure, contractor selection and evaluation criteria and detailed proposals for client management ) and take any other related or necessary actions to facilitate the implementation of Recommendations 1-7 above, including assessing and agreeing TUPE requirements and associated staffing structures;
- 9 The existing proposal to provide an in house call centre through Elevate East London LLP continue to be pursued subject to satisfactory delivery and cost proposals;
- 10 Section 20 leaseholder consultation requirements be amended and reissued as necessary, and capital and revenue expenditure needed to deliver these revised arrangements be identified and funded from HRA balances and the Housing Capital programme;
- 11 Appropriate discussions and consultations with Trade Unions take place; and
- 12 A communications plan be developed and put in place.

**Reason(s)**

To assist the Council to achieve the corporate themes of 'Better together' and 'Better Home'.



## 1. Introduction and Background

- 1.1 In April 2003 Barking and Dagenham Council let a 10 year contract for Housing Repairs and Maintenance to Thames Accord, later taken over by Enterprise. This contract expires at the end of April 2013 and in order to enable sufficient time for the procurement of new arrangements a report was brought to Cabinet proposing a procurement strategy for Repairs and Maintenance services.. On 23 August 2011, Cabinet agreed to commence the procurement of new arrangements for housing repairs and maintenance following an option appraisal and value for money assessment. This process is currently underway and prequalification questionnaires have now been submitted by potential tenderers and are currently being assessed.
- 1.2 The contract strategy proposed in the report learnt many lessons from the existing arrangements with Enterprise PLC and formerly Accord PLC. The proposals split the overall repairs and maintenance service into its constituent parts and proposed to procure a series of stand alone contracts that would provide specialist, routine and cyclical maintenance arrangements. Elements of the service would also be brought in house or be potentially transferred to Elevate. These are the Enterprise client team (including complaints management which would be an in house service, the call centre, which would potentially transfer to Elevate subject to negotiation, and the local handyman service which would primarily carry out common parts repairs through the new locality structure, which would also be an in house service. As a result of this approach contract values were also reduced to make them more attractive to local builders and social enterprises and the contract strategy moved from a cost based payment mechanism to a more closely controlled price based structure. This was to transfer service quality and delivery risk to the contractor.
- 1.3 Improvements have been made in service delivery during the contract, but the current service outcomes still lag behind the best performing housing repairs services both in terms of cost and quality.
- 1.4 Many lessons have been learnt from the current arrangements and these along with a comprehensive option appraisal were brought to Cabinet in August 2011. The option appraisal considered a range of potential contracting options and concluded that the 'mixed economy' approach, best met the objectives of this procurement which were identified as:
- Deliver the strategic aims for the repairs service including VFM, service quality, support corporate aims, meet statutory obligations and contribute to decent homes.
  - Achieve the appropriate balance between clienting responsibility and control, and contractor delivery
  - Ensure the right scale and scope of contracts to achieve efficiency and make best use of technology
  - Significantly reduce overheads and duplication
  - Maximise customer satisfaction and local delivery options
  - Maximise opportunities for local employment including local businesses
  - Minimise risk

1.6 The report therefore proposed separating out the constituent elements of the repairs and maintenance service into a mixed economy of in house and smaller outsourced contracts. These were:

1. To bring together the current in house client team with the contractor client team into a single team to plan and oversee the delivery of all elements of the repairs service. This service would also handle service complaints;
2. To bring the management and maintenance of primarily communal areas of tower blocks and other smaller maintenance in house and deliver through the new locality based management structures;
3. To bring the call centre in house and subject to negotiation transfer its delivery to Elevate;
4. To let void and other cyclical maintenance works as a series of small contracts, with the expressed intention of encouraging smaller local builders and social enterprises to bid for this work;
5. To let a series of contracts for specialist repairs such as gas safety, mechanical and electrical contracts and lift maintenance.
6. To let two main repairs contracts for breakages and other general repairs, primarily within tenants' homes.

1.7 Officers with support from the Elevate procurement service have been working to deliver these new arrangements and currently have advertised the specialist, cyclical and general repairs contracts in the Official Journal of the Economic Union (OJEU) and expressions of interest and prequalification questionnaires were submitted by the deadline of 30 January 2012 and are currently being appraised.

## **2 Proposal to bring further elements of the Service in House**

2.1 During the consultation process strong interest was expressed in the potential to bring further elements of the service in-house. In addition the option appraisal showed that an in house service could also offer strong advantages, and initial work in developing the arrangements for future tendering also highlighted the need for further consideration of this option. The potential to strengthen the in-house element of a mixed economy service has therefore been examined. This would still be a mixed economy approach as set out above, although the relative balance of in-house and outsourced work would change.

2.2 Since the Repairs and Maintenance Strategy was agreed in August 2011 officers have been working on developing the detailed documentation, including the specifications needed as part of the procurement process. This has also involved looking in further detail at the current costs and overheads, working arrangements, and the potential for TUPE of staff from Enterprise to any new contractor as well as to the Council.

2.3 This more detailed work has shown that the service improvements needed and the existing costs will be a risk and are likely to be reflected in the prices submitted by contractors, and savings will therefore take time to deliver. Consideration has therefore been given to other options to assist in mitigating this risk., bearing in mind some of the original issues raised in the option appraisal The option appraisal demonstrated that a mixed economy approach was the best option, however, in house provision also scored highly. Therefore consideration has been given to

whether there would be advantages to increasing the overall balance of in house provision within the overall context of the mixed economy approach set out within the option appraisal.

- 2.4 This appraisal has demonstrated that it would be possible to build on the handy person approach set out within the August report to extend this approach to all elements of the day to day repair service. This would also reduce the need to develop processes to address work allocation between handy person and contracted services.
- 2.5 This would enable the needed changes to be introduced more speedily, more directly tailored to the needs of Barking and Dagenham. This would be aimed at delivering service improvements whilst reducing the management overhead. This approach will enable the necessary development of the service by the Council, with the Council able to take the gains from this at the earliest opportunity. This approach will not restrict the Council from making decisions about any future procurement at an appropriate point.
- 2.6 It is proposed to maintain a mixed economy approach in accordance with the option appraisal to ensure best use of the market, to utilise specialist services, to encourage competition, as well as to encourage local labour and local businesses. It is therefore also proposed that gas servicing and voids works will be delivered in house. It is however proposed that call off contracts are put in place for the void and repairs work to enable external contractors to carry out elements of this work to supplement the in house provision and address any capacity or performance issues that arise, both within voids but also the general repairs and maintenance service.. In respect of gas servicing it is proposed that this be split on a geographic basis with the potential to grow or reduce the relative proportions of the work carried out by each. This will also give resilience, enabling resources to be drawn down to supplement the in house provision as needed as well as enable effective arrangements for the provision of cyclical maintenance, specialist services, gas servicing and void repairs.
- 2.7 An outline of the high level activities required in order to achieve this is set out below:
- Notices to be issued amending the value and scope of the current OJEU process for day to day responsive repairs
  - Notices to be issued amending the current values and scope of void and gas servicing work in the current OJEU process
  - All prospective tenderers who have responded to the current process to be notified of the termination of the existing notices and the new proposed arrangements
  - Revised OJEU notices to be issued if required
  - Discussion to be held with Elevate/Agilisys.
  - Communications strategy put in place with residents and stakeholders including statutory consultation with leaseholders
  - Infrastructure requirements including arrangements for finance/ICT/accounts/invoicing etc
  - Revised management and staffing structures developed.
  - TUPE and associated arrangements to be assessed
  - Procurement arrangements to be put in place for supplies and materials

- Stores arrangements to be developed and arrangements put in place.
- Accommodation requirements to be identified as well as vehicles/equipment needs etc
- Staff development plan put in place.
- Procure and put in place any required new software/hardware and interface arrangements.

2.8 Providing an in house service can have advantages where the right skills, infrastructure, standards and management arrangements are in place. Direct Council delivery of aspects of the service would give direct accountability and control of services, potentially enabling faster delivery of change and improvement, as well as closer links with members and residents, providing we can demonstrate value for money. There is also the potential for closer relationships with housing management staff, enabling joint initiatives and developments to be carried out at local level, without the need for variation orders which can increase costs and overhead. This flexibility could also extend to the range of work carried out. As there would be no profit element to the work there is also the potential to widen the service provided to residents.

2.9 The main further elements of the current service which it is proposed to bring in house are the current routine repairs service as well as voids and gas servicing. This is in addition to the clienting, call centre, complaints management and associated functions which it is already proposed be brought in house. The remaining specialist and cyclical services are recommended for continued external procurement.

**2.10 Routine Repairs to Tenants' Homes (Estimated Value £6million pa).** This work is the major general repairs work undertaken by the contractor. This is largely process based work where the tenant calls the council to request a repair inside their home or in the communal area of the block or estate and a trades person visits, normally by appointment, to undertake the repair.

2.11 This type of general repair work is the core of the work completed by the current workforce. In general performance is adequate, and in recent years cost effectiveness has significantly improved.

2.12 However the service is in need of significant modernisation to meet current best practise which will include the need for flexibility, modern ways of working and practise, use of technology, as well as an increased customer care focus.

2.13 In order to provide this service in house there will also be a need for a stores function, vehicle and equipment arrangements, as well as finance/IT/HR arrangements.

**2.14 Cyclical Maintenance and Voids (estimated value £3 million pa).** In the current contractual arrangements Enterprise often complete cyclical (or capital scheme) maintenance on our behalf. This is where a repair would not be economic and a replacement is needed, or where a series of small jobs are grouped together to create a scheme. Much of this work is not completed by Enterprise staff, but is subcontracted by Enterprise to specialist contractors dependent on the nature of the work.

- 2.15 Voids are a particularly significant area for the Council affecting a number of aspects of the service.
- 2.16 It is intended to provide this primarily as an in house service, however it is also proposed to tender this work, together with day to day repairs in order that there are call off contracts in place to supplement the in house service. This will enable any peaks in demand to be managed, enable benchmarking to be established and provide alternatives in the event of any performance issues.
- 2.17 Specialist Repairs (Estimated Value £1.65 million pa).** The majority of these services are not directly completed by Enterprise with most being subcontracted and therefore are not recommended for bringing in house. These are services such as mechanical and electrical maintenance, lift servicing, door entry systems, water sampling and surveys. Enterprise do however provide our gas servicing and boiler breakdown service and it is intended to bring this aspect of the service in house.
- 2.18 Our performance in gas safety is compliant with legislation but currently offers poor customer service and poor value for money. The council uses a very high number of formal warrants to get access for gas safety checks as they guarantee that the check can take place even if the tenant is absent. Tenants are charged for the warrant. This is required due to the high level of no access reported by Enterprise. The new arrangements will be focused on completing the repair via an informal appointment at a time convenient to the tenant and without the need for a warrant. This is successfully in place in many other boroughs. .
- 2.19 The quality, cost and customer focus we are looking for is also readily available in the market and it is therefore proposed that some of this work be procured externally on a geographic basis. The contract will provide flexibility in enabling these areas to be increased or reduced in line with the Councils requirements.

### **3. Key Issues**

- 3.1 The option appraisal that accompanied the August 2011 Cabinet Report concluded that the arrangements most likely to bring improved value for money to repairs and maintenance, as well as meet a range of other objectives for the service, were a mixed economy of in house and contracted services, delivered through smaller more manageable contracts. The option appraisal concluded that this approach best managed risk, balanced clienting and contractor responsibilities, achieved a scale and scope that could deliver efficiency and technology investment, secured local delivery, as well as supported corporate objectives.
- 3.2 This report remains consistent with this overall option appraisal but recommends bringing additional elements of the service in house. There are clear potential benefits to having an in house service, however these will require significant management effort to achieve. Very considerable focus and investment will need to be applied to this area prior to any transfer of service responsibility to the Council. The key issues are as follows:
- a) The organisational capacity required to bring this high profile and complex service in house.
  - b) The requirement to demonstrate competitiveness and value for money

- c) Changes to the scope of the work will need to be subject to discussion with Elevate.
- d) Organisational focus will be needed to address the TUPE and associated staffing issues. There will be a range of change management issues to address.
- e) The investment needed to provide the infrastructure necessary to secure service improvement.

3.3 If the above are successfully addressed there are potential gains that can be levered from a level of in house provision. This was recognised within the original option appraisal where in house provision also scored highly. It is considered that the following gains can be achieved, although some may take time to deliver:

- The service would become part of mainstream council services and therefore have a role in contributing to the Council's objectives including sustainability, employment and community safety.
- Direct management responsibility for the service should enable greater responsiveness
- There is the potential for more flexibility in implementing new initiatives and service improvements
- There would be a greater ability to move investment between capital and revenue, dependent on service need
- Any savings would not be needed as profit, but could be used to improve services
- The need to negotiate and agree contract variations would be removed, potentially making change more straightforward to introduce.
- There would be a direct link (and accountability) to Councillors and residents.
- There would be the potential for increased joint working with housing management staff to improve service provision
- With strong management there would be greater flexibility in changing/developing the scope of work carried out including repair specifications.

#### **4. Legal Implications**

Implications completed by: E Taylor-Camara, Legal Group Manager

- 4.1 Under Regulation 32 (11) of the Public Contracts Regulations 2006, the Council, as a "contracting authority" has the right to cancel a procurement at any time before awarding a contract. The contracting authority must however, as soon as possible after the decision has been made, inform any bidder which submitted an offer, or which, as the case is here, applies to be included amongst the economic operators to be selected to tender for the contract, of its decision to abandon or to recommence a contract award procedure in respect of which a contract notice has been published.
- 4.2 There is therefore no legal reason preventing the Council from aborting this procurement if it so wishes. Where, as in this case the contracts were advertised in OJEU, Cancellation Notices setting out the reason for cancelling the procurement of the contracts will also need to be published in OJEU. As we have already received a number of expressions of interest in relation to the contracts, it would be necessary to write to those contractors who have expressed an interest, to notify them directly of the cancellation.

## **5. Human Resource Implications**

- 5.1 The Housing Repairs and Maintenance contract procurement strategy agreed by Cabinet in August 2011 already presents significant human resources challenges. There are a wide range of TUPE implications associated with the current proposals, as well as human resources issues associated with the close down of the Enterprise arrangements.
- 5.2 There are currently 172 trade based staff engaged by Enterprise and approximately 111 managerial and administrative staff providing a range of functions including finance, IT, HR, call centre, complaints administration, as well as Quantity surveying and supervisors and surveyors.
- 5.3 In some instances there will be a TUPE transfer of staff from the existing contractor to any new contractor. In some instances staff will move back to their management or supervisory roles within Enterprise Group and in the some cases staff will TUPE transfer back to the council.
- 5.4 If additional staff are to TUPE back to the council to directly deliver repair services then significant work is necessary to firstly identify the staff roles appropriate, determine organisational structures and the staffing and workforce implications.
- 5.5 Alongside this a workforce development strategy is needed, that improves workforce flexibility and broadens skills. Significant work will also be required to modernise work practises, introduce technology and new ways of working.
- 5.6 All TUPE issues regarding staff potentially transferring to LBBB and any staffing related issues will be subject to the Council's normal consultative processes and HR policies and procedures.
- 5.7 In addition when the council originally outsourced the service in 2003, all of the management capacity, finance, payroll, procurement and HR support was transferred. This will also need to be assessed and addressed.

## **6. ICT Investment Needs**

- 6.1 The Repairs and Maintenance service performs around 79,000 responsive repairs to tenant's homes. Currently the service benefits from the Enterprise workflow and scheduling ICT system which is linked to their call centre in Liverpool.
- 6.2 The ICT systems that manage this work, including the scripting and process design for the call centre will need to be replaced if the service is transferred to the Council.
- 6.3 New hardware, software, process engineering and web design would be needed so that the call centre, most likely linked to the current Elevate contract was fully integrated with the repairs service, and information flow to the staff and the customer was timely and accurate.
- 6.4 In addition the current contractor provides their own financial support which will need to be replaced. This would need changes to the Oracle financial system to manage the purchase and management of consumables and other ancillary services.

6.5 In addition, there would also need to be an investment in a job-costing system.

## 7. Financial Implications

Implications completed by: Jo Moore, Group Manager Finance

7.1 The target price with Enterprise for all contracted elements of the service for 2011/12 is £17 million plus an additional £1m outside of the target price for capitalised works. HRA budgets include provision for the target cost plus provision to cover an estimate of additional works to be spent outside of the Enterprise contract and to fund client staffing costs of £500k and the use of the Pondfield depot giving a total revenue budget of £20.6m in 2011/12 and £19.04m in 2012/13.

7.2 This budget is made up of a fixed overhead of £7m to Enterprise and a works and materials value of just over £10 million to Enterprise inclusive of a 8.696% partnering fee (profit element). Monthly stage payments are made to Enterprise of around £1.5m. The estimated value of the work packages that make up the overall Enterprise works costs are:

<b>Classification</b>	<b>Estimated Value £'000</b>
Gas servicing and breakdowns	2,000
Dry riser testing	15
Water Management sampling and surveys	90
Door entry systems	15
Lift servicing and breakdowns	115
Asbestos sampling and removal	300
General Mechanical and Electrical	100
Domestic Stair lifts	75
Voids	2,500
General Repairs	4,790
<b>Total</b>	<b>10,000</b>

7.3 The major package of work that is proposed for direct provision is the general repairs contracts with the estimated value above of approximately £6 million. This may be funded by the £4.79m above table as well as savings by not having to pay a partnering fee currently approximately £1.4m to Enterprise.

7.4 It is anticipated that savings can be achieved on the £7m overhead as a result of a review of the existing service management and supervisory structure.

7.5 However, additional support will be needed from the Council's support services such as Human Resources, Finance, Procurement, and ICT. As some of these support services are now supplied to the Council by Elevate any impact on target cost will



also have to be considered. The current payments to Enterprise include provision for these services but detailed modelling is needed to identify the exact nature of the support needed and the costs associated particularly with the start up of the new service in-house.

- 7.6 If the general repairs part of the contract is brought in-house then the Council would be required to have a complex job-costing system which would need to interface with the Council's current systems e.g. Capita Housing. The Council's financial system will be moving to a new Oracle platform from 2012/13 which will be a vanilla package i.e. not bespoke in anyway and therefore the costs and feasibility of any additional modules required e.g. stock handling will need to be considered.
- 7.7 Other investment will be needed in improving ICT, including workforce scheduling, call centre technology and mobile technology alongside the hardware, systems, interfaces and payment systems that will be required. It is not possible at present to quantify these costs as the final agreed termination arrangements with Enterprise will have an impact but the costs are likely to be significant.
- 7.8 A provision of £250,000 has been made within the HRA in 2011/12 for the Council's costs associated with the termination and re-procurement of the repairs and maintenance contract. There is no provision within the HRA business plan or 2012/13 budgets for any other investment associated with this contract as it was anticipated that this upfront technology investment would be provided by the incoming contractors.
- 7.9 From April 2012, and the introduction of HRA self-financing, the Council will also be prohibited from further borrowing above the settlement cap (unless repaid within the financial year). Therefore any additional HRA investment will have to be met from existing reserves or surpluses generated in-year which will impact on the current proposals for investment within the HRA business plan.

## **8. Other Implications**

### **8.1 Risk Management**

There are inevitably a wide range of risks and issues associated with any procurement process and there are some specific risks associated with in house delivery. The key risks identified and their potential mitigation are set out below:

- **Workforce:**  
A workforce plan will need to be developed and put in place addressing TUPE and associated staffing arrangements. In addition consultation, clarity of expectations and a performance management culture will need to be ensured.
- **Management Capacity:**  
A skills assessment and evaluation will be needed of all management levels with any gaps in managerial capacity identified and addressed.
- **Financial Control:**  
There will be a clear need for firm financial and budget control of this area of the service. This will include productivity, scope of work, materials ordering etc.

Specific work with the call centre will be needed to gate keep the repairs process and to provide intelligent clienting. Specific budget control measures will also be put in place.

- **Modernisation:**  
There is a need for significant modernization of systems and processes as well as changes in working methods. Whilst many of the IT needs can be addressed through existing systems there will be a need for investment in IT and equipment. This will include work scheduling, GPS, text ahead arrangements etc. Arrangements for fleet, uniforms, IT hardware etc will also be required.
- **Stores:**  
The Council will need to manage and procure equipment and materials to operate a stores service. It is intended that we would work with Elevate to develop this, operating a “just in time” approach to materials storage using a range of suppliers to secure value for money.
- **Contractual/Procurement:**  
There are some risks in moving from the current OJEU arrangements, however at this stage these are considered minimal.
- **Contract close and Mobilization:**  
There are a number of risks associated with this aspect of the process, although for the most part these are relatively unaffected by whether the new contracts are externally procured or delivered in house.
- **Accommodation and Overheads:**  
Accommodation will be needed for the repairs team as well as vehicles and materials. The existing accommodation at Pondfield House could be utilised or alternative accommodation indentified elsewhere. In addition arrangements for payroll, financial support, accounts etc will need to be put in place and the Councils corporate overheads applied in respect of this workforce.
- **Mixed economy:**  
Appropriate arrangements will need to be put in place to manage a mixed economy of internally and externally provided work. This will include processes for multi trade works as well as putting in place a client team and a separate repairs and maintenance delivery team for operational management.

## **8.2 Contractual Issues**

The contractual issues have been set out within the report and include the current Enterprise contract, the Elevate contract, the current procurement process as well as future contractual arrangements in respect of supplies and services.

This proposal will require a change in scope to the current procurement and this will need to be the subject of discussion with Elevate who have been undertaking the current procurement with the Council. There will still be significant procurement needed to secure the new arrangements proposed and this will continue to be secured through Elevate.

## **8.3 Staffing Issues**

The staffing issues have been set out within the report and include TUPE issues, the development of effective client and delivery arrangements, impacts on support services, the development of new structures for delivery, and implications of transferring staff. In addition there will be significant training, staff development and skills issues to be addressed, performance management arrangements to be put in

place alongside cultural change and service development arrangements. Revised service standards will require changes in working practises, the introduction of new technology, as well as clear customer care standards and expectations. In many areas new roles will be needed and new systems and processes put in place.

#### **8.4 Customer Impact**

The primary customers for this service are the Councils tenants and leaseholders, however a wide range of staff and all Councillors are also directly affected by the delivery of this service. Residents, staff and members will be consulted on the proposed changes, including further statutory leaseholder consultation. This is a service provided to 22,000 homes and a wide range of vulnerable residents, providing an essential service often with direct Health and Safety implications

#### **9. Consultation**

9.1 Wide ranging consultation will be needed on all aspects of these proposals. This will include formal and informal trade union consultation, consultation with staff under TUPE, as well as consultation on structures and proposals. In addition consultation with all residents will be required and a communications strategy will need to be developed for all users and stakeholders. Communications with prospective tenderers will also be required to address OJEU requirements.

#### **10 Option Appraisal**

10.1 There are a limited number of options for providing a repairs and maintenance service, although each option has a wide range of alternative mechanisms for delivery. The broad options are set out below:

- Externally procured service – this can be procured as a single contract with all client functions also procured, as with the current Enterprise arrangement or as a set of specialist contracts for different work areas with client management retained by the Council. Further variants relate to the type of contract, the packages chosen, the work values as well as the length of contracts.
- Direct Labour Organisation – all services are delivered in house through a directly employed workforce. In some instances this can also extend to some aspects of materials, including making up windows etc. This can be delivered as an integrated service or through stand alone trading accounts and may also include the potential to trade elsewhere
- Mixed economy – some services delivered in house and others provided through specialist companies. The range and extent of the in house and externally procured services can vary, enabling capacity and increased risk management to be provided through this arrangement. This is dependant on each organisations capacity to address the workload arising and the arrangements for client control of the process.
- Management arrangements – In all three options outlined above (but particularly the last two) the management of in house services and potentially external companies can be delivered directly by the Council or by tendering the management to a specialist company working in partnership with the Council.

The advantages of such arrangements are the specialist expertise that can be brought, as well as access to infrastructure arrangements that the Council would otherwise need to put in place. These models are however yet relatively untested, and a clienting function would need to be retained by the Council resulting in some potential duplication. The timescales for developing and putting in place such arrangements would also need to be considered as a new OJEU notice and tendering process would be required alongside existing processes.

**Background Papers Used in the Preparation of the Report:**

- “Housing Repairs and Maintenance Procurement” Cabinet report and minute, 23 August 2011

**List of appendices:** None

## CABINET

20 MARCH 2012

<b>Title:</b> Pay Policy Statement 2012/13	
<b>Report of the Cabinet Member for Customer Services and Human Resources</b>	
<b>Open Report</b>	<b>For referral to Assembly</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> Martin Rayson, Divisional Director of Human Resources and Organisational Development	<b>Contact Details:</b> Tel: 020 8227 3113 E-mail: martin.rayson@lbdd.gov.uk
<b>Accountable Divisional Director:</b> Martin Rayson, Divisional Director HR & OD	
<b>Accountable Director:</b> Stella Manzie, Chief Executive	
<p><b>Summary:</b> Under the terms of the Localism Act 2011 the Council must agree before the start of the new financial year a pay policy statement covering chief officer posts and above. The Act sets out matters which must be covered under the policy.</p> <p>A draft of the Pay Policy Statement is included at Appendix A.</p> <p>The policy must be agreed by Assembly in advance of each financial year and it is therefore planned to take the policy to the meeting on 28 March 2012.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is asked to recommend to Assembly the approval of the Pay Policy Statement for the London Borough of Barking and Dagenham for 2012/13 for publication with effect from 1 April 2012.</p>	
<p><b>Reason(s)</b></p> <p>Under the terms of the Localism Act 2011 the Assembly must agree a pay policy statement in advance of the start of each financial year, beginning in 2012/13.</p>	

## 1. Introduction and Background

- 1.1 Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a pay policy statement for 2012/13 and for each financial year thereafter. The Act does not apply to local authority schools.
- 1.2 Guidance from the LGG recommends that local authorities use this opportunity to put in place or refresh their overall reward strategy. This Council is committed to developing a clear reward strategy, as part of its overall People Strategy. However the deadlines for agreeing the pay policy statement (sign-off by full-Assembly

before the end of March 2012) means that the timing is too tight adequately to address all the issues in developing a reward strategy and this will therefore be developed during the course of the 2012/13 year.

1.3 The matters that must be included in the pay policy statement are:

- a local authority's policy on the level and elements of remuneration for each chief officer
- a local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition and why they have been defined as such)
- a local authority's policy on the relationship between the remuneration of its chief officers and other officers
- a local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments (severance or compromise agreements) and transparency.
- The publication of and access to information relating to remuneration of chief officers.

1.4 The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements, and termination payments. The definition of chief officer in the Council's constitution is Chief Executive and Corporate Directors. However when we are discussing pay policy we use the definition to include Divisional Directors as they are covered by NJC terms and conditions, and this is what is intended in this attached report.

1.5 The pay policy statement:

- Must be approved formally by the Assembly
- Must be approved by the end of March each year, starting with 2012
- Can be amended in-year
- Must be published on the Council's website (and in any other way the Council chooses)
- Must be complied with when the Council sets the terms and conditions for a chief officer.

1.6 In the interests of transparency the guidance suggests that the statement includes details of the Council's policies relating to the other terms and conditions for chief officers. In particular, we are encouraged to be explicit about whether the JNC conditions of service for chief executives and chief officers are incorporated in those officers' employment contracts and, if not, what alternative arrangements apply.

1.7 In addition, the guidance recommends that authorities specify any additional arrangements that may not amount to formal terms and conditions, but which relate to a chief officer's employment and which are a charge on the public purse.

## **2. London Borough of Barking & Dagenham Pay Policy Statement**

- 2.1 It is intended to seek agreement to the Council's Pay Policy Statement at Assembly on 28 March 2012. A draft of the Pay Policy Statement for the London Borough of Barking and Dagenham is included at Appendix A.

## **3. Financial Implications**

Implications completed by: Tracie Evans, Corporate Director of Finance and Resources

- 3.1 There are no direct financial implications arising from this report.

## **4. Legal Implications**

Implications completed by: Fiona Taylor, Legal Group Manager

- 4.1 This report outlines our obligations with regards to senior officer pay and in particular in relation to the information to be provided pursuant to section 38 of the Localism Act. Legal comments are included in this report.

## **5. Other Implications**

- 5.1 **Risk Management** – There are no risks attached to this statement as attached as it describes the current position. If there is a requirement to change those policies there would need to be full consultation with employees.
- 5.2 **Contractual Issues** – This statement makes no changes to employees' contractual position.
- 5.3 **Staffing Issues** – The staffing issues are fully explored within the main body of the report.

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

**List of appendices:**

**Appendix A – Pay Policy Statement 2012/13 (draft)**

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# LONDON BOROUGH OF BARKING & DAGENHAM

## PAY POLICY STATEMENT 2012/13

### 1. Introduction – Requirement for Council Pay Policy Statement

- 1.1 Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a pay policy statement for 2012/13 and for each financial year after that. The Act does not apply to local authority schools. This document meets the requirements of the Act for the London Borough of Barking and Dagenham.
- 1.2 The provisions of the “Act” require that authorities are more open about their own local policies and how their local decisions are made. The Code of Recommended Practice for Local Authorities on Data Transparency enshrines the principles of transparency and asks councils to follow three principles when publishing data they hold: responding to public demand; releasing data in open formats available for re-use, and, releasing data in a timely way. This includes data on senior salaries and the structure of the workforce.
- 1.3 All decisions on pay and reward for all senior officers must comply with this “statement”. The statement will be produced annually and must be agreed by Assembly.

### 2. Pay & Reward Principles

- 2.1 The Council recognises that to achieve its objectives for the communities it serves, it needs to be able to attract and retain talented people at all levels of the organisation. The Council’s People Strategy sets out a range of actions the Council will take to ensure that we have

**“the right people, with the right skills in the right places, with the right kinds of management and leadership, motivated to perform well”**

- 2.2 Whatever their role, the Council seeks to ensure that every member of staff is valued and remunerated on a fair and just basis. Our approach to pay is to designed to ensure:
- we can demonstrate fairness and equity in what we pay people at different levels and in different parts of the Council;
  - pay is set at levels which enable us to recruit and retain quality staff; and
  - pay levels are affordable for the Council.
- 2.3 The Council remains committed to being part of the national pay negotiation structure. The Council has also committed to pay all its employees in substantive posts at least the London Living Wage.

- 2.4 Pay levels are determined through a job evaluation system. For staff at PO6 and below (£42,939) we use the Greater London Provincial Council job evaluation system. For posts at PO7 and above (£43,834) we use the HAY job evaluation systems. Each system assesses the relative “size” of the role against a range of criteria, relating to its complexity, the number of resources managed and the knowledge required to under the role.
- 2.5 Pay rates are generally set against the national pay spine agreed by the National Joint Council.
- 2.6 There are currently discussions taking place within the Council about whether there should be changes in pay arrangements for senior staff. This statement describes the current position and policy.

### 3. Defining “Chief Officers”

- 3.1 Following the implementation of savings plans for the 2012/13 financial year, the Council will employ the following number of chief officers:

Chief Executive	-	1
Corporate Directors	-	4
Divisional Directors	-	13.5

One of the Divisional Director posts is shared with another local authority and this Council makes a regular payment to that local authority for the services provided.

### 4. Accountability for Chief Officers Pay

- 4.1 The pay arrangements for chief officers are overseen by a Panel (called the JNC Salaries and Conditions Panel) appointed by the Council’s Assembly.
- 4.2 The Council’s constitution sets out the responsibilities and composition of the Panel and states:

**JNC Salaries and Conditions Panel** - consisting of the Leader and Deputy Leader of the Council (as Chair and Deputy Chair respectively), the relevant Portfolio Holder(s), the Cabinet Member for Finance, Revenues and Benefits, plus at least two other councillors to consider and make final decisions in relation to salaries and conditions for JNC officers (including the Chief Executive) and the grading of any new JNC posts in line with Council policy.

### 5. Current Pay Policy and Base Pay Rates

#### Setting Salary Levels

- 5.1 All chief officer roles are evaluated using the HAY job evaluation system. Spot salary levels were set for chief officer roles in 2008. There is a commitment to review salary levels every three years. In undertaking reviews, account is taken of the market, particularly the market in London.

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- 5.2 In 2008 salaries were set at the top of the third quartile in comparison with equivalent roles in London at that time. This reflected the fact that whilst the London Borough of Barking and Dagenham is one of the smaller boroughs in terms of population, it is a community that faces significant challenges and therefore the view was taken that we needed to attract a good choice of senior staff with the appropriate skills and experience.
- 5.3 The Chief Executive's salary was reviewed downwards when a new appointment was made in 2011 due to changes in the market. All Divisional Director salaries were reviewed in December 2010, following structural changes made in preparation for the 2011/12 financial year. Corporate Director salaries have not been reviewed since 2008.

### **Chief Executive**

- 5.4 The current Chief Executive was appointed in 2011 at a salary level of £150,000. The previous Chief Executive was on a salary of £186,000.

### **Corporate Directors**

- 5.5 The four Corporate Directors are on the following salary points:

Finance and Resources	Chief Officers.CHIEFO.0	14	141,888.00
Adult and Community Services	Chief Officers.CHIEFO.0	7	131,757.00
Children's Services	Chief Officers.CHIEFO.0	7	131,757.00
Customer Services	Chief Officers.CHIEFO.0	7	131,757.00

The salary of the Corporate Director Finance and Resources was set at a higher level for market related reasons at the time.

### **Divisional Directors**

- 5.6 There are four spot salary levels for these posts:

CO1 - £70,332	1 posts
CO2 - £78,740	0 posts
CO3 - £89,763	11 posts
CO4 - £108,661	1 posts

It is appropriate for there to be some differentiation in pay levels at Divisional Director level because of the differing amounts of risk and responsibility being carried at that level. The additional 0.5 post is shared with another local authority and the Council reimburses that authority for 50% of the postholder's cost.

## **6. Contingent Pay**

- 6.1 The Council pays its Chief Officers a spot salary. There is no element of performance pay, nor are any bonuses paid. No overtime is paid to Chief Officers. There are no lease car arrangements.

## **7. Pensions**

- 7.1 All Council employees are eligible to join the Local Government Pension Scheme. The Council does not enhance pensionable service for its employees either at the recruitment stage or on leaving the service, except in certain cases of retirement on grounds of permanent ill-health where the strict guidelines specified within the pension regulations are followed.

## **8. Other Terms and Conditions**

- 8.1 Employment conditions and any subsequent amendments are incorporated into employees' contracts of employment. Chief Officer contracts state:

“Where adopted by the Council for your employment group and unless otherwise indicated in this statement, your terms and conditions of employment are as set out in the NJC (National Joint Council) for Local Government Services otherwise called the “Green Book”. These terms and conditions may be supplemented by agreements reached collectively at the Greater London Provincial Council and at the Council’s Employee Joint Consultative Committee.”

- 8.2 Chief Officers are reimbursed for travel costs incurred, as stated within contracts:

“The Council will reimburse you your reasonable out-of-pocket expenses that you incur in the course of your official business for the Council. If you use your private motor car for official Council business, the Council will pay you ‘essential user’ mileage rates as set out in Part 3 Paragraph 6 of the National Agreement on Pay and Conditions of Services as set out by the National Joint Council for Local Government Services.”

- 8.3 The Council’s employment policies and procedures and terms and conditions are reviewed on a regular basis in the light of service delivery needs and any changes in legislation.

## **9. Election Expenses**

- 9.1 The fees paid to Council employees for undertaking election duties vary according to the type of election they participate in and the nature of the duties they undertake. All election fees paid are additional to Council salary and are subject to normal deductions for tax.

- 9.2 Returning Officer duties (and those of the Deputy Returning Officer) are contractual requirements but fees paid to them for national elections/referendums are paid in accordance with the appropriate Statutory Fees and Charges Order.

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## **10. Termination/Severance Payments**

- 10.1 Employees who leave the Council, including the Chief Executive and Chief Officers, are not entitled to receive any payments from the Council, except in the case of redundancy or retirement as indicated below.

### **Retirement**

- 10.2 Employees who contribute to the Local Government Pension Scheme who elect to retire at age 60 or over are entitled to receive immediate payment of their pension benefits in accordance with the Scheme. Early retirement, with immediate payment of pension benefits, is also possible under the Pension Scheme with the permission of the Council in specified circumstances from age 55 onwards and on grounds of permanent ill-health at any age.
- 10.3 The Council will consider applications for flexible retirement from employees aged 55 or over on their individual merits and in the light of service delivery needs.

### **Redundancy**

- 10.4 Employees who are made redundant are entitled to receive statutory redundancy pay as set out in legislation calculated on their actual salary. The standard London Borough of Barking and Dagenham redundancy scheme applies to Chief Officers. The scheme was amended in November 2011 and a maximum of 45 weeks of actual pay is payable depending on length of service. This scheme may be amended from time to time in accordance with the Council's Constitution

### **Compromise Agreements**

- 10.5 Where an employee leaves the Council's service in circumstances which are, or would be likely to, give rise to an action seeking redress through the courts from the Council about the nature of the employee's departure from the Council's employment, the Council may settle such claims by way of compromise agreement where it is in the Council's interests to do so. The amount to be paid in any such instance may include an amount of compensation, which is appropriate in all the circumstances of the individual case. Should such a matter involve the departure of a Director or the Chief Executive it will only be agreed following external legal advice that it would be lawful and reasonable to pay it.

## **11. Fairness**

- 11.1 In November 2011, the Council's Cabinet agreed that no member of staff in a substantive post should be paid less than the London Living Wage. In May of that year the Mayor of London announced that it would increase from £7.85 to £8.30 per hour. The first pay point in the Council's pay structure which is above the equivalent of the London Living Wage is scale point 7, £15,216 (within Scale 1a). Since 1 January 2012 all permanent staff (excluding some apprentices) have been paid at least at scale point 7. For the purposes of this pay policy statement, employees on scale point 7 are defined as our lowest-paid employees.

- 11.2 The Council's pay multiple - the ratio between the highest paid employee and lowest paid employee - is 1:10. The council's highest paid employee is the Chief Executive on a salary of £150,000 per annum.
- 11.3 The ratio between the taxable earnings for the highest paid employee and the median earnings figure for all employees in the Council – is 1:742. The Council's highest paid employee is the Chief Executive on a salary of £150,000 per annum. The median earnings figure is for all employees as at December 2011 is £20,205.

## **12. Any Additional Reward Arrangements**

- 12.1 There are none in place.

If there are any enquiries about these arrangements please apply to Martin Rayson,  
Divisional Director, Human Resources and Organisational Development  
martin.rayson@lbbd.gov.uk

## CABINET

20 MARCH 2012

<b>Title:</b> Parking and Traffic Enforcement Policy	
<b>Report of the Cabinet Member for Environment</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Robin Payne, Divisional Director of Environment	<b>Contact Details:</b> Tel: 020 8227 5660 E-mail: robin.payne@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Robin Payne, Divisional Director of Environment	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing and Environment	
<p><b>Summary:</b></p> <p>This report sets out the policy for the parking and traffic enforcement in Barking and Dagenham. Detailed in policy documents are the statutory processes that govern parking and traffic enforcement under the Traffic Management Act 2004 (TMA) and how it is proposed these are applied in Barking and Dagenham.</p> <p>The main Parking and Traffic Enforcement Policy (<b>Appendix A</b>) covers the enforcement of parking contraventions within the borough. This Policy has four annexes for consideration. These are as follows:</p> <ul style="list-style-type: none"> <li>• <b>Annex 1 - Cancellation Guidance</b> – these guidance notes are statutory in accordance with the TMA on what customers can appeal against.</li> <li>• <b>Annex 2 - Description of Traffic Signs</b> – this document is a graphical description to highlight moving traffic contraventions.</li> <li>• <b>Annex 3 - Discretion Policy</b> – this policy specifies the grounds under which the Council may exercise discretion and the Officers with delegated authority who can exercise discretion on behalf of the Council.</li> <li>• <b>Annex 4 - Vehicle Removals Policy</b> – this policy enables the ability for better network management in that vehicles can be lifted and removed for causing serious obstructions. This policy will also help manage the enforcement of persistent evaders.</li> </ul> <p>This report also includes a policy for parking debt write-off (<b>Appendix B</b>). This policy links to the Corporate Debt Management Policy which covers all debt relating to the Council. The intention for this policy is that it will be incorporated into the Corporate Debt Management Policy which is due to be reviewed in October.</p>	

## **Recommendation(s)**

The Cabinet is recommended to:

- (i) Adopt the Parking and Traffic Enforcement Policy attached at Appendix A and the associated annexes listed below:
  - Cancellation Guidance (Statutory Guidance revised)
  - Description of Traffic Signs (Statutory)
  - Discretionary Policy (revised)
  - Vehicle Removals Policy (new)
- (ii) Adopt the revised Write-off Policy attached at Appendix B in respect of Parking and Traffic Enforcement and note that this policy will be incorporated into the Corporate Debt Management Policy later this year.

## **Reason(s)**

The Parking Policies are a series of statutory guidance and policies with the objective of securing a safe, sustainable and accessible transport system. This is part of delivering the Policy House objective through developing good quality transport, including public transport, roads and footpaths by improving road safety and assisting traffic flow.

By adopting the Policies enables the Council to generate additional income and supports the policy of the Council being a “well-run organisation”.

## **1. Introduction and Background**

- 1.1 The legislative framework for local authorities to carry out parking enforcement changed to the Traffic Management Act in 2004 (TMA) Part 6 on 31 March 2008, replacing parts of the Road Traffic Act 1991 (as amended) and the Local Authorities Act 2000 (as amended). Legislation covering bus lane, moving traffic contraventions remains unchanged.
- 1.2 The TMA was introduced to improve public perception of parking enforcement by providing greater consistency of nationwide parking regulations and providing a fairer and more transparent system. It also brought consistency to parking enforcement regulations for London and non-London authorities.
- 1.3 The TMA strengthens the requirements for local authorities to have consistent and transparent enforcement policies.
- 1.4 Subsequent legislation in the London Local Authorities Act in 1995, 2000 and the London Local Authorities and Transport for London Act 2003 modified the 1991 act introducing new categories of contravention, such as ‘double parking’ and parking on pedestrian crossings.
- 1.5 The London Local Authorities Act 1996 provided the authority for local authority enforcement of bus lanes. The joint 2003 act provides for the decriminalised enforcement of other moving traffic offences such as box junctions and no entry signs and also empowered the Council to take enforcement action against vehicles parked by dropped kerbs.



- 1.6 The parking regulations as prescribed by the 1991 Road Traffic Act and consolidated in the Traffic Management Act 2004 decriminalised parking contraventions. This means that they are no longer dealt with under Criminal Law in the Magistrates Courts but come under the jurisdiction of Civil Law. In effect the act gave powers to Local Authorities to enforce parking restrictions previously the responsibility of the Police i.e. traffic wardens.
- 1.7 Since Barking and Dagenham adopted the aforementioned Acts it has continued to develop additional enforcement powers. Through its enforcement, 'prohibited' and 'permitted' parking contraventions are enforced.
- 1.8 Over the last few years, traffic in Barking and Dagenham has increased as have car free developments and the demand for parking space is increasing steadily. The net result is that the Council's parking responsibilities have grown significantly as a priority and there are effects on all Barking and Dagenham residents and the business community, directly or indirectly.
- 1.9 To address these growing needs the Council has introduced and continues to introduce initiatives such as Controlled Parking Zones, pay and display parking at smaller retail centres, localised parking plans i.e. marked bays, double yellow lines on corners and contract parking for car free developments and businesses. All of these need to be enforced effectively to add any benefit.
- 1.10 Parking and traffic enforcement is central to the Councils overall approach to transport and has as its primary purpose, the achievement of traffic management objectives by encouraging compliance with traffic regulations. Effective enforcement assists the Council in delivering its wider transport objectives :
- i. Managing the safe and free movement of vehicles, pedestrians & cyclists
  - ii. Improving road safety
  - iii. Improving the local environment including air quality
  - iv. Maximising the use of parking space to balance the needs of road users, including residents, businesses and visitors
  - v. Improving the movement and accessibility of public transport
  - vi. Meeting the needs of people with disabilities

## **2. Proposal and Issues**

### **2.1. Parking and Traffic Enforcement Policy (PEP)**

- 2.1.1. The purpose of the PEP is to provide a comprehensive reference guide to the strategy and policies laid down by the Council for everyone with a vested interest in parking enforcement within the borough. It is required to assist the enforcement service in the high quality decision making process, and also to ensure consistency.

Parking policy does not override the Traffic Management Act 2004, the Highway Code or any related regulatory framework. Where there is any contradiction the Department for Transport (DfT) and Secretary of State Guidance (Feb 2008) takes precedent on statutory matters.

The policy outlined in the PEP does not differ greatly from what we have been applying up to now. There are some minor changes proposed which will enhance the Councils ability to enforce parking and traffic regulations these are detailed below.

## 2.2. **Removal of vehicles from the highway** (Annex 4 to Appendix A)

New to the policy is the adoption of power that will allow us to remove vehicles from the highways. Local Authorities have the power to remove vehicles causing obstruction and persistent evader's vehicles if they are in breach of parking contravention at the time of removal.

The proposal set out in the policy is that the vehicle will be removed on the issue of the fourth PCN only if previous PCN's remain unpaid and not going through the appeals process.

The ability to lift vehicles and take them to holding place, is an essential tool to help us manage the traffic network during the Olympic Games when we anticipate a greater degree of traffic and parking issues. Vehicles that are obstructing the highways or are parked in such a way that they are dangerous, will be lifted from the highway and taken them to a place that we agree is a suitable vehicle pound.

The charge for removals is not set by the Council, but by a London-wide body called London Councils. The charge is currently set at £200.00 and will incur storage fees per day. These fees are subject to change.

## 2.3. **Clamping**

Barking and Dagenham Council no longer clamps vehicles and there is no intention to do so in the future. However, contractors for the Driver and Vehicle Licensing Authority (DVLA) clamp untaxed vehicles and also bailiff companies who are contracted by the Council as part of the debt recovery process.

## 2.4 **Discretion Policy** (Annex 3 to Appendix A)

The Council has the discretion to cancel a PCN at any point in the appeals process and has set out the Discretionary policy with regards to the handling of appeals and to give guidance on what and who can exercise discretion.

The policy sets out examples for illustrative purposes only and cannot cover every situation that may arise or every situation in which we may exercise discretion to cancel a PCN; therefore each case will be considered on its own merits. Any decision to exercise discretion to cancel a PCN which falls outside of the statutory guidelines must have approval from the Parking Manager or Divisional Director only.

The policy also outlines the vehicles we class to be exempt from liability to receive or pay a PCN.

In some instances Corporate Complaint investigations or Elected Member casework may illustrate the need to review parking controls in a particular area. Of course this will never apply to the issue of an individual ticket but could illustrate the need to

review a series of tickets issued in a particular location and could require discretionary cancellation. In all instances this decision is only taken by authorised and trained parking staff and the reasons for cancellation in line with the policy recorded.

## **2.5 Write-Off Policy (Appendix B)**

This report recommends that parking services adopt the Corporate Debt Management Policy. However, there are some specific procedures and guidelines for dealing with Penalty Charge Notice Debt. These have been modified within the parking write-off policy.

## **3. Options Appraisal**

- 3.1 The two options are to set out and agree policy or to do nothing. Doing nothing would mean that parking services would not have robust procedures in place that they were working to and would therefore lack consistency and transparency

## **4. Consultation**

- 4.1 Informal consultation has taken place with the Corporate Director of Housing and Environment, the Divisional Director of Environment and the Portfolio holder for Environment.

## **5. Financial Implications**

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 The main financial implications arising from this report are in relation to the Debt Write off policy in respect of the write-off of unpaid Penalty Charge Notices (PCNs). The collection of parking debt rests with the Revenues & Benefits service and although there is already an approved debt write-off policy there are a number of key differences between the collection of generic and PCN related debt. For this reason it is felt necessary to highlight those differences and attach a separate parking appendix to the Revenues & Benefit write-off policy. It is anticipated that going forward these differences will be amalgamated into the main policy.
- 5.2 The parking service operates a stand-a-lone parking system for the administration of PCNs and this system does not interface into the Council's main financial system (Oracle). For this reason when a PCN is issued it is not recorded in Oracle as a debtor. However, this follows normal practice as the non-payment of a PCN issued does not necessarily constitute a "debt".
- 5.3 A PCN that has been issued can be subsequently cancelled (appeal and/or representation allowed i.e. ticket not valid) or withdrawn for a number of reasons (e.g. vehicle not match to DVLA records) outlined in the Cancellation and Withdrawn policy attached to this report. It is only once the ticket has reached the debt registration stage and been approved by TEC (Traffic Enforcement Court) that it becomes enforceable and collectible.

- 5.4 At the end of the financial year a debtor will be brought into Oracle based on the value of tickets at the debt registration stage and on the likely recovery rate i.e. net of any bad debt provision. For this reason there is no clear audit trail in Oracle of any write-offs of outstanding PCNs and therefore reporting information is not available to the Revenues & Benefits service.
- 5.5 The individual value of a PCN at the debt registration stage will vary (depending on the reason that it was issued) but is relatively low in value at approximately £200 and therefore falls below the individual £2,000 limit for service authorised write-off. However, due to the nature of the PCN debt collection process, it is possible that a large number of PCNs fall to be written-off at any one time which may have a fairly significant value in total. For this reason, and the lack of audit trail in Oracle, it is proposed that quarterly PCN write-off information will be included, going forward, within the quarterly debt write-off report approved by PAASC.
- 5.6 It is also proposed that information relating to the number of tickets cancelled and withdrawn will be made available within the annual parking report.
- 5.7 This report also seeks approval to introduce the removal of vehicles in relation to specific parking contraventions in addition to the Council's current removal of abandon vehicles. The contract for this service is currently being tendered but from the specification provided indicates that there will be no cost to the Council in undertaking this function and that any financial risk will rest with the appointed contractor.

## **6. Legal Implications**

Implications completed by: Paul Field, Senior Lawyer

- 6.1 The exercise of the parking enforcement function requires the highest standards of governance and performance delivery. As a front line service which carries out enforcement tasks it is vital that the processes are transparent and fair to ensure there is public confidence.
- 6.2 The parking enforcement function is subject to external scrutiny by means of appeal to the Parking and Traffic Appeals Service (PATAS) established by The Road Traffic Act 1991. This is a form of tribunal for the Parking and Traffic Adjudicators. Parking Adjudicators can set aside penalty notices. Errors in administration can also lead to challenges by means of judicial review and findings of maladministration by the local government ombudsman.
- 6.3 Short comings in enforcement and administration can have further implications in terms potentially being required to make payments back to persons subject to a sanction and the obvious reputational damage that can occur. The measures that have been taken as outlined in this report as a result of the Audit feedback are likely to strengthen and improve the service leading to a significant reduction of the risk of successful challenge going forward and enhancing public confidence that the service is acting professionally and fairly.

## 7. Other Implications

- 7.1 **Risk Management:** Audit assurance activity supports and independently verifies the risk management framework of the Council
- 7.2 **Contractual Issues** The policies will be reviewed on an annual basis to ensure it is in keeping with current legislation.
- 7.3 **Staffing Issues** Some changes will be necessary in that staff will need to develop their skills and knowledge to ensure Penalty Charge Notices are issued and dealt with in an appropriate manner.

Staff will experience better support and guidance to ensure parking delivers a quality consistent service. Having robust policies in place will allow staff to know how and when to enforce, this will improve the perception of the service and help to deliver a clear, concise and consistent message to customers.

- 7.4 **Customer Impact:** The policies are intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations. This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Independent Parking Adjudication Service and the Local Government Ombudsman.

### Background Papers Used in the Preparation of the Report:

Representation and Appeals Process  
Fees and Charges 2012  
Differential Parking Observation Times  
CCTV Codes of Practice  
Codes of Practice on Civil Parking and Traffic Enforcement  
Local Implementation Plan (LIP)  
Parking Permits Procedures and Guidance  
Debt Management Policy Final approved 18 October 2011

### List of appendices:

- Appendix A - Parking and Traffic Enforcement Policy, incorporating:
  - Annex 1: Cancellation Guidance
  - Annex 2: Description of Traffic signs
  - Annex 3: Discretion Policy
  - Annex 4: Vehicles Removals Policy
- Appendix B - Write-Off Policy

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# London Borough of Barking and Dagenham

## Parking & Traffic Enforcement Policy

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## Foreword

This document is intended to provide a comprehensive reference guide to the strategy and policies laid down by the Council for everyone with a vested interest in parking enforcement within Barking and Dagenham. It will be regularly updated to keep pace with changing priorities, assimilate new ideas and reflect changes to the regulations that control parking demands.

The purpose of the document is to:

- Improve road safety and / or assisting traffic flow
- Improved conditions for pedestrians and cyclists
- Improved conditions for public transport use
- Communicate clearly Barking and Dagenham Council's parking enforcement policy to motorists, who either reside, work in or visit the Borough,
- Ensure that Barking and Dagenham Civil Enforcement staff apply policy as required,
- Assist Barking and Dagenham Enforcement Service in the decision making process, ensuring that consideration to parking matters demonstrate consistent high quality decision making.
- Help ensure that a consistent approach to initial advice and all parking matters by officers across the Council.

## Disclaimer

This document supersedes any information which previously appeared on LB Barking and Dagenham Council's website or published documentation pertaining to civil parking enforcement (CPE) within the Borough.

The contents and polices contained within this document seek to clarify those areas where LB Barking and Dagenham has discretion on CPE regulations. It does not over-ride the Traffic Management Act 2004 (TMA), Highway Code or any related regulatory framework. Where there may be contradiction please ensure that the Department for Transports (DfT) and Secretary of State's guidance (Feb 2008 onwards) takes precedent on statutory matters.

## Abbreviations

<b>CEA:</b>	Civil Enforcement Area
<b>CEO:</b>	Civil Enforcement Officer
<b>CCTV:</b>	Closed Circuit Television
<b>CPE:</b>	Civil Parking Enforcement
<b>CPZ:</b>	Controlled Parking Zone
<b>CC:</b>	Charge Certificate
<b>DfT:</b>	Department for Transport
<b>DVLA:</b>	Driver and Vehicle Licensing Agency
<b>LIP:</b>	Local Implementation Plan
<b>NtO:</b>	Notice to Owner
<b>NoR:</b>	Notice of Rejection
<b>PATAS:</b>	Parking and Traffic Appeals Service
<b>PCN:</b>	Penalty Charge Notice
<b>TfL:</b>	Transport for London
<b>TMA:</b>	Traffic Management Act
<b>TMO:</b>	Traffic Management Order

## **1 An introduction to Barking and Dagenham's Parking Policy**

### **1.1 Barking and Dagenham's Parking Policy**

This Policy has been designed to help us deliver better network management which will result in reduced road danger, less motor traffic, improved conditions for pedestrians, cyclists and public transport use by improved / better traffic flow and ease congestion.

Parking is very much a local issue. Central Government sets the framework but local authorities draw up policies and local regulations for their implementation and, where they have the relevant powers, enforce them. At Barking and Dagenham, in addition to local implementation of legislative requirements, the Parking Enforcement Policy (PEP) incorporates the Council's own transport strategies governing parking enforcement.

The Council's Transport Policy is set out in Barking and Dagenham's Local Implementation Plan (LIP), chapter 9. Its overarching objective is to "support the Council's vision by facilitating links into Barking and Dagenham and by improving the movement of people and goods in and around the Borough in a convenient, efficient, safe and environmentally friendly manner".

The Mayor of London published a transport strategy that contains proposals for improving the transport system in the Capital over the coming years. Each London borough is required to have a Local Implementation Plan (LIP), setting out its own strategy for implementing the Mayor's proposals in the local area. This document draws from the strategies outlined therein.

The PEP guides the actions of the Council's parking enforcement team, determines the basic objectives for the Council's parking permit schemes and informs the Council's approach to determining the appropriate level of charges for casual parking, permits and other parking concerns.

### **1.2 Legislation on Parking Enforcement**

The legislative framework for local authorities to carry out parking enforcement changed to the Traffic Management Act 2004 (TMA) Part 6 on 31st March 2008, replacing parts of the Road Traffic Act 1991 (as amended) and the Local Authorities Act 2000 (as amended). The TMA was introduced to improve public perception of parking enforcement by providing greater consistency of nationwide parking regulations and providing a fairer and more transparent system.

Legislation covering bus lane, moving traffic contraventions remains unchanged.

The TMA has also brought consistency to parking enforcement regulations for London and non London authorities.

The regulations in part 6 of the Traffic Management Act 2004 largely replicate those contained in the Road Traffic Act 1991 (as amended) and London Local Authorities Act 2000 (as amended).

The Traffic Management Act 2004 strengthens the requirements for local authorities to have consistent and transparent enforcement policies.

Subsequent legislation in the London Local Authorities Acts in 1995, 2000 and the London Local Authorities and Transport for London Act 2003 modified the 1991 Act, introducing new categories of contravention, such as "double parking" and parking on pedestrian crossings.

The London Local Authorities Act 1996 provided for local authority enforcement of bus lanes. The joint 2003 Act provides for decriminalised enforcement of other moving traffic offences, such as box junctions and no entry signs and also empowered the Council to take enforcement action against vehicles parked by dropped kerbs.

The parking regulations as prescribed by the 1991 Road Traffic Act and consolidated in the Traffic Management Act 2004 decriminalised parking contraventions, which means that they are no longer dealt with under Criminal Law in the Magistrates Courts but come under the jurisdiction of the Civil Law. In effect, the Act gave powers to Local Authorities to enforce parking restrictions, previously the responsibility of the Police (traffic wardens).

Since Barking and Dagenham Council adopted these it has continued to develop additional enforcement powers. Through its parking enforcement, 'prohibited' and 'permitted' parking contraventions are enforced.

The London Borough of Barking and Dagenham's parking enforcement policy seeks to abide by both Acts of Parliament and to incorporate best practice within its protocols. Reference is made to the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking contraventions (Traffic Management Act 2004 issue Feb 2008) and London Councils - Codes of Practice for enforcement.

### **1.3 The case for controlled parking in Barking and Dagenham**

Good parking provision is vital for the economy of the Borough and for the convenience of residents and visitors alike. It must, however, be recognised that parking space and availability is directly linked to traffic volume, which is linked to both congestion and pollution.

A careful balance must, therefore, be struck between parking provision, parking controls, levels of charges and enforcement, in order to ensure that we obtain optimum value for the economic well being of the Borough as well as for sustainability and environmental issues.

Over the last few years, traffic in Barking and Dagenham has increased as are car-free developments and the demand on parking space is increasing steadily. The net result is that the parking organisation has grown in significance as a priority and affects all Barking and Dagenham residents and the business community, directly or indirectly.

To address these growing needs, the Council has responded by introducing Controlled Parking Zones (CPZs) to the Borough and there is pressure in some areas to expand these further.

Parking and Traffic Enforcement is central to the Council's overall approach to transport and has as its primary purpose, the achievement of traffic management objectives, through encouraging compliance with traffic regulations. Effective enforcement assists the Council in delivering its wider transport objectives.

These key objectives can be summarised as follows:-

- Managing the safe and free movement of vehicles, pedestrians and cyclists
- Improving road safety
- Improving the local environment including air quality
- Improving traffic flow to ease congestion
- Maximising the use of parking space to balance the needs of road users, including residents, businesses and visitors
- Improving the movement and accessibility of public transport
- Meeting the needs of people with disabilities
- It is important to remember that these objectives have been devised with one or more outcomes in mind. For example, it is intended to improve the traffic flow within the borough to enable residents to park near to their homes or reduce congestion and improve the experience in busy shopping areas.

#### **1.4 How Barking and Dagenham Council aim to deliver positive parking and enforcement outcomes**

It will be important to measure the ongoing effect of the approaches set out in this policy. The following approaches will be adopted to ensure that effective parking enforcement delivers the following objectives:

- Encouraging a 'customer service' attitude towards residents, local businesses and visitors to the area in all aspects of the parking operation
- Developing parking strategies that meet local objectives, focusing particularly on congestion, road safety and accessibility
- Adopting best practice guidance available, including enforcement operations that are firm but fair and are reasonable to motorists and others who live and work in the borough
- Establishing clear performance standards in applying parking restrictions
- Communicating clearly to motorists what regulations are in force and how compliance is to be achieved

- Implementing appropriate recruitment, retention and training practices to ensure professional parking enforcement throughout the Borough
- Ensuring the process for challenging and appealing penalty charge notices is consistent and transparent
- Strengthening the status and profile of the parking appeals procedure and the role of the Independent Adjudication Service
- Maintaining independent scrutiny of Parking Enforcement
- Monitoring and publishing the standards we achieve

## 1.5 Enforcement ethos

Through parking enforcement the London Borough of Barking and Dagenham is committed to provide traffic management solutions through parking place management and 'on street' enforcement that is consistent, effective and progressive and also to keep the traffic flowing.

This document reflects an enforcement regime that accords with the aims and objectives to accommodate changing patterns of road use and the requirement to vary enforcement according to need. It also confirms our desire for a 'customer service' attitude towards residents, businesses and visitors in all aspects of the Parking Enforcement.

### Consistency

- With the volume of enforcement activity, as high as it is, it is inevitable that some drivers will feel aggrieved and occasionally errors will occur.
- Our intention is to keep these to a minimum through clear policies, robust procedures and by employing high calibre, well trained staff. Where mistakes have occurred, we will acknowledge them and rectify them as soon as possible.

### Effective

- There are compelling road safety reasons for enforcing parking restrictions. Without parking regulation there can be little doubt that many busy parts of Barking and Dagenham would quickly grind to a halt. However, the Council recognises that a practical, common sense approach is needed to carry out its parking enforcement responsibilities.
- The CCTV operators and the Council's Civil Enforcement Officers who enforce parking restrictions, all receive comprehensive training to enable them to carry out their duties effectively. Specific policies have been developed to ensure that officers carry out their work in a non-discriminatory and reasonable manner.

### Progressive

- The use of technology is now an integral part of enforcement duties and assists in ensuring that Penalty Charge Notices are correctly issued. It ensures evidence is collected to enable the penalty to be pursued and provide motorists with proof of contravention in order to reduce errors and time spent on the appeals process.
- Lessons learnt and feedback provided will be used to improve the way we conduct our business.
- We will publish useful information to enable Barking and Dagenham's road users to understand what we are seeking to achieve, why we do it and how we perform against our stated aims.

## **1.6 Structure of Parking Enforcement in Barking and Dagenham**

Barking and Dagenham's Parking Enforcement consists of three key strands:

- Parking Enforcement carried out by CCTV and Civil Enforcement Officers
- Parking Enforcement carried out by Camera Cars
- Parking Processing/Appeals

## **1.7 Parking Enforcement**

The service is managed and run by Barking and Dagenham. The benefit of having this service managed and run in-house allows us to have ownership and be consistent with the Enforcement. This also ensures that the authority plays a strategic role in the development and running of the service.

The Council enforce via CEO's on street patrols and CCTV; some contraventions are and enforced 24 hours a day 7 days a week.

### **1.7.1 Civil Enforcement (CEO's On Street)**

Civil Enforcement Officers (CEO) are responsible for the enforcement of parking restrictions throughout the LB Barking and Dagenham.

Some of the types of restrictions they are likely to enforce include

- parking in bus stops
- adjacent to a pedestrian crossings
- footways
- dropped kerbs
- yellow lines
- resident's parking schemes (CPZ areas)

The principal aims of parking enforcement are traffic flow and public safety and this is achieved with a well-trained and committed on-street staff. Civil Enforcement Officers also provide an on-street presence as the "eyes-and-ears" of the council.



### **1.7.2 Civil Enforcement (CCTV)**

CCTV currently enforces Parking, Bus Lane and all Moving Traffic Contravention enforcement.

CCTV enforcement has a number of advantages; it is able to provide enforcement in historically hard to enforce areas. CCTV encourages compliance with the regulations.

In locations that are enforced using static CCTV cameras the Council always erects signs on the street warning that CCTV cameras are in use. (This does not include mobile CCTV)

**Appendix 2** shows a list including descriptions of some of the possible Moving Traffic Contraventions and their relevant traffic signs that Barking and Dagenham Council will enforce

### **1.7.3 Parking Correspondence and Notice Processing**

Barking and Dagenham directly employ a team of appeals officers to deal with the processing of PCN's and associated correspondence. This has the benefit of providing automatic review of the enforcement activity conducted by the CCTV and 'on street' enforcement officers which ensures that customers are dealt with according to the standards required by the Council.

The appeals officers also process, parking permits, and deal with all aspects of a PCN from issue through the court stage and the management of bailiff action.

## **1.8 Service Development**

Enforcement Supervisors/Team Leaders and the Quality Assurance Officer are responsible for reviewing current performance, identifying areas for improvement and project managing the delivery of new initiatives supporting our policy objectives together with the appropriate services.

The officers also ensure that new regulations and guidance on parking matters are translated correctly ensuring that the service is delivered in accordance with legislative requirements.

In addition to this the team also supply information for complaints and Freedom of Information requests as well as providing customer feedback to senior management.

The parking service will identify improvements necessary to our processes and procedures to ensure that customer experience is always fair, transparent and equitable.

## **2 An overview of Parking and Traffic Enforcement**

## 2.1 Introduction

This section deals with the need for enforcement and explains the background and legislation relating to decriminalised enforcement. The objectives of Barking and Dagenham Council's parking enforcement are also explained.

## 2.2 The parking regulations explained

The Road Traffic Regulation Act 1984 defines the objectives for which parking regulations can be introduced. These can be summarised as:

- Safety
- Congestion reduction
- Management of the kerb space where demand for parking exceeds supply
- Maintenance of access to premises

The Council enforces parking, waiting and loading restrictions within the borough unless the road is part of the Transport for London (TfL) Road Network. The parking regulations enforced by the Council fall into two basic groups:-

- Those that apply nationally or within London - in which case the Council must be clear as to why it enforces them and in what circumstances; and
- Those that have been applied by the Council through the making of Traffic Management Orders (TMOs), in which case the Council needs to have a policy determining when the use of these powers are appropriate. The question of whether these restrictions should be enforced does not apply because if it was appropriate to introduce and maintain the restriction it is appropriate to enforce it.

There is a distinction between '**prohibited parking**' and '**permitted parking**'.

**Prohibited parking** - relates to regulations introduced for safety reasons, likely to be in the form of yellow lines or 'school entrance – keep clear' markings. Where congestion reduction is the issue, single yellow lines might suffice. Enforcement is strictly adhered to on public safety grounds.

**Permitted parking** - may include pay and display bays and residents' zones which are all symptomatic of areas where demand exceeds supply, requiring the Council to give priority to particular groups of motorists, e.g. residents and persons with disabilities, or forms of parking such as short stay or loading bays.

### 2.3 Objectives of decriminalised enforcement

The objective for the decriminalised enforcement regime is to ensure compliance with the regulations and achieve traffic management objectives. As noted above; the Road Traffic Regulation Act 1984 sets out the only lawful objectives for making parking regulations.

In the majority of cases the parking restrictions enforced by the Council are introduced by the making of Traffic Management Orders (TMO), the local regulations that determine parking restrictions in the borough. The introduction of restrictions involves designing the restriction, consultation, making the orders and placing suitable signs and lines.

### 2.4 How the regulations are applied

The Council can enforce various restrictions some of which are detailed below: -

- Contraventions where parking is prohibited as defined by Traffic Management Order and the Road Traffic Act (including the Highway Code)
- Parking contraventions in permitted parking bays or in restricted areas
- Bus lanes
- Moving traffic contraventions including box junctions and disallowed turns
- Where parking is prohibited, apart from emergencies or circumstances beyond motorist control
- No waiting (single and double yellow lines)
- No loading/unloading (kerb blips used in conjunction with yellow lines)
- School keep clear marking
- Pedestrian crossing zig-zag marking
- Controlled Parking places

In many locations where such measures are introduced it is not possible to meet all the demand for parking spaces, even for priority users. In some residential areas the demand for residents' parking now is starting to exceed the supply of spaces. In mixed-use areas, there are competing demands from shoppers, residents and deliveries. In these cases, difficult decisions have to be made over allocation of parking space.

The introduction of short stay parking gives an option.

When parking demand greatly exceeds supply then the Council may introduce a Controlled Parking Zone (CPZ). A CPZ has the following elements:-

- The creation of controlled parking places
- The introduction (or extension) of permit schemes
- Possible restrictions on the type of vehicles that can use the controlled parking places (such as height and length of vehicles)

- The introduction of some control (waiting/ loading/ zig-zag) on all kerb space not designated a permitted parking place

Enforcement may be carried out by Civil Enforcement Officers (CEO's) who patrol on foot, ANPR (Automatic Number Plate Recognition) vehicles or via Closed Circuit Television (CCTV) cameras. The Council may issue Penalty Charge Notices and in some cases, remove or clamp vehicles.

## 2.5 Traffic Management Orders

The infrastructure of controlled parking places and signs and lines is fundamental to ensuring that road users are aware of traffic regulations operated within the borough boundaries and enforced by London Borough of Barking and Dagenham. In adopting decriminalised enforcement powers in 1993, Barking and Dagenham is required to update and consolidate all its Traffic Management Orders.

As part of Barking and Dagenham's continuing drive for customer service improvement, it is our aim that the civil parking enforcement regime be considered legitimate and accountable. Our current business plan includes a review of TMOs to ensure that the orders underpinning our protocols are legal and accurate.

It is the responsibility of Parking Enforcement to:

- Ensure that attention to TMOs does not stop once they are in place
- Monitoring the use of parking controls and places to check that restrictions are appropriate and having the intended effect will be carried out in accordance with an annual business plan
- Reviews will also cover the parking infrastructure of lines and signs, which notify the public about the requirements of each order.
- The Authority's TMOs will be updated to reflect changing patterns of demand

## 2.6 Parking Charges

Our target is to achieve an average rate of 85% occupancy in off-street car parks during the peak periods, reducing the volume of traffic looking for a space and ensuring that drivers who need to park 'on street' are better able to find space. In order to achieve this, charging systems are in place for both on street and off street parking.

A differential in pricing exists between the on and off-street:

- Encourage the use of car parks wherever possible
- Charges and tariffs for services other than PCNs charges are set to ensure the service offerings are self supporting
- Permit prices for Resident's permits will be linked to CO2 emissions and engine size
- Parking place usage, turnover and charges are reviewed annually in order to ensure that the objectives outlined above continue to be met

- All increases in parking charges (excluding PCN's) are agreed by the Members as part of the annual fees and charges report before implementation and advertised widely so that drivers are advised of the revised charges in advance.

Meanwhile, the Department for Transport and London Councils statutorily set PCN levies and fines.

- In Barking and Dagenham, we are looking at introducing a 'Cashless' parking system for selected 'on-street' and car park spaces, concurrently with the traditional method of cash payments into pay and display machines. This is designed to remove the need for drivers to find the correct change for a pay and display ticket.

## 2.7 Enforcement Protocols

### 2.7.1 Processing Penalty Charge Notices

Penalty Charge Notices are issued and processed subject to regulations set out in legislative guidance which this document seeks to replicate. Such replication is for benefit of easy access. However, for the avoidance of doubt readers should ensure they consult the Traffic Management Act 2004 and relevant Road Traffic Regulations. These are available upon request or by visiting the DirectGov and Department for Transport websites. There are variations according to the type of notice issued, whether; a parking contravention issued by either a CEO or CCTV or a bus lane contravention.

### 2.7.2 Removals (See Appendix 4)

In most instances we will not remove your vehicle if you are parked in an authorised parking space. However there are a number of exceptions such as:

- Parking in a Disabled bay without a valid Blue badge or Companion badge
- Footway Parking (dropped kerbs and pavement)
- Parking on single or double yellow lines during set hours
- Where the parked vehicle is obstructing traffic
- Persistent evaders of Parking fines
- Long-term illegal parking in parking bays.

People who persistently incur penalty charge notices (three or more) and do not pay or appeal them will have their vehicle removed and face additional charges.

**Appendix 4** advises on the removals and clamping policy and criteria which is considered to be compliant with the requirements contained within the TMA 2004. It is also considered that the proposed removal policy correctly identifies those vehicles and circumstances which require prioritisation within the guidelines of the TMA 2004.

### 2.7.3 Foreign Registered Vehicles

The DVLA has announced (03/08/2006) that it is clamping down on foreign registered vehicles that flout the UK registration and licensing laws, with enforcement measures that include wheel clamping and impounding foreign registered vehicles that don't comply with UK laws.

Vehicles that are properly registered and taxed in their home countries and brought into the UK temporarily are usually exempt from UK registration and licensing, and may be used in the UK for up to six months in any twelve month period.

After that they must be registered and licensed with DVLA. Keepers must register and license their vehicle immediately once they become resident in this country.

The DVLA has been working closely with relevant organisations to help explain the UK registration and licensing rules to ensure these drivers fully understand what is required.

DVLA is taking the lead and the Republic of Ireland, Lithuania, Poland and Sweden have agreed to allow enforcement action to be taken in the UK on non-compliant vehicles registered in their countries. Information will be shared with the EU Commission and other member states and as a result the initiative may be extended to include vehicles from other countries.

### 2.7.4 Persistent evader

The London Borough of Barking and Dagenham define persistent evaders as individuals with three or more PCNs, none of which are either subject to an appeal or at a stage where an appeal can be made. Under these circumstances should the vehicle have valid permit it will be cancelled and / or not renewed

Persistent evaders may find their vehicle wheel clamped and impounded and, if unclaimed, disposed of by crushing.

In Barking and Dagenham operate a removal and relocation service using an outside contractor. The instruction for the removal of vehicles will given by the parking enforcement services.

- Vehicles removed are taken to the pound used by the contractor
- Removals are focused on vehicles parked in contravention of higher charge contraventions, (e.g. parking on yellow lines, footway parking, zigzags, dropped kerbs etc)
- Persistent evaders (vehicles with 3 or more PCNs where no appeal has been made
- Where there is a lack of clear evidence of the registered owner
- Where there is concern regarding the information received from the DVLA (where the owner details and recovery of the penalty is unlikely)

- Prior to a removal taking place a vehicle will be issued with a Penalty Charge Notice and then if it falls into one of the above categories will be considered for removal
- Depending on the contravention or whether the vehicle is a persistent offender the removal may take place instantly or following a period of 1 hour
- Where it is thought more appropriate, the relocation of the vehicle may take place rather than removing it to the council's pound.
- Relocations may take place where a vehicle is parked in a suspended parking area and was in-situ at the time of the suspension boards being erected. It may also be deemed inappropriate to remove certain other vehicles such as blue badge holders, diplomatic vehicles, etc. and these too may be relocated.
- The details of any vehicles removed or relocated are passed to TRACE along with the details of the vehicle's new location. To recover your vehicle from the pound you will be required to show proof of ownership, along with payment of the removal/storage and PCN fee.
- Details of appeal against the removal in the event you wish to make a challenge. Any challenge can only be made once the vehicle has been released from the pound.

### 2.7.5 Correspondence

PCN's issued will often result in correspondence from drivers who are seeking evidence or clarification on why they have received a fine. It is Barking and Dagenham's policy to respond to all correspondence in full (Unless the PCN has been paid or the correspondence is from a third party).

- If the PCN has been paid the case is deemed as closed and no further correspondence will be dealt with unless the PCN has been issued for a bus lane contravention
- Correspondence can only be responded to if it matches the details we have received from the DVLA; we are unable to discuss any case with a third party unless written consent from the third party has been received
- If payment is received with an appeal payment will be accepted and the case closed

We aim to ensure that the driver is provided with all relevant information with regard to the issue of the PCN.

Any matter relating to the contravention, issue and progression of a PCN must be dealt with in accordance with the TMA. The Council accepts communication by email and letter which will be dealt with in accordance with the legislation. It must however, be noted that complaints are dealt with under a separate policy and do not fall within the legislative requirements.

It is the aim of the council to provide clear, consistent, advice to all parties that have dealings with the Parking Service. All correspondence must be responded to in full, advising the appellant of the range of options that are open to them and providing advice and guidance with regard the process.

## **2.8 Cancellation Guidance**

The cancellation guidance report is to provide a reference relating to the cancellation procedures for penalty charge notices (PCNs). This guidance report is intended to provide guidance and clarity to the public and Council officers for the more common types of request for cancellations received by processing/appeals officers. All representations and requests for exemptions will be treated on their individual merits.

This policy outlines that all recipients of PCNs are treated in the same manner, for the purposes of raising an appeal. It acknowledges that in some instances the outcome of individual appeals may indicate that cancellations should also apply to similarly issued tickets. It also acknowledges that complaints or concerns by other routes such as corporate complaints or Member casework can also be considered when deciding if a cancellation should be made. In all cases however the reasons for the cancellations should be made in writing and recorded.

The cancellation guidance may require future amendment to reflect changes in legislation and Barking and Dagenham's enforcement priorities and is subject to ongoing review.

The purpose of the cancellation guidance report is to:

- Provide clarity for Barking and Dagenham residents, members of the public, elected members and Council officers
- Assist processing/appeals officers in the decision making process
- Adopt a best practice guidance that is fair and in line with the requirements of TMA 2004 and the PATAS



### **3 Parking restrictions that apply in Barking and Dagenham**

The parking regulations enforced by the Council are categorised as:

- Those that apply nationally or within London – in which case the Council must be clear as to why it is enforcing them and in what circumstances; and
- Restrictions applied by the Council – which have been made through TMOs and therefore, require a policy explaining why the use of these powers is appropriate

#### **3.1 Parking restrictions which are applicable nationally or regionally Parking on footways and verges**

Unauthorised parking on footways and verges is banned throughout London unless specifically exempted by the Borough and appropriately signed. This ban is designated in Section 15 of the Greater London Council (General Powers) Act, 1974.

Unauthorised parking on the pavement is a serious and growing problem. It is a hazard to other drivers, antisocial, encouraging contempt for pedestrians, forcing them to use the carriageway, causing obstruction and blocking the way of parents pushing buggies, the elderly and disabled people in wheel chairs and electric carts. Parking on footways and verges also causes avoidable additional maintenance costs, which add unnecessarily to the Council's financial burden.

The pavement surface is soiled by oil stains and broken by the weight of vehicles, leading to an increased risk of trips and falls and an uglier walking environment.

Parking on footways near to junctions is a specific hazard for other road users. Not only can it block vehicular movement but there is potential for impairing the view of other drivers navigating the carriageway. All junctions will have double yellow lines and loading restrictions for this reason.

Footway parking is prohibited in London, unless signs are placed to the contrary. This requires that each road be reviewed on an individual basis to determine whether or not footway parking should be permitted, and a Council resolution passed in respect of the roads that are to be exempted from the general footway parking ban. The Council has very few "permitted footway parking" markings and signs.

Where footway parking is permitted and there may be a sign but no markings or line provided, vehicles must not be stationary in a position to cause obstruction. In order to allow safe pedestrian movement a minimum space for wheelchair access should be available this is deemed within the London Borough of Barking and Dagenham as the width of two standard vehicle number plates. Vehicles should not park within 10 metres of corner at a junction, Civil Enforcement Officers are required to issue a PCN and to authorise vehicle removal if necessary where a vehicle is parked in these circumstances.

Pending a review of footway parking within the Borough due to take place within 2012; which will see clearly where vehicles can / cannot park via signage or bay markings, Civil Enforcement Officers will enforce against footway parking: -

- In narrow roads and roads included on the list of exempted streets, where the vehicle is seen to seriously impede the movement of pedestrians
- In roads where footway parking is prohibited
- In roads where signage / bays doesn't permit footway parking

### **3.2 Parking against Dropped Kerbs**

Section 86 of the Traffic Management Act 2004 allows the Council to enforce against vehicles that block dropped kerbs. It is important for pedestrians, particularly the elderly, infirmed, persons with disabilities and parents with pushchairs to be able to cross the road safely.

The Council provides dropped kerbs to -

- assist pedestrians
- allow vehicles to leave and join the carriageway

The Council will proactively enforce against vehicle parked adjacent to pedestrian dropped /raised kerbs.

Where a dropped kerb is to a single residential property the Council can only enforce with the consent of the occupier of that property, providing no other restriction applies (e.g. a single yellow line). Enforcement action will only be carried out when requested by a resident who has paid for a vehicle crossover to their property and is able to provide a landline telephone number as a means of contact.

Where dropped kerb access leads to a multi-residential property (e.g. a block of flats) then the Council is able to carry out enforcement.

The Council will keep under review the need to provide enforcement outside normal working hours for dropped kerbs provided to assist vehicles leaving and rejoining the carriageway (the implication being the need to provide 24-hour enforcement and removals).

### **3.3 Pedestrian Crossing (zig-zag) markings**

As a highway authority, the Council is required by law to install zig-zag markings at all controlled crossings. The markings prevent any vehicle from stopping/parking (other than when impeded by traffic).

The purpose of the restrictions is to protect sight lines for motorists (seeing pedestrians on or about to proceed on the crossing) and pedestrians seeing approaching vehicles. They meet the legal requirement to provide clear uncluttered

sight lines for both motorists and pedestrians and assist in the creation of a "safe place to cross".

Although this offence has been partly decriminalised, the police may still issue a Fixed Penalty Notice. Where it does happen, the police action takes priority and any Penalty Charge Notice issued by the Council will be cancelled.

The Council considers that zig-zag markings make a significant contribution to the creation of safe locations where pedestrians can cross the road and will continue to take enforcement action against vehicles that park in breach of these regulations.

### **3.4 Obstruction and Double Parking**

Legislation has enabled the Council to enforce obstructions where this is due to double-parking or parking too far away from the edge of the carriageway. Exercising this power of enforcement allows the Council to address nuisance and obstructive parking and relieves pressure on Police time. The Council will continue to enforce against "double parking".

Any vehicle parked on the highway, other than in a designated parking place, could be considered to be causing an obstruction under the Highways Act 1980 section 137 or under common law, which allows the public to pass and re-pass unhindered over the public highway.

### **3.5 Restrictions applied by the Council**

In addition to the introduction of Controlled Parking Zones (CPZs), there are a number of options available to the Council to control where vehicles stop and park and these are outlined below. They have the effect of preventing any vehicles from stopping during the controlled hours other than to set down or pick up passengers.

### **3.6 School 'Keep Clear' Markings**

The Council has introduced keep clear markings outside most schools in the borough and most of these are formalised through Traffic Management Orders and are enforceable.

The purpose of the markings is to:-

- maintain sight lines for children crossing the road to/from school
- maintain good access for emergency vehicles
- School keep clear markings prevent any vehicles from stopping. They attract a considerable number of infringements both at the start and end of the school day and it is recognised that parents dropping off and picking up their children cause this. Parking Enforcement's response to these situations is:
- At the start and end of the school day we respond to requests for enforcement

- Where there has been no request for enforcement we visit schools on a programmed basis and, where the driver is seen, move vehicles on
- During term time, the start/lunch time and end of the school day, we will issue PCNs to any vehicle seen on a school keep clear marking even when the driver is present
- The restriction is primarily there to improve safety. Failing to adequately enforce the restriction (or having a policy that accepts that full enforcement of the restriction is not desirable) not only endangers our children but could result in the Council being party to injury compensation claims.

### 3.7 Waiting Restrictions

Waiting restrictions are only used when absolutely necessary to achieve a clearly stated objective or to deal with a demonstrable problem. As such they attract a high priority for enforcement.

Single and double yellow lines indicate that waiting restrictions are in place. 'Single yellows' indicate a restriction that applies for any period less than 24 hours. A time plate shows the times of control unless the restriction is in a CPZ and the hours of operation coincide with the CPZ operating times. Double yellow lines operate 24 hours a day all year. As such, a time plate is not required.

Waiting restrictions are used to: -

- Facilitate road safety by keeping sight lines clear at junctions
- Facilitate commercial activity by "reserving" space that can be used for loading and unloading for a maximum period of 20 minutes
- Reducing congestion by preventing parking that would obstruct traffic flow

The majority of waiting restrictions in Barking and Dagenham are on strategic and distributor roads, where they have been largely introduced to remove obstructive parking at locations such as the approaches to traffic signal junctions, clearways or at bus stops. These also aim to assist in reducing traffic congestion and consequently air pollution.

Waiting restrictions across the Borough are applicable over many different time bands. The Council is working towards a more consistent approach for restrictions to reduce confusion amongst motorists. However, road users have a duty to ensure they are familiar with the restrictions in the area they wish to park.

Other than within Controlled Parking Zones (CPZs), there are fewer restrictions in residential areas. Where they are introduced it is generally at potentially dangerous locations such as close to junctions, on bends, outside schools, where visibility of other motorists is obstructed and where restrictions may improve road safety and reduce accidents.

More restrictions in conjunction with effective enforcement are therefore required to increase compliance with these basic rules and thereby to improve road safety.

In order to deal with changing situations with the parking service there is an ongoing review, rationalisation and upgrading process for waiting restrictions. As part of a systematic approach to the design and application of waiting restrictions the following strategy has been adopted:-

- Waiting restrictions will generally apply “At any time” on strategic roads and from “7am to 7pm” on strategic and distributor roads
- “At any time” waiting restrictions will be introduced in locations where parking is potentially dangerous
- “At any time” waiting restrictions will gradually be introduced at all road junctions
- “Side road returns”, the distance that a waiting restriction extends away from the corner of a junction, will be approximately 2 to 3 car lengths dependant of the location

### **3.8 Loading Restrictions**

Loading restrictions are used in conjunction with waiting restrictions and have the effect of removing the ability to load and unload which is permitted on yellow lines as outlined above.

This prevents stopping by vehicles that would normally be allowed to park on yellow lines, such as Disability (Blue) Badge holders. In general, loading restrictions are introduced in areas or at times where such loading would be obstructive or dangerous or would increase congestion and delays during peak traffic periods.

Loading restrictions are denoted by yellow kerb markings placed on the kerb at right angles to the kerb. A single kerb marking indicates that the restriction operates less than 24 hours and a double indicates 24 hours, 365 days a year. A time plate indicating the hours of the restriction must always be shown, even if the hours coincide with those of the CPZ or are in 24 hour operation over 365 days of the year.

- Loading restrictions on strategic and distributor roads will generally apply from 7am to 10am and from 4pm to 7pm.
- “At any time” loading restrictions will be introduced at all locations where there is a potential for dangerous obstruction.
- Stopping for the purpose of loading and unloading goods is permitted on a waiting restriction (where no loading restriction is present) for up to 20 minutes providing it is constant.
- Waiting and loading restrictions are only imposed when absolutely necessary and in order to achieve a road safety objective and prevent obstruction by parked vehicles.
- Waiting and loading restrictions attract a high enforcement priority and where possible this is carried out by CCTV.

### **3.9 What constitutes loading and unloading?**

This is not defined in the legislation or in the Council's TMO. However, definitions have been provided by decisions by PATAS in cases that have considered the process. Barking and Dagenham has adopted these principles until such time as the Department for Transport / London Council issues guidance.

The following information, when considering the issuing or appeal of PCNs, will guide Civil Enforcement Officers and our appeal processing staff.

For commercial vehicles it is considered necessary that they be able to park close to the premises where they are delivering or collecting goods, as there are considerations of health and safety and security involved in the delivery and collection process. The goods involved do not have to be heavy or bulky and the delivery process can include checking goods and paperwork. However, the goods do have to be pre-ordered and the delivery or collection process should be completed as soon as possible without any undue delays. Waiting for the premises to open or warehouse staff to arrive does not constitute legitimate loading or unloading.

Although private delivery and collection activities may involve heavy or bulky goods, there is a distinction between these and commercial loading. For the private motorist, the goods must be bulky or heavy so that they could not easily be carried by hand and it therefore becomes necessary for the vehicle to be parked close to the premises. The goods must be pre-ordered and the process must be completed as soon as practicable.

### **3.10 Exemption: Setting down/ Picking up, No Waiting Ban explained**

Vehicles are permitted to set down on a "no waiting loading/ unloading" restriction and although not a legislative requirement London Borough of Barking and Dagenham currently has a 2 minute observation policy during which time a vehicle will be observed for any signs of setting down/picking up ie: picking up a passenger.

Where no such activity is observed during this period the vehicle is deemed to be parked and a penalty charge notice (PCN) will be issued.

Where setting down/picking up activity is observed there is no set time limit with regards to passengers boarding or alighting and if it is apparent that the passenger is elderly or disabled the action of boarding/alighting can take as long as necessary.

However, this action must be clearly observable by the CCTV operator or Civil Enforcement Officer and if it is not, a PCN will be issued.

Motorists are not permitted to set down and pick up passengers at marked bus stop locations, yellow box junctions and pedestrian crossing / zig zag lines.

### **3.11 Regulations in force at Council car parks**

TMO's are in place to control the use of 'off-street' car parks, specifying the opening times, charging hours, permitted class/es of vehicle, maximum length of stay and scale of charges for each car park. The TMO also includes regulations relating to pay and display tickets and various by-law style rules controlling how individuals should park.

### **3.12 Moving Traffic**

CCTV enforcement has a number of advantages; it is efficient, poses no risk to a CEO, and encourages compliance with the regulations. In locations which are enforced using CCTV, the Council has usually erected signs on the street warning that CCTV cameras are in use (although there is no legal requirement to display "CCTV enforcement" warning signs). This gives drivers the opportunity to ensure that they are not breaking the regulations.

It is Council policy to support and encourage the use of public transport and further to this, the Council intends that all bus lanes in the Borough should be enforced, and will continue to investigate suitable sites in the Borough for additional camera locations.

### **3.13 Bus Lanes**

The London Borough of Barking and Dagenham fully encourage the use of public transport. Bus lanes are introduced to give priority to buses as part of a range of measures designed to improve the reliability of public transport in London and reduce journey times made by public transport.

Consequently, the Council intends that all bus lanes in the Borough should be enforced during peak travel times; however at certain locations enforcement is able to take place 24/7, 365 days a year

Bus lanes are sign posted with the restrictions that apply.

Under current legislation, bus lane infringements can only be enforced using CCTV equipment. It has been proven that the enforcement of bus lanes in this manner leads to a significant reduction in bus lane infringements within a few months following their introduction.

### **3.14 Moving Traffic Signs**

Enforcing moving traffic regulations in London historically has been the responsibility of the Police. However, from 21 June 2004 Transport for London (TfL) took responsibility for enforcing certain moving traffic infringements on all of London's major roads (under the Local Authorities and Transport for London Act 2003) and under the same Act, the Council adopted powers to enforce moving traffic infringements from July 2006.

Under the legislation there are 21 signs specified as enforceable by the Council. These include:-

- Banned turns (left, right, U-turn)
- Directional signs (i.e. one way traffic)
- Vehicle prohibitions (i.e. no motor vehicles)
- Pedestrian zone signs
- Routes restricted to certain vehicles (blue, circular signs)
- Yellow box junction

Further details of the signs in question are given in [Appendix 2](#).

The Council conducts enforcement either via static CCTV cameras (in main roads and at box junctions) or via mobile CCTV recording the offences by the roadside.

The Council actively seeks recommendations for locations at which to enforce the above signs, from residents and businesses, Councillors, colleagues and Civil Enforcement Officers. Once a suggestion is received, the Traffic Management Orders are checked for accuracy and any vehicles exempted from the restrictions. The location is then surveyed to ascertain the number of infringements taking place there and time of day, as well as the best position for enforcing the site, by static or mobile CCTV.

Once a location is agreed, warning notices are usually issued to motorists for six days (Monday - Saturday). These notices look similar to Penalty Charge Notices, but carry no charge and have the objective of giving motorists advance notice so they can break their bad habits before they receive their first PCN.

Usually, two weeks following the issue of warning notices, 'live' PCNs are issued at the location.

All other moving traffic offences are currently enforced by the Metropolitan Police with the single exception of the London Lorry Ban which has been decriminalised and is enforced by London Councils.

We will never enforce a temporary moving traffic sign (eg for carriageway works) unless at the express request of the Council's highway engineers (to ensure that the temporary regulation is enforceable).

### **3.15 Signs and lines**

Signs and lines must be legally compliant, well maintained and regularly checked. When new restrictions are introduced, the Council must lay the correct lines and erect the proper signs. If correct lines and appropriate signs are not in place, intended restrictions cannot be enforced.

The Traffic Signs Regulations and General Directions specify in precise detail the signs that must be used to indicate parking restrictions. Where there is an unusual or



non-standard type of restriction, the Department for Transport is requested to specifically authorise each sign and, quite often, its location.

The Council's Street Scene service monitors signs and lines to ensure that they are in place and provide an inventory of faults. Civil Enforcement Officers also report discrepancies.

Complaints and reviews of PCN cancellations are other sources used to provide feedback and check inaccuracies in signage and road markings. The Council endeavours to take remedial action as soon as possible when problems are identified and will introduce a regular review of signs and lines compliance to ensure that all restrictions in the borough can be properly enforced. However, minor deviations to lines do not render the parking control invalid.

## **4 Exemptions, Dispensations and Suspensions**

While they may appear very similar, Suspensions, Dispensations and Exemptions have quite specific meaning when it comes to Parking Regulations, not only in relation to CPZs but more generally. This section explains:

- The exemptions included in the Traffic Management Orders
- The availability of dispensations from the waiting and loading restrictions
- The Council's ability to suspend certain parking regulations

### **4.1 Suspensions**

Having introduced or "designated" a permitted parking place such as permit holder, shared use, pay and display, doctor, persons with disabilities, etc., it may be necessary to suspend it for a short time. Unless there are exceptional circumstances, the Council will only suspend a designated parking place in the following situations:-

- to facilitate maintenance and repairs to the highway
- to facilitate maintenance and repairs to services (gas, water, electric, telecoms etc.) buried within the highway
- weddings (only for the bridal carriage)
- funerals (hearse only)
- business or domestic removal
- building works (skip and loading)
- skip placements / holdings
- community events
- trade events
- VIP visits

The suspension of parking bays is normally prompted by the request of a resident, resident service provider (Removal Company, builder etc) or utility company (gas, telecom etc). The request is made in the first instance to the Parking Services who

maintain records of all suspensions. The parking processing/appeals team, then ensure that the appropriate signage is displayed at the location.

Every effort is made to reduce the inconvenience of suspended parking bays. It is our normal practice to erect signs seven days in advance and encourage applicants to apply at least 10 days in advance. This allows a reasonable period of advance warning for the general public.

A charge is levied on each suspension to ensure that parking spaces are returned to their designated use as promptly as possible. Suspensions generally carry an admin charge and per bay/ per day charge, see the website for current charges

To minimise the inconvenience of parking bay suspensions parking services will:-

- only grant a suspension when absolutely necessary
- restrict the suspension to the minimum space required to perform the task or carry out the event
- restrict the duration of the suspension to the shortest possible amount of time
- consider the size of suspension in conjunction with the duration (i.e. a long term suspension is more acceptable if only a short length of kerb is taken)
- choose to suspend free or "pay and display only" bays rather than "permit holder only" or "shared use" bays where there is a choice
- ensure that suspensions are correctly and clearly signed

In exceptional circumstances the Council may accept suspensions at short notice. These requests are treated on a case by case basis. Residents should, therefore, look out for "parking suspended" signs and comply with them as designated parking bays in the Borough could be suspended at any time.

At the time of sign placement, details of all vehicles in the suspended area are recorded and the signs are photographed. Normally a minimum of two signs are placed at each location, although their exact placement is dependent on availability of street furniture and extent of suspension. At the conclusion of the suspension the signs are re-photographed and removed.

Alternative parking arrangements are not normally made as most suspensions are relatively short in duration. However, in the case of major suspensions (e.g. Thames Water Mains Replacement Program) alternative parking provision is considered.

Civil Enforcement Officers enforce as per the suspension board. Information collected at the time of board placement is used to assist with the enforcement process.

Any vehicle parked in a suspended parking bay that is not registered to use the bay will be issued with a PCN and maybe authorised for removal.

Removal is mostly appropriate because the parking bay is required for another use during the period it is suspended. If a vehicle was parked in the area of suspension at the time the signs are erected and has remained unmoved the Council may choose to relocate the vehicle to another safe and legal parking area, where possible.

A vehicle displaying a Blue Badge, parked in a suspended parking place, will receive a PCN and will be relocated to the nearest safe and legal parking place.

## 4.2 Dispensations

A "dispensation" is short for "dispensation from the waiting and loading restrictions". It is Council policy only to introduce waiting and loading restrictions when absolutely necessary. It follows, therefore, that a dispensation from the waiting and loading restriction can only be granted where there is no alternative.

On receiving an application for a dispensation, the Council will examine whether it is possible to carry out the task in a different manner;

- outside the hours when the restrictions apply
- by correctly using a permitted parking place in the vicinity of (but not immediately adjacent to) the destination
- Underlying its decision making process are the following considerations:
- finding alternatives to inconveniencing other road users
- granting dispensations for special one-off events
- assessing increased risk to public safety

The Council will consider applications for dispensations to allow:-

- major building works
- house clearance / removals
- delivery and collection of cash and high value items where the vehicle requires a dispensation to get close to the destination premises. This acknowledges that some routine "dispensations" may be allowed and reflects the fact that secure deliveries will often be irregularly scheduled for security reasons, making it difficult to deliver during permitted times

A dispensation does not give permission to mount the footway. It is relevant to mention this here because waiting and loading restrictions are often imposed when the carriageway is narrow. When the carriageway is narrow, delivery drivers often feel that blocking the footpath for pedestrians is preferable to blocking the carriageway.

The correct action is to carry out the delivery or task as quickly as possible and move away. The Council will issue PCNs to any vehicle with one or more wheels on the footway regardless of any dispensation that has been issued should restrictions apply in the location.

Any dispensation from the waiting and loading restrictions is very specific, in that it will show the following details –

- the location(s) where the dispensations may be used
- the times and date(s) when it may be used
- the reason it has been issued
- any conditions attached to its issue
- the vehicle registration number (VRM) of the vehicle in question must be shown and a description of the vehicle (e.g. delivery van, removals lorry, mobile crane, concrete pump, armoured vehicle)
- the name of the applicant or company name and their contact telephone number

If the dispensation is not being used correctly and the requirements as to vehicle registration, location, times and dates are not met, a Penalty Charge Notice will be issued.

Charges are levied for dispensation notices to cover the costs of processing applications and monitoring use. The fees are subject to annual review.

#### **4.3 Exemptions**

A TMO is required to introduce most of the parking, waiting and loading regulations currently enforced by the Council. Exemptions from the regulations are also contained within the TMOs and these are designed for two major reasons:–

- To ensure that necessary commercial activities can continue
- To accommodate various situations or activities

The Council's TMOs currently grant exemptions to the following classes of vehicle use:–

- Emergency services vehicles, i.e. police, ambulance and fire, whilst on official duties.
- Buses providing a London Bus Service whilst waiting at a bus stop / stand/terminal and taxis waiting at a cab rank.
- Local Authority vehicles whilst being used in connection with statutory duties including bus lanes, box junctions and moving traffic contraventions (i.e. cleansing vehicles, refuse vehicle, gully emptying, highway and street furniture maintenance, Incident Response Unit).
- Post Office whilst engaged in picking up or delivering postal packets.
- Gas, water, electricity and telecommunications providers whilst the vehicles are being used in connection with works on the highway or in emergency situations.

There are also exemptions that apply to any vehicle, but only in certain circumstances:

- Those displaying a valid blue badge (see further information below).
- A vehicle stopping to allow someone to board or alight from the vehicle. (evidence of this must be viewed within 2 minutes)
- A vehicle prevented from moving due to circumstances beyond the driver's control.
- Loading and unloading (discussed earlier in this document).

#### 4.4 Exemption (Blue Badge)

As with most London Boroughs, the national/international Blue Badge Scheme is recognised in Barking and Dagenham. Applications for badges are made to the Customer Services Department, Barking Learning Centre, 2 Town Square, Barking IG11 7NB and considered in accordance with the criteria as set by the Department for Transport.

The Blue Badge Scheme is more correctly known as the Disabled Person's Parking Exemption. The badge conveys a number of benefits to the holder, including an exemption from waiting restrictions (single and double yellow lines). Badge holders may park for up to three hours on single or double yellow lines (provided a loading ban - yellow kerb blips - is not in place) and a clock is displayed.

Additional benefits are available to Blue Badge holders when in Barking and Dagenham:-

- In commercial areas, on-street parking is provided for Blue Badge holders where appropriate. These spaces are clearly signed or marked.
- In car parks a percentage of spaces are designated for Blue Badge holders.
- Badge holders can park free of charge within a London Borough of Barking and Dagenham car park for up to four hours.
- Residents with severe disabilities may apply for a formal disabled resident's parking bay outside their home. This is not for their exclusive use (other holders of disabled resident's permits may use it), but these bays generally remain free for the disabled resident in question.
- Use of resident bays except where controlled signs at any given location state otherwise.

Blue badge holders are not permitted to park on loading restrictions or pavement/verges and, with increasing numbers of such badges, it is regrettably becoming necessary to step up enforcement to prevent dangerous and obstructive parking by inconsiderate badge holders.

Such contraventions may necessitate removal.

The Traffic Management Act 2004 includes provision for Civil Enforcement Officers to inspect Disabled (Blue) Badges. Parking Enforcement is working closely with Barking and Dagenham's Audit Service on the implementation of various prevention and fraud detection measures.

There are five main types of fraud committed which are as follows:-

- A false declaration is made to obtain the badge
- The badge is altered to extend the expiry date
- Displaying a fake or copied badge
- Use of a stolen badge
- Where the badge is used by friends or family of the badge holder when that person is not a passenger in the vehicle
- Where badge holders are complicit in any of the above it jeopardises their rights and the badge could be suspended. Anyone charged with falsely using a badge can face a fine which is currently up to £1000

## **5 Controlled Parking Zones**

Every metre of kerb space within a CPZ is controlled. CPZs are put into operation for areas experiencing conflicting demands for parking at certain times of day or throughout the day. The controls used are a combination of: -

- waiting restrictions (yellow lines)
- loading restrictions (kerb blips)
- zig-zag markings (pedestrian crossings, schools, hospitals)
- permitted parking places
- parking for permit holders
- pay and display bays
- loading bays
- disabled persons parking bays

Traffic signs are situated at all the access points to a CPZ showing the hours of operation. The Council installs signs on entry to each area showing specific restrictions.

### **5.1 Controlled Parking Places**

Without going to the extent of introducing a full Controlled Parking Zone it is possible to introduce limited time on-street controlled parking places. The Council has introduced these in a number of locations, principally around busy local shopping parades for the benefit of shoppers.

The control usually involves limiting vehicles to a maximum stay to achieve good turnover for the shops and is managed by the installation of pay and display machines.

We are considering an awareness campaign to encourage users including shop owners to adhere to the spirit of use for these parking bays and hope for this to be carried out in high profile areas at least once in the year.

## 5.2 Purpose of Controlled Parking Zones

Controlled Parking Zones (CPZs) are a fundamental component of national, regional and local transport policies. CPZs form part of the Mayor of London's Transport Strategy and are an integral part of the Council's Local Transport Strategy. A CPZ will have clear objectives and the controls that are introduced will be commensurate with achieving these.

Every metre of kerb space is controlled during the hours in which the CPZ operates. The hours of operation are posted on every road by which a motorist can enter the CPZ. Where a single yellow line is imposed, there is no need for a separate time plate unless the hours differ from those of the overall CPZ – this has the effect of a significant reduction in sign clutter on streets. Nevertheless, there are occasions where repeater signs are desirable to reduce confusion to motorists. CPZ times are also shown on parking bay signs within the controlled area.

Significant consultation takes place with residents and local business prior to introduction. The Council introduces such zones where there is support for them.

Controlled Parking Zones are introduced to:-

- Ensure adequate access and safety standards are maintained;
- Manage competing demands of different road user groups;
- Ensure a balance in parking provision between vehicles required for residents, disabled, delivery and service vehicles etc in residential areas;
- Reduce traffic congestion in the longer term and make essential vehicle journeys easier;
- Encourage a choice of more sustainable means of transport;
- Manage available parking space to ensure convenient short term parking is available for shoppers and visitors
- Ensure adequate access is maintained, particularly for emergency vehicles.

## 5.3 Consultation on CPZs

CPZs have clear strategic and local advantages. However, they are only introduced following local consultation and after community support has been demonstrated.

Statutory consultation involves public notices displayed on-street and within local publications. In addition, the Council will seek to gauge public support for the CPZ by sending leaflets to local residents and asking for a response where appropriate

In designing a CPZ, the following issues are always considered:-

- Safety of all road users
- The need for steady movement of traffic
- Projected demands for day-time and night-time residents' parking
- Convenient parking for people with disabilities

- The balance between parking for residents, visitors and local businesses
- Opportunities for and implications of the dual use of parking spaces
- Convenient parking provision for delivery and service vehicles
- Business permit requirements
- The volume of signage and reduction of street clutter
- Restraint on traffic growth by reducing available commuter parking

Good practical design to support the efficient day to day operation of the zone such as:-

- Pay and display bays (and therefore equipment) grouped so that in the event of a unit failing it is a practical proposition to require the motorist to find and use an alternative working machine
- Financial viability, like only locating pay & display equipment where they are likely to generate sufficient revenue to recover their operating, maintenance and depreciation costs

#### **5.4 Motor Cycle Parking**

The demand for parking by ‘two-wheelers’ in Barking and Dagenham is low. There are some ‘off-street’ motorcycle designated parking bays in the Borough. There is no current charge payable in respect of motorcycle parking in car park and on street pay and display bays. There is also no charge levied in respect of on street parking in resident permit bays for motorcycles.

Riders are expected to comply with all other restrictions, to park considerately – avoid dropped kerbs and not park on the pavement. Parking on the pavement is particularly dangerous for the blind and disabled and for young children who could touch a hot engine/exhaust. The Council, has, therefore, adopted a firm enforcement policy against illegally parked powered two-wheelers in this respect.

#### **5.5 Non-CPZ Parking Controls**

Some of the regulations on roads outside the Council’s controlled parking zones have been in place for many years. It is our intention to introduce regular reviews of locations and the parking regulations which apply to ensure that they are fit for purpose.

However, we consider that existing controls provide a minimum acceptable standard and future amendment will strengthen enforcement, introduce additional regulations and seek to maximise consistency across the Borough.



## **6 Permits**

The Council has introduced a number of permit schemes to meet the needs of the borough its customers, businesses and residents. The way in which the control is implemented is through the use of specific parking permit bays (business, operational, resident etc), pay and display areas and yellow lines. In many cases a bay may be open to use by a variety of permit types or “paid for parking” users. In this instance, the bay is referred to as “Shared Use Bay”.

Permits are purchased for a period of time dependant on the permit being applied for and are not eligible for refunds.

It is the permit holder’s duty to ensure that they display a valid permit relevant to the space in which the vehicle is parked at all times. Failure to do so may result in a PCN being issued.

The Council DOES NOT send out reminders regarding permits that are due to expire; it is therefore the responsibility of the driver / owner of the vehicle to ensure a new permit is ordered in time. The Council will not cancel PCNs in these circumstances.

Any person who has outstanding Penalty Charge Notices (PCN’s) with the London Borough of Barking and Dagenham will not qualify for a permit until such time as the PCN’s are paid. PCN’s which have been appealed and are awaiting a decision by the Parking & Traffic Appeal Services (PATAS) are excluded.

## **7 Car Clubs and Electric/Zero Emission Vehicles**

In order to promote sustainable methods of transport, the Council provides various incentives.

In the context of parking places, permits are issued for companies that operate car clubs or rent electric vehicles.

Permits are issued to car clubs for ‘ANY’ vehicle and are not vehicle specific. For both car clubs and zero emission vehicles discounts for permits are applied.

## **8 Special Events**

There are occasions when special circumstances arise when the Head of Service / Parking Manager will be required to make a small, one-off adjustment without prejudice to its overall aims. Some examples of circumstances that will require a change of enforcement are local and general elections and special events.

The Council will make temporary and specific provision for special events and similar festivals, upon request and provided that it would not cause significant problems.

Each request for enforcement variations for special events will be treated as an individual case and procedures are in place to deal with each situation individually.

## **9 Fraud and misuse of Permits**

The Council offers permits for the benefit of its residents and stakeholders within the community. LB Barking and Dagenham take seriously fraudulent applications, false declarations with the intent to deceive and the misuse of permits for pecuniary gain.

Any permit holder found to have acquired a permit falsely or misused it by fixing it to other vehicles either not registered and/or not belonging to them will have the benefit withdrawn.

Fees paid will not be refunded and future applications will be denied. Civil Enforcement Officers will also check permits for enforcement purposes and may issue PCNs for parking without displaying a valid permit. Vehicles parked in resident pays without valid permits are also liable for removal.

## **10 Legal Implications**

### **10.1 How the Council Collects and Processes Your Personal Information under the Data Protection Act 1998**

The personal information that you have provided to parking Services may be processed by other Council service areas where appropriate to facilitate the provision of services in respect of any of the Council's activities including (but not limited to) benefits, to verify data accuracy, housing, environmental health and care services. There may be a need to share with external partners and organisations e.g. London Councils and other enforcement agencies, other local authorities or information may be used in the prevention and detection of fraud and crime. A full list of what information we control and process and for what purposes is set out in the Council's data protection notifications filed annually with the Information Commissioner.

## 10.2 Freedom of Information Act

The Freedom of Information (FOI) Act 2000 gives you right of access to information held by public authorities. The aim of the act is to make public authorities more open and accountable.

The enquirer is entitled to be told whether the council holds the information (this is known as the duty to confirm or deny) and, if so, to have access to it. Access can include providing extracts of a document or a summary of the information sought, or access to the original document.

The Act recognises the need to preserve the confidentiality of sensitive information in some circumstances and sets out a number of exemptions, which are capable of limiting the duty to supply information alone, or both the duty to supply information and the duty to confirm or deny.

## 11 Useful Contacts

Initial queries and requests relating to the following can be directed to [3000direct@LBBD.gov.uk](mailto:3000direct@LBBD.gov.uk)

- PCN's
- Requests for evidence supporting PCN's
- Freedom of Information

Any comments concerning the enforcement policy and performance should be emailed to [parking@lbbd.gov.uk](mailto:parking@lbbd.gov.uk)

## 12 Useful Information

Further information on the following is available on our website [www.lbbd.gov.uk](http://www.lbbd.gov.uk)

- Differential parking observation times
- Guidance on PCN progression including a flowchart
- List of CPZ areas and hours of operation
- Fees & Charges
- Local Implementation Plan
- Guidance on the cancellation of Penalty Charge Notices
- Information on the various types of permits and application forms
- Blue Badge Scheme
- Codes of Practice

## 13 Appendices

The Council is working on developing its protocols for publication. Below outlines the documents we aim to have available for public viewing and guidance.

The following are Appendices to our policies that detail the systems, procedures and codes for conducting our business: -

1. Cancellation Guidance
2. Description of Traffic signs
3. Discretion Policy
4. Vehicle Removals Policy

# **LBBB Enforcement Policy Annex 1**

## **Cancellation Guidance**

## **CIVIL PARKING ENFORCEMENT**

### **Guidance for the enforcement and cancellation of Penalty Charge Notices**

**Information set out in this document provide guidance only**

**All appeals must be made on-line**

**<http://www.lbbd.gov.uk/TransportAndStreets/Parking/Pages/PCNchallenge.aspx>**

**or by writing to**

**Parking Services, PO Box 500, Town Hall, 1 Town Square, Barking IG11 7LU**

**Each case will be considered on its own merits,  
taking into account all of the evidence available and the  
exceptionality of the circumstances.**

These guidance notes will be subject to ongoing review

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# POLICIES FOR THE ENFORCEMENT AND CANCELLATION OF PENALTY CHARGE NOTICES

## INTRODUCTION

The following policy guidance in respect of Decriminalized Parking Enforcement is intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations.

This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the National Parking Adjudication Service and the Local Government Ombudsman.

What is important about these guidelines is that they represent a foundation upon which fairness and discretion can be applied. The importance of flexibility in these matters has been recognized by the courts and, as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

The policies address the following:

- Observation times for enforcement staff
- The statutory grounds upon which representations may be made
- Mitigating circumstances
- The acceptance or rejection of representations

It is important to recognise that each case will be considered on its own merits, matters of proportionality, objectivity, fairness and reasonableness should be paramount.

In 2007 the new system of differential penalties was introduced, whereby more serious contraventions received a higher penalty. At the time, these charges were made under the powers of the Road Traffic Act 1991, but in 2008 they were transferred in legislation to apply to parking contraventions under the Traffic Management Act 2004.

Higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on a pay and display bay.

The level of penalties for contravention of bus lane and minor moving traffic regulations is set.

The table below outlines the different levels by Higher, Lower or Set.

These guidance notes will be subject to ongoing review.

**STANDARD CONTRAVENTION CODES & OBSERVATION TIMES**  
(Not all Contravention Codes are used in all Council areas)

## On Street

Code	General suffix(es)	Description	Diff. level	Notes	Obs time
01	ajoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only	5
02	ajo	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher		2
04	cs	Parked in a meter bay when penalty time is indicated	Lower		5
05	cpsuv1	Parked after the expiry of paid for time	Lower		5
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower		5
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'	0
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only	5
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower		5
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".	5
11	gu	Parked without payment of the parking charge	Lower		5
12	rstuw	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher		5
13	RESERVED FOR TfL USE (LOW EMISSION ZONE)		n/a		
14		Parked in an electric vehicles' charging place during restricted hours without charging	Higher		5
16	bdehqstwxz	Parked in a permit space or zone without clearly displaying a valid permit	Higher	Suffix "s" only for use where bay is completely non-resident	0
17	----- RESERVED FOR TfL USE (CONGESTION CHARGING) -----		n/a		
18	bcdefhmprsv	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher		0
19	irsuwxyz	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower		5
20	j	Parked in a part of a parking place	Higher		5

		marked by a yellow line where waiting is prohibited			
21	bcdefghjlm pqrsuv12	Parked wholly or partly in a suspended bay or space	Higher		0
22	cfjlmnopsv	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"	0
23	bcdefghjklp rsv123	Parked in a parking place or area not designated for that class of vehicle	Higher		0
24	bcdefhlmq rsv12	Not parked correctly within the markings of the bay or space	Lower		0
25	jn	Parked in a loading place during restricted hours without loading	Higher	On-street loading bays	5
26	j	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.	2
27	jo	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher		0
28	jo	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher		0
30	fjlmnopsu	Parked for longer than permitted	Lower		5
31	j	Entering and stopping in a box junction when prohibited	set	London only	0
32	jdtw	Failing to drive in the direction shown by the arrow on a blue sign	set	Code-specific suffixes apply. London only	0
34	j0	Being in a bus lane	set		0
35		Parked in a disc parking place without clearly displaying a valid disc	Lower		5
37	j	Failing to give way to oncoming vehicles	set	London only	0
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	set	Code-specific suffixes apply. London only	0
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher		0
41	j	Parked in a parking place designated for diplomatic vehicles	Higher		0
42	j	Parked in a parking place designated for police vehicles	Higher		0
43	j	Stopped on a cycle docking station parking place	Higher		0
45	n	Parked on a taxi rank	Higher		0
46	jn	Stopped where prohibited (on a red route or clearway)	Higher		0
47	jn	Stopped on a restricted bus stop or stand	Higher		0
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher		0
49	j	Parked wholly or partly on a cycle track or lane	Higher		0
50	jlr	Performing a prohibited turn	set	Code-specific suffixes	0

				apply. London only	
51	j	Failing to comply with a no entry sign	set	London only	0
52	jgmsvx	Failing to comply with a prohibition on certain types of vehicle	set	Code-specific suffixes apply. London only	0
53	j	Failing to comply with a restriction on vehicles entering a pedestrian zone	set	London only	0
54	j	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	set	London only	0
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher		5
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction	5
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction	5
58		Using a vehicle on a restricted street during prescribed hours without a valid permit n/a	set	London Lorry Control Scheme	0
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions n/a	set	London Lorry Control Scheme	0
61	124cgj	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.	0
62	124cgj	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.	0
63	c	Parked with engine running where prohibited	Lower	This contravention occurs in certain coach bays.	0
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	set	Code-specific suffixes apply. For use in Essex only	0
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	set	Code-specific suffixes apply. For use in Essex only.	0
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	set	Code-specific suffixes apply. For use in Exeter only.	0
99	jo	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings	0

## Off Street

Code	General suffix(es)	Description	Diff. level	Notes	Obs times
70		Parked in a loading area during restricted hours without reasonable excuse	Higher	Off-street loading areas	5
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks	5
73	u	Parked without payment of the parking charge	Lower	Off-street car parks	5
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks	0
77	- - - RESERVED FOR DVLA USE - - -			n/a	
80	u	Parked for longer than the maximum period permitted	Lower	Off-street car parks	5
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks	5
82	puv	Parked after the expiry of paid for time	Lower	Off-street car parks	5
83		Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks	5
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks	0
85	btrw	Parked in a permit bay without clearly displaying a valid permit	Higher	Off-street car parks	0
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks	0
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks	0
89		Vehicle parked exceeds maximum weight or height or length permitted in the area	Higher	Off-street car parks	0
90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"	0
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks	0
92	o	Parked causing an obstruction	Higher	Off-street car parks	0
93		Parked in car park when closed	Lower	Off-street car parks	0
94	p	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"	5
95		Parked in a parking place for a purpose other than the designated purpose for the parking place	Lower	Off-street car parks	0
96	c	Parked with engine running where prohibited	Lower	Off-street car parks - occurs in certain coach bays.	0

## STATUTORY GROUNDS TO MAKE REPRESENTATIONS (Traffic Management Act 2004)

### **Important note:**

Although the following are the six Statutory Grounds to make representation following service of a Notice to Owner letter, in accordance with a directive issued by the Local Government Ombudsman, full consideration will be given and account taken of all representations received, whether or not they fall within the description of “**Statutory Grounds**”. It for this reason that a 7<sup>TH</sup> ground, encompassing any other information the motorist or owner/keeper would like the Council to consider has been included.

The following information is the adaption by Barking and Dagenham Parking Services on the Statutory Grounds on which representations can be made.

## MAY ACCEPT REPRESENTATIONS

<b>S1: The contravention did not occur:</b>
<b>S1.1: Where the motorist claims he/she was loading/unloading</b>
<p><u>On a waiting prohibition or in a controlled bay:</u></p> <p>If evidence is available or provided to show:</p> <ol style="list-style-type: none"><li>1. Goods being delivered or collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from a 'legal' parking place.</li><li>2. Loading/unloading activity was adjacent to the premises concerned.</li><li>3. Loading/unloading activity was timely (includes checking goods and paperwork, but not delayed by unrelated activity)</li></ol> <p>[Source – Traffic Orders, decided cases</p> <p>If in the course of business, including commercial delivery/collections, couriers, multi drop parcel carriers, removal services etc.</p>
<b>S1.2: Where the motorist claims that a pay &amp; display ticket machine was faulty</b>
<p>If service records confirm a fault or that the machine had been taken out of service at the time of the contravention.</p> <p>If there is reasonable doubt because evidence is not available to confirm that a machine was working at the time (test ticket) and there was not another ticket machine nearby which was operating correctly</p>
<b>S1.3: Where the motorist claims that the restriction is not clearly signed or marked</b>
<p>If signs and/or markings are missing or unclear</p> <p>If signs and markings are inconsistent with each other and/or Traffic Order or legislation</p>



<p><b>S1.4: Where motorist was carrying out construction or demolition works etc.</b></p>
<p>If evidence confirms that the motorist was simply loading/unloading (see policy S1.1, above)</p> <p>If a valid waiver to park at the location in question had been issued and was on display in the vehicle.</p> <p>If works are of a statutory nature or are exempted from restrictions by a Traffic Order or legislation</p> <p>If it can be proven that works were an emergency.</p>
<p><b>S1.5: Where the motorist claims that PCN was not served (i.e. PCN not found attached to vehicle or handed to driver)</b></p>
<p>If the Civil Enforcement Officer pocket book and/or computer notes confirm that the vehicle drove away before a PCN could be served, i.e. PCN not handed to the driver or fixed to the vehicle.</p>
<p><b>S1.6: Where the motorist claims that their vehicle was not parked in the alleged location at the time and on the date the PCN was issued</b></p>
<p>Following consideration of all available evidence, paying particular attention to the make, model and colour of the vehicle:</p> <p>If the motorist provides a copy of their vehicle excise license (tax disc), which was valid at the time of the contravention, and the serial number of which differs from the number noted by the Civil Enforcement Officer.</p>
<p><b>S1.7: Where the motorist claims that a valid authorization to park, had been issued</b></p>
<p>If the motorist can produce a valid authorization to park or records show that the motorist held a valid authorization to park.</p>

**S1.8: Where the motorist claims that a pay & display ticket was purchased and correctly displayed**

If the motorist produces a Pay & Display parking ticket that was valid at the time the Penalty Charge Notice was issued and the Civil Enforcement Officer evidence confirms:

- **A ticket was displayed 'face down'**
- **A ticket was displayed but partially concealed so that relevant details (expiry time, date, etc) could not be seen and checked**
- **The ticket serial number printed on the back of the 'face down' ticket matches the details of the ticket produced**

**S2: The penalty exceeded the relevant amount**

If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge band

**S3: The Traffic Order was invalid**

If the Traffic Management Order prescribing the restrictions that the vehicle concerned contravened is defective in some way i.e. was not made in accordance with relevant procedure or is inaccurate or incorrect in terms of detail.

If the relevant Traffic Management Order is sound and accurate in all respects

If the motorist merely considers the restrictions to be unfair

**S4: The motorist was not the owner/keeper of the vehicle at the time of the contravention:**

**S4.1: Where the registered (as notified by the DVLA) keeper claims that the vehicle was disposed of before the contravention occurred**

If the registered keeper is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration document, insurance documents or a letter from the DVLA; and/or

If the registered keeper is able to provide the full name and address of the person to whom they disposed of the vehicle

**ACTION** - send a new Notice to Owner to the person named by the registered keeper

If the registered keeper is unable to prove that the vehicle was disposed of before the contravention nor able to provide the name and address of the person to whom the vehicle was disposed

If the person named by the registered keeper as the person to whom the vehicle was disposed, does not exist, cannot be traced or some other reason not considered to be bona fide

**S4.2: Where the current registered keeper claims that the vehicle was purchased or acquired after the contravention occurred**

If the current registered keeper is able to provide proof that the vehicle was purchased or acquired after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or

If the current registered keeper is able to provide the full name and address of the person from whom they purchased or acquired the vehicle

If the current registered keeper is unable to prove that they purchased or acquired the vehicle after the contravention nor provide the name and address of the person from whom they purchased or acquired the vehicle

If the person named by the current registered keeper as the person to whom they purchased or acquired the vehicle, does not exist, cannot be traced or is for some other reason is not considered to be bona fide

<b>S4.3: Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention</b>
<p>Only when an approved, signed, formal hire agreement exists (see policy S6, below)</p> <p>In all other circumstances because the registered keeper is always liable, including where the vehicle was left in the care of a garage</p>
<b>S4.4: Where the motorist claims that they never owned the vehicle</b>
<p>If the DVLA confirm the motorist was not the registered keeper <b><u>at the time of the contravention</u></b></p> <p>If the DVLA confirm the motorist was the registered keeper of the vehicle <b><u>at the time of the contravention.</u></b></p> <p>If the previous registered keeper provides proof that the motorist purchased or acquired the vehicle before the contravention, or the subsequent registered keeper provides proof that the motorist sold or disposed of the vehicle after the contravention</p> <p>If the motorist is proven to have hired the vehicle for the day on which the contravention occurred and signed an agreement to take responsibility for PCNs incurred, subject to the time of hire (see policy S6, below)</p>
<b>S5: The vehicle had been taken without owner's consent</b>
<b>S5.1: Where the current registered keeper claims that the vehicle had been stolen</b>
<p>If the registered keeper provides a valid police crime report reference number.</p> <p>If the current registered keeper is unable to provide any proof of theft</p> <p>If the police crime report reference number provided by the current registered keeper does not exist or it does not match the theft or date of the theft alleged</p>
<b>S5.2: Where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative, estranged partner etc)</b>
<p>In no circumstance</p>

**S6: The owner is a hire company and they have supplied the name of the hirer**

If the hire company are able to provide proof that the vehicle was hired at the time of the contravention, i.e. a signed agreement

If the hire company are able to provide the full name and address of the person to whom they hired the vehicle

**ACTION** - send a new Notice to Owner to the person named by the hire company

If the hire company are unable to prove that they hired out the vehicle on the date of the contravention nor provide the name and address of the person to whom they hired the vehicle

If the person named by the hire company as the person to whom they hired the vehicle, without proof, either does not exist, cannot be traced or denies responsibility for the contravention

If the vehicle was being as a courtesy car without an agreement signed to accept responsibility for Penalty Charge Notices issued.

**S7: Any other information that the motorist / vehicle owner wants the Council to take into consideration**

The decision whether or not a Penalty Charge Notice should be cancelled, will only be taken following very careful consideration taking into account all of the evidence available.

## MITIGATING CIRCUMSTANCES

<b>MC1: Where the motorist claims to have become unwell while driving</b>
<p>If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described.</p> <p>When the notes made by the Civil Enforcement Officer support the motorist's representations.</p> <p>If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described.</p> <p>Or</p> <p>Where other evidence contradicts the motorists claims</p>
<b>MC2: Where the motorist claims to be a doctor, nurse, health visitor attending a patient</b>
<p>If the motorist concerned possesses a Medical Dispensation badge (BMA, HEBS) that the Council concerned recognizes and approves and/or is exempt under the relevant Order.</p> <p>Or</p> <p>If the motorist produces evidence that they were responding to an urgent medical call and there was no alternative parking place.</p> <p>If motorist was not attending a patient in urgent circumstances or if there was an alternative parking space nearby.</p> <p>If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call</p> <p>If motorist was parked in an area which does not correspond with the claim made, i.e. far from patients location, say, in a car park</p>
<b>MC3: Where the motorist stopped to use the toilet</b>
<p>On production of medical evidence confirming a relevant medical condition and in support of the circumstances described.</p> <p>In all other circumstances</p>

<p><b>MC4: Where the motorist stopped to collect (prescribed) medication from a chemist</b></p>
<p>Only in the most grave, urgent and exceptional of circumstances and the use of a 'alternative' parking place would have caused an unacceptable delay.</p> <p>In any lesser circumstances.</p>
<p><b>MC5: Where the motorist was a patient visiting a doctor's surgery</b></p>
<p>If the motorist can provide a letter from a doctor to confirm that the visit was very urgent and that they were unable to walk from the nearest alternative parking space.</p> <p>If the motorist was not the patient but only driving the vehicle carrying the patient</p> <p>If the motorist was attending a pre-arranged, non-urgent appointment.</p> <p>If the motorist could reasonably have been expected to park at an alternative location.</p>
<p><b>MC6: Where the motorist claims to have been recently bereaved</b></p>
<p>If no evidence exists to the contrary, taking into account the sensitivity of this issue on first occasion.</p> <p>Only if there is a significant reason to doubt the sincerity of representations, i.e. the Civil Enforcement Officer's notes indicating that the motorist was going about a normal day, say, shopping or working, or the bereavement considered to be a long time ago</p>

**MC7: Where the motorist was delayed in returning to their vehicle and parking time purchased had expired**

If supported by appropriate evidence, the motorist's claims that the delay returning to the vehicle was caused by circumstances that were entirely unforeseeable, unavoidable and exceptional.

If motorist's vehicle had broken down, subject to concurrence with policy MC25, below)

If the motorist was rendered unable to drive, since parking the vehicle.

If the delay described by the motorist was entirely avoidable, i.e. queuing in a shop.

If the motorist simply underestimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting.

If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained and charged by the police.

**MC8: Where the motorist "fed" a meter or pay & display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited time period**

In no circumstances

If the motorist overstays initial period of time purchased or returns within a period of 'No return'



**MC9: Where the motorist left the vehicle parked without a valid ticket on display to obtain change**

If the motorist had not left the car park, or on- street pay and display area, while obtaining change and a ticket was purchased.

Civil Enforcement Office evidence confirms there was either no one in the car park who may have been obtaining or trying to obtain change, queuing for or purchasing a car park ticket from a machine or that any individuals seen who may have been doing so, having been allowed sufficient time to do so did not return to the vehicle under observation

If the Civil Enforcement Officer notes indicate that the motorist returned to the vehicle while the PCN was being issued:

- Having apparently completed the purpose which led to the vehicle being parked in the first place, i.e. carrying shopping etc
- Having obtained change outside the car park or away from the on-street pay and display area.

**MC10: Where the motorist claims to have been unaware of the parking charges payable or restriction/prohibitions applicable to vehicles of a certain class or weight.**

If signing relating to the parking charges payable, restriction or prohibitions in force applicable to a vehicle of that class or weight are incorrectly or inadequately signs or missing all together.

In all other circumstances

**MC11: Where the motorist claims to have been unaware of recent rise in tariff**

If statutory notices were not erected in accordance with procedural regulations.

If revised tariff is not on tariff board(s)

If statutory notices were erected in accordance with procedural regulations and tariff board(s) were correct

<p><b>MC12: Where the motorist had parked with one or more wheels outside of a marked parking bay in a car park</b></p>
<p>Only in the most exceptional of circumstances that were outside the motorists control and are supported by incontrovertible evidence.</p> <p>otherwise</p> <p>In no circumstances</p> <p>When clear and incontrovertible supporting evidence (photographs/Sketch plan) is available</p>
<p><b>MC13: Where the motorist is a Blue Badge holder/transporting a Blue Badge holder and they did not have their Blue Badge and/or clock on display or could not be read or had expired</b></p>
<p>If it can be established that this is the motorist's first contravention of this type and they can provide evidence that they are a Blue badge holder or were transporting a Blue Badge holder.</p> <p>If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge/time clock, correctly in the future</p> <p>If the motorist was parked on a waiting restriction beyond the 3-hour time limit permitted by the Blue Badge Scheme, or on another restriction for which the Blue Badge does not provide an exemption.</p>
<p><b>MC14: Where the motorist claims to have been unaware of the existence of a Controlled Parking Zone</b></p>
<p>If it can be established that the signing and markings of the CPZ are at fault (missing and/or unclear) see policy S1.3, above</p> <p>In all other circumstances</p>

<p><b>MC15: where the motorist was displaying an expired authorization to park, i.e. waiver, parking place suspension, season ticket, residents' permit, business permit or visitors permit</b></p>
<p>If the renewal of the authorization was delayed by the Council's administrative processes</p> <p>If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorization to park, e.g. sickness on the part of the applicant or a postal dispute/delays (supported by appropriate evidence)</p> <p>In the case of season tickets and residents / business parking permits only, if the authorization had expired by less than 14 days</p>
<p><b>MC16: Where the motorist is parked in contravention of a waiting/parking prohibition whilst displaying a residents' visitor permit.</b></p>
<p>In no circumstances</p>
<p><b>MC17: Where the motorist is a new resident within a controlled parking zone and had parked in a residents' bay without displaying a valid residents' permit</b></p>
<p>In no circumstances</p>
<p><b>MC18: Where the motorist had parked incorrectly in a controlled bay on-street</b></p>
<p>If it can be established that the motorist was genuinely loading or unloading, subject to compliance with guidance provided in S1.1, above.</p>
<p><b>MC19: Where the motorist assumed that they were entitled to "a period of grace" before the PCN was issued</b></p>
<p>In no circumstances.</p>

<b>MC20: Where the motorist claims they were attending a funeral</b>
<b>MC21: Where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings</b>
<p>If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed and there was no alternative indication of the restriction.</p> <p>If it can be established that such conditions did not cause lines and signs to be obscured as claimed.</p> <p>If the Civil Enforcement Officer notes photographic evidence etc. directly contradict the motorist's version of events.</p> <p>If any reasonable alternative indication of the restriction was available to the motorist.</p> <p>If the location of the contravention was unlikely to be subject to the natural conditions described by the motorist, i.e. it was under cover</p>
<b>MC22: Where the motorist claims that their vehicle had broken down</b>
<p>If the motorist is able to provide satisfactory evidence of a breakdown, i.e. proof of vehicle recovery or a bill of sale for repair or parts.</p>
<b>MC23: Where the motorist claims that they were attending an emergency or another vehicle that had broken down</b>
<p>If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.</p>
<b>MC24: Where the motorist claims to have put money into the wrong ticket machine</b>
<p>If the position of the ticket machine used by the motorist is likely to cause confusion.</p>
<b>MC25: Where the vehicle in question was on police, fire brigade or ambulance duties</b>
<p>If a senior officer of the service concerned supports the representations and there is no reason to doubt that the vehicle was engaged on operational activities.</p>

<p><b>MC26: Where the motorist claims to have been collecting or depositing monies at a bank</b></p>
<p>If the procedure explained in the motorist’s representations is consistent with the allowance for loading and unloading, see Policy S1.1, above or If specific arrangements have been agreed.</p>
<p><b>MC27: Where the motorist claims to have been unaware of a temporary parking restriction or special event restriction</b></p>
<p>If the motorist claims that there was no indication of the restriction, and the Civil Enforcement Officer notes/photographs do not confirm that appropriate signing was in place.  If the process followed to make the temporary order was defective in some way.</p>
<p><b>MC28: Where the registered keeper liable for payment of the PCN is expected to be absent for a long period of time, e.g. is living abroad or is in prison.</b></p>
<p>In no circumstances</p>
<p><b>MC29: Where the registered keeper liable for payment of the PCN is said to have died</b></p>
<p>Where the circumstances can be confirmed (by sensitive enquiry).</p>
<p><b>MC30: Where the vehicle driven by the motorist is diplomatically registered</b></p>
<p>In all circumstances. <b><u>A Notice to Owner should never be sent to the keeper of a diplomatically registered vehicle</u></b></p> <p>The Parking Manager should be informed of all penalty charges that are not paid by keepers of diplomatically registered vehicles. They will pass information concerning these debts on to the Foreign and Commonwealth Office</p> <p>[Source – Secretary of State’s Traffic Management and Parking Guidance, Vienna Convention on Diplomatic Relations, Diplomatic Privileges Act 1964 and Government Report on Review of Vienna Convention...]</p>

<b>MC31: Where the motorist received a Fixed Penalty Notice (FPN) from a police officer or traffic warden when parked in the same location</b>
To prevent 'double jeopardy', if confirmation provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident have been instituted.
<b>MC32: Where a Council officer or Member parked in contravention and claims to have been on Council business</b>
If the officer was carrying out emergency or other statutory work and the vehicle could not have been reasonably parked elsewhere.
<b>MC33: Where the motorist stopped to drop off someone</b>
If the circumstances are seen by the Civil Enforcement Officer  If, in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (child, elderly or disabled person) to home, or school.
<b>MC34: Where motorist was unaware of the Overnight Waiting Ban/Commercial Vehicle waiting restriction</b>
If motorist was instructed / authorized to park in contravention of the restriction by the police.
<b>MC35: Where motorist states they were in police custody when PCN issued</b>
If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle.  If the time of arrest (proof required from the Police) provides confirmation that motorist was legally parked and was unable to move vehicle before the restriction started
<b>MC36: Where motorist states they were visiting a friend or relative in urgent circumstances</b>
If due to an emergency the parking contravention could not be avoided due to the exceptional nature of the incident.

<b>MC37: Where motorist claims there was no alternative parking place to park</b>
Only in the most exceptional of circumstances
<b>MC38: Where motorist claims they were parked on private property</b>
If land search maps confirm location is private property & not subject of the relevant Traffic management order.  If there is insufficient evidence to establish location of vehicle
<b>MC39: Where motorist was delayed in returning to their vehicle parked in a limited waiting parking place</b>
If supported by appropriate evidence, the motorist's representations claim that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional.  If motorist's vehicle had broken down, subject to concurrence with policy MC25, above).  If the motorist was unable to drive, since parking the vehicle.
<b>MC40: Where motorist had parked while asking directions / opening gates to private property</b>
If evidence provided by the Civil Enforcement Officer does not contradict representations.
<b>MC41: Where motorist stopped to answer mobile phone</b>
In no circumstances
<b>MC42: Where motorist states that the details on the PCN are incorrect, e.g. location</b>
If there is reason to doubt that the PCN was issued correctly, taking into account evidence provided by the Civil Enforcement Officer.
<b>MC43: Where motorist states they were unaware of enforcement on Bank/Public holidays</b>
In no circumstances

**MC44: Where motorist states that restriction was marked after the vehicle had been parked**

If records confirm that signing/lining/ placement of cones or suspension notices was likely to have taken place after the vehicle parked.





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# **LBBB Enforcement Policy Annex 2**

## **Description of Traffic Signs**

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## **1. Introduction**











Since being decriminalised the enforcement against drivers that commit moving traffic violations now falls to local Councils.

Barking and Dagenham have been using CCTV to enforce bus lane restrictions and on street prohibited parking regulations since July 2005 and also adopted the enforcement of moving traffic in 2008.

Below are descriptions of Moving Traffic Violations that are now decriminalised as part of the London Local Authorities and Transport for London Act 2003 and are enforced by Barking and Dagenham.

## Description of Traffic signs

Description of traffic sign	Diagram number <sup>1</sup>	Sign	Contravention Code
Vehicular traffic must proceed in the direction indicated by the arrow	606		32 – Failing to drive in the direction shown by the arrow on a blue sign
Vehicular traffic must turn ahead in the direction indicated by the arrow	609		32 – Failing to drive in the direction shown by the arrow on a blue sign
Vehicular traffic must comply with the requirements prescribed in regulation 15.	610		32 – Failing to drive in the direction shown by the arrow on a blue sign
No right turn for vehicular traffic	612		50 – Failing to comply with a sign indicating a prohibited turn
No left turn for vehicular traffic	613		50 – Failing to comply with a sign indicating a prohibited turn
No U turns for vehicular traffic	614		50 – Failing to comply with a sign indicating a prohibited turn
Priority must be given to vehicles from the opposite direction	615, 615.1		37 - Failing to comply with a give way to oncoming vehicles sign
No entry for vehicular traffic N.B. There is a condition attached to this sign which effectively means that it can only be included in this schedule where there is a traffic order to support its use.	616		51 - Failing to comply with a no entry sign
All vehicles prohibited except non mechanically propelled vehicles being pushed by pedestrians	617		52 - Failing to comply with a sign indicating a prohibition on certain types of vehicle
Entry to pedestrian zone restricted (alternative types)	618.2		53 - Failing to comply with a sign indicating a restriction on vehicles entering a pedestrian zone

Entry to and waiting in pedestrian zone restricted (Alternative types)	618.3		54 - Failing to comply with a sign indicating a restriction on vehicles entering and waiting in a pedestrian zone
Entry to and waiting in pedestrian zone restricted (Variable message sign)	618.3A		54 - Failing to comply with a sign indicating a restriction on vehicles entering and waiting in a pedestrian zone
Motor Vehicles prohibited	619		52 - Failing to comply with a sign indicating a prohibition on certain types of vehicle
Motor vehicles except solo motorcycles prohibited	619.4		52 - Failing to comply with a sign indicating a prohibition on certain types of vehicle
Solo motorcycles prohibited	619.2		52 - Failing to comply with a sign indicating a prohibition on certain types of vehicle
Good vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited	622.1A		52 - Failing to comply with a sign indicating a prohibition on certain types of vehicle
One way traffic	652		32 - Failing to drive in the direction shown by the arrow on a blue sign
Route for use by buses and pedal cycles only	953		33 – Using a route restricted to certain vehicles
Part of the Carriageway outside a school entrance where vehicles should not stop	1027.1		48 – Stopped in a restricted area outside a school
Marking conveying the requirements prescribed in regulation 29(2) and Part II of Schedule 19 of the Traffic Signs Regulations and General Directions 2002	1043, 1044		31 – Entering and stopping in a box junction when prohibited

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# **LBBD Enforcement Policy Annex 3**

## **Parking Services Discretion Policy**

**Guidance on how the Council can  
exercise its discretion to cancel  
Penalty Charge Notices**

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<b>2 Discretion for Notice Process Staff</b>	<b>4</b>
<b>3 London Borough of Barking and Dagenham Exempt Vehicles</b>	<b>5</b>
<b>4 Useful Contacts</b>	<b>6</b>

## **1: INTRODUCTION**

If you are reading this you may have received a Penalty Charge Notice (a “PCN”) commonly referred to as a ‘ticket’, ‘parking ticket’ or ‘fine’.

The PCN may have been issued by a Civil Enforcement Officer (formerly known as a parking attendant), or by CCTV camera (fixed or mobile) for a parking or moving traffic contravention such as driving in a bus lane or making a banned turn.

Parking and traffic regulations are in place for good reasons, for example, to keep traffic moving, to improve road safety, and the environment and to address and balance the needs of different road users. We would prefer motorists to take account of the signs and regulations, and to drive and park properly. But those motorists who do not do this are liable to receive a PCN.

## **2: DISCRETION FOR NOTICE PROCESS STAFF**

The Council has the discretion to cancel a PCN at any point in the appeals process and has set out the following policy with regards to the handling of appeals and to the exercise of that discretion;

- All representations will be considered and each case will be decided upon its own individual merits. Any extenuating or mitigating circumstances will be taken into account.
- The staff who issue PCNs will not handle representations which are made against PCNs.
- Representations will only be dealt with by staffs that are trained in the handling of such representations. Those staff shall be authorised to exercise the Councils discretion to cancel PCNs.
- Only authorised staff will be able to decide the outcome of challenges or representations. Any decision to exercise discretion to cancel a PCN outside of the statutory guidelines must have approval from the Parking Manager or Divisional Director only.
- It is acknowledged that complaints or concerns by other routes such as corporate complaints or Members casework can also be considered when deciding if a cancellation should be made. In all cases however the reasons for cancellation, in line with the Enforcement Policy will be recorded and reviewed, with the final outcome will be made by the Parking Manager or Divisional Director only.
- Every case will be looked into individually and supporting evidence may be requested before a decision on the outcome of an appeal can be made. Whilst every case will differ, it may be appropriate for the Council's discretionary power to cancel penalty charges maybe be used in the following circumstances;
  - a) Where the vehicle could not have been moved due to an accident or breakdown.
  - b) Where the vehicle had been stopped and left on the instructions of a police officer or of a Civil Enforcement Officer employed by the Council (whilst on duty).
  - c) Where the Council is satisfied that the driver of the vehicle was prevented from returning to it by circumstances which were beyond their control and which could not have been foreseen (such as due to accident or injury).
  - d) In cases where the PCN was issued in respect of the non-display of a pay and display ticket, if a ticket had in fact been purchased and it is subsequently produced, provided that it is confirmed that it would have

been valid for use on that vehicle, in that parking place at the time of the alleged contravention.

- e) In cases where the vehicle was being used by a disabled badge holder, but their blue badge had either not been displayed or had not been properly displayed, if the badge is later produced, provided that it is confirmed as being valid and, had it been properly displayed at the time of the alleged contravention, the PCN would not have been issued.
- f) Where an unmarked police vehicle can provide evidence they were on police business

As circumstances differ from case to case and as each case is considered on its own merits, we cannot limit or prescribe the factors that we take into account when considering exercising our discretion. Therefore this document cannot cover every situation that may arise or every situation in which we may exercise our discretion to cancel a PCN. However, set out above for illustrative purposes only are examples of certain situations in which we may or may not exercise our discretion to cancel a PCN.

Please note that this document will be subject to ongoing review and will be revised from time to time. Please check our website for updates [www.Barking-Dagenham.gov.uk/Parking](http://www.Barking-Dagenham.gov.uk/Parking) or call 020 8215 3000.

### **3: EXEMPT VEHICLES**

Emergency services and other essential service delivery vehicles are exempt from the regulations in all circumstances, provided that they are observed being used for their proper purpose, and only parked in contravention for as long as is reasonably necessary:

- Vehicles being used for fire brigade, police or ambulance purposes.
- A vehicle being used in the service of a local authority in pursuit of its statutory powers or duties, providing that it is necessary for the vehicle to park there.

In all cases there should be evidence that the exempt activity is taking place and that the vehicle concerned is actively engaged in this activity.

If the CEO observes no exempt activity a Penalty Charge Notice will be served, and may be upheld unless acceptable evidence is provided to the Parking Appeals Service.

Most exempt vehicles are Livered, not private cars or vans, and the exemption does not automatically extend to contractor's vehicles unless specified.

Generally, Adjudicators have held that where a driver receives a PCN and is claiming an exemption from the restrictions, as listed above, the burden of proof rests with the driver and they should be able to produce evidence that supports this claim. If they can do so, the PCN will be cancelled. However, it is not always

possible for a driver to produce proof and each case will need to be considered on its own merits.

Taxis and private hire vehicles are permitted to board or alight passengers for as long as necessary for the purpose. There is not an automatic exemption for the driver to assist passengers into premises and leave the taxi or private hire vehicles unattended. If a licensed cab is left unattended a PCN may be served however, if mitigating circumstances are provided they will be treated on their own merits.

## **5: USEFUL CONTACTS**

### **London Borough of Barking and Dagenham**

Parking Services  
PO Box 500

Tel: 020 8215 3005

Web: [www.lbbd.gov.uk](http://www.lbbd.gov.uk)

Email: [3000direct@lbbd.gov.uk](mailto:3000direct@lbbd.gov.uk)

### **The Traffic Enforcement Centre (TEC)**

5<sup>th</sup> floor, St Katharine's House  
21-27 St Katharine's Street  
Northampton NN1 2LH

Tel: 08457 704 5007

Email: [customerservice.tec@hmcourts-service.gsi.gov.uk](mailto:customerservice.tec@hmcourts-service.gsi.gov.uk)

### **The Parking and Traffic Appeals Centre (PATAS)**

Angel Square  
Upper Ground Floor, Block 2  
London EC1V 1NY

Tel: 020 7520 7200

Email: [patas.team@patas.gov.uk](mailto:patas.team@patas.gov.uk)

Fax: 01932 578493

# LBBB Enforcement Policy Annex 4

## Vehicle Removal

## Contents

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## **Parking enforcement and vehicle removal Summary**

Parking management helps us deliver better network management, resulting in reduced road danger, less motor traffic, improved conditions for walking, cycling and public transport use, improved / better traffic flow and less congestion, all of which helps reduce the negative impacts of transport on people and the environment.

In many instances it is illegal to park vehicles on yellow lines, bus stops, pedestrian crossings, grass verges and the footway. It is also illegal to park in permit bays without displaying the correct permit and in pay and display bays without paying the appropriate charge.

Parking Services are responsible for enforcing the parking restrictions in Barking and Dagenham, and we do this by employing and managing a contractor to carry out removal duties on our behalf.

Within the London Borough of Barking and Dagenham removal will generally only be used in the following instance:

- Persistent evaders
- Blue Badge Fraudsters
- Illegally parked vehicles in Parks and Car Parks
- Vehicles causing obstruction

In most instances we will not remove a vehicle if it is parked in an authorised parking space. However there are a number of exceptions including:

- Parking in a Disabled bay without a valid Blue badge or Companion badge
- Footway Parking (dropped kerbs and pavement)
- Parking on single or double yellow lines during set hours
- Where the parked vehicle is obstructing traffic
- Persistent evaders of Parking fines
- Long-term illegal parking in parking bays

Vehicles that have three or more penalty charge notices that have not been paid or going through the appeals process will be removed on the issuing of the fourth PCN and will face additional charges.

We only use authorised contractors and registered car pounds. Information regarding our current contractor and the details of where to recover your vehicle from can be found on our website.

You can report vehicles contravening the parking restrictions by calling the Parking Enforcement on 020 8227 3015 between 8am and 8pm every day, except Bank Holidays.

## **Vehicle removal**

A Penalty Charge Notice (PCN) may be issued immediately to a vehicle parked in some on-street contraventions. However, a period of at least 30 minutes must elapse after the PCN has been issued before a vehicle may be removed.

In the case of other types of contravention, the vehicle may be removed immediately.

Vehicles will be stored for 14 days or until 14 days after the tax expires, whichever is the later unless otherwise instructed by the parking manager.

Vehicles in store will only be released following authorisation from the authorised parking officer and the relevant documents and fees paid by the keeper. The authorised parking officer will issue the keeper with a letter to confirm the parking fines have been paid this relevant document must be presented to the contractor.

## **Persistent Evaders**

We define persistent evaders as individuals with three or more PCNs, none of which are either subject to an appeal or at a stage where an appeal can be made.

Should a persistent evader continue to contravene parking restrictions, they will be issued a penalty charge notice in proportion to the contravention and the vehicle will be removed immediately.

Under these circumstances any permit relating to the vehicle can be cancelled and a new permit will not be issued.

All vehicles that have been removed within Barking and Dagenham are removed by an authorised contractor to the pound for storage.

The charge for removals is not set by the Council, but by a London-wide body called London Councils. This ensures that charges are consistent throughout London.

As set by London Councils, the charge for vehicle removal is £200. If the vehicle is not collected within 24 hours of the time of removal, the owner will incur storage charges of £50 per day (excluding Sundays and public holidays). *These figures are subject to change year on year.*

If your vehicle is removed and you feel it should not have been, you can make representations against the PCN and removal only after you have paid the release fees. Details on how to do this will also be given to you at the vehicle pound. You must make a representation within 28 days of collecting your vehicle.

When you come to collect your vehicle, you must bring three pieces of identification with you, including your driving licence, the vehicle registration document and a utility bill.

## Vehicle Clamping

**Barking and Dagenham Council no longer clamps vehicles.** However, contractors for the Driver and Vehicle Licensing Authority (DVLA) clamp untaxed vehicles and also bailiff companies who are contracted by the Council.

### 1. INTRODUCTION

This policy applies to all car parking users within Barking and Dagenham including staff, members, visitors, residents and contractors. It has been prepared in order to define and clarify practices and guidelines for the removal of vehicles

This service will be managed by Parking and any appeals against decisions will be forwarded to the Parking Manager.

### 2. DEFINITION

For the purpose of clarity the following definitions apply in this guideline:

- Removal – means “the relocation of the vehicle”

### 3. WARNING NOTICES

Where a vehicle is found to be parked in breach of the London Borough of Barking and Dagenham’s Traffic and Parking Regulations as listed in the Enforcement Policy, a warning Notice may be issued at the discretion of the Parking Manager.

### 4. VEHICLE REMOVALS

Vehicles may be removed without warning where the vehicle:

#### 4.1 Is causing a serious obstruction:

- Causing a serious obstruction or likely to cause danger to include being parked at restricted areas or controlled zones. (Every effort will be made to contact the driver of the vehicle; alternatively a supervised attempt maybe made to re-locate the vehicle to a safe location).
- Causing a serious obstruction for access required for emergency vehicles

#### 4.2 Is not causing a serious obstruction:

- Parked in a specially reserved parking bay (e.g. for disabled people) without displaying an appropriate disabled badge
- When a valid parking permit issued by the Council is not displayed
- Not displaying a valid Pay and Display ticket
- Parking on double yellow lines
- Parking in designated loading bays

- Causing any obstruction

#### **4.3 In the event of a vehicle being removed:**

- The vehicle will be photographed appropriately before and after to show the contravention
- Record details of the event including vehicle make and registration, the exact location where the vehicle was removed from and taken to, date and time of incident

In deciding to remove a vehicle consideration must be given to the safety of other road users and the Civil Enforcement Officers.

### **5. VEHICLES EXEMPT FROM REMOVAL**

The following vehicles shall not be removed under any circumstances:

- Vehicles that have paid legitimately for parking and have overstayed the paid for time by less than 30 minutes and are not committing any other breach of the Barking and Dagenham's Traffic and Parking Regulations as listed in Section 4
- Marked vehicles used by the ambulance, fire, coast guard, police or any other emergency service
- Vehicles displaying a valid disabled badge

### **6. APPEALS PROCEDURE**

Where a driver disputes the removal of a vehicle, the Enforcement Service Manager / Parking Manager should explain immediately why the instruction to remove was approved. Where the driver continues to challenge the removal, s/he will be invited to send in a written appeal against the decision.

Our appeals process requires that the complainant:

- Firstly pays for the release of the vehicle
- Telephone Barking and Dagenham Direct on 020 8215 3005 and speak to one of their Customer Service Officers. We aim to resolve your complaint at this stage either on the spot or within 5 working days.
- Should the appeal be successful, any monies paid will be refunded
- If the complainant is not happy with the outcome of the appeal, they can be referred to the next stage of the complaints procedure through to Local Government Ombudsman.
- A record of all appeals received must be retained for a minimum of two years

## **7. REPEATED DISREGARD OF TRAFFIC & PARKING RULES BY STAFF**

Where staff persistently disregards the traffic and parking rules they will be reported to their Divisional Director and the Disciplinary Procedure may be invoked.

## **8. TRAINING AND AWARENESS**

All staff will be made aware of this policy upon commencement. Copies can also be viewed on the Councils web site or obtained via the Parking Services. Training of such policies may also be provided at HR training sessions which all staff will be informed of via their line manager in advance.

## **9. EQUALITY**

The London Borough of Barking and Dagenham recognise the diversity of the local community and those in its employ. Our aim is to provide a safe environment free from discrimination where all individuals are treated fairly, with dignity and in a manner appropriate to their need.

The London Borough of Barking and Dagenham recognise that equality impacts on all aspects of its day to day operations and has produced an Equality Policy Statement to reflect this. All policies and procedures are assessed in accordance with the Equality Impact Assessment, the results for which are monitored centrally.

## **10. PRIVACY POLICY**

When you supply any personal information to us (for example when applying for something, or adding your details to an online information service) we have legal obligations towards you in the way we deal with that data.

We must collect the information fairly (see the notices on particular web pages that let you know why you are providing the information); we must let you know how we will use it; and we must tell you in advance if it becomes necessary to pass the information on to anyone else.

We will hold your personal information on our systems for as long as it is needed for the service you have requested, and remove it if the purpose has been met, or, in the case of an online information service you no longer wish to continue your listing. We will ensure that all personal information supplied is held securely, in accordance with the Data Protection Act 1998.

## **11. FREEDOM OF INFORMATION ACT 2000**

Any information that belongs to the London Borough of Barking and Dagenham may be subject to disclosure under the Freedom of Information Act 2000. From the 1 January 2005, the Freedom of Information Act 2000 allows anyone, anywhere to ask for information held by the Council to be disclosed (subject to limited exemptions).

Further information is available in the Freedom of Information Act 2000 Policy:  
<http://www.lbbd.gov.uk/CouncilandDemocracy/foi/Pages/Home.aspx>

## **12. RECORDS MANAGEMENT**

Records are created or received in the conduct of the business activities of the Council and provide evidence and information about these activities. All records are also corporate assets as they hold the corporate knowledge about the Council and its customers. The Council has a Records Management Strategic Framework and a Records Management Policy for dealing with records management that are consistent with:

- a) WHC (2000) 71 – For the Record: Managing records within Local Authorities
- b) The Lord Chancellor’s Code of Practice on the Management of Records under Section 46 of the Freedom of Information Act 2000 (November 2002)

Compliance with and the application of this policy will ensure that the Council’s records are complete, accurate and provide evidence of and information about the customers activities for as long as is required.

## **13. REVIEW**

This policy will be reviewed regularly and updated as required. Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance.

## **14. MONITORING**

Details of all grievances received in respect of the application of this policy will be recorded and reported on periodically to the Parking Board.

## **15. DISCIPLINE**

Breaches of this policy will be investigated and may result in the matter being treated as a disciplinary offence under the Council’s disciplinary procedure.

# **LBBB Enforcement Policy**

## **Parking debt Write-off Policy**

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## 1. Introduction

This policy links to the Corporate Debt Management Policy which covers all debt relating to the Council. All recovery action taken will be as set out within the Traffic Management Act and the Corporate Debt Management Policy

Below are extracts from the above Policy which have been adapted for the recovery of Penalty Charge Notice Debt

- 1.1 This policy applies to all sums owing to the Council in relation to Parking Debt and has been developed to ensure a consistent approach to the management of debts across the Council.
- 1.2 To recognise that causes of debt vary and recovery methods should be focused accordingly. Debt will be categorised and methods of recovery focused by type, with debtors identified either as 'Can't Pay' or 'Won't Pay':
  - 'Can't Pay' – will be offered a 28 day extension, dependant on circumstances
  - 'Won't Pay' – cases will progress through the full process of recovery to bailiff stage

## 2. The principles of good practice

- 2.1 Where people genuinely have difficulty maintaining their payments; parking services will not accept instalments but will extend for a further 28 days the time in which a fine can be paid the council will make every effort to help. Others may deliberately set out to delay or not make payments at all. In these situations the council will take action to secure and recover payments. Where appropriate, additional fees will be added onto the debt at various stages of the recovery process this is in line with legislation.
- 2.2 The council will follow the principles of good practice set out below:
  - Consider 28 day extension arrangements for those customers experiencing financial difficulties

## 3. Charging Policies

- 3.1 The charges for Penalty Charge Notices are set by London Councils and not by the Council. These charges are reviewed every three years.

## 4. Payment Options

- 4.1 The service will provide a range of options to reduce the reliance on cash transactions. The current payment options are Debit and Credit Cards (allowing

payments to be made 24 hours a day, 7 days a week using the automated telephone line or Internet facility), Cheque and Cash at One Stop Shops, Cashiers, Scancoin Machines.

## **5. Prompt and Accurate Billing**

- 5.1 The council recognises that a prompt response to any correspondence received is important in reducing the debt burden. The Council will:
- produce accurate and clear PCN's
  - respond quickly to correspondence relating to appeals and enquires
  - produce clear instruction and show:
    - what the PCN was issued for and the date of contravention
    - the amount due and, where appropriate, the outstanding amounts and payment due dates
    - how to make a payment
    - a contact point for enquiries - including website details

## **6. Range of recovery methods**

- 6.1 A range of recovery options will be used where arrangements to pay have broken down. The choice of recovery method for Penalty Charge Notices will follow the guidelines within the Traffic Management Act.
- 6.2 The Council will always take recovery action where a customer does not pay and does not say they are having difficulty paying. If the customer tells us soon enough that they are having problems and we can agree a 28 day extension and will not take any further recovery action until this time has elapsed. However, if we have started recovery action (e.g. the case has a warrant and is with the bailiff) we will continue with recovery action.
- 6.3 When a customer tells us they cannot pay we will offer advice on ways to avoid receiving PCN's in the future and offer a further 28 day period in which they can pay their outstanding debt.
- 6.4 PCN's are issued to a vehicle and not to the driver/owner. We do not know the customers circumstances and if a vehicle is parked in contravention the PCN will be deemed as valid.
- 6.5 We will always ensure that the recovery method is appropriate for the amount of debt. Bailiffs will only be engaged at the appropriate stage of the recovery.
- 6.6 We will follow the principles of enforcement outlined below:

- Our approach will be consistent – with the aim of achieving consistency in the advice we give, the use of our powers and in the recovery methods we use and in line with the Traffic Management Act

## **7. Tracing**

- 7.1 The Council will make all necessary attempts to trace the owner of the vehicle via DVLA checks. Once a warrant has been served on the vehicle it can be clamped or seized wherever it is sited.

## **8. Write-Off Policy (PCN debt)**

- 8.1 PCN Cases that will be considered for write-off with fall within specific categories. These will be reported in accordance with the Corporate Debt Management Policy. However, in terms of PCN debt it will be deemed that they are unrecoverable and therefore recognised as valid reasons for write-off for the following reasons:
- Bailiff return – Warrant expired
  - Vehicle owner deceased
  - Vehicle owner bankrupt / in liquidation
  - DVLA mismatch
  - The age of the debt precludes recovery as outlined in the TMA

## **9. Review of this policy**

- 9.1 This policy will be reviewed annually in conjunction with the Corporate Debt Management Policy to allow it to be updated and to take any service improvements or changes into account.

## **10: Contacts**

Sharon Harrington, Parking Manager  
Tel: 020 8215 3005

## **11: Useful links to previous policies agreed**

- 11.1 Link to Financial Rules Write off policy  
<http://www.lbbd.co.uk/9-council/constitution/pdf/const-d-part5.pdf>
- 11.2 Link to Financial Elevates Debt Recovery Policy  
<http://modgov/mgConvert2PDF.aspx?ID=37637&ISATT=1#search=%22write%20off%20policy%22>
- 11.3 Link to Debt Management Policy (18 October 2011)  
<http://modgov/ieListDocuments.aspx?CId=180&MId=5662&Ver=4>

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**CABINET****20 MARCH 2012**

<b>Title:</b> Statement of Licensing Policy 2012 - 2015	
<b>Report of the Cabinet Member for Crime, Justice and Communities</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Robert Williams, Group Manager – Environmental Health and Trading Standards	<b>Contact Details:</b> Tel: 020 8227 5870 E-mail: <a href="mailto:rob.williams@lbbd.gov.uk">rob.williams@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Robin Payne, Divisional Director of Environment	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing and Environment	
<p><b>Summary:</b></p> <p>The Licensing Act 2003 requires local authorities as licensing authorities to produce and then to regularly review and revise a statement of licensing policy detailing how local issues are to be addressed by the council in deciding contested licence applications.</p> <p>This report presents the latest revision of the licensing policy statement and incorporates amendments and additions following extensive consultation with the responsible authorities, the licensed trade and other stakeholders.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is asked to recommend the Assembly to adopt the revised Statement of Licensing Policy as attached at Appendix 1 to the report.</p>	
<p><b>Reason(s)</b></p> <p>To assist the Council in achieving its Community Priority of Safe, Healthy and Prosperous and as an important element of aspects of the Health and Wellbeing Strategy.</p>	

**1. Introduction and Background**

- 1.1 The Licensing Act 2003 changed the way in which a range of licences were administered. This change brought licensing of alcohol, entertainment, indoor sports and late night refreshment together under one comprehensive process and for the first time introduced a measure of democratic accountability. One of the key steps in implementing the Act was the adoption of a Statement of Licensing Policy by the local authority. The policy localises the provisions of the act and makes public those issues that the council consider as important and guides local decision making. It is one of a suite of documents that guide decisions including statutory guidance issued by the Secretary of State and the Act and associated regulations.

The original policy was adopted in January 2005. A review and consultation exercise in 2008 indicated no changes to the existing policy. This latest review has made a number of changes to the statement, otherwise normally known as the Licensing Policy, and these are detailed in the report.

- 1.2 The draft policy recognises that the issues facing Barking and Dagenham are different to many other areas. Whilst the government and media have concentrated on the perceived problems of binge drinking and the club culture, Barking and Dagenham has seen a proliferation of licences allowing sales of alcohol for consumption off the premises. The revised policy seeks to address some of the issues that have arisen. The draft revised policy is attached at Appendix 1 of this report.

## **2. Proposal and Issues**

- 2.1 Since the implementation of the Licensing Act 2003 there has been a dramatic change in the landscape of premises from which it is possible to purchase alcohol. Whilst the media predicted widespread 24 hour availability of alcohol, this has not proved to be the case. Pubs and clubs have closed at an alarming rate and those that remain open are mostly struggling, whilst off sales have exploded with alcohol freely available from most small shops. This has occurred because there is a presumption in the legislation that licences will be granted rather than refused.
- 2.2 The increase in the number of off-licences has been a local cause for concern. The wider range of outlets gives rise to the possibility that it is easier for young people to get access to alcohol. Wide availability encourages and enables drinking within the home and it is known that this is where many of the alcohol related problems within the borough occur. Increasing retail space devoted to alcohol reduces the amount of and range of other goods available to local residents.
- 2.3 The revised policy directly addresses a number of these issues. The following changes have been made in the policy following consultation and listening to the desires of the community.
- Restrictions are proposed for the hours of sale of alcohol, both late at night and in the morning. This will address the concerns about alcohol fuelled crime and disorder late at night and also the nuisance caused by the wide availability of alcohol in the morning and the resulting problems with street drinkers.
  - Recognition is made that there is a loss of local amenity when shops increase alcohol sales to the detriment of other goods and that this may mean a variation in the licence has taken place with the subsequent possibility of enforcement action.
  - Concerns about the availability of alcohol to children is addressed by a proposal that licences would generally be refused in the vicinity of schools.
  - There have been instances of children stealing alcohol, particularly high strength drinks, from off-licences and this is dealt with by placing drinks behind the counter or in locked cabinets.
  - The existing Responsible Retailer scheme is explicitly mentioned and will be re-launched following the adoption of the policy to give our retailers an opportunity to take part in this process. This scheme will emphasise the importance of responsible and proportionate presentation of alcohol, particularly in food shops and grocers.

- The impact that the Olympic Games will have on the availability of police and other emergency services is acknowledged and the potential impact that this may have on proposals for large scale licensable activities.
- Introduce a yellow card/red card system of dealing with licensees who fail to operate their business properly allowing a more formal warning process prior to carrying out a review of the licence.

2.4 Members should be aware that the policy guides the decision making of the Licensing and Regulatory Board. It does not affect licences that are already in existence, unless they are subject to a review, and it will not affect applications for new licences or variations where there are no valid objections. Each application must be dealt with on its own merits and therefore the policy is not a blanket statement rather an indication of the Council's expectations regarding the way that the licensing process should be carried out.

2.5 Parliament has recently passed the Police Reform and Social Responsibility Act 2011 that among other matters seeks to address what are perceived to be some of the weaknesses in the 2003 Act. Changes include:

- The removal of the proximity requirement from the definition of an interested party. This means that anyone living or involved in a business in the borough can make representation or apply for the review of a licence. All representations will still have to be based on one or more of the four licensing objectives.
- Making Primary Care Trusts and health boards and the licensing authority Responsible Authorities. It should be noted that health does not become a licensing objective and therefore objections cannot be made on health grounds to an individual application.
- Reducing the evidential burden for taking action and setting conditions
- Giving powers to the Secretary of State to make regulations allowing local authorities some autonomy in setting the level of fees.
- Allowing a licence to be suspended for non-payment of fees.
- Proposing a late-night levy where there are problems with alcohol fuelled crime and disorder arising from the night-time economy. The proposals are complex and unlikely to be relevant to Barking and Dagenham. They also place considerable burdens on licence holders and result in relatively little money coming to the local authority.

Where possible these changes have been recognised in the policy therefore reducing the potential need to revise it in the near future.

2.6 Elected Members have a very important part to play in the Licensing process, as members of the Licensing and Regulatory Board, as interested parties to applications and as community leaders supporting and advising constituents. To enable them to fulfil this role the current programme of training and support will be enhanced to ensure that all Members can fulfil their role within the community.

### **3. Options Appraisal**

3.1 It is a statutory requirement for the licensing authority to adopt a statement of licensing policy. To fail to adopt a policy or to review it could lead to judicial review

of the decisions of the Licensing and Regulatory Board if they cannot be locally justified by a policy statement.

Options available to the Council are:

1. Do nothing
2. Confirm the current policy as being appropriate
3. Review and revise the current policy to include matters which are identified as being of local concern.

3.2 As indicated above option number 1 is not practicable. Option 2 fails to address local concerns. Option 3 will allow the compliance with the Act and will enable the issues which have been raised locally to be taken account of in any decision of the Licensing and Regulatory Board.

3.3 Within option 3 there are a number of proposals which may be regarded as controversial but which nevertheless reflect the wishes of Members and the residents. These are:

- A statement that the Council has an expectation on limiting the opening hours of premises for the sale of alcohol. This is to reduce availability and prevent crime and disorder as well as issues around street drinking.
- A statement that the council is concerned about the reduction in the available retail space because of the creeping change of shops from being general stores to alcohol stores.
- A statement regarding the proximity of off-licensed premises to schools and the concerns about the availability of alcohol to those under 18s.

#### **4. Consultation**

4.1 The Licensing Act requires that all the responsible authorities shall be consulted, along with any other bodies or individuals that are appropriate. The submissions by consultees and the response to those submissions is detailed in Appendix 3. The response has in general been positive and detailed. Many of the comments have led to amendments to wording in the policy. The Police have raised comment about the proposal to restrict the hours of sale of alcohol and this has been addressed and amended following legal advice.

#### **5. Financial Implications**

Implications completed by: Jo Moore, Finance Group Manager

5.1 There are no direct financial implications from the revision of the Licensing Policy. However, as the proposed policy seeks to restrict the current licensing regulations this may result in an increased number of appeals against decisions of the Licensing Board.

5.2 This could in turn result in additional legal fees for the Council although in the past six years there has only been 1 appeal in which costs of £1500 were awarded against the Council in 10 cases. Any legal fees awarded against the Council would be expected to be met from existing legal budgets of £27k.



## 6. Legal Implications

Implications completed by: Paul Field, Senior Lawyer

- 6.1 The Council is a Licensing Authority for the purposes of the Licensing Act 2003 (the Act)
- 6.2 Section 5 of the Act requires a licensing authority to prepare and publish a statement of its licensing policy every three years. Last year saw changes brought about by the Police Reform and Social Responsibility Act to improve regulation and widening of those who can object to licences, including health authorities.
- 6.3 The policy must be published before the authority carries out any licensing function in relation to applications made under the Act. However, making a statement is a licensing function and as such the authority must have regard to the Secretary of State's Guidance when making and publishing its policy. The proposed Policy takes into account the recent change in legislation and Ministerial Guidance and is therefore up to date with current requirements..

## 7. Other Implications

- 7.1 **Customer Impact** - An equalities impact assessment has been carried out on this policy. The main impact will be on those applying for or operating licences and persons who wish to purchase alcohol. The majority of licence holders are single traders or small to medium enterprises most of whom are from minority ethnic backgrounds. Restrictions on trade by limiting hours for the sale of alcohol or the location of licensed premise in relation to schools could therefore impact on that group to a disproportionate extent. There are a wide range of outlets for alcohol and as noted above the licences of existing premises will not be affected by this policy. Therefore the opportunity to purchase alcohol will not be significantly reduced. It is felt overall that the community benefits arising from the implementation of the policy outweigh the small potential disbenefit.
- 7.2 **Safeguarding Children** - The protection of children from harm is one of the four licensing objectives and must be taken into account in any licensing decision. The policy explicitly deals with this issue through restrictions on alcohol sales near to schools.
- 7.3 **Health Issues** - The Licensing Act does not specifically address health issues. However alcohol is a known determinant of health and placing controls on sale and availability will have a positive impact on health.
- 7.4 **Crime and Disorder Issues** - The prevention of crime and disorder is a specific licensing objective in the Licensing Act. Issues of crime and disorder are addressed in the policy and the licensing service works closely with the police to deal with alcohol related crime and disorder issues.

### Background Papers Used in the Preparation of the Report:

- Statement of Licensing Policy January 2005.
- Licensing Act 2003

- Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

**List of appendices:**

Appendix 1 – Draft revised statement of licensing policy  
Appendix 2 – Changes from the current policy  
Appendix 3 – analysis of responses to consultation.

# DRAFT

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## Introduction

The Licensing Act 2003 (the Act) brought about a major change in the way that alcohol, entertainment and late night refreshment are administered in England. All three licensing regimes were brought together and alcohol was moved from being the responsibility of the courts to local authorities. It is now six years since the Act came into force and the impact has been particularly noticeable in the way that alcohol is viewed and sold.

The past six years have seen the changed licensing process maturing as both licence holders and the licensing authority have adapted to the different landscape. This policy is designed to facilitate good decision making by the Council's Licensing and Regulatory Board that is consistent with the law and with the wishes of residents and businesses in Barking and Dagenham.

In Barking and Dagenham there has been a dramatic increase in the number of premises selling alcohol for consumption off the premises whilst at the same time pubs are closing. This far wider availability of alcohol for general consumption has raised serious concerns in the wider community. In particular concerns have been raised about the ability of children and young people to access alcohol and the consequential health and social damage that this causes. Alcohol is implicated heavily in crime and anti-social behaviour and issues such as domestic violence and hate crime. Alcohol abuse is a significant drain on the NHS in terms of both immediate accident and emergency care and the long term treatment of alcohol related illness and addiction. Whilst the media has concentrated headlines on the impact of town centre binge drinking, the far greater damage is done behind closed doors in homes across the borough.

The wider issues of alcohol abuse are being addressed by the successful multi-agency alcohol alliance and can be seen in such developments as the borough-wide Designated Public Place Order (DPPO) which confronts the problems caused by street drinkers. The licensing service is committed to working with the Police and Community Safety to reduce the problems that these drinkers cause. There have been changes in the way that those who are suffering from alcohol related disorders are dealt with through the treatment and referral pathways and improved education and enforcement has seen the failure rate for under-age test purchases of alcohol drop from around 25% to 5% in four years.

This policy seeks to address those aspects that fall within the bounds of licensing. It seeks to address the expectations of the community regarding the sale of alcohol and sets out for the first time specific times during which alcohol should be sold dealing with not just the late night, but also early morning alcohol sales. It also addresses the issue of the loss of retail space to the sale of alcohol by specifying a limit on the floor space used for the sale of alcohol in small shops and convenience stores. There is encouragement for the owners of well run premises who take their responsibilities seriously and an affirmation that the responsible use of alcohol is a positive contributor to social cohesion.

The Police Reform and Social Responsibility Act 2011 has recently been passed by Parliament and seeks to redress some of the criticisms that have been levelled at the licensing process. Among these is the widening of those who can object to licences, making the health authorities and the licensing authority responsible authorities and relaxing some of

## Appendix 1

the rules around Temporary Events Notices. These changes will be implemented as they are enacted and this policy includes aspects that are of relevance now.

The policy clearly lays out the attitude of the council as licensing authority to those traders who flout the law. Criminal activities associated with the sale of alcohol will be dealt with through review of licence and the authority will take a particularly stringent attitude to those who repeatedly fail to take their responsibilities seriously.

Cllr Jeanette Alexander  
Cabinet Member for Crime, Justice and Communities

## Part A

### 1 Purpose of this policy

- a This licensing policy sets out how we will meet the requirements of the Licensing Act 2003 (the Act). It is the statement we must publish every three years under section 5 of the Act. This policy takes account of guidance the Secretary of State issued under section 182 of the Act.
- b The policy aims to:
- ensure that the Council fulfils its duties under the Licensing Act in a way that benefits residents and businesses;
  - boost the local economy; and
  - encourage a range of well managed licensed premises within the borough.
- c To achieve these aims, we will work with others with an interest in licensing (including the police, the fire service, local businesses, licence holders, local residents and others) to promote our objectives as set out in this policy. We will work with applicants to enable them to make applications that meet the spirit of the policy; with residents who wish to make representation against applications and with Councillors in fulfilling their community leadership role.
- d This policy is about regulating activities that need to be licensed under the Act focusing on the effect those activities have in and around the premises they take place in and which are under the control of individual licensees and others with relevant authorisations. The policy is not the main way of controlling general nuisance. If we receive an application and nobody objects, we must grant a licence without any conditions other than those which must apply by law.
- e This policy applies to licensable activities carried out on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act.

### 2 Activities covered by this policy

- a This policy covers licences to:
- sell alcohol to the public;
  - supply alcohol in clubs;
  - provide entertainment to an audience;
  - put on shows and performances;
  - show films;
  - hold indoor and outdoor events;
  - hold indoor sports (for example, boxing and wrestling);
  - play live or recorded music and have dancing; and
  - supply hot food and drinks after 11pm and before 5am.

### 3 Our objectives

- a When making decisions on granting licences, we will consider our responsibilities as set out in the Act. These responsibilities are as follows:
- **‘Protection of public safety’**
  - **‘Protection of children from harm’**
  - **‘Prevention of crime and disorder’**
  - **‘Prevention of a public nuisance’**
- b We aim to provide a licensing service which:
- is fair and honest, and seen to be so;
  - is easily accessible to all businesses, residents and people who are interested in licensing (stakeholders);
  - sets and maintains a high standard of service;
  - deals effectively with all applications and enquiries; and
  - avoids repeating the work of other regulators wherever possible.

### 4 Our community priorities

- a The Council’s adopted policy statement is ‘Building a better life for all’ and has identified three specific priorities, raising household incomes, school and post-16 education and housing and estate renewal. There are five priority themes:
- Better together
  - Better home
  - Better health and well-being
  - Better future
  - A well run organisation
- b We will encourage licence applications from businesses that can show how they will contribute to our priorities.

In particular we will look more favourably on applications that show how the business will:

- actively make sure the area within and around the business is kept clean and free from broken glass, bottles and other rubbish;
- take a responsible attitude to children within any premises where alcohol is sold;
- promote healthy lifestyles by encouraging responsible drinking;
- actively work with the police and council to reduce alcohol fuelled crime and anti-social behaviour;
- work positively with the council and responsible authorities to promote the licensing objectives
- make sure levels of noise and nuisance in and outside their business are kept to a minimum; and
- adopt a ‘no-glass policy’ outside their premises.



- c We will look less favourably on applications that are:
- for very late or early licences, especially those in residential areas or where residents live close to the premises;
  - in areas that are currently a focus for antisocial behaviour;
  - aimed at very young customers or are likely to promote binge drinking.
  - likely to give rise to access to alcohol by young persons because of the way in which it is distributed. In particular the delivery of alcohol as part of the purchase of hot take-away food.

## 5 Working with stakeholders

- a To produce this policy we consulted stakeholders and took their views into account. Those we consulted are listed in appendix 1. We will consult stakeholders every time we review and revise this policy.
- b Responses to the consultation were positive with a number of detailed amendments suggested. In particular issues around the ready availability of alcohol, particularly the possibility of purchase and consumption by children, together with an erosion of community facilities were of concern. Amendments have been made to take account of changes in legislation that can affect licensed premises.
- c This policy will not:
- reduce anyone's right to apply for a licence under the 2003 Act and to have their application considered; or
  - prevent anyone from commenting on an application, or putting forward a view about any licence, where the Act allows.
- d We will consider equally all comments made on licence applications. However, we will not consider any comments which are:
- not relevant;
  - not justified;
  - made out of spite or to cause annoyance; or
  - repeating comments already made.

In these circumstances, we will explain our reasons for not considering the comments.

- e We will work closely with the Responsible Authorities and Interested Parties in the management of licence applications to ensure that there is a full debate about the licensing process. Responsible Authorities are defined as:
- The chief officer of police
  - The fire authority
  - The health and safety authority
  - The planning authority
  - The environmental health authority

- The body recognised as being responsible for the protection of children from harm
- Inspectors of weights and measures (Trading Standards Officers)
- The relevant authority in the case of vessels

The Police Reform and Social Responsibility Act 2011 will make the following bodies Responsible Authorities:

- The Licensing Authority
- Primary Care Trusts and local Health Boards

Interested parties are defined as:

- A person living in the vicinity of the premises
- A body representing persons living in the vicinity of the premises
- A person involved in a business in the vicinity of the premises
- A body representing persons involved in businesses in the vicinity of the premises
- An elected member of the Council

The Police Reform and Social Responsibility Act 2011 will remove the vicinity test from the definition of an interested party and will instead replace it with a person or body in the area covered by the local authority. However it is intention of the authority to continue to notify those living in the vicinity of a premises that an application has been received. We will also notify Ward Councillors and in the event that a premises is on or near a ward boundary the Councillor of that neighbouring ward.

- f For the purpose of this policy the responsible authority with regard to the objective of preventing children from harm will be the Barking and Dagenham Safeguarding Children Board or the person nominated to respond on their behalf.

## Part B

### 1 Local effect of activities that need to be licensed

- a When deciding whether or not to issue a licence for an activity, we will consider the effect the activity will have on the surrounding area.

### 2 Tourism and employment

- a Well run licensed premises can help to promote tourism and encourage visitors to the borough. They also provide employment opportunities for the local community. When considering applications for licences, we will take account of our Regeneration Strategy and the effect the premises may have on:

- promoting tourism;
- creating employment; and
- making the area more attractive.

### 3 Transport

- a Good public transport is essential so people can leave licensed premises and the surrounding areas quickly without causing a disturbance or nuisance to local residents. We will consider this when we process licences. We will work with the police and organisations such as Transport for London to help develop better public transport in areas where licensed premises are available. We expect applicants to take account of public transport provision when deciding on the detail of their applications.

### 4 Planning policy and guidance

- a Nothing in this policy takes priority over anything in our planning policies or Local Development Framework. Planning permission is usually needed for changing the way a building is used or developing a new business. When considering licence applications, we will make sure the correct planning permission and building control approval has been granted. Any planning restrictions that have been placed on how a building can be used will be reflected in the conditions of any licence we grant. In the case of new developments, applications for licensing and planning may be made together, particularly in the case of 'provisional statements permission'.
- b Each year the licensing section will give our Development Control Board a report which provides information about the numbers and types of licences we have issued, and crime and disorder trends related to licensed premises in the borough, during the previous year.
- c We will not take account of development issues, such as the commercial need to have a particular type of property in an area, when making decisions on licence applications.

### 5 'Saturation' policies and 'cumulative impact'

- a We expect that applicants would consider the area and existing types of licensed premises before making an application. If applicants do not consider these issues we will consider working with the responsible authorities to adopt a saturation policy (see clause c below).
- b We may receive comments that an area has too many licensed premises and that the resulting nuisance and disorder cannot be blamed on individual premises. If those making the comments can give us evidence to show that any more licensed premises will increase the crime, nuisance and disorder (that is, have a 'cumulative impact'), we will consider whether or not to grant any more licences in that area.
- c If conditions attached to licences will not prevent further problems in the area, we can adopt a policy known as a 'saturation policy', that allows us to refuse all new applications for licences within the area. However, we will still consider every licence application on its merits.
- d Before we introduce a saturation policy we will:
  - check whether local residents, or a responsible authority, such as the police, are concerned about alcohol related crime, nuisance and disorder;
  - assess the causes of the crime, nuisance and disorder;
  - identify the area problems are arising from and the boundaries of that area; and
  - adopt a policy about future applications for licences in that area.
- e If we adopt a saturation policy we will review it every three years. We will not set limits on the number of licensed premises within an area and we will still judge each application on its merits.

### 6 Restricted opening hours

- a Shops, stores and supermarkets can apply to be licensed to supply alcohol during their normal opening hours. If the police, other responsible authorities or members of the public tell us about particular shops which contribute to disturbance and disorder, we will consider restricting the hours when those shops can supply alcohol.
- b We know that nuisance can be caused to residents near shops, stores and supermarkets with extended hours. In the case of applications in residential areas or small shopping parades, where relevant representations have been made, our policy is to refuse new licences and variations that permit hours for the off-sale of alcohol beyond 23.00 Monday to Saturday or 22.00 on Sunday or start the sale of alcohol before 11.00. The policy is intended to be strictly applied and will only be departed from in genuinely exceptional cases. The onus of demonstrating that the circumstances are genuinely exceptional lies upon the applicant. The fact that the premises would be well-run, that the applicant is of good character or that the extension sought is a small one would not be considered exceptional.

National guidance states that: *"Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail*

*outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.”* To the extent that the above policy represents a departure from the guidance, the licensing authority believes that the local problems of nuisance caused to nearby residents by extended hours of alcohol outlets justifies the departure.

## **7 Staggered closing times**

- a To reduce any risk of nuisance to residents, staggered closing times in any particular area are more favourable than having a standard closing time as this avoids everyone leaving licensed premises at the same time.
- b We will avoid ‘zoning’ where premises in one area stay open after those in another area have closed. This can cause people to move from one area to another, leading to greater disturbance and noise at particular times.
- c We would consider applications favourably if they stated the last entry time within the premises operating schedule. Having a last entry time helps to stop the problem of customers moving from one premises to another late at night.
- e We are aware that in granting licences with flexible hours there is a need to balance the opportunities that are given by providing consumers with choice against need to have regard to the four licensing objectives and the rights of local residents to peace and quiet.

## **8 Proximity to Schools**

This council recognises that in the correct setting alcohol has many social and economic benefits. It also recognises that there are some groups within society who are particularly vulnerable and the protection of children from harm is uppermost in that thinking.

The council is particularly concerned about proximity of off-licences to secondary schools.

When applications are made for new off-licences within 400 metres of a secondary school, applicants are strongly encouraged to include the following controls in their operating schedules. If such controls are not included, and if relevant representations are made, the council’s policy is to include the controls as conditions on the licences except in very exceptional circumstances.

The controls are:

- a. Alcohol should not be advertised in the shop window.
- b. All alcohol should be stored behind the shop counter.
- c. No display boards or other advertising should be shown on the shop floor.
- d. No alcohol should be capable of purchase through self-service check-outs.
- e. The licensee shall operate a Challenge 25 policy.

- f. All tills should be fitted with a till prompt requiring authorisation by a supervisor for the sale of controlled products.
- g. All supervisors should hold a personal licence.
- h. The licensee should maintain a refusals register which should be kept at the premises and produced to the police and licensing authority forthwith on request.
- i. All cashiers permitted to sell alcohol should receive training in relation to underage sales which should be refreshed at least every 3 months. The content of the training should be documented and records of training shall be kept. The content and records should be kept at the premises and produced to the police and licensing authority forthwith on request.
- j. Cans of alcohol should not be sold singly.
- k. Bottles of beer under 1 litre should not be sold singly.
- l. No beer or cider over 5.5% ABV should be sold.
- m. No alcopops should be sold.

### **9 Off-licence layout**

- a We expect that in shops with off-licences shopkeepers will lay out their shops in a way that prevents theft and will expect that high strength beers, lagers, ciders and perries (greater than 8%ABV) will be kept behind a counter unless there are other adequate controls such as display in a locked unit in place. We will work with the police and other agencies to prevent easy access of young people to alcohol.
- b We know that local shops play an important part in the community. Unless a shop is a dedicated off-licence we will expect that a wide range of goods will remain available and that in any case alcohol does not become the dominant product. We consider that a maximum of 30% of retail space should be devoted to the sale of alcohol. We will carefully consider the action that can be taken where this becomes the case as there may have been a variation in the terms of the licence. In addition, where the premises are within 400 metres of a secondary school, the policy in paragraph 8 above applies.

### **10 Live music, dancing and theatre**

- a We encourage live music, dance and theatre within the community. Wherever practical, we will license our own premises and hire them out to people who want to use them without needing to get a temporary licence. In doing so, we will balance the need to make sure disturbance does not occur with the need to make sure cultural activities can take place.

## 11. Smokefree environments

The Health Act 2006 made all enclosed public spaces smokefree from the 1<sup>st</sup> July 2007. An enclosed space is defined by regulation. The Council supports the health benefits that come from smokefree atmospheres but recognises that individuals have a right to smoke. We will look favourably on those applications where steps are taken to limit the impact that smokers have on the surrounding area that arises from noise and litter. We will encourage applicants to take real steps to control the waste that arises from smoking debris to minimise the impact on the local environment.

## 12 Other policies, objectives and guidance

- a When applying this policy we will take account of other related policies, strategies and guidance including:
- the Community Safety Strategy;
  - The Community Safety Plan
  - the Crime and Disorder Strategy;
  - cultural and tourism strategies;
  - drug and alcohol strategies
  - The Drug and Alcohol Treatment Plan
  - The Alcohol Alliance plan
  - the Enforcement Policy;
  - the Environmental Strategy;
  - the Corporate Equalities Policy Statement;
  - the Leisure Strategy;
  - the Local Authorities Enforcement Concordat;
  - the Regulatory compliance code
  - the Neighbourhood Renewal Strategy;
  - the Regeneration Strategy;
  - the Transport Plan;
  - Core Strategies and Borough Wide Development Policies of the Local Development Framework;
  - the Waste Strategy, and
  - the Health and Wellbeing Strategy
- b When applying this policy we will take account of the Government's strategies and policies, and any other relevant strategies and policies, including:
- the Anti-Social Behaviour Act 2003;
  - the Crime and Disorder Act 1998 (as amended);
  - Violent Crime Reduction Act 2006
  - The Health Act 2006
  - The Policing and Crime Act 2009
  - security industry authority policies;
  - the Government's 'Safer Clubbing' guide;

- the Government's Alcohol Harm Reduction Strategy;
  - the Mayor's Ambient Noise Strategy; and
  - the Local Authorities' Coordinating Body on Regulatory Services' Test Purchase Code.
  - Safe. Sensible. Social. The next steps in the national alcohol strategy.
- c On 24 March 2010 this Council adopted the provisions of section 13(2) of the Criminal Justice and Police Act 2001 to make the whole borough a Designated Public Place and subsequently a Designated Public Place Order (DPPO) was enacted to create a borough-wide alcohol control zone. This designation does not have any bearing on the ability of individuals, companies or relevant organisations to apply for a premises licence or club premises certificate. The Council will expect licence holders to trade responsibly and in particular not to sell alcohol to those who are visibly drunk regardless of the time of day. We will be working with the Police and the Community Safety Team to encourage responsible trading.

### 13 Olympic Games

- a The council is fully committed to a safe and successful Olympic and Paralympic Games in London during 2012. The council recognises that the resources of the police, transport and emergency services will be planned out and prioritised for the security of major events before, during and after the Games, as a minimum from 15<sup>th</sup> July 2012 until 16<sup>th</sup> September 2012. Due consideration will be given by the council to representations from the Police in relation to licence applications for activity during Games time on the grounds of public safety and security when police and other emergency services resources are insufficient to deal with the risks presented. Where, as a result of representations from a responsible authority, it is identified that a licence or proposed event presents a risk that the licensing objectives will be compromised, it is likely that such applications will not be granted.



## Part C

### 1 Licence terms and conditions

- a If we receive relevant objections to a licence application, we may attach terms and conditions to the licence to control activities associated with licensed premises and activities. When setting the terms and conditions, we will assess how they will affect people living, working or spending leisure time in the local area, and the people or business being licensed. We will make sure that any new terms and conditions attached to a licence:
- are necessary;
  - are in proportion to the activity being licensed;
  - are reasonable;
  - can be met by the people or business being licensed (the licensees); and
  - can be enforced.
- b Any terms and conditions attached to a licence will take account of all other relevant laws and legal requirements affecting licensees and licensed premises including the Health & Safety At Work Etc Act 1974, the Health Act 2006, the Environmental Protection Act 1990 and the Equality Act 2010. The policy is not intended to replace or repeat any other law or legal requirement.
- c We will not try to use terms and conditions attached to a licence to restrict or regulate anything outside the licensee's control, or anything which relates to areas away from the licensed premises. However, we may use conditions to control what goes on inside the premises, which may directly or indirectly affect what goes on outside. We cannot use licences to control antisocial behaviour by people once they are away from licensed premises.
- d Any terms and conditions attached to licences will support strategies to promote one or more of the four licensing objectives.
- e We will take account of the individual style and characteristics of premises, along with the type of events or activities that will take place, when we attach conditions to a licence.
- f We expect, licence holders to become active members of relevant local organisations such as 'Pub Watch' or 'OffWatch'. These schemes aim to promote best practice and working together to achieve the licensing objectives. We would also expect all business owners to be actively involved in promoting proof-of-age schemes. We also expect that shopkeepers become members of the Council's Responsible Retailer scheme and participate in any related campaigns and activities.
- g We would expect all people applying for licences to install and maintain good-quality closed-circuit television (CCTV) in the interests of public safety and security. All CCTV systems should be installed in consultation with the police to ensure that their needs are met.

## 2 Operating schedule

- a Apart from a more detailed explanation of how a business will meet the four licensing objectives, it would be helpful for the operating schedule to set out how the business could contribute to the community priorities. Specific issues that could be tackled include protecting children, contributing to a safer, cleaner environment, and monitoring noise levels in and around the premises. By contributing to these measures, the business would show it has a responsible attitude and concern for the local community.

## 3 Standard licence conditions

- a We will develop, maintain and regularly review a range of standard licence conditions which we may use when considering applications. However, we may set conditions that are tailored to each application.

## 4 Children in licensed premises

- a For the purpose of this document and the Licensing Act 2003, a child is anyone under the age of 16 unless we say otherwise. If there are no licensing restrictions, licensees or 'designated premises supervisors' can normally decide whether or not to let children on their premises. However, if we receive a relevant objection we may attach a condition restricting access by children if this is necessary to prevent physical, moral or psychological harm to them. Premises where we would probably set a condition to restrict access by children include premises where:

- the licensee has been convicted of serving alcohol to underage people;
- there is evidence of underage drinking;
- there is evidence of drug taking or dealing;
- a lot of gambling takes place;
- adult entertainment is provided;
- the only or main purpose of the establishment is to supply alcohol to be drunk on the premises.

- b Licence conditions which restrict access by children may include:

- limits on the hours when children can be present;
- age limits for people under 18;
- children not being allowed in part or all of the premises when certain activities are taking place;
- all children having to be accompanied by an adult;
- anyone under 18 not being allowed on the premises when any activity which needs a licence is taking place; and
- children not being allowed in when films with a certificate (according to the British Board of Film Classification) higher than their age are being shown; and
- having to have a trained adult member of staff for a set number of children who are likely to be on any licensed premises.

- c If a licensee does not want to allow children on their premises, we will not set a condition to make them let children in.

## **5 Casinos and bingo clubs**

- a The Licensing Act 2003 covers activities within casinos and bingo clubs. This does not affect the conditions of the Gambling Act 2005 or any new Gaming legislation.

## **6 Sports grounds**

- a At premises the Safety at Sports Ground Act applies to, safety is more important than conditions set or activities allowed by the premises licence during times when the safety certificate applies.

## **7 Door supervisors**

- a Competent and professional door supervisors are essential for public safety at licensed premises and only people registered and licensed by the Security Industry Authority (SIA) can work as door supervisors within the borough. We would look more favourably on licence applications from businesses recruiting staff from a reputable company with SIA approval. If there were any criminal activities in or around the premises, the door supervisors would help to bring about order and, if necessary, give evidence in court.

## Part D

### 1 Enforcing licenses

- a We will enforce licensing laws in line with the principles of the Local Government Enforcement Concordat, the Regulators Compliance Code and in line with our enforcement policy. We will work closely with the police to make sure our enforcement measures are effective. We intend to develop our enforcement procedures with the local police and other people with an interest in licensing.
- b Inspection of licensed premises will normally take place following an assessment of the risk posed to the licensing objectives or following complaint or concerns about the way that the business is being run.
- c The police and other agencies outside the council will continue to make routine visits to all licensed premises.
- d We will monitor licensed premises and if it is found that they are not meeting the licensing objectives or are breaching a condition of their licence action will be taken.
- e We consider the sale of alcohol to underage people to be a very serious matter. We expect the responsible authorities to seriously consider applying for a review of the licence following evidence of sale to underage people. We will undertake regular test-purchasing of alcoholic drinks at licensed premises to ensure compliance with age restrictions.
- f The Licensing Authority will put in place a Licensing Panel which is made up of a group of senior level Officers from the Responsible Authorities who will deal with premises that are a cause for concern but not yet at the point of being reviewed. This Authority will therefore make use of the "Yellow Card Red Card Approach" issued by the DCMS in a Ministerial Statement entitled; "Problem Premises on probation – Red and Yellow Cards: How it would work". Guidance issued by the Home Secretary in relation to Red Card - Yellow Card. The Licence holder will initially be called in for an interview and be given a number of remedial steps by way of written agreement to improve the current situation, this will be viewed as the "Yellow Card". If after a specified period of time and monitoring if there has been no sign of improvement the premises will be issued with a "Red card" which will mean the matter will be put forward to a Review hearing.  
This process does not however stop any Interested Party or Responsible Authority from applying for a review at any time.

### 2 Reviews

- a A responsible authority or an interested party may make an application to the Licensing Authority at any time if it is thought that a licensed premises is not meeting the licensing objectives.
- b Applications for review made to the Licensing Authority will be dealt with fairly by a hearing of the Licensing and Regulatory Board and decided only after all of the evidence

has been heard. The board will take particularly seriously situations where a licensed premises is used for the following criminal activities:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of hate crime or the promotion of hate attacks;
- for unlawful gaming and gambling;
- for the sale of counterfeit goods; and
- for the sale of smuggled tobacco and alcohol.

c There are various options open to the Board in deciding the outcome of an application for a review. These are

- (a) to modify the conditions of a premises licence
- (b) to exclude a licensable activity from the scope of the licence
- (c) to remove the designated premises supervisor from the licence
- (d) to suspend the licence for a period not exceeding three months, or
- (e) to revoke the licence

and for this purpose the conditions of a premises licence are modified if any of them is altered or omitted or any new condition is added.

d In the event that a licence has been revoked following a review we would not normally expect to grant a new licence to the same person or body, or to agree to that person serving as the Designated Premises Supervisor of the premises for at least one year following the date of the decision. We expect that any person whose licence has been revoked will have undertaken appropriate documented refresher training prior to making a further application.

## Part E

### 1 Granting licences

- a We will grant licence applications that no-one objects to as long as the person or business applying for the licence can meet all relevant standards set by us.
- b We issue a premise licence for the lifetime of the business at the premises concerned. There is no annual renewal. If a business changes ownership or the type of activity at the premises changes significantly, we will reconsider the licence.
- c In order to run a licensed premises, a person must hold a personal licence and apply to become a 'designated premises supervisor'. Personal licences are issued for 10 years and are valid nationwide to those who have received appropriate training and had a Criminal Records Bureau check.
- d Although a licence may be granted, we can review it at any time, which may lead to the premises' licensed hours being restricted or the licence being withdrawn.

### 2 Temporary Events Notices (TENs)

A Temporary Events Notice allows an individual to hold an event with licensable activities for a period of up to 96 hours. The event holder must not allow any more than 499 people to attend the event. Any application is in the form of a notice to the Council and Police. The Council cannot object to these types of events and the Police can only object on the grounds of crime and disorder. The Police have only two working days in which to do this. Applications are unlawful if they are not submitted to both the Police and the Licensing Authority ten clear working days prior to the start of the event. The ten days do not include the day it is submitted. Representations received from the Police against a Temporary Event Notice will be considered by the Licensing Board having regard to the four licensing objectives and the principles outlined in this statement of Licensing Policy.

The introduction of the Police Reform and Social Responsibility Act 2011 will bring changes to the administration and application of Temporary Event Notices. These changes include: widening the grounds for objecting to a notice, add the Local Authority to the list of objectors; introduce the possibility for the imposition of conditions; allow for the electronic submission of applications, allowing a shorter time period for approval and individual notices will cover a period of 168 hours rather than the current 96. The Council will work with the Police and event holders to ensure that the Temporary Event Notice continues to allow flexibility but also to give protection to residents from potential abuses.

### 3 Provisional Statements

Premises yet to be constructed, that are in the process of construction, or which are subject to extension or substantial structural change with a view to being used for licensable activities may be the subject of an application for a provisional statement particularly where it is not yet possible to make a full licence application. This provides a grant in principle of a licence. The same criteria that are detailed above will be used in

determining whether or not to grant a provisional statement. Any premises subject to the grant of a provisional statement would then need a full licence in order to operate.

#### **4 Licensing Board**

- a Under section 6 of the Licensing Act 2003, our Licensing and Regulatory Board will perform all our functions relating to licensing, as laid out in appendix 2.
- b We will annually appoint 10 members to sit on the licensing board. Only councillors who have received licensing training will take part in decisions on licensing matters.
- c Members of the Licensing Board will not take part in any licensing decisions about premises they have an interest in. A Board Member may not hear an application that is in their own ward, but may observe the meeting as a member of the public unless they have a prejudicial interest.
- d If a Licensing Board starts considering a licensing matter but does not reach a decision, the matter will be considered again, and a decision made, by the same board members.
- e Some licensing decisions will be made by the licensing board, and some by council officers through delegated authority, in line with the table set out in appendix 2.

#### **5 Appeals**

If an applicant, responsible authority or interested party who has made a representation is unhappy with the decisions made by the Licensing and Regulatory board they may appeal the decision to the Magistrate's Court. This must be done within 21 days from the date that the applicant is notified by the Licensing Authority of its decision. There is no provision for appeal beyond the Magistrate's Court.

#### **6 Licence fees**

- a We will charge the licence fees set under the Act and the licence fees we receive will help to fund the cost of providing our licensing service, including the costs of:
  - consulting stakeholders;
  - enforcing licensing laws;
  - inspecting licensed premises;
  - considering licence applications;
  - supporting a licensing board;
  - setting up and managing the service; and
  - handling appeals against licensing decisions.

The Police Reform and Social Responsibility Act introduces two changes to the fee structure. Firstly it will allow fees to be set in accordance with local need within a statutory envelope and secondly it introduces the concept of the Late Night Levy to deal with issues around the night time economy. Barking and Dagenham does not have the issues of

crime and disorder that the levy is aimed at, and therefore although the Council will keep the matter under review there is no intention to adopt the powers at this time.

**Part F**

**1 Start date and reviews**

This policy is effective from xx xx xxxx . It will stay in force for three years and we will review and revise it, as necessary, during that period. We will publish a new licensing policy at the end of the three-year period.



**Appendix A**

**Stakeholders consulted when preparing this policy**

The Responsible Authorities

All Councillors

Barking and Dagenham Alcohol Alliance

Barking and Dagenham Safeguarding Children Board

Barking and Dagenham Safer, Stronger Communities Board

Barking and Dagenham Health and Wellbeing Board

Barking and Dagenham Chamber of Commerce

All Premises Licence holders

All Club Premises Certificate Holders

Association of Licensed Multiple Retailers

British Beer and Pub Association

Barking and Dagenham Drug and Alcohol Action Team

The Probation Service

Barking and Dagenham Disabilities Forum

Barking and Dagenham Black, Asian and Minority Ethnic forum

Barking and Dagenham Lesbian, Gay, Bisexual and Transgender Forum

Barking and Dagenham Faith Forum

Barking and Dagenham Public Health Directorate

London Borough of Newham

London Borough of Redbridge

London Borough of Havering

## Appendix B Table of who makes licensing decisions

Decisions made by:  Matter being decided:	Licensing board	Council officers
An application for a personal licence	If anyone objects	If no-one objects
An application for a personal licence from a person with a conviction that is not spent (A spent conviction is one that does not need to be declared as a specific length of time has passed.)	In all cases	
An application for a premises licence or club premises certificate	If anyone objects	If no-one objects
An application for a provisional statement	If anyone objects	If no-one objects
An application to vary a premises licence or a club premises certificate	If anyone objects	If no-one objects
An application to change a 'designated premises supervisor'	If the police object	In all other cases
An application to stop being a 'designated premises supervisor'		In all cases
An application for a premises licence to be transferred	If the police object	In all other cases
An applications for interim authorities	If the police object	In all other cases
An application to review a premises licence or a club premises certificate	In all cases	
Whether a complaint is irrelevant, unjustified, or made out of spite or to annoy		In all cases
Whether or not to object to an application we are consulted on but not being asked to license	In all cases	
A police objection about a temporary event notice	In all cases	

Licensing Policy Revision 2011

Changes from the original policy

There have been a number of changes to the original policy that was first adopted in 2005. These changes derive from two sources, firstly because of legislative and administrative changes and secondly following comments made during internal consultation with officers, the Police and the portfolio holder and chair of the Licensing and Regulatory Board. The Government has instructed that reviews of licensing policies should proceed even though it has recently consulted on the licensing process and is likely to make changes in the coming months. This summary draws out those changes made following consultation:

Page	Paragraph	Summary
6	Part A 1(b)	Clarity on the objectives of the policy.
6	Part A 4(a)	Revised community priorities
7	Part A 4(c)	Inclusion of early licences as well as late. Introduce issue of alcohol delivery along with take-away food. Issue of general store just selling alcohol.
10	Part B 6 (b)	New paragraph explicitly stating the times we expect off-licences to be selling alcohol
11	Part B 8	New section dealing with the proximity to schools
12	Part B 9	New section stating explicitly maximum percentage of floor space for alcohol sales of 30%. Statement about layout of shop to reduce crime and location of high strength beers etc.
14	Part B 12(c)	Statement about the DPPO and its effect on the licensing policy
14	Part B 13	Statement regarding licensing arrangements during the Olympic and Paralympic games.
15	Part C 1(g)	Explicit statement about expectation on attendance at Pubwatch and Offwatch and membership of the responsible retailers scheme
15	Part C 1(h)	Explicit statement about expectations for CCTV as crime prevention as well as safety.
18	Part D 1(e)	Statement expecting strict action when under-age sales have occurred.
18	Part D 2(b)	Series of statements about the type of activities that will result in the strongest action at review. Taken from statutory guidance.
20	Part E (2)	New paragraph dealing with Temporary Events Notices.
21	Part E 4(c)	Includes a sentence allowing ward members to be present during the hearing of applications in their ward although not taking part.

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## Consultation comment and response

Page	Section	Respondee	Comment	Response
6	4c	Cllr Carpenter Police licensing officer	Positive comment Floor space for alcohol sales: "not sure this will be legal and/or enforceable, it appears to suggest a need test"	This clause has been deleted. See comment on 8b below.
9	6a	Police licensing officer	Suggests that the source of information could be widened.	Modification made
9	6b	Police licensing officer	Hours of sale of alcohol: "Most off-licences start at 0800hrs, as this is the old LA 1964 time. Most pubs in the area can open at 10am, again a quirk in the LA1964 because Barking had a market"	Revision to the policy made following legal advice
10	8a	Police licensing officer	Shop layout: "it may be wise to include a definition of high strength, or we will be arguing with lawyers about what this means"	Suggest 8% for beers, lagers, ciders and parries.
10	8b	Police licensing officer	Floor space for alcohol: "we are not sure this will be legal and/or enforceable, could well be viewed as a restriction on trade"	Modified to become a policy aim rather than a specific statement.
12	1d	Police licensing officer	Conditions applied to licences: "Can we also include the other Licensing Objectives?"	Modification made
12	1f	Police licensing officer	Previous history of a premises: "from experience at Committee, it will be very difficult to do this, as each new owner or DPS can not be tarred with his/her predecessors mistakes"	Clause removed
13	4a	Police licensing officer	Children: "notes for guidance 13:43 states 16yrs"	Modification made
15	1b	Police licensing officer	Visits: "this may tie your hands somewhat, and any premises that is visited will be deemed to have fallen foul of the law"	Modification made
15	1e	Police licensing officer	Under-age sales: "Will this include a single sale by a first time offender?"	Noted and slight modification made

		Police licensing officer	Consider the insertion of "counterfeit" in the list of criminal activities.	Modification made
15	2b	Divisional Director for Community Safety and Public Protection (DDCSPP)	Part a 1b could we say encourage a range of well managed licensed premises within the borough	Modification made
4	1b	DDCSPP	4b and 4c do these tally, we say we look favourably on applications that etc ... then unfavourable on applications that do not .... Can we make virtues of the 'do not's' eg premises that actively work with the police and council to reduce anti-social behaviour ... etc	Change to the clause to incorporate comments made
5	4b&c	DDCSPP	When we refer to take a responsible attitude to children within the premises – can we say more about off licences	Change to be inclusive of all licence types
6	5e	DDCSPP	Can we add licensees who are receptive to conditions that assist them in managing their premises to the standard	Modification made
8	2b	DDCSPP	5e an elected member of the licensing authority – this is confusing we should say in this case a Member of the Council	Modification made
8	3	DDCSPP	Part B 2a Should start Well run licensed premises No reference to them promoting vibrant, cohesive communities and contributing to health and wellbeing 3 Transport ... end the para and to ensure that transport links are considered when an application is made (this is particularly relevant to dispersal from large premises)	Modification made Not part of the regeneration strategy Modification made
8	5a	DDCSPP	5a saturation policies ... this would help us to avoid adopting..... etc . I wonder whether we should be more direct, in the event that applicants do not do this	Modification made

11	11a	DDCSPP	we will consider adopting a saturation .... Details of policies to be referenced	Modification made
11	11b	DDCSPP	No reference to public health legislation	Health is not a licensing objective
13	3a	DDCSPP	I would like to see standard licence conditions being as wide as possible with it clear we can pick from them and attached for discussion. Communities may have views on others.	Standard conditions will change over time. It may be appropriate to publish these separately but not as part of the licensing policy statement
15	2b	DDCSPP	Nothing in 2b about nuisance or disorder	List is indicative of criminal activities that will result in the strongest action. Nuisance and disorder are specifically named as licensing objectives.
15	2b	DDCSPP	Top of page 16 refers to racist – should be ‘hate’	Modification made
		Drug and Alcohol Action Team (DAAT)	No comment	
		Assistant Director Public Health	A number of comments on the principles of the policy. In general the policy is welcomed and the inclusion of specific health related issues is positive. Would seek a variation to the section on proximity to schools but understands that this is not appropriate at this time.	Comments noted. No changes required.

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## CABINET

20 March 2012

<b>Title:</b> Beam Park Prospectus	
<b>Report of the Cabinet Member for Regeneration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> River	<b>Key Decision:</b> Yes
<b>Report Author:</b> Daniel Pope, Group Manager, Development Planning	<b>Contact Details:</b> Tel: 020 227 3929 E-mail: daniel.pope@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director Regeneration and Economic Development	
<b>Accountable Director:</b> Tracie Evans, Corporate Director Finance and Resources	
<p><b>Summary:</b></p> <p>Beam Park, south Dagenham is a largely vacant piece of land which is south of the A1306 and straddles the border with the London Borough of Havering. It is 30 hectares in size, two thirds of which is in the London Borough of Barking and Dagenham.</p> <p>In the light of the poor progress made over the last 10 years in achieving a residential led development and in the current economic climate, it is considered that a fresh approach is justified in order to achieve early regeneration of the site.</p> <p>Following recent interest from the market, it is considered that a major leisure-led project could provide the essential catalyst to secure regeneration and deliver growth in the wider South Dagenham and Rainham area within which the site is situated.</p> <p>Therefore in response a prospectus has been prepared. It describes the opportunity, the reasons why this form of development should be considered, key development objectives, an illustration of the expected planning benefits and a summary of planning and transport requirements including planning policy considerations.</p> <p>This prospectus has been prepared as a joint statement from the London Boroughs of Barking and Dagenham and Havering. It does not seek to change or replace existing planning policy, but does provide an up-to-date statement of the aspirations and attitude of the authorities to achieve a successful regeneration of Beam Park. Accordingly, it is considered that a departure from the development plan may be justified if it offers exceptional benefits.</p> <p>The Beam Park Prospectus is provided at Appendix 1.</p>	

**Recommendation(s)**

The Cabinet is asked to recommend the Assembly to approve the Beam Park Prospectus attached at Appendix 1.

**Reason(s)**

To help deliver the Policy House priority of raising household incomes by delivering the Better Health and Well Being and Better Future themes and the related outcomes of a borough with excellent health and leisure facilities and a borough of rising incomes.

**1. Introduction and Background**

1.1 Beam Park, south Dagenham is a largely vacant piece of land which is south of the A1306 and straddles the border with the London Borough of Havering. It is 30 hectares in size, two thirds of which is in the London Borough of Barking and Dagenham. Beam Park has also been known as South Dagenham East. The site is owned by the Greater London Authority (acquired by the London Development Agency from Ford Motor Company in 2000).

1.2 The London Riverside Urban Strategy was published in November 2002 and described the potential of the site as follows:

“South Dagenham will deliver a mix of commercial, industrial and residential development on around 80 hectares of land between the main rail corridor and the A1306. It will provide a new heart for Dagenham and a transitional zone between the housing areas to the north, and the industrial areas of Dagenham Dock and the Ford Motor Company estate.”

1.3 The London Plan published in February 2004 designated London Riverside as an Opportunity Area and committed the Mayor to drawing up an Opportunity Area Planning Framework which reflected the vision of the Urban Strategy. The London Plan stated that the framework should:

“Plan for compact mixed urban communities at South Dagenham, along the A1306 East and in Rainham”.

1.4 More recently the London Plan published in July 2011 changed the emphasis slightly in stating that:

“At South Dagenham, along the A1306 East, and in Rainham, there is potential to deliver more compact, residential led mixed use communities”.

1.5 Beam Park is included in the Council’s Local Development Framework (LDF). The LDF identifies that the site has potential for housing, health, education use, car parking facilities for the Ford Pressing Plant and light industrial on the western side fronting Ford. It also highlights that the site has the potential for temporary uses and currently there is a planning application for use of the site for Olympic opening and closing ceremony rehearsals.

1.6 In December 2011, the Greater London Authority (GLA) published a draft Opportunity Area Planning Framework (OAPF) for London Riverside. The aspirations in the OAPF are broadly consistent with existing Development Plan policies but allow for a flexible approach to land uses at Beam Park if this is justified in order to secure regeneration and economic growth. Public consultation on the draft OAPF ends on 17 March 2012. When adopted by the GLA, the document will not form part of the Development Plan, but will be a Supplementary Planning Document. It would be an important material consideration in the preparation of future local planning policy and the determination of any planning application.

## **2. Proposal and Issues**

- 2.1 In the light of the progress made over the last 10 years and in the current economic climate, it is considered that a fresh approach, as alluded to in the Opportunity Area Planning Framework, is justified in order to achieve early regeneration of the site. This could see a different form of development on the Beam Park site than that currently envisaged in adopted planning policy in order to reinvigorate the market and increase the momentum for the regeneration of the remaining A1306 sites and the wider area of South Dagenham and Rainham.
- 2.2 Beam Park is seen as a unique proposition because of its scale, location and single ownership. There is an opportunity to capitalise on market and development interest in strategically significant leisure proposals which, in conjunction with transport improvements and further appropriate development, could provide the catalyst to unlock the potential of this area.
- 2.3 It is envisaged that the site could be comprehensively redeveloped with a scheme which incorporates the following key features:
- a large scale visitor attraction of regional and national significance as an anchor use, which would boost the image and perception of the area and provide a major catalyst to the economy;
  - complementary leisure and entertainment facilities, potentially including community leisure provision to meet the needs of local people;
  - retail floorspace for specialist sports and leisure shopping, and to increase the choice and convenience of shopping available locally, provided that it is demonstrated that this would not impact unacceptably upon established town centres;
  - residential and hotel development if compatible with the overall concept and design of the project;
  - development that creates high levels of employment across a range of skills;
  - safeguarding and contributing to a new railway station at Beam Park;
  - improved links from Dagenham Dock station, and bus service improvements to serve the development including services from Dagenham Heathway (LUL) station;
  - road improvements and car parking to accommodate additional traffic coming to Beam Park, without undermining efficient land use;
  - a high quality design which makes a positive contribution to the urban environment, with activity fronting onto the A1306 to support the ambition of a more humanised “high road”, and pedestrian routes through the site which provide good relationships with the proposed Beam Park station;
  - a good standard of environmental sustainability;

- safeguarding of space for other employment or housing uses

- 2.4 The direct benefits of such a proposal would include the redevelopment of a large derelict site in a highly visible strategic location within a global city; significant job creation and contribution to economic growth; access to high quality leisure and retail uses; funding contributions for a Beam Park railway station; and other improvements to the public transport system and roads.
- 2.5 Therefore in response a prospectus has been prepared. It describes the opportunity, the reasons why this form of development should be considered, outlines key development objectives, includes an illustration of the expected planning benefits and a summary of planning and transport requirements and considerations.
- 2.6 This prospectus has been prepared as a joint statement from the London Boroughs of Barking and Dagenham and Havering. It does not seek to change or replace existing planning policy, but does provide an up-to-date statement of the aspirations and attitude of the authorities to achieve a successful regeneration of Beam Park. Accordingly, it is considered that a departure from the development plan may be justified if it offers exceptional benefits.

### **3. Options Appraisal**

- 3.1 The alternative option is for members not to give their approval to the Beam Park prospectus. The Beam Park prospectus provides an up-to-date statement of the aspirations and attitude of the authorities to achieve a successful regeneration of Beam Park. Not adopting the prospectus would effectively signal to the market that the authorities were not willing to entertain a major leisure-led project which could provide the essential catalyst to secure regeneration and deliver growth in the wider South Dagenham and Rainham area within which the site is situated.

### **4. Consultation**

- 4.1 The London Riverside Opportunity Area identifies the possibility of leisure uses on the Beam Park site. Consultation on this closes on the 17 March 2012. In line with the Localism Act and the Council's Statement of Community Involvement there would need to be comprehensive public consultation as part of the Development Management process for any subsequent planning application.

### **5. Financial Implications**

Implications completed by: David Abbott, Principal Accountant

- 5.1 Beam Park is a vacant piece of land that is owned by the GLA. Therefore there are not any immediate or direct financial implications to the Authority, such as costs associated with making the site ready for development, or capital receipts / rents from the sale of land & property to tenants (or any other ownership issues).
- 5.2 The main financial implications to the Authority will be the medium to long term affects associated with increased development within the borough, which are set out below:

- 5.3 **New Homes Bonus (NHB):** The Local Development Framework identifies Beam Park as having the potential to provide around 2,000 new homes. A new homes bonus would be awarded to the Authority equal to £7,500 for each new home built plus an additional £2,100 for each new affordable home. This could generate total income of £15 million spread over the five – ten year period of the development. However despite being allocated for residential use for over ten years, no progress has been made in bringing a housing scheme forward. Moreover new housing means new demands placed on social infrastructure, which is a cost that would be need to be met by the Council.
- 5.4 **Community Infrastructure Levy (CIL):** This is a charge on new developments resulting in additional floor space, in order to fund the additional pressures on local infrastructure such as schools. As Beam Park is a vacant piece of land, all new development would result in additional floor space and therefore be liable for a CIL charge to the Council. Based on current intentions for the site this could potentially deliver a total CIL charge of £5.2m of which the Mayor of London would take £1.2m for his Crossrail CIL and the Council £4m. In comparison a development of 2000 homes would attract a Crossrail CIL of £3.2m and a Council CIL of £1.6m.<sup>1</sup> In addition to CIL charges a full planning application for a development of this scale would also attract a fee of around £200,000.
- 5.5 **Council Tax:** Each new additional home built would generate additional Council Tax, meaning total additional income of up to over £2 million per year could be generated.
- 5.6 **Business Rates:** The Government's recent consultation on business rate retention mean's that such a proposal would secure additional income to the Council from April 2013 when the new scheme is due to come into effect.

## **6. Legal Implications**

Implications completed by: Paul Feild Senior Lawyer Housing and Planning

- 6.1 The Planning and Compulsory Purchase Act 2004 (the "Act") required the Council to replace its Unitary Development Plan (UDP) with a Local Development Framework (LDF). The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004 provide that adoption of LDF documents are not an Executive function, so the resolution to adopt LDF documents under section 23 of the Act must be carried out by the Assembly. By the same reasoning a departure or modification of planning policy would require a decision of the Assembly to endorse such a change
- 6.2 Any proposal that represented a significant departure from current planning policy would need to be fully justified. This could require a robust statement regarding the uniqueness of the proposal; the specifics of the site which meant that, when judged on a sequential basis, no reasonable alternatives were available; and/or the scale of benefits that could be delivered.

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<sup>1</sup> On the basis each new home was on average 80 square metres and that there was no affordable housing. Affordable housing is not liable for CIL. The Mayor of London's CIL applies from 1 April 2012, the Council's CIL is scheduled to apply from 1 April 2013.

- 6.3 The judgement whether a departure is justified must be made on the merits of specific development proposals for the Beam Park site, by the planning authorities (the Mayor of London and the Boroughs). The decision would need to take account of the responses to public consultation on those proposals, representations by interested parties and other material planning considerations. The outline of development objectives and illustration of benefits in this Prospectus will not prevent or inhibit the planning authorities from deciding whether or not to approve any planning application for the Beam Park site on its individual merits.
- 6.4 The report indicates the freehold of the whole site is owned by the GLA. There will be need for the GLA and prospective development partner(s) to carry out title due diligence checks to investigate any encumbrances that may affect the site and/or proposed use.

## 7. Other Implications

- 7.1 **Risk Management** - The main risk is around planning and this is dealt with in the legal implications section.
- 7.2 **Customer Impact** - The Beam Park prospectus provides an up-to-date statement of the aspirations and attitude of the authorities to achieve a successful regeneration of Beam Park. It is estimated that a major leisure led development could generate up to 3000 new jobs. The Prospectus emphasises the importance of maximising the number of highly skilled jobs and on maximising the number of jobs generally for local people and the need to include community leisure provision to meet the needs of local people. It is anticipated that a development of this magnitude would act as a catalyst for the regeneration of the wider area and necessitate improvements to the surrounding public transport infrastructure and highways network. The prospectus makes clear that depending on the nature of the development the following planning obligations would be sought:
- Public Transport Improvements:
    - Contribution to Beam Park Station
    - Improvements to bus services
    - Promotion of public transport
  - Provision of Community Facilities
  - Training and Employment opportunities
    - Construction training programme
    - Employment opportunities for local unemployed
    - Supply chain opportunities for local businesses
- 7.3 **Safeguarding Children** - This would need to be dealt with in any Planning Application that comes forward
- 7.4 **Health Issues** - A major leisure proposal of this magnitude is likely to improve the health of the local community provided it is accessible and affordable to them.
- 7.5 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 places a responsibility on councils to consider the crime and disorder implications of any proposals. Any development proposals will need to comply with Policy BC7: Crime Prevention in the Approved Borough Wide Development Policies Development Plan Document (April 2011).

7.6 **Property / Asset Issues** - No Council assets are involved. However a development of this magnitude is likely to stimulate growth and act as a catalyst for the wider area which may have a positive impact on the value of Council assets in the affected area.

**Background Papers Used in the Preparation of the Report:**

- London Plan, GLA, February 2004
- London Plan, GLA, July 2011
- Consultation Draft London Riverside Opportunity Area Planning Framework, GLA, December 2011
- London Riverside Urban Strategy, London Borough of Barking and Dagenham, London Borough of Havering, London Borough of Newham, November 2002
- Site Specific Allocations, LBBD, December 2010

**List of appendices:**

Appendix 1 - Beam Park Planning Prospectus

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*FINAL DRAFT TEXT*

# **Beam Park Planning Prospectus**

**London Borough of  
Barking & Dagenham**

**London Borough of  
Havering**

# BEAM PARK PLANNING PROSPECTUS

## Aim of the Prospectus

The London Borough of Havering and the London Borough of Barking & Dagenham (“the Boroughs”), are working together in partnership and in close consultation with the Mayor of London to deliver the regeneration of the London Riverside area of East London.

The Boroughs are mindful of the existing planning policy situation, but in order to achieve an early and successful development wish to explore a more flexible approach to the potential redevelopment of the Beam Park site. Following recent interest from the market, it is considered that a major leisure-led project could provide the essential catalyst to secure regeneration and deliver growth in the wider South Dagenham and Rainham area within which the site is situated.

This Prospectus describes the opportunity, the reasons why the Boroughs wish to consider this form of development, key development objectives and an illustration of the planning benefits the Boroughs expect to see delivered, and a summary of planning and transport requirements including planning policy considerations.

This prospectus has been prepared as a joint statement from the two Boroughs. It does not seek to change or replace existing planning policy, but does provide an up-to-date statement of the aspirations and attitude of the authorities to achieve a successful regeneration of Beam Park.

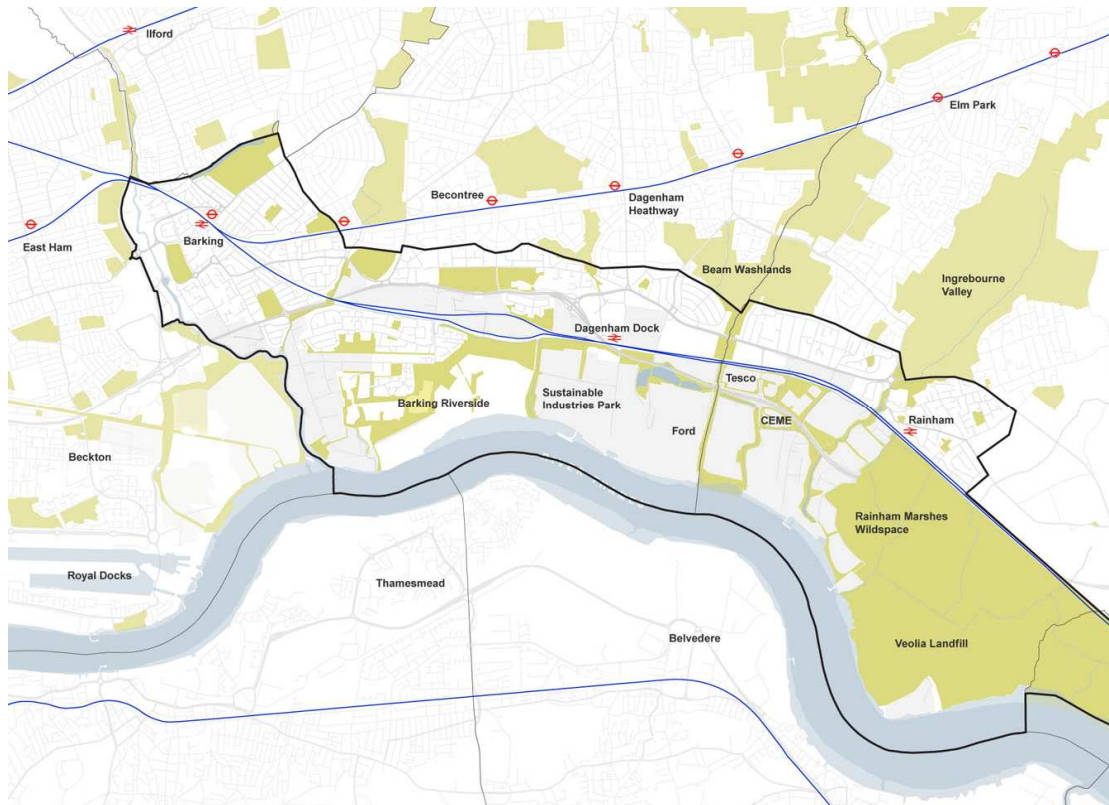
## Context – London Riverside Opportunity Area

*The London Plan (July 2011)* identifies 33 Opportunity Areas which provide London’s major reservoir of land for new housing, commercial and other development, linked to improvements in public transport accessibility.

The Beam Park site is within London Riverside, which at 2,500 hectares is the second largest Opportunity Area in the capital, extending from Barking Town Centre and Barking Riverside in the west through to the Dagenham and Rainham development opportunities in the east. The London Plan identifies that London Riverside has the capacity for 14,000 jobs and 25,000 new homes.

The London Plan’s strategy for London Riverside, which is reflected in the Boroughs’ Local Development Frameworks, is that

- development will be focused on Barking Riverside, Dagenham Dock, South Dagenham, Beam Reach, Beam Park and Rainham West sites, with scope for intensification in other areas;



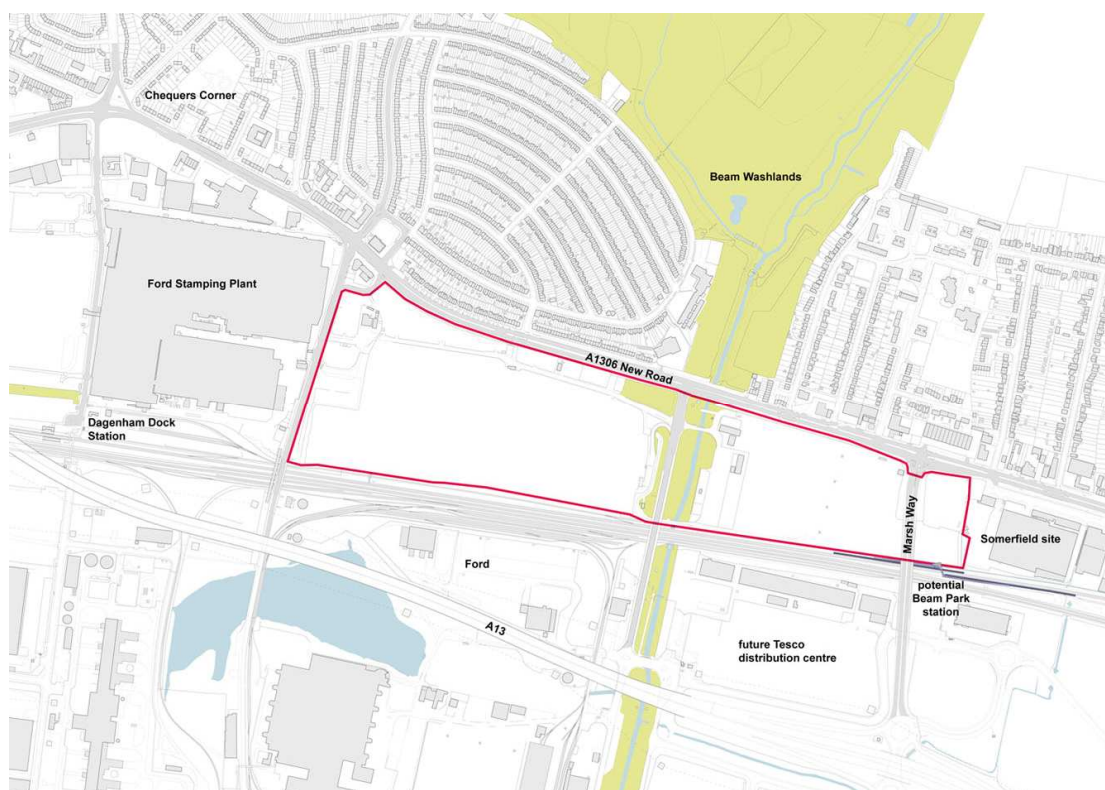
- the development strategy will include managed release of some surplus industrial land for housing and other complementary uses;
- the remaining industrial land opportunity will be consolidated, including promotion of a Green Enterprise District incorporating the London Sustainable Industries Park at Dagenham Dock;
- substantial improvements in public transport will be needed, building on plans for increased overground rail capacity, a Docklands Light Railway extension to Dagenham Dock station, a potential additional station at Beam Park, Renwick Road junction improvements, East London Transit, and extended bus services;
- improved connectivity by walking and cycling across the whole area and in particular through implementing the Green Grid;
- at South Dagenham, along the A1306 East, and in Rainham there is potential to deliver more compact, residential-led mixed urban communities;
- development should provide a good quality environment with a full range of facilities, and should create a new urban quarter with a distinct character of its own and a highly attractive place to live.

In summary, the London Plan and the Boroughs' Local Development Frameworks envisage that regeneration of the sites along the A1306, including the Beam Park site, will be achieved through redevelopment of the existing mainly industrial sites for mixed use schemes which are predominantly residential-led, supported by concurrent improvements in public transport to help ensure that the schemes are viable and sustainable.

In December 2011, the Greater London Authority (GLA) published a draft Opportunity Area Planning Framework (OAPF) for London Riverside. The aspirations in the OAPF are broadly consistent with existing Development Plan policies but allow for a flexible approach to land uses at Beam Park if this is justified in order to secure regeneration and economic growth.

Public consultation on the draft OAPF ended on 10 February 2012. When adopted by the GLA, the document will not form part of the Development Plan, but will be an important material consideration in the preparation of future local planning policy and the determination of any planning application.

## The Beam Park Site



The site comprises 29.3 hectares (72.4 acres) of former industrial land to the north of the A13 and south of the A1306, straddling the boundary between the Boroughs which is marked by the River Beam. The site is cleared of buildings and vacant apart from a small part in temporary use for the open storage of road salt.

Marsh Way crosses the eastern part of the site, leading to a junction with the A13 trunk road only 300 metres away. The M25 (junction 30) is 5 minutes' driving distance. The Tilbury loop of the Essex Thameside railway (London Fenchurch Street to Southend) and High Speed One railway run along the site's southern boundary. The nearest existing rail stations are at Dagenham

Dock and Rainham, but Havering's Local Development Framework proposes a new Beam Park station directly serving the site.

North of the site are the established residential areas of Dagenham and Rainham. To the east and west are mixed commercial areas along the A1306. To the south beyond the railway are strategically important industrial areas which include Ford Motor Company, the London Sustainable Industries Park, the Centre for Engineering & Manufacturing Excellence, and Beam Reach where a regional Tesco distribution centre is at an advanced stage of construction and will open in mid-2012, creating over 1,000 jobs for local people.

The Beam Park site is currently owned by the London Development Agency. In April 2012 ownership will pass to the Greater London Authority.

### **The Need for a Fresh Approach**

Good progress is being made with the regeneration of key parts of London Riverside including, for example, Barking Town Centre, Barking Riverside, Rainham Village Centre, Dagenham Dock, the strategic industrial areas, and Rainham Marshes. Investment by blue-chip companies like Tesco and Standard Life demonstrates how perceptions of the area have changed.

However regeneration activity along the A1306 corridor which includes the Beam Park site has been slower to realise, for a number of reasons.

The concept of large-scale housing-led regeneration of existing industrial sites in this part of South Dagenham and Rainham was first promoted in *An Urban Strategy for London Riverside (2002)* which was adopted as Interim Planning Guidance by the Boroughs and then incorporated into *The London Plan (2004)*, but it has not been taken up by the private sector. Most of the sites are in private ownership and are occupied by existing commercial and industrial uses: remediation works, flood protection, and other infrastructure costs to make sites suitable for housing would be substantial. This can make incremental housing redevelopment of individual sites unattractive, while site assembly for more comprehensive redevelopment can be complex and expensive.

Residential values are not currently at a level which sufficiently incentivises the acquisition and redevelopment of the existing commercial and industrial properties. Because of public expenditure constraints and other priority requirements, the area has not seen the hoped-for public transport improvements which would be needed to support higher density housing. The few residential schemes which have come forward in recent years have generally been promoted by Registered Providers of social housing, but the reduced level of grant now available for social housing makes it unlikely that further schemes of this type will be feasible in current conditions.

## **Objectives for the Beam Park Site**

In the light of the progress made over the last 10 years and in the current economic climate, the Boroughs therefore consider that a fresh approach is justified in order to achieve early regeneration of the site. This could see a different form of development on the Beam Park site than that currently envisaged in adopted planning policy in order to reinvigorate the market and increase the momentum for the regeneration of the remaining A1306 sites and the wider area of South Dagenham and Rainham.

Beam Park is seen as a unique proposition because of its scale, location and single ownership. There is an opportunity to capitalise on market and development interest in strategically significant leisure proposals which, in conjunction with transport improvements and further appropriate development, could provide the catalyst to unlock the potential of this area.

The Boroughs envisage that the whole Beam Park site could be comprehensively redeveloped with a scheme which incorporates the following key features:

- a large scale visitor attraction of regional and national significance as an anchor use, which would boost the image and perception of the area and provide a major catalyst to the economy;
- complementary leisure and entertainment facilities, potentially including community leisure provision to meet the needs of local people;
- retail floorspace, both for specialist sports and leisure shopping and to increase the choice and convenience of shopping available locally, provided that it is demonstrated that this would not impact unacceptably upon established town centres;
- residential and hotel development if compatible with the overall concept and design of the project;
- development that creates high levels of employment across a range of skills;
- safeguarding and contributing to a new railway station at Beam Park;
- improved links from Dagenham Dock station, and bus service improvements to serve the development including services from Dagenham Heathway (LUL) station;
- road improvements and car parking to accommodate additional traffic coming to Beam Park, without undermining efficient land use;
- a high quality design which makes a positive contribution to the urban environment, with development on the A1306 frontage supporting the creation of a vibrant and stimulating public realm, and pedestrian routes through the site which provide good relationships with the proposed Beam Park station;
- a good standard of environmental sustainability;
- safeguarding of space for other employment or housing uses.

The direct benefits of such a proposal would include the redevelopment of a large derelict site in a highly visible strategic location within a global city; significant job creation and contribution to economic growth; access to high quality leisure and retail uses; funding contributions for a Beam Park railway station; and other improvements to the public transport system and roads.

The successful redevelopment of the Beam Park site would provide a renewed impetus for the regeneration of the wider South Dagenham and Rainham area. This, together with the infrastructure improvements, would assist the earlier development of the remaining sites within the strategic industrial areas, and the regeneration of the other A1306 industrial sites. The potential creation of a 'day-out' visitor destination at Beam Park could be linked with the opportunities in Rainham Village and Rainham Marshes as part of the wider development of the visitor economy in the area.

## **Transport**

Good public transport and road access will be essential for a successful development of Beam Park, given the scale of regeneration being promoted.

A new Essex Thameside railway station has been proposed at Beam Park and the approval process is under way. This new station would be ideal to serve regional visitors travelling by public transport. A major leisure-led development of the Beam Park site would be expected to strengthen the business case for a new station and to contribute to its funding. Improvements in off-peak service frequencies are also likely to be required in conjunction with the development.

The site is well located for the A13, which would be the principal route of access for any regional traffic generated by a development. The performance of the A13, in particular through the junctions with Renwick Road and Lodge Avenue, will need to be considered in some detail, and necessary measures implemented to ensure the A13 will function effectively with the additional traffic volumes.

More local impacts will also need to be considered, especially for those elements of a development with a more local catchment. Local traffic is more likely than regional traffic to approach via the A1306 and the need for alterations to the A1306 will need to be considered.

Local bus services will be important for local residents accessing the sites, for leisure, shopping or employment, and some enhancements will be required. Good facilities for cyclists and pedestrians will need to be incorporated.

Local road accesses will need to be agreed, with a view to minimising the impact of generated traffic on the local community. In particular, access to/from the A13 should ideally occur without traffic utilising the local road network, so a principal access to/from Marsh Way would be preferred with only secondary local access taken from the A1306.

## **Relationship to Planning Policies**

Both Boroughs have adopted their LDF documents fairly recently and, although reviews are scheduled to take place, they are unlikely to be fully completed in the short term. Public sector partners are committed to delivering an early and successful redevelopment of this important site in the London Riverside Opportunity Area. It is a key objective to achieve the regeneration of London Riverside and to bring forward the redevelopment of other sites and transport improvements in accordance with the London Plan and the Boroughs' Local Development Frameworks. Accordingly, the Boroughs consider that a departure from the development plan may be justified if it offers exceptional benefits.

Any proposal that represented a significant departure from current planning policy would need to be fully justified. This could require a robust statement regarding the uniqueness of the proposal; the specifics of the site which meant that, when judged on a sequential basis, no reasonable alternative sites were available; and/or the scale of benefits that could be delivered.

The Boroughs recognise that the judgement whether a departure is justified must be made on the merits of specific development proposals for the Beam Park site, by the planning authorities (the Mayor of London and the Boroughs). The decision would need to take account of the responses to public consultation on those proposals, representations by interested parties and other material planning considerations. The outline of development objectives and illustration of benefits in this Prospectus will not prevent or inhibit the planning authorities from deciding whether or not to approve any planning application for the Beam Park site on its individual merits.

## **Planning Process**

Developers who wish to submit proposals for the comprehensive redevelopment of the Beam Park site, including justification for any significant departure from the development plan, are invited to contact the Boroughs at the earliest opportunity to discuss their proposals.

Developers who progress beyond the initial discussion stage will be requested to provide, where relevant, the following to aid detailed discussions:

- Detailed schedule of proposed uses
- Statement providing justification for any significant departure from the Development Plan
- Summary Business Case and 'Local Economic Benefit' Statement
- Design principles including indications of scale of proposed buildings, their layout, the local movement network and public spaces
- Draft transport impact assessment
- Draft retail impact assessment



- Draft scope of environmental impact assessment
- Proposals to address site constraints including flood risk management, gas pipeline hazard mitigation, and biodiversity
- Community involvement strategy (residents, businesses and local politicians)
- Consultation strategy (statutory and non-statutory consultees)

Working with key stakeholders and interested parties, the Boroughs may decide to seek the preparation of a development brief for the site. This could set parameters within which any future planning application proposals would be determined.

The process for dealing with any planning application including pre-application requirements, scope of submission and detailed timescales would be agreed through a Planning Performance Agreement.

### **Planning Obligations**

The following planning obligations are likely to be sought in connection with the development, depending on the nature of the proposed uses:

- Public Transport Improvements:
  - Contribution to Beam Park Station
  - Improvements to bus services
  - Promotion of public transport
- Provision of Community Facilities
- Training and Employment opportunities
  - Construction training programme
  - Employment opportunities for local unemployed
- Environmental Improvements
- Highway and Access Improvements, including provision for pedestrians and cyclists
- Biodiversity Enhancements
- Flood Defence Improvements
- Proportion of affordable housing in any residential development
- Education contribution from any new residential development
- Provision of Public Art

In addition a CIL (Community Infrastructure Levy) contribution will be payable to the Mayor of London to support the financing of Crossrail. Should either of the Boroughs also introduce a CIL before a planning application for Beam Park is determined, that levy will be charged in place of some of the non-site-specific obligations outlined above.

The Boroughs will consider the viability of any scheme proposals and the ability to provide a full range of CIL payments and obligations. This will be judged against the wider benefits that any exceptional proposal might deliver.

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## CABINET

20 MARCH 2012

<b>Title:</b> Single Equality Scheme 2012 - 2016	
<b>Report of the Cabinet Member for Crime, Justice and Communities</b>	
<b>Open report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Paul Hodson, Group Manager, Community Cohesion	<b>Contact Details:</b> Tel: 020 8227 2782 E-mail: <a href="mailto:paul.hodson@lbbd.gov.uk">paul.hodson@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Karen Ahmed, Divisional Director Adult Commissioning	
<b>Accountable Director:</b> Anne Bristow, Corporate Director of Adult and Community Services	
<p><b>Summary:</b></p> <p>This paper summarises the approach taken to develop the Single Equality Scheme 2010-13, and outlines the need to revise the scheme and the consultation undertaken in 2011. The Council is required to adopt Equality Objectives from March 2012; following this decision, and once the savings proposals have been agreed, the Council will develop a new Action Plan to meet the Objectives with the available resources.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Formally adopt the revised Single Equality Scheme Objectives as the Council's method of meeting the specific duty in regards to Equality Objectives; and</li> <li>(ii) Authorise the Corporate Director, in consultation with the Cabinet Member for Crime, Justice and Communities, to agree a four year action plan to commence from April 2012 following the approval of the Equality Objectives.</li> </ul>	
<p><b>Reason(s)</b></p> <p>It is necessary for the Council to formally adopt the revised Single Equality Scheme to meet the requirements of the Public Sector Equality Duty 2011 in regards to Equality Objectives.</p>	

## 1. Introduction and Background

- 1.1 At its meeting on 28 September 2010, Cabinet authorised the Council's first Single Equality Scheme (SES). The SES brought together the three existing equality schemes (Race, Gender and Disability) and extended them to cover a range of other equality issues which reflected 'protected characteristics' identified in the new Equality Act 2010.
- 1.2 The Scheme was developed through a process of internal consultation and with relevant equalities groups in the borough.
- 1.3 The Single Equality Scheme was designed to enable the Council to continue to meet its legal duties relating to equality and diversity, and to continue to deliver further real improvements in equality for people living and working in the borough and in so doing help the authority to maintain level 5 of the Equality Standard for Local Government (and its equivalent under the new revised Equalities Framework).
- 1.4 However following the publication of the additional Public Sector Equality Duty 2011, the Council's Equality, Diversity and Inclusion Board requested officers to prepare a refreshed Single Equality Scheme for 2012 -2016 to enable LBB to meet the requirements of the Duty. This was based on the requirement within the Duty for public sector bodies including local authorities to:

*"Prepare and publish equality objectives by 6 April 2012, and at least every four years after that. They must be specific and measurable, and they should set out how progress towards the objectives will be measured. Listed bodies must publish details of their engagement in developing the equality objectives, also every four years. They will need to have considered equality information they have published, and undertaken engagement, before preparing and publishing these objectives. Objectives must be published in a reasonably accessible format, either as an individual document or as part of another report."*

### Process

- 1.5 The Council launched a consultation on current Scheme on 1st June 2011. Officers met with the borough's five Equality Fora early in the process to ensure that any new developments captured any areas of community concerns and were addressed in the action plan. Meetings were held with Council officers to clarify what equality data was available.
- 1.6 As a result the main text of the scheme remained the same and the action plan was changed to reflect the work that is planned within the key strategic area of the scheme.
- 1.7 A meeting with the chairs of the Equality Fora took place on 16th June 2011 seeking the views and asking key questions relating to the scheme
- 1.8 Along with the refreshed document, the following questions were also placed on the Consultation Portal from 30th August - 7th November 2011:
  - Have we captured the main areas of concern – do you think that we have missed any area of importance?
  - Are the actions that we are taking appropriate - do you think there is anything else we could do?

- How would you like to be kept informed about this scheme?
- Are there any further comments that you would like to make?

#### Results

1.9 At the close of the consultation period only one response to the refresh of the Single Equality Scheme was received. No responses were logged on the Consultation Portal. No changes were recommended to the Equality Objectives.

#### Stephen Lawrence Enquiry

1.10 Cabinet will be aware of the recent conviction of two men of the 1993 murder of Stephen Lawrence. The Macpherson Report, published in 1999, followed an inquiry into the Metropolitan police's investigation of the murder. The Council set up its own Lawrence Inquiry Officers Working Party, which provided a set of recommendations for the Council which were prepared in consultation with EMPA, the Race Equality Council and the Council's Black Workers Group. The Council adopted the Working Party recommendations on 26 March 2002.

1.11 There have been a number of developments in the Council's approach to equalities since 2002. These have resulted in the proposal for a revised Single Equalities Scheme. Whilst the Council is now required to address each of the equality categories, the areas of work related to ethnicity identified by the Macpherson Report, and agreed by the Council, each remains a part of the Council's work to promote equalities. A brief summary of the Council's ongoing work in response to Macpherson is provided below.

1.12 The Report described the Council's progress in some detail. Whilst many of the areas of work now involve different partners, or have become part of work that also supports other equality categories, all of the areas identified are currently being progressed by LBBB in some way.

1.13 Rather than producing a list of recommendations, the Report recommended a practical framework to support Barking and Dagenham's Race Equality Scheme and provide a three-year action. The action plan was completed, and Race Equality Scheme has now been subsumed into the Single Equalities Scheme.

There were three areas for actions:

#### 1. Human Resource Management and Development

1.13 The Council agreed to ensure that the right people are working within the organisation and that they are properly equipped to meet the needs of all the local communities. This was to be done firstly through addressing the lack of cultural diversity in the workforce, particularly in management posts, and secondly through targeted training and development to equip staff and contractors to engage with the community and forge meaningful partnerships that result in improved services for all.

1.14 Currently, the Council reviews the staff profile quarterly. Whilst management posts are more representative of men and women, the number of senior posts held by staff from ethnic minorities is not yet representative of the demographic profile of the borough.

- 1.15 The Council does now have a comprehensive programme of equality training for staff, which includes training for all staff during induction, equalities training for managers, and various departmental training.
2. Community Involvement
- 1.16 The Council undertook to take a new creative approach to consulting the community, focusing on meeting people where they are and on their terms.
- 1.17 The Council subsequently led on, signed and promoted the Barking and Dagenham Anti-Discrimination Charter. Council services now routinely engage with residents in a range of ways, including through the five equalities fora, to gain an understanding of the particular needs of different communities of residents. In particular, the Council now commissions the Refugee and Migrant Forum of East London to facilitate the borough's Black, Asian and Ethnic Minority and Refugee Forum (BAMER), who work with 190 BAMER organisations in the borough to engage in consultations, policy development, and advocate to local statutory organisations.
3. Service Delivery
- 1.18 People who face discrimination in their daily lives deserve public services which champion their fight to play a full part in society through ensuring all meet the needs of all the local communities.
- 1.19 The Council now carries out Equality Impact Assessments of services through a rolling programme, and also carries out EIAs on new strategies and policies to enable members to take account of the impact of decisions on all communities in the borough. A recent example was the Cumulative Impact Assessment which members considered on the overall effect of the savings proposals for the 2012/13 budget.
- 1.20 The Council has recently commissioned the Barking and Dagenham Council for Voluntary Services to provide the borough's capacity building support for third sector organisations; the CVS are currently supporting a wide range of BME led organisations.

## **2. Proposals**

- 2.1 Despite there being only minor changes requested to the original scheme, which was published in 2010, it is necessary for the Council to formally adopt the revised Single Equality Scheme as the Council's method of meeting the specific duty in regards to Equality Objectives.
- 2.2 The Single Equality Scheme has four main objectives. Two of these relate to how the Council delivers its services (externally facing) and two relate to the Council as an organisation (internally facing).

### **i) Externally Facing**

**Objective 1:** To ensure that best practice in equality is rooted in all aspects of the Council's functions and is supported by a strong evidence base

**Objective 2:** To ensure that the work of the Council is informed by effective and inclusive consultation, engagement and communication with users

## **ii) Internally Facing**

**Objective 3:** To ensure that the promotion of equality and human rights and elimination of discrimination and harassment are embedded in all LBBB practices through leadership and organisational commitment

**Objective 4:** To ensure the development of an effective and diverse workforce that is representative of the communities served by the Council.

### Action Plan

2.3 Whilst the Objectives are unchanged, the actions and context given in the SES will need to be updated by officers regularly. In particular, the current Action Plan ends in March 2012. Once Cabinet has made a decision regarding the Objectives, a new action plan will be prepared and agreed by EDI, to enable the Council to progress work to achieve the Objectives with the resources currently available to the Council. It is anticipated that the Council will continue with the approach of supporting all services to meet their Equality duties through core budgets, and as a part of normal business. The current Action Plan is provided for reference as an Appendix.

## **3. Consultation**

3.1 A consultation was carried out which informed Cabinet's decision to adopt the SES in September 2010, and a further consultation has been carried out in 2011, using the Equalities Fora, the Council's consultation portal, and through meetings with officers and representatives of equality groups. The consultation did not identify any suggested changes to the Equality Objectives.

## **4. Financial Implications**

Implications completed by: Ruth Hodson, Finance Group Manager

4.1 There is no financial impact due to the adoption of the Single Equality Scheme. If there are any additional incidental costs these will have to be managed within the council's budgets.

## **5. Legal Implications**

Implications completed by: Chris Pickering, Senior Employment Solicitor

5.1 This report appropriately sets out the positive obligations on the Council pursuant to the Equalities Act 2010 and subsequent Regulations in terms of the adoption of a Single Equality Scheme. Not only are these obligations required by law, but they are useful in showing the Council's commitment to equalities in individual employment cases which allege a failure to support equalities.

5.2 The process for implementation including consultation is appropriate and exceeds minimum requirements. Ongoing monitoring of outcomes against stated objectives will be required as identified in this report but it appears that no extra resources will be required for this beyond the previous scheme.

5.3 Following updating Regulations to the 2010 Act, we are required to update our SES and this report sets out an appropriate way of doing so.

## **6. Other Implications**

6.1 **Risk Management** - The Corporate Risk Number 30 provides an action plan to mitigate the risk of “Failure to meet the Council’s legal duties results in expensive litigation, intervention by the Equalities and Human Rights Commission and harm to the Council’s reputation, through failure to understand and meet the needs of customers from the equality groups.”

The actions agreed to mitigate this risk include the Council revising the current SES by March 2012, and the Action Plan being reviewed by the EDI Board annually.

6.2 **Contractual Issues** - None, apart from those addressed within the body of the report.

### **6.3 Customer Impact**

The SES summarises the Council’s approach to meeting its Equality duties.

## **Background Papers Used in the Preparation of the Report:**

Single Equality Scheme 2010 – 13

‘Beyond Lawrence’, responding to the recommendations of the Stephen Lawrence Inquiry and requirements of the Race Relations (Amendment) Act 2000; March 2002

## **List of appendices:**

Appendix 1 - Single Equality Scheme Action Plan Performance Report



Single Equality Scheme Action Plan Performance Report

Objective 1: To ensure that best practice in equality is rooted in all aspects of the Council's functions and is supported by a strong evidence base						
Overarching Actions	Milestones Set	Intended Outcomes	Date due	Rag Rating	Performance Update	
Ensure that information and facilities are accessible to all, taking into account the needs of different communities	Following impact assessment, Access Strategy in place reporting against action plan monitored at appropriate levels. Appropriate access to all services can be evidenced	All services using the correct vehicles to allow equal access and are able to demonstrate how different access needs are catered for	01/10/2010 Jan2011 April 2010	<b>Amber</b>	The Council's Access Strategy is in place. Elevate is now responsible for delivering the Strategy. Discussions are under way with the client group about ongoing monitoring.	
Partnership Boards identify actions to address equalities and cohesion	Actions & targets identified 6 monthly reporting to CSP	Evidence of partners developing strategies to tackle access and equality issues with demonstrable outcomes	01/12/20 June 2011 and ongoing	<b>Green</b>	Each LSP Board received reports and provided action plans in autumn 2010 and summer 2011. CSP provided feedback, with the support of the Chairs of the Equalities Fora, with feedback from a review conducted of activity relating to community cohesion, equalities and third sector development. LSP Boards are currently receiving a presentation on the Mayor's Refugee and Integration Strategy as well as an update on equalities and cohesion. Boards have been required to provide a response in time for consideration by CSP at its May meeting.	

<p>Develop and implement Child Poverty Strategy to be known as 'Raising household incomes: the best possible start for every child in Barking and Dagenham</p>	<p>Strategy impact assessed Strategy developed and adopted Monitoring against agreed NIs and local indicators in place and results reported to the Children's Trust Board Targets within strategy are met</p>	<p>Child poverty strategy in place</p>	<p>March 2011 October 201 2011- ongoing</p>	<p><b>Amber</b></p>	<p>The government strategy has now been published with a new toolkit giving more indicators. A number of individual strategies including older people's strategy will address poverty. All of these strategies including the child poverty strategy will be developed into a Corporate Raising Household Incomes strategy, bringing together all of the elements that will support the elimination of poverty.</p>
<p>Continue to support and work with Equality Fora and develop method of 'Joined-up working to identify common issues</p>	<p>Establish a 6 monthly programme of fora chairs to advise CSP on relevant issues</p>	<p>Active Fora where relevant issues are discussed. Evidence that the services are using these fora as consultative / engagement mechanisms evidence. Consultation /involvement demonstrate influence on potential outcomes of services. Common issues brought to the attention of the Council</p>	<p>2010 April 2012 January 2011</p>	<p><b>Green</b></p>	<p>The Older People's Forum, Disability Forum, Faith Forum, LGBT Forum and Black, Asian and Minority Ethnic and Refugee Forum (BAMER Forum) have all been commissioned for three years from 1 July 2012. The Chairs met on 13 January 2012 and provided feedback on equality and cohesion issues. Each of the Fora are discussing one or more consultation at their regular meetings.</p>

<p>Continue to improve the feeling of safety and well being for all groups</p>	<p>Develop a communication and engagement strategy for the Community Safety Partnership taking into account the needs of different communities</p> <p>Delivery of the actions and outcomes of the year on year CSP plan</p>	<p>Increase in community feeling safe within the borough (National Indicators</p>	<p>01/10/2011 targets to be achieved and ongoing</p>	<p><b>Green</b></p>	<p>A full team of community Safety Coordinators now in place and working effectively with police SNTs to provide local reassurance and problem solving. Public confidence in police and council has risen from LBBB being the lowest in London to the London average. Work involves communication and engagement with residents via ward panels, meetings, newsletters etc</p>
<p>Streamline hate incident reporting with bullying/harassment incident handling in schools</p>	<p>Develop appropriate reporting mechanisms</p>	<p>Incidents being reported in schools and information being used effectively to improve relationships within school communities and the wider community</p>	<p>Dec-10</p>	<p><b>Green</b></p>	<p>Forms have been developed and are now available and in use. Plans are being developed to launch through head teachers meeting. Some progress to streamline reporting and move away from paper to email and internet based reporting, but it is a slow process</p>
<p>Identify an establish a third party reporting site for disability hate incidents</p>	<p>Third party Disability group identified Reporting process agreed</p>	<p>Wider range of opportunities for disabled people to report hate incidents Increased number of disability hate incidents reported</p>	<p>01/12/2010 Feb 11</p>	<p><b>Green</b></p>	<p>The Racial Equality Project is to be reviewed as part of the Grants Review in 2012 to identify how it can also support the reporting of hate crime by disabled people.</p>

<b>Objective 2: To ensure that the work of the Council is informed by effective and inclusive consultation</b>					
<b>Overarching Actions</b>	<b>Milestones Set</b>	<b>Intended Outcomes</b>	<b>Date due</b>	<b>Rag Rating</b>	<b>Performance Update</b>
Adopt community engagement and empowerment strategy	Strategy adopted Strategy monitored through appropriate PIs.	Diverse/ representative cross-section of the community participating in engagement activities A coordinated approach to engagement with partners Increased opportunities to get involved for all communities More confident and empowered community Improved services as a result of the continued engagement. Improved services as a result of continued engagement. achievement of target NI4	22-Nov-11	<b>Amber</b>	Cabinet approved the Council's Engagement Strategy on 22 November 2011. The Engagement Officers' Group is responsible for delivery of the Strategy.

<p>Develop approach to engaging the wider community in assessing equalities impacts</p>	<p>Develop approach to engaging the wider community in assessing equalities impacts</p>	<p>Evidence that there has been appropriate involvement in the review and development of service to improve access to the individual services Community have greater opportunity to be involved in the Equality Impact Assessment process</p>	<p>Apr-11</p>	<p><b>Green</b></p>	<p>Developing web information to allow equality fora to identify the EIAs they wish to comment / be involved in.</p>
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<b>Objective 3: To ensure that promotion of Equality and Human Rights and the elimination of discrimination and harassment are embedded in all LBBD practices through leadership and commitment</b>					
<b>Overarching Actions</b>	<b>Milestones Set</b>	<b>Intended Outcomes</b>	<b>Date due</b>	<b>Rag Rating</b>	<b>Performance Update</b>
<p>Robust monitoring of this action plan to ensure delivery</p>	<p>Quarterly monitoring by EDI Group Achievement report published annually</p>	<p>Performance and development is monitored at an appropriate level</p>	<p>April 2011 and ongoing; October 2011 and ongoing</p>	<p><b>Green</b></p>	<p>The Council's Equality, Diversity and Inclusion Group has received 6 monthly performance reports on this Action Plan.</p>

<p>Within marketing and communications, continue to use 'positive images' of all equality strands</p>		<p>All communities are proportionately represented in LBBD literature, posters and leaflets etc and on the council's website and intranet pages.</p>	<p>Ongoing</p>	<p><b>Green</b></p>	<p>Remains a commitment within the work streams of the communication team</p>
<p>Ensure impact assessments are mainstreamed into performance management systems</p>	<p>Impact assessment process reviewed and updated to take into account the new protected characteristics Continued programme of impact assessment Review/revise monitoring framework</p>	<p>Programme of impact assessments and action planning carried out that will inform business plans/ services plans Services able to demonstrate how process has improved outcomes for different communities</p>	<p>October 2010 and ongoing Ongoing</p>	<p><b>Green</b></p>	<p>Each DMT will receive their first quarterly EIA performance report in January. The Council carried out a full Equality Impact Assessment of the cumulative impact of the savings proposals for 2012, which included actions being agreed which are being included in service plans where relevant.</p>

<p>Monitor Procurement and commissioning of services to ensure that equality is built into relevant contracts</p>	<p>Identify mechanisms and appropriate targets to evidence compliance with the Equality Act within Council procurement procedures and functions</p>	<p>Evidence that Equalities is mainstreamed into appropriate contracts at all levels. Programme of monitoring contracts including sharing good practice</p>	<p>Mar-11</p>	<p><b>Amber</b></p>	<p>An initial meeting has taken place. Further discussions will be held with Elevate to ensure the Council's legal obligations are met.</p>
<p>Customer profiling and equality mapping used by services to understand and be aware of who is using them, levels of satisfaction and gaps in coverage</p>	<p>Use of CRM to capture equalities data Output from CRM customer insight reports to services Evidence that services are acting on customer insight</p>	<p>The needs of individual services users are recorded and used to allow equal access. Information used to understand and develop services</p>	<p>December 2010 Ongoing from August 2010 ongoing April 2011</p>	<p><b>Amber</b></p>	<p>Good use is being made of data collected by services. The project to use the CRM to collect equality data has yet to be commenced. The best resolution will be clear by June 2012.</p>

<b>Objective 4: To ensure the development of an effective and diverse workforce that is representative of the community it serves</b>					
<b>Overarching Actions</b>	<b>Milestones Set</b>	<b>Intended Outcomes</b>	<b>Date due</b>	<b>Rag Rating</b>	<b>Performance Update</b>
<p>Cyclical review of training program to ensure that staff are appropriately trained on equalities matters</p>	<p>Review of programme conducted annually</p> <p>Amendments made to programme</p> <p>Review of attendance at programme and actions taken</p> <p>Annual corporate briefing /update on equality issues</p>	<p>All staff trained to an appropriate level for their work to enable them to understand their individual responsibilities</p> <p>Training is relevant and helps delivery of the Corporate priorities. Manager and staff kept updated on changes to legislation and best practice in case law. The council is fully compliant with its statutory duties under the equality act. all training accessible to part time and disabled employees</p>	<p>Annual review and ongoing</p>	<p><b>Green</b></p>	<p>Learning Pool has been introduced and is being rolled out, using modules in equalities and “How to Carry Out and Equality Impact Assessment” as some of the first services.</p> <p>Guidance has been issued on the Agency Workers Regulations 2010 and the removal of the default retirement age.</p> <p>Various briefings on equality related issues have been provided via "Lets Talk", and E-bulletin etc.</p>



<p>Ensure the workforce at all levels, better represents the community it serves</p>	<p>Percentage of women, BME and disabled staff in management posts reflects the overall percentage of the workforce Establish recruitment and retention initiatives to attract and retain staff, including: 1. Work experience 2. Apprentices 3. Graduate schemes 4 flexible working 5. career development-work related training mentoring secondment succession planning</p>	<p>Achieve more representative workforce at all levels within the organisation Employment targets in OD and Workforce Development Plans / Strategies met Recruit and retain more people from the local community, especially into difficulty to recruit to posts Career pathways to develop staff to become managers</p>	<p>ongoing</p>	<p><b>Amber</b></p>	<p>Cabinet agreed the People Strategy including delivery plan on 10 May 2011. Quarterly Workforce Profile Reports are now being provided for the EDI Board and Dodges.</p> <p>Agency Workers Regulations have been used to review the Council's use of agency workers and alternatives including advertising posts on short-term contracts. Progress has been made on reviewing key employment policies and procedures.</p>
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<p>Pursue accreditation and benchmarks where appropriate</p>	<p>IIP and DWP Disability 'Two Tick' employers' accreditation. Continue to reapply for Stonewall Workplace Equality Index annually. Self assess against EFLG</p>	<p>Council has communication strategy embedded within the organisation and engages managers and staff on issues that affect them Council is fully compliant with its statutory duties, under the equality legislation Maintain/improve individual "score" in Workplace Equality Index</p>	<p>Reviewed every three years – next review due in 2014. annual review by DWP on the councils progress against 5 "two tick" commitments (July / August )</p>	<p style="text-align: center;"><b>Green</b></p>	<p>IIP accreditation was retained in 2011. DWP "Two-Tick" accreditation was retained in 2011.</p>
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<p>Support staff networks and use as a consultative mechanism</p>	<p>Annual review of support to staff networks to ensure: Promoted effectively, increased awareness, engaged on delivering agreed aims, training needs identified/provided. Access demand /need for others. Contact staff attitude survey to assess engagement</p>	<p>75% of staff can identify groups. Healthy Staff networks with relevant reporting mechanisms. Staff networks consulted on the development of equality plans / employment policies, including impact assessments Staff networks contribute to accreditation processes and positively promote the Council as a good employer</p>	<p>May/June (yearly) ongoing</p>	<p style="text-align: center;"><b>Green</b></p>	<p>HR continues to support Staff Networks and a monthly consultation forum meeting has been established with the Chairs and Community Cohesion Team. HR have continued to consult with and engage Staff Networks on:</p> <ul style="list-style-type: none"> <li>i) changes to employment policies and procedure</li> <li>ii) the introduction of new equalities related legislation</li> <li>iii) workforce monitoring and trends</li> <li>iv) accreditation, including "Two-Tick" and IIP Reviews</li> <li>v) promoting the Staff Networks</li> <li>vi) Temperature Check survey findings</li> <li>vii) Outcome of the annual Disabled Staff Survey</li> <li>viii) Equalities Day, HR Equalities Quiz</li> <li>ix) Equalities training</li> </ul>
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<p>Review of Human Resources policies and practices to ensure we will meet all requirements highlighted in the new Equality Act e.g. Maternity</p>	<p>Identify key employment policies and practices that covered by Equality Act and audit to ensure compliant with legislation; update as necessary, notify managers and staff of any changes Agree programme to review and update employment policies ongoing, including equality impact assessments. identify training and support to be provided prior to introducing new procedures</p>	<p>Employment policies and practices are up to date and reflect changing legislation, “case law” and “best practice” The Council is fully compliant with its statutory duties, under the various equality legislation</p>	<p>2010 /2011</p>	<p><b>Green</b></p>	<p>HR are engaged on an agreed programme of reviewing key employment policies and procedures as prioritised by key stakeholders including senior management, trade unions and staff representatives. Key policies and procedures have been audited (and amended as appropriate) to ensure compliance with the Equality Act and other related legislation that came into force in 2011 including: i) the removal of the default retirement age (DRA) and ii) the Agency Workers Regulations 2010</p> <p>In addition, the Council has already agreed and is in the process of introducing of new employment policies and arrangements, including:</p> <ul style="list-style-type: none"> <li>- Home-working (introduced)</li> <li>- Grievance Resolution (including bullying &amp; harassment)</li> <li>- Disciplinary procedure and rules</li> <li>- Employee secondment arrangements</li> <li>- Special leave and time off arrangements</li> </ul>
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## CABINET

20 MARCH 2012

<b>Title:</b> Transitions Strategy for Disabled Young People with Support Needs 2012 - 2015	
<b>Report of the Cabinet Member for Children and Adult Services</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> no
<b>Report Author:</b> Fran Pitcher, Strategic Commissioning Manager – Learning Disability and Transitions	<b>Contact Details:</b> Tel: 020 8227 2825 E-mail: fran.pitcher@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Karen Ahmed, Divisional Director of Adult Commissioning	
<b>Accountable Director:</b> Anne Bristow, Corporate Director of Adult and Community Services	
<p><b>Summary:</b></p> <p>The strategy attached at <b>Appendix 1</b> is primarily focused on young people who have long-term substantial care and support needs due to a disability or impairment and are therefore likely to require and be eligible for continued funded support when they become adults.</p> <p>For many disabled young people and their families, the transitions process from Children’s to Adults services can be stressful. Good up to date information about future options, co-ordinated timely planning and local services that offer individuals the chance to lead fulfilling lives as local citizens are the key areas that need to be targeted for improvement.</p> <p>The purpose of this local strategy is to set out what will be done in Barking and Dagenham to address these gaps over the next three years. The underpinning vision for the strategy is that all disabled young people and their families will experience a well planned, well informed and seamless transition to adulthood and that they will be supported to develop meaningful lives as young adults.</p> <p>The Strategy has been presented to Children’s Select Committee and HASSC who supported the overall Strategy and commented that the new skills centre should provide additional opportunities for disabled young people. A letter from HASSC supporting the Strategy is attached (<b>Appendix 2</b>)</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to agree the draft version of the Transitions Strategy and Action Plan attached at Appendix 1 and make recommendations about the priorities and actions it has identified.</p>	

**Reason(s)**

Planning how disabled young people and their families are supported to prepare for the many changes they will face when they turn 18 and become adults is an important issue for local residents, the Council and its partners. The Strategy provides a framework for the Council and its statutory partners for improving the transitions process and, more importantly, the outcomes for young people.

**1. Introduction and Background**

- 1.1 The Transitions Strategy has been developed with a number of key partners and is based on national models of good practice and local feedback from consultation. The aim of this strategy is to ensure a seamless, well informed transition to adulthood for disabled young people and their families and the provision of local opportunities for disabled young adults to lead fulfilling lives as local citizens.
- 1.2 Government policy in respect of services and support for disabled children and adults over the past ten years has consistently highlighted the specific need for better forward planning for disabled young people going through the transition process.
- 1.3 The actual number of disabled young people who have transferred into funded adult social care services over the past three years has averaged out at approximately 30 per year and the forecasts for the coming three years initially remain at around the same level for up to 2014/15, from which point a reduction to the lower level of approximately 23 is predicted, reflecting the overall reduction in the number of young people turning 18 from around that time.
- 1.4 The numbers of young people turning 18 will increase substantially from around 2020, with a rapid acceleration in this trend beyond 2024, due to the effects of the significantly higher increase in the 0-4 age group locally, compared to the average for London Boroughs as a whole.
- 1.5 A new “Transitions Protocol” was agreed and implemented in September 2009, detailing the roles and responsibilities of all the different professionals from Education, Children’s Services, Adult Social Care and the Connexions Service involved with disabled teenagers and young disabled adults in the transitions process. This now requires review.
- 1.6 This resulted in a greater degree of coordination between the different professionals initially led by a dedicated Transitions Team but since April 2011, led by nominated managers within Adults Services in partnership with Children’s Services, who meet together every month to forward plan the transition process for identified individuals.
- 1.7 The Council has worked in partnership with the Foundation for People with Learning Disabilities on the “Getting a Life” project, part funded through the Government’s Innovations Fund for Transitions and through Children’s Services. This has focused in detail on the transition experience of 6 Trinity School students and their families, to identify gaps and possible improvements. The lessons learnt and recommendations from this work have recently been reported to the Children’s Learning Disability and Disability Board and have lead to further changes and development of the Strategy

## 2. Proposal and Issues

2.1 Whilst the Council has made good progress in implementing the Transitions Protocol and in embedding Person Centred Planning within the review and planning process the lessons learned from the recent 'Getting a Life' project and recent consultation with parents and young people has evidenced that this process is not working well for all families.

2.2 The key areas for improvement identified within the Strategy in terms of the outcomes for young people and their families are.

- ▶ **Better comprehensive and co-ordinated planning from Year 9 of secondary education.** To consistently apply Person Centred Planning as the tool for young people and their family to plan for their future during and after transition. To ensure that all families and professionals are clear on their roles and responsibilities in the transition process by appointing one overall lead coordinator for each family to be responsible for ensuring a smooth transition process.
- ▶ **Greater choice and control** over the support received by raising the awareness and support to access personal budgets. Increase the availability of advocacy for young people to understand the transition process and plan for their future in person centred ways.
- ▶ **Wider range of local opportunities available for disabled young adults including education and employment.** To ensure that families have access to up to date information on a wider range of flexible local options, including local education for disabled young people with complex needs and autism and support post 18 to live locally in community settings.

2.3 The following are the key actions in the Strategy for 2012/13 to address these gaps.

- ▶ Review accessible information available to families of young disabled children.
- ▶ Transition planning driven by requirements of the special educational needs review process, leading to a single multi disciplinary 'Transitions plan', based on Person Centred Planning process..
- ▶ An identified lead professional responsible for each young person and their families transition planning agreed at Year 9
- ▶ Prioritise the support available for the young person and their family in the person centred planning process and the offer of an Individual Budget as part of their transition plan.
- ▶ Review the existing Transitions Protocol to ensure that it is being effectively implemented and that the roles and responsibilities of all those involved in the transitions process are clear.
- ▶ Develop capacity of third sector to deliver creative and flexible services for young people, to support access to leisure, work and other community activities.
- ▶ Develop the capacity of local education and support facilities to cater for young people with complex needs to avoid the need for out of borough residential placements.

### **3. Options Appraisal**

- 3.1 The development of an overarching Strategy and Implementation Plan is considered to be the best vehicle for delivering these improvements. No other options have been considered.

### **4. Consultation**

- 4.1 The Strategy has been developed through the Transitions Steering group composed of senior officers across Children's and Adults Services as well as colleagues from Health, Education, voluntary sector partners and carer representatives.
- 4.2 The Strategy has received feedback from the Learning Difficulties and Disability Children's Board, and carer's representatives of parents groups and networks.
- 4.3 The Strategy has also been consulted on with young people through Youth Clubs and Consortium of young disabled adults, through advocates and voluntary sector partners.
- 4.4 The 'Getting a Life' project has recently reported. The lessons learnt from working intensively with a small group of families through transition at Trinity School have been incorporated into the recommendations of the Strategy.
- 4.5 The outcomes of consultation events organised on the draft Transitions Strategy with young people and parents who are going through the transitions process has been incorporated within the Strategy.

### **5. Financial Implications**

Implications completed by: Ruth Hodson Group Manager of ACS Finance

- 5.1 There is already significant financial pressure within Adult Social Care. This is being managed within the budgets of Adult Community Services at the present time.
- 5.2 Increased pressure is being experienced in the transition from Children's area due to the increasing number of children with care packages/ arrangements turning 18. Also in common with other boroughs and nationally learning disability budgets are also experiencing demand for more services.
- 5.3 Any change in services will have to be managed within the Adult Community Services budget as no additional funding is forthcoming to cover this growth in transition cases.

### **6. Legal Implications**

Implications completed by: Shahnaz Patel, Senior Solicitor, Safeguarding

- 6.1 The statutory provisions relating to children who are in need of social care support [including children who are 'looked after'] which includes accommodation and/ or services are contained in the Children Act 1989, and the Chronically Sick and Disabled Persons Act 1970. However upon reaching 18, the duty on local



authorities to provide accommodation and services for those who have reached 18 and who require social care support cease under the Children Act 1989. From 18 and onwards social care support is met through various provisions, which includes the National Assistance Act 1948, and section 2 of the 1970 Act. The Transitions Strategy will further reinforce the need for a smoother seamless 'transition' into adulthood.

## **7. Other Implications**

### **7.1. Customer Impact**

An EIA (Equality Impact Assessment) has been completed on the Transitions Strategy which has been based on data from the JSNA, and SWIFT as well as consultations undertaken with service users and providers.

#### The EIA found that:

The current social services information system for young people in transitions, as well as adults, is not set up with sufficient information categories about a person's needs and disability, to capture overall needs analysis and demographic data for a range of disabilities for example identifying the local population of people with Autism. This is a problem that every boroughs faces.

The young people who are placed in out of borough services often have complex needs and are in very high cost residential services, which indicate that there are not sufficient services or education support systems available locally.

#### The actions to be taken:

The purpose of the Strategy is to improve the experience for all young people and their families when they move across from Children's to Adults Services.

The actions in the Strategy are aimed at providing better systems for advice, information and planning which will help ensure that different equality groups within the overall set of people with support needs known to the Council have equal access to all services, with no sub-group facing barriers in accessing any support opportunities.

The actions in the Strategy for developing local services are aimed at ensuring that local services are developed to avoid the need for people with complex needs to be placed out of the Borough.

### **7.2 Safeguarding Children**

Both nationally and locally, consultation with young people and their families who are facing the transition from Children's to Adults Services shows that, despite progress made over the last few years to improve the transition process, local authorities and their statutory partners still need to work together to improve the transitions process.

For many disabled young people and their families, the key elements that need to be in place to ensure a good outcome from the transitions process are having; reliable information about future options, good forward planning and support to lead fulfilling lives as local citizens.

The purpose of this local strategy is to set out what will be done in Barking and Dagenham to ensure that these elements are in place over the next three years.

### 7.3 **Health Issues**

One of the key outcomes of the Strategy is to ensure that disabled young peoples' specialist and general health needs are fully addressed in the transition planning.

A key action in the Strategy is to have a single, multi-disciplinary "Transitions Plan" covering all aspects of the individual's future life and support needs, including their health as well as social care support needs

A new system of Health Action Planning and Annual Health Checks for disabled young people (aligned with the system already established for adults with a learning disability) will be developed and implemented. This will tie into the implementation of personal health budgets

### 7.4 **Crime and Disorder Issues**

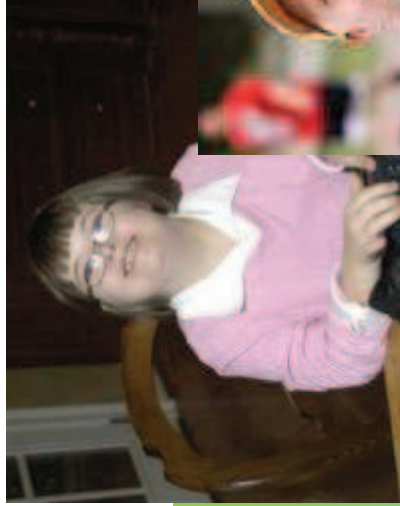
Disabled, vulnerable young people can be targeted within the community and find themselves the victims of Hate Crime. It is one of the Council's key objectives to keep people safe. This Strategy will help and support the existing work programmes that are involving the local voluntary sector, service users, their advocates, and community policing to implement proactive measures to prevent people from being the victims of crime.

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

#### **List of appendices:**

- **Appendix 1** - Draft Transitions Strategy for Disabled Young People with Support Needs 2012 - 2015
- **Appendix 2** - Letter to Cllr Reason from HASSC in support of Strategy

# The London Borough of Barking and Dagenham



## Transitions Strategy for Disabled Young People with Long Term Support and Care Needs

January 2012 – March 2015

*“A supported journey from childhood, through adolescence, to adulthood.....”*

**DRAFT** v16



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# Executive Summary

# 1

For all young people and their families, the transition from adolescence to adulthood can be a challenging time, as well as an exciting one. For young disabled people and their families, this period can be particularly difficult because of the additional uncertainty they often face concerning the level of support they will receive to live their lives once they turn 18 and the limits that have traditionally been placed on their living options.

This strategy is primarily focused on young people who have long-term substantial care and support needs due to a disability or impairment and are therefore likely to require and be eligible for continued funded support when they become adults. However, the strategy does also refer to the wider group of young people who have less severe levels of disability and how they can be better guided to prepare for adult life.

Both nationally and locally, consultation with young people and their families who are facing this transition or have recently gone through it shows that, despite progress made over the last few years to improve the transition process, local authorities and their statutory partners still need to work together to improve the transitions process.

For many disabled young people and their families, the key elements that need to be in



place to ensure a good outcome from the transitions process are having; reliable information about future options, good forward planning and support to lead fulfilling lives as local citizens.

The purpose of this local strategy is to set out what will be done in Barking and Dagenham to ensure that these elements are in place over the next three years. The underpinning vision for the strategy is that all disabled young people and their families will experience a well planned, well informed and seamless transition to adulthood and that they will be

supported to develop meaningful lives as young adults, with a primary emphasis on support to them to fulfil their aspirations (e.g. paid employment and a community based social life) rather than on the provision of specialist services. It is the expectation that young people will be supported to be ready to live as an independently as possible as they move through into adulthood.

The strategy includes an action plan for the first year of implementation, setting out how the objectives will be achieved.

# Introduction

# 2

## What is a “transitions strategy”?

“Transition” in this document refers to how disabled young people and their families are supported to prepare for the many changes they will face when they turn 18 and become adults, including the outcomes achieved from this planning.

This strategy sets out:

- i) the vision the Council and its statutory partners have for improving the transitions process and, more importantly, the outcomes for young people from this process and
- ii) how this vision is going to be achieved.

## Who does this strategy cover?

The Strategy primarily covers young people who have substantial care and support needs as a result of a long term disability or impairment. What they have in common is that they will already be receiving (or be eligible for) specialist assistance from the local authority Children’s Services as a result of their disability.

However, the strategy does also refer to how young people with less severe levels of disability or impairment can be better assisted to prepare for adult life.

## The Overall Vision for Transition

Based on national models of good practice and local feedback from consultation, the aim of this strategy is to ensure a seamless, well informed transition to adulthood for disabled young people and their families and the provision of local opportunities for disabled young adults to lead fulfilling lives as local citizens.

Section 6 below and the attached Action Plan set out how this vision will be achieved over the next three years.

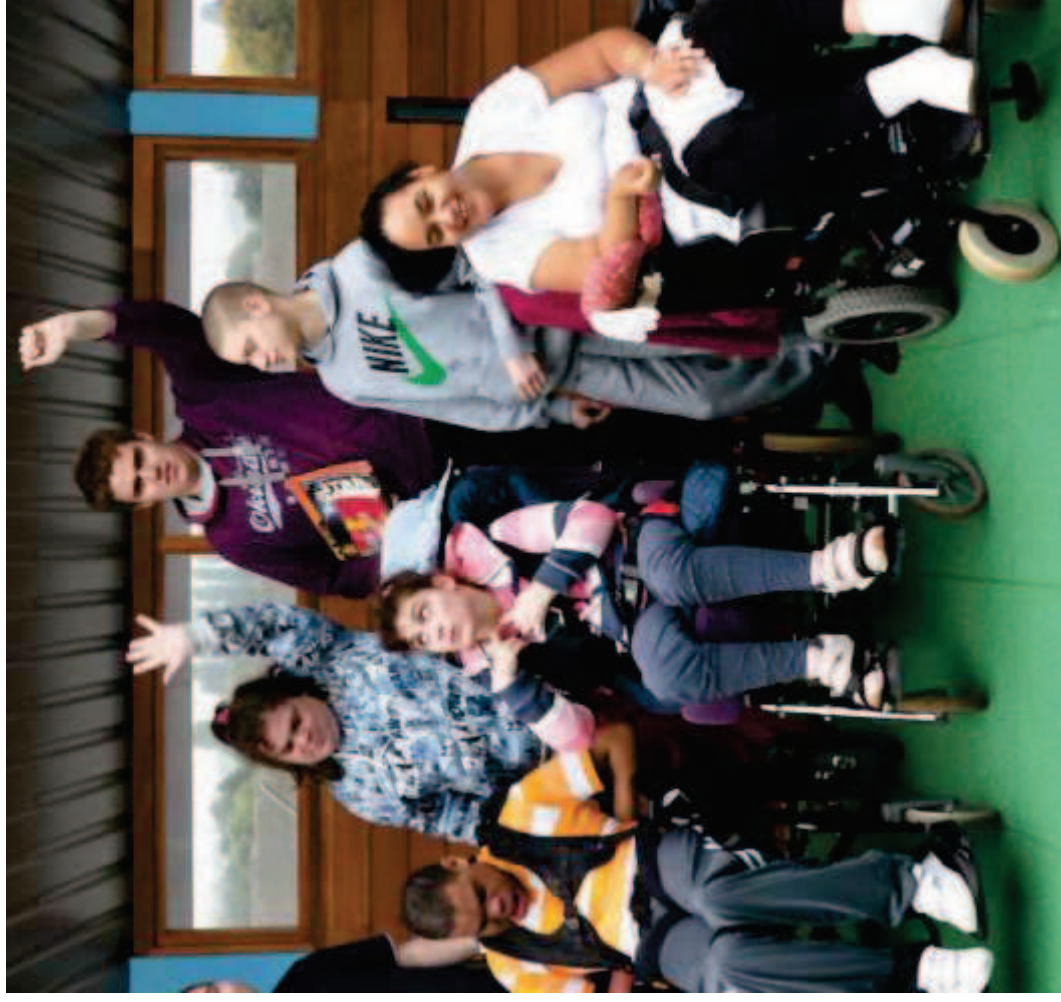


# Outcomes

# 3

The strategy sets out a series of key outcomes as follows:

- Disabled children and their families are encouraged and supported from an early age to expect an adult life, in which they can contribute, exercise choice and control and achieve, regardless of their level of disability.
- Disabled young people and their families are given greater control over the type of support they receive (during both adolescence and adulthood) to achieve the outcomes they want to achieve.
- Disabled young people and their families are helped to plan their lives as young adults from Year 9 of their secondary education
- The range of local opportunities for disabled young adults is expanded, ensuring that:
  - they are available to all young people coming through transition, including people with more complex needs and
  - they maximise disabled young adults' capacity to exercise full citizenship rights, including securing paid employment or other opportunities to contribute to society.
- The number of disabled young children placed in out of borough residential schools is reduced and the range of further educational opportunities for young adults with complex needs (including severe autism) is increased.
- Disabled young people are supported to be ready to live as independently as possible as they move into adulthood. .

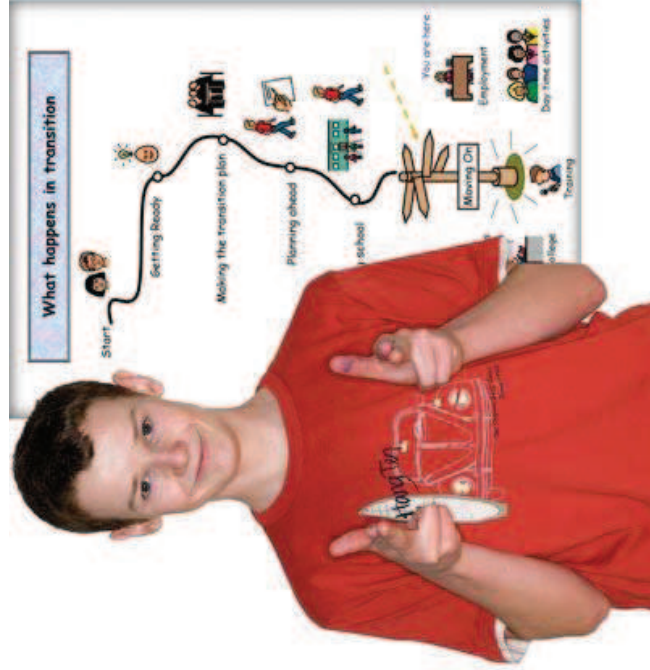


# Local progress made in improving transition planning 4

## Transitions Protocol

A new "Transitions Protocol" was agreed and implemented in September 2009, detailing the roles and responsibilities of all the different professionals from Education, Children's Services, Adult Social Care and the Connexions Service involved with disabled teenagers and young disabled adults in the transitions process.

This resulted in a greater degree of coordination between the different professionals - initially led by a dedicated Transitions Team, but since April 2011 led by nominated managers within Adults Services in partnership with Children's Services, who meet together every month to forward plan the transition process for identified individuals.



The Transitions Protocol now needs reviewing to ensure that it is still working effectively.

There has also been some progress in introducing the concept of person centred planning into the transitions process, contributing to the development of self directed care and individual budgets within adult social care that has taken place over the past three years – approaches that are now also being piloted within Children's Services.



## Transitions Pathway

A new "Transitions Pathway" easy-read document has been developed and is being used with all students of the Trinity School and their families to help capture important information about what they want to achieve in the future.

An annual Transitions event was established in April 2010 for young disabled people and their parents, as a way of better informing them about future options. This is backed up by the new "Moving On" booklet, which provides further information about these options.



### Getting a life project

The Council has worked in partnership with the Foundation for People with Learning Disabilities on the "Getting a Life" project, funded through the Government's Innovations Fund for Transitions and Children's Services. This has focused in detail on the transition experience of 6 Trinity School students and their families, utilising the national experience and expertise of two Foundation staff to identify gaps and possible improvements. The outcomes from this work have informed this strategy.

The project looked at how young people and their families were being informed about their roles in the transition process. The various processes and paperwork that professionals used during the transition period of the young person and how the work of professionals from the young person and the families' perspective provided information about how they would be supported during and after transition. The project identified that there was some overlap in the transition documents and this was confusing to families as well as some of the professionals who are responsible for a smooth transition process. The outcomes from this work have informed this strategy.



### Community Connecting

Linked to this project, the Council is now commissioning a pilot "Community Connecting" service for young people with a learning disability, specifically designed to help young people and their families develop life and support plans based on mutual benefits, not just benefits to the disabled young person. If successful (and subject to the funding required being available) it is intended to role this model out to other disabled young people.



### Young Peoples Development Forum

The Young Peoples' Development Forum met in May 2010 to comment on the transitions process and what they want from it, leading to the report "New Innovations for Working with Disabled Children and Young People". This work is helping to inform what we include in this Strategy.

# National and Local Policy Context 5

Government policy in respect of services and support for disabled children and adults over the past ten years and more has consistently highlighted the need for these services to be transformed and, as part of this, have highlighted the specific need for better forward planning for disabled young people going through the transition process.

It is worth noting that the Government has very recently consulted on a Special Educational Needs Green Paper: Support and Aspiration (2011) and the final proposals are awaited. There could be statutory changes which could necessitate further amendments or updates to this Strategy at a later date.

For example:

- The 2001 “Valuing People” strategy (subsequently up-dated in 2009 as “Valuing People Now”) in respect of people with a learning disability set out a whole new, exciting vision for the future and included clear expectations around improved transition planning and opportunities for young people.
- The 2005 Government strategy “Improving Life Chances of Disabled People” focused on the four key areas of i) helping people achieve independent living ii) improving support for families with young disabled children; iii) facilitating a smooth transition into adulthood and iv) improving support and incentives for getting and staying in employment.
- The 2007 “Putting People First” Joint Agreement set out a vision for adult social care that emphasised the need to transform adult social care arrangements from ones dominated by institutionalised, segregated care services and lack of choice to ones characterised by individualised support, choice and control.
- Much more recently, the 2011 Ofsted Report “Progression post-16 for learners with learning difficulties and/or disabilities” has highlighted the many gaps in provision that lead to a disproportionate number of young disabled people not in education, employment or training after completing their full time education.

This is just a small sample of the many reports, Government White Papers and other sources of official government best practice guidance that all stress the need for coordinated action at both national and local level to improve transition planning.

There are a number of key local as well as national plans that have both influenced and have a direct inter relationship with the development and implementation of this Transitions Strategy.

The key local plans which need to be considered alongside this Strategy are the:

- 2009 Autism Act Multi – Agency Implementation Plan
- Housing Strategy
- Health and Well Being Strategy
- Joint Strategic Needs Assessment
- Children’s and Young People’s Plan
- Valuing People Now – Commissioning Strategy 2011-12
- Updated Learning Disability Commissioning Action Plan 2012
- Personalisation and Market Development Strategy

All of these local plans stress the need for young people with support needs, including autism, to have continuity of support from Children’s to Adult Services and the development of good local housing, support and education services

They stress the importance of professionals working together on a “Transitions Plan” which will cover all aspects of the young person’s future life and support needs, with an overall nominated professional to act as the lead in the transitions process.

They also include actions for better information on young people’s needs when they move into Adults Services including young people with complex needs and Autistic Spectrum Disorders (ASD)

# Local Drivers for Change & Improvement

## 6

Locally, although a lot of work has been done in Barking and Dagenham over the last few years to improve the transition experience of disabled young people and their families (as exemplified in Section 2 above) it is clear from talking to young people and their parents themselves that there are still a significant number of people for whom the process is not working effectively.

- Whilst the Council has made good progress in implementing the Transitions Protocol and in embedding Person Centred Planning within the review and planning process the lessons learned from the recent 'Getting a Life' project and consultation with parents and young people has evidenced that this process is not working well for all families.

The following views emerged about the transitions process from some of those involved, indicating that the improvements noted above are not yet fully embedded:

- **Difficult to plan properly** – parents and young people have experienced that decisions and information about post-18 support arrangements can be left late, making it difficult for them to plan ahead.
- **Not easy to understand** – due to a lack of up to date and sometimes conflicting information about the options available post-18, and a clear overall transitions lead who would coordinate the process.
- **Not enough choices** – the options that are put forward can sometimes be seen to be limited and not take account of all of the individuals hopes and aspirations for the future (for example, how they might be supported and encouraged to secure some form of employment or live away from the parental home).

- **Making plans happen** – professionals and services engaging with young people and their families need to be clear about their roles and responsibilities to ensure a smooth transition process. Who is taking the overall lead needs to be clear so young people and families can be helped to navigate the systems within the transition process.
- **Effective person centred planning** – is needed with young people and their family to plan for their future during and after transition. This would make sure that the views of young people and their parents do not get lost.

- **A worrying time** – particularly for some young people with more complex needs and their families who wrongly receive the impression during transition planning that their support options will be reduced post-18.

- **Support and Advocacy** – young people would benefit from more support and advocacy provision to understand the transition process and plan for their future in person centred ways.

# Equality & Diversity

# 7

The purpose of this Strategy is to improve the experience for all young people and their families, who have support needs when they move across from Children's to Adults Services.

The actions in this Strategy are aimed at providing better systems for advice, information and planning which will help ensure that all residents of the Borough have equal access to services, with no sub-group facing barriers in accessing any support opportunities.

The improvement action plan includes targets for developing education, housing and support services locally to avoid the need for young people to be placed in services out of the borough away from their family and community.

An Equality Impact Assessment has been completed that outlines how the needs of the Borough's diverse communities have been taken into account in the action plan for improvement.

# Models of good practice

# 8

The past 10 years have seen a great deal of guidance issued to Councils and other public bodies by central government around transitions, including new legal responsibilities placed on them to ensure effective transition.

In brief it stresses the following principles:

- Planning for how young disabled people and their families/carers will be supported when they become adults should start as early as possible preferably at the 14+ review.
- The process should build gradually from this point, as the young person matures and becomes more able to express their views.
- This planning must be fully informed by good information, about how to support the young person and their family now, the range of options available that can help them prepare during the transition years and future options available that allow individuals to make informed choices.
- It must take full account all aspects of a young person's future life rather than being narrowly focused around their disability or "special needs".
- It must be "person-centred" – i.e. the planning must be based wholly around the young person, rather than merely being "informed" by peoples' wishes. It needs to be facilitated by experienced people who may include the family member, friend or others but not limited to job roles. There needs to be responsibilities assigned to actions and outcomes and accountability for ensuring that things happen for the young person and their family based on agreed goals for now and the future.
- The process should equally involve the young person's family and those who know and care for the young person as a vital source of knowledge and current / potential future support for the young person.



# Demographic trends and demand 9

The London Borough of Barking and Dagenham has one of the fastest growing populations of young children in the whole of London, as demonstrated by the following figures drawn from the Greater London Authority population estimates, 2011, which are the most current up to date population projections available.

- A significantly higher increase in the 0-4 age group locally between 2006 and 2011 (30.7%) than the average for Greater London Boroughs as a whole (15.4), with a further higher than average increase forecast between 2011 and 2016 (9.1%) locally compared to 7.6% for greater London
- A local decrease in the 10-14 age group, 2006-11 (-1.6% compared to a London increase of 3.1%), but then an increase over the next five years 2011-2016 for this group of 13.5% compared to 6.9% for Greater London (indicating a predicted migration of families into the borough, as the increase in this cohort between 2006 and 2009 was only 5.2%)
- A higher than average increase in the 15-19 age group for 2006-11 (9.3% compared to 1.0% for London), but then a reduction in the increase of this age group up to 2016 of 2.4% which is then more consistent with the Greater London increase of 2.9%.

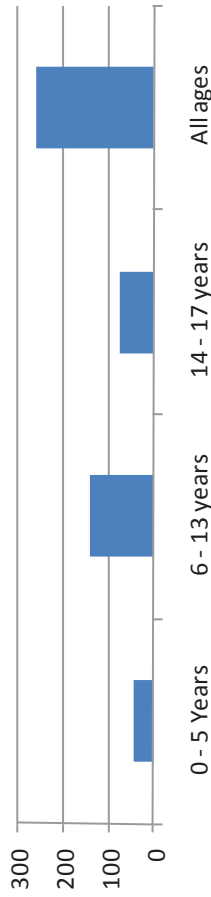
As can be seen from these figures, the number of young people turning 18 will increase substantially from around 2020, with rapid acceleration in this trend beyond 2024.

However, in the shorter term, these figures also show that although the numbers of young people turning 18 will continue to modestly increase over the next 2 years, there is then likely to be a reduction between 2014/15 and 2020.

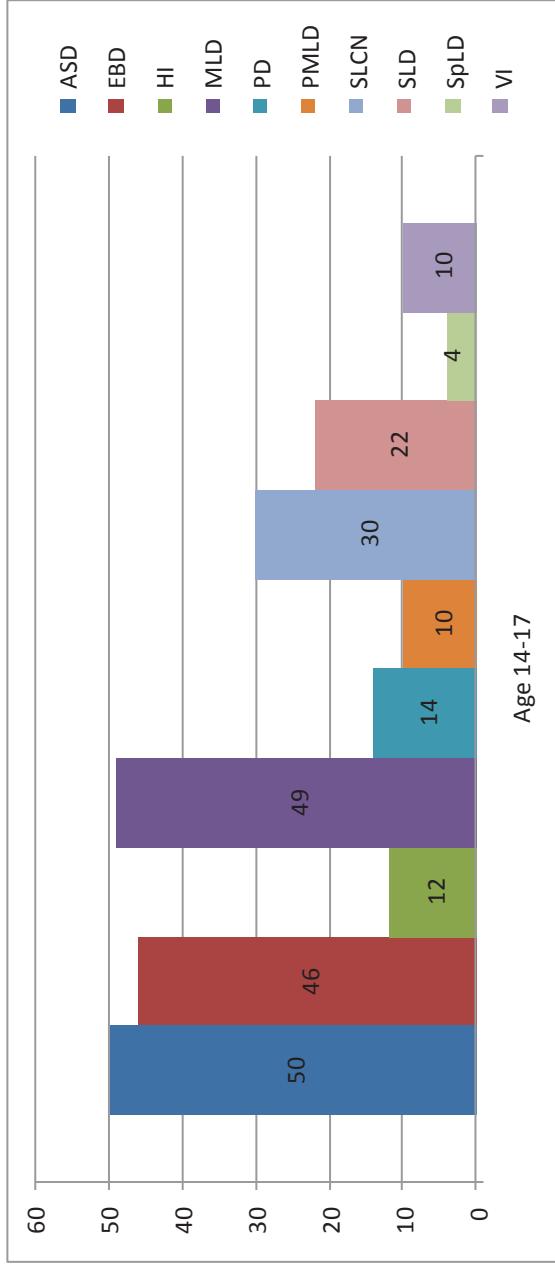
It is more difficult to accurately predict the numbers of young people who are likely to have a significant level of disability and thus fall within the remit of this strategy. As the above population figures for 10-14 years olds show there is an increasing migration of young people into the Borough. Department of Health evidence shows that within the population of young people who have support needs, these needs are becoming increasingly more complex as they move across into adulthood, requiring higher levels of support.

A more accurate picture of the number of young people likely to fall within the full remit of this strategy can be gained from looking at the numbers of young people who are currently known to the Children with Disabilities Team. This shows the following picture:

**Children with Disability Team Caseload:  
Breakdown by Age (Oct 2011)**



It is also useful to look at a breakdown of the numbers and needs of the children and young people currently assessed as having special educational needs from age 14 -17. What becomes apparent in looking at the breakdown is the increasing numbers of young people who have Autistic Spectrum Disorders and those who require emotional and behavioural support. Whilst a number of these young people are not likely to be eligible for funded social care as adults this wider group of young people may need other forms of support, such as advice and guidance from the Council as young adults.



**Key to Table:**

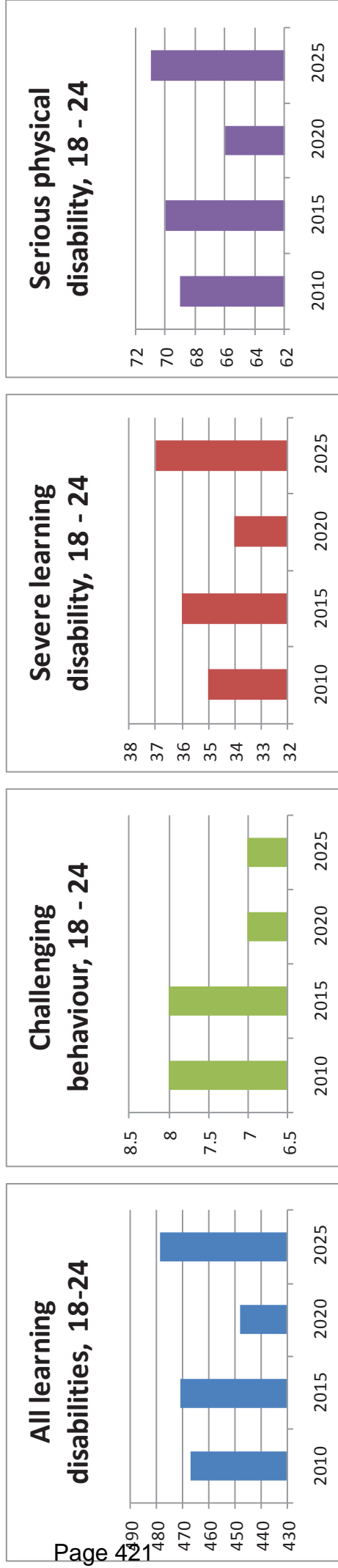
- ASD – Autistic Spectrum Disorder
- EBD – Emotional, Behavioural Difficulties
- HI – Hearing Impairment
- MLD – Moderate Learning Difficulties
- PD – Physical Difficulties (including medical needs)
- PMLD – Profound, Multiple Learning Difficulties
- SLCN – Speech, Language, Communication Needs
- SLD – Severe Learning Difficulties
- SpLD – Specific Learning Difficulties (i.e. Dyslexia)
- VI – Visual Impairment



The actual number of disabled young people who have transferred into funded adult social care services over the past three years has averaged out at approximately 30 per year and the forecasts for the coming three years initially remain at around the same level for up to 2014/15, from which point a reduction to the lower level of approximately 23 is predicted, reflecting the overall reduction in the number of young people turning 18 from around that time.

Current statutory guidance requires all young people with a statement of special educational needs to have a transition plan in place from Year 9. Best practice is for transition planning to begin well before then. The number of people who have been eligible for funded adult social care services will not be an accurate reflection of the number of people who will require a Transitions Plan which is likely to be significantly more.

The graphs below give the Department of Health local figures about the estimated number and needs of young people with disabilities who will be coming across into adult services.



Source: "Projecting Adult Social Needs and Service Information System (PANSI), 2010

# How the Council will achieve this Vision 10

The Vision outlined above will be realised through achieving the following key outcomes. A more detailed Action Plan is set out in the final section of the strategy, covering the first year of implementation. This will be up-dated on an annual basis.

## Outcome 1: Raised aspirations

Disabled children and their families are encouraged and supported from an early age to expect an adult life, in which they can contribute, exercise choice and control and achieve, regardless of their level of disability.

Most parents expect and strive for the best quality of life for their son or daughter and want them to be able to achieve to their full potential. It is vital that families are supported by professionals and society at large in pro – actively encouraging and supporting disabled children to see themselves as future active citizens rather than as passive recipients of care.



## Outcome 2: Comprehensive and Coordinated Planning

Disabled young people and their families are helped to plan their lives as young adults from Year 9 of their secondary education.

Many disabled young people and their families still feel that they have not been able to properly plan for life after leaving school, often due to a lack of reliable, timely information.

Feedback from local consultation and national research both make it clear that this is one of the biggest frustrations for disabled young people and, especially, for their families. This is not only because of the unnecessary stress and uncertainty the lack of planning causes, but also because it greatly reduces the likelihood of disabled young adults “breaking out” from a world dominated by segregation, isolation and low expectations.

This planning will cover all aspects of the young person’s life, including how their social care and health support needs will be met, their future living arrangements and how they will be supported to access paid employment and other opportunities for a fulfilling life as adults.

The Person Centred Plan will look at the person’s whole life rather than just pieces of what each professional knows should be a requirement for every young person. Good person centred planning and facilitation will lead to a better informed assessment and support plan for the young person.



### Outcome 3: Greater Choice and Control

Disabled young people and their families are given greater control over the type of support they receive (during both adolescence and adulthood) to achieve the outcomes they want to achieve, rather than having to fit into existing “services for the disabled”.

This objective goes to the heart of the vision for transitions: we have already seen how the introduction of Personal Budgets (as part of the transformation of social care over the past 3 years) can liberate individuals in very exciting ways. The challenge is to ensure that this freedom is made available to all disabled young people coming through transition in the future.

Many young people do not understand their rights as citizens and are not taught or encouraged to voice their views. Those without a ‘voice’ are even more vulnerable as without the right supports they will continue to have others who make their decisions and thus live a life under control by others. There is a great need for advocacy, and mentoring by other people with disabilities for young people to learn about their rights, roles and responsibilities as citizens.



#### Outcome 4: A wide range of local opportunities available for disabled young adults

The range of local opportunities for disabled young adults is expanded, ensuring that i) they are available to all young people coming through transition, including people with more complex needs and ii) they maximise disabled young adults' capacity to exercise full citizenship rights, including securing paid employment or other opportunities to contribute to society.

Raising aspirations and giving disabled young people greater control through this strategy will be wasted if there are not the opportunities available to them locally as young adults in Barking and Dagenham. Whilst some disabled young people are already able to enjoy the sort of life envisioned here, there remain significant gaps in the local social care support market, particularly for young adults with more complex needs. The Action Plan below includes a number of commissioning measures to address this.



## Outcome 5: Local education for local disabled young people

The number of disabled young children placed in out of borough residential schools is reduced and the range of further educational opportunities for young adults with complex needs (including severe autism) is increased.

Placing children in out of borough residential schools because their special educational needs cannot be met within local provision can significantly undermine the chances of achieving the vision for transitions outlined above. Children in this situation miss out on developing local links and friendships during their teenage years and good transition planning is much more difficult to achieve. A high proportion of such children end up remaining in the area their school is situated in, often transferring to residential care provision there as young adults and losing their ties to extended family networks.

Whilst it may never be possible to educate and accommodate all children within the Borough, it should be possible to enhance local education provision to incorporate more children with complex needs and thereby reduce out of borough residential placements and ensure a range of local Further Education provision available beyond full time schooling.



## Outcome 6: A wide range of local living options for disabled young adults

Disabled young people are supported to live as independently as possible as they move into adulthood.

Achieving the vision for transitions set out above will be partly dependent upon increasing the availability of local tenancies for young disabled people: although the local market in specialist domiciliary support providers has increased over the last few years, the lack of suitable housing (both access to individual tenancies and access to cluster flats) has placed a significant constraint on the Borough's capacity to support individuals locally and keep people out of residential care.

Whilst some disabled young people and their families actively choose to remain as one household and will continue to do so, for others this option is either unrealistic or strongly resisted by one/both parties.



# Appendix 1

## Transitions Strategy Action Plan

# 11

Outcome 1 - Raising Aspirations: <i>Disabled children and their families are encouraged and supported from an early age to expect an adult life, in which they can contribute, exercise choice and control and achieve, regardless of their level of disability.</i>			
Aim	How	By whom	By when
1.1 Primary schools will actively promote and encourage positive messages about the future life prospects of disabled children.	<p>i) The Council's SEN and Inclusion Team will work with Primary School SEN Coordinators to jointly agree how best to achieve this aim and commence implementation.</p> <p>ii) Working with schools, parent carer groups about the best ways to engage with parents.</p> <p>iii) Families will lead the planning with their family member. If family members are unable to lead the planning as facilitators they will be supported by a family advocate along with an advocate for the young person who can support them in navigating the systems they are involved in and to get the best for their situation.</p>	Christine Green and Ivy Hoolas, Senior Inclusion Managers  Family Carer Groups in Barking and Dagenham; Schools family support lead;	April 2012  September 2012
1.2 Parents of primary school age disabled children will be informed of the opportunities already available to young disabled adults.	i) Adult Social Care (Commissioning and Operational Managers) in liaison with Children's Services colleagues, will establish an annual Information Workshop specifically targeted at the families of young disabled children	Strategic Commissioning Manager (Learning Disability) / A.S.C. Team Managers (JN, SL, LM) / Children's Services	July 2012



**Outcome 2 - Comprehensive and Coordinated Forward Planning:  
Disabled young people and their families are helped to plan their lives as young adults from Year 9 of their secondary education.**

Aim	How	By whom	By when
<p>2.1 The disabled young people at whom this strategy is targeted will be supported to develop person centred plans (PCPs), which will inform their transition planning from Year 9 Reviews onwards</p>	<p>i) The Council's Inclusion Team will audit the extent to which disabled students are being supported to develop Person Centred Plans within schools and, based on this audit, will provide further training to SEN Coordinators if required.</p> <p>ii) The extent, quality and impact of PCPs on transition planning will then be monitored on a regular basis</p> <p>iii) Continued training on person centred planning for those who are responsible for facilitating as well as undertaking person centred reviews.</p>	<p>Anne Jones, SEN and Inclusion Group Manager.</p> <p>Christine Green, Senior Advisor (Inclusion) / Ivy Hoolas, Senior Advisor (Inclusion)</p> <p>Skills and Learning Department</p>	<p>July 2012</p> <p>Ongoing</p>
<p>2.2 Young people and their families have access to a comprehensive range of information about future life opportunities and the support available to pursue these.</p>	<p>i) A transitions information database will be developed through commissioning a volunteer / intern to undertake this in liaison with the ACS Information and Advice Officer, funded through a one-off transitions development fund already set aside for this purpose.</p> <p>ii) Families who do not use the internet to get good information about what is available now and in the future through other sources of information.</p>	<p>Strategic Commissioning Manager (Learning Disability) / Jolene Davis, Information and Advice Officer</p>	<p>May 2012</p>

<p>2.3 The nominated lead person for the transition planning process will be agreed at Year 9. It will be driven by the annual review of the person's Special Education Needs and be fully contributed to and "owned" by all relevant professionals. The process will determine how the young person will be supported when they turn 18.</p>	<p>i) A new assessment screening tool to determine likely future eligibility for funded social care and specialist health support for young people with a learning disability will be developed and implemented, to help the CLDT prioritise which reviews to attend.</p> <p>ii) The possibility of developing a similar tool for determining the likely future eligibility for continuing health care for young people with other disabilities will be explored by ONEL</p> <p>iii) A single, multi-disciplinary "Transitions Plan" will be developed and agreed, covering all aspects of the individual's future life and support needs, incorporating the requirements of the Special Educational Needs review and planning process. It will be developed by a Person Centred Planning approach, with an overall professional lead person to act as implementation coordinator of the plan.</p> <p>iv) The existing Transitions Protocol will be reviewed to ensure that it is being effectively implemented and that the roles and responsibilities of all those involved in the transitions process are clear</p> <p>v) As part of the above, the role and responsibilities of the Connexions service will be reviewed in light of the recent changes to the service.</p>	<p>Bill Britain, Group Manager / Mandy Hill, Group Manager</p> <p>Debbie Wilkins, Children's Commissioning Manager, ONEL / Karen Oogarah, Adult Commissioning Manager</p> <p>Transitions Steering Group</p> <p>Transitions Steering Group</p>	<p>Developed by 1<sup>st</sup> February 2012. Piloted and reviewed by 1<sup>st</sup> May 2012 for full implementation</p> <p>1<sup>st</sup> July 2012</p> <p>1<sup>st</sup> June 2012</p>
<p>2.4 Disabled young peoples' specialist and general health needs are fully addressed in this transition planning.</p>	<p>i) A new system of Health Action Planning and Annual Health Checks for disabled young people (aligned with the system already established for adults with a learning disability) will be developed and implemented.</p>	<p>Debbie Wilkins, Children's Commissioning Manager, ONEL</p>	<p>1<sup>st</sup> December 2012</p>

<p>2.5 Prior to becoming an adult, young people and their families have a clear indication as to the level of support they will be eligible for when they turn 18 to enable them to forward plan their support.</p>	<p>ii) This will tie into the implementation of personal health budgets</p> <p>iii) That any mental health needs that the young person may have will be fully taken into account within the Transitions Plan and the co-ordination and planning between Children's and specialist mental health services</p>		
<p>i) The assessment screening tool referred to in 2.3(i) above will be used by the CLDT from February 2012 to give individuals and their families an early indication of their likely eligibility for funded social care and/or specialist health support as adults. (This will be up-dated each year up to transition)</p> <p>ii) From April 2012, a new guarantee will be introduced for all young people who have been assessed through screening as likely to be eligible for funded support: that they will receive a full multi-disciplinary adult health and social care assessment immediately after their 17<sup>th</sup> birthday and be assigned an indicative individual social care budget or, if appropriate, indicative Continuing Health Care Funding for when they turn 18.</p> <p>iii) The arrangements for providing advice and guidance to disabled young people who have been assessed as not eligible for funded social care support will be reviewed and revised in the light of the SEN Green Paper</p>	<p>Bill Brittain, Group Manager / Mandy Hill, Group Manager</p> <p>Bill Brittain, Group Manager / Mandy Hill, Group Manager</p> <p>Helen Richardson 14-19 (24) EET Lead Commissioner</p>	<p>1<sup>st</sup> February 2012</p> <p>1<sup>st</sup> April 2012</p> <p>1<sup>st</sup> September 2012</p>	

**Outcome 3 - Greater Choice and Control:**

**Disabled young people and their families are given greater control over the type of support they receive (during both adolescence and adulthood) to achieve the outcomes they want to achieve, rather than having to fit into existing “services for the disabled”.**

Aim	How	By whom	By when
<p>3.1 Disabled young people are supported to develop mutually beneficial links with their neighbourhood and wider community.</p>	<p>i) The Council is currently commissioning an initial short-term pilot “Community Connecting Service” for disabled young people with a learning disability, aimed at providing intensive support to individuals to establish new employment, leisure and friendship opportunities. This pilot will be evaluated with a view to commissioning a longer term service and extending the model to young people with other disabilities (subject to available funds).</p> <p>ii) The Council is also commissioning the Coalition for Independent Living to pilot provision of accredited peer support brokerage training, initially for 5 individuals which, although not specifically focused on young disabled people, should benefit them alongside other individual budget recipients. The outcomes from this will be peer support pilot evaluated and, if positive the model will be expanded.</p>	<p>Strategic Commissioning Manager (Learning Disability)</p> <p>Linda Turnbull, Strategic Commissioning Manager (Market Development)</p>	<p>1<sup>st</sup> June 2012</p> <p>1<sup>st</sup> October 2012</p>
<p>3.2 Individual budgets and self directed support become the standard way in which disabled young people assessed as being eligible for funded support will access this support.</p>	<p>i) All young people in transition to adult social care now automatically receive some form of individual budget (unless in residential care). The extent to which people are using this facility to open-up new opportunities will be audited during the coming year and, if necessary, further advice and guidance issued to IB-holders. This will also inform market development plans.</p> <p>ii) Children and young people will be given the option</p>	<p>Linda Turnbull, Strategic Commissioning Manager</p> <p>Carol Lewis, IB</p>	<p>1<sup>st</sup> September 2012</p> <p>1<sup>st</sup> May 2012</p>

<p>3.3 Young people will be provided with opportunities to share their views and opinions about their future</p>	<p>of an Individual Budget as part of their transition plan.</p> <p>i) All young people will be taught about their rights, responsibilities and roles as citizens. Those with complex needs will be mentored and have access to an advocate who can support them in making decisions and learning how to share their views and opinions.</p>	<p>Project Officer, Children's Services</p> <p>Strategic Commissioning Manager (Learning Disability) work in coordination with People First group to develop mentoring programme</p>	<p>1<sup>st</sup> October 2012</p>
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**Outcome 4 - A wide range of local opportunities for disabled young adults**  
**The range of local opportunities for disabled young adults is expanded, ensuring that i) they are available to all young people coming through transition, including people with more complex needs and ii) they maximise disabled young adults' capacity to exercise full citizenship rights, including securing paid employment or other opportunities to contribute to society.**

Aim	How	By whom	By when
<p>4.1 Access to paid employment will be regarded as the first priority for all disabled young people.</p>	<p>i) Transition plans for all eligible young people aged 16+ will be audited to ensure that they include specific plans for accessing employment</p> <p>ii) The service specifications for specialist employment support services will be amended to ensure that they prioritise referrals from young people in transition, including the development of links with the 14-19 (24) Employer Engagement manager</p> <p>iii) The Council will complete the current commissioning of a social enterprise for adults with a learning disability</p> <p>iv) Explore options for people with LD to start their own businesses (i.e. In-Business).</p>	<p>Strategic Commissioning Manager</p> <p>Strategic Commissioning Managers / Helen Richardson 14-19 (24) EET Lead Commissioner</p> <p>Strategic Commissioning Manager</p> <p>Strategic Commissioning Manager</p>	<p>1<sup>st</sup> December 2012</p> <p>1<sup>st</sup> May 2012</p> <p>1<sup>st</sup> December 2012</p> <p>1<sup>st</sup> December 2012</p>
<p>4.2 Disabled young adults will have a flexible range of day time support opportunities to purchase with their individual budgets</p>	<p>i) The “co-production” model of aggregating individual support plans and, in direct partnership with disabled young adults, developing the local support market will be established over the next year through a series of market development events targeted specifically at disabled young people in transition.</p>	<p>Linda Turnbull, Strategic Commissioning Manager (Market Development) and Strategic Commissioning Manager</p>	<p>1<sup>st</sup> December 2012</p>

<p>4.3 Adults currently accessing LBBD learning disability day services will have greater access to community activities and employment opportunities</p>	<p>i) The day services will be reviewed over the next year to explore, plan and implement ways of increasing the time people spend accessing community opportunities rather than in the day centre itself.</p>	<p>Karen Ahmed, Divisional Director of Adult Commissioning</p>	<p>1<sup>st</sup> April 2013</p>
<p>4.4 Disabled young people with more complex needs will have equal access to an expanded range of opportunities.</p>	<p>i) All employment and other community-based opportunities will be audited to ensure that young people with more complex needs are not being avoidably excluded from them. Where such discrimination is indicated, plans will be generated to address this.</p>	<p>Strategic Commissioning Manager</p>	<p>1<sup>st</sup> April 2013</p>

**Outcome 5 - Local education for local disabled young people**  
**The number of disabled young children placed in out of borough residential schools is reduced and the range of further educational opportunities for young adults with complex needs (including severe autism) is increased.**

Aim	How	By whom	By when
<p>5.1 Local educational and social care support facilities are between them able to provide for the majority of young people with complex needs.</p>	<p>i) The Living and Learning Unit at Trinity School, catering for students with severe autism and challenging behaviour, will be doubled in size from 6 to 12 places.</p> <p>ii) Linked to this development, Children's Services will commission local supported accommodation for up to 4 young people who are currently placed in out of borough residential schools.</p> <p>iii) Children's Services as part of East London Solutions will review the commissioning of specialist education provision to develop more cost-effective services and encourage the development of more local service from the Independent and Non-Maintained sector</p>	<p>Group Manager, Children's Commissioning</p> <p>Group Manager, Children's Commissioning</p> <p>Group Manager, Children's Commissioning</p>	<p>1<sup>st</sup> May 2012</p> <p>1<sup>st</sup> December 2012</p> <p>1<sup>st</sup> December 2012</p>
<p>5.2 Mainstream schools are more able to meet the educational needs of students with Aspergers Syndrome</p>	<p>i) The number of specialist units within mainstream primary and secondary schools will be expanded over the next year – awaiting further details from John Butler</p> <p>ii) Young people attending mainstream schools will have access to a mentor</p> <p>iii) Young people in mainstream schools will have a person centred plan to inform how they want their life now and the future to be supported</p>	<p>Anne Jones, SEN and Inclusion Manager</p>	<p>???</p>



<p>5.3 Local learning providers including Further Education colleges are able to offer a full range of meaningful vocational and academic courses to disabled young people, including to people with Autistic Spectrum Disorders</p>	<p>i) Forecast and plan for provision disabled young people.</p> <p>ii) Establish an evidence base to support the development of Education, Employment and Training (EET) commissioning statements to feature in the LA's 14 -19 (24) strategic priorities</p> <p>iii) To address the needs identified in the commissioning statements, negotiate and secure appropriate provision and support packages</p>	<p>Helen Richardson 14-19 (24) EET Lead Commissioner</p>	<p>1<sup>st</sup> September 2012</p>
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**Outcome 6 - A wide range of local living options for disabled young adults  
Disabled young people are supported to live as independently as possible as they move into adulthood.**

Aim	How	By whom	By when
<p>6.1 Increase the range of local supported living and residential care options available to disabled young people in transition to reduce the number of out of borough placements being made.</p>	<p>i) A quota allocation of 30 LBBD tenancies per year has been agreed. Some of these tenancies will be available to young people in transition. Take up of tenancies from this quota will be monitored over the first year of its operation.</p> <p>ii) Commission 2 initial “Keyring” supported living networks for learning disabled adults with lower support needs.</p> <p>iii) Develop commissioning plans to convert surplus sheltered housing units into clustered supported living arrangements for disabled young people (Initial target of 6 supported tenancies)</p> <p>iv) Partially re-develop the Council’s directly-provided residential care provision for adults with a learning disability to enable it to accommodate adults with complex needs and challenging behaviour (including some young adults in transition).</p>	<p>Strategic Commissioning Manager and Team Leader, Choice Homes Team.</p> <p>Strategic Commissioning Manager</p> <p>Strategic Commissioning Manager</p> <p>Lisa Wilde, Group Manager Jane Norris, CLDT Manager and Strategic Commissioning Manager</p>	<p>1<sup>st</sup> January 2012</p> <p>1<sup>st</sup> September 2012</p> <p>1<sup>st</sup> September 2012</p> <p>1<sup>st</sup> December 2012</p>

## Good practice examples

It should be noted that there are no perfect systems. Systems still control the process and what happens to young people and their families during and after transition. Some, including Barking and Dagenham have been trying to improve by engaging families and young people in improving these processes. The following are a few examples of best practice that the council would like to build on:

### London Borough of Redbridge

- In the process of developing a multi-agency transition protocol.
- All professionals will be trained in person centred planning, and person centred commissioning,
- Self-advocacy groups will be set up to help with developing, implementing and evaluating the Aiming High programme.

### Suffolk County Council

- Have a pool of accredited trainers in person centred planning working with transition support programme and ensuring that young people are at the centre of their transition stages.
- Family members are included as trainers and facilitators.
- A new advocacy service has been developed.

### Nottingham City Council

- Has a Single Transition Assessment process, which is one document.
- The problem is sharing information which is on different data bases. This is Co-ordinated by a Transition team.

### West Berkshire County Council

- Has a Shared data base; a Lead professional for young people and their families.
- Joint assessment is a one plan document but with assessments informing the plan.
- Assessments are person centred so can inform the Plan which is a person centred plan.

Produced by the Adult Commissioning and the Commissioning & Strategy Divisions,  
London Borough of Barking & Dagenham

January 2012

*“A supported journey from childhood, through adolescence, to adulthood.....”*



Councillor L Reason  
Cabinet Member for Children's and Adult Services  
c/o Members Room, Civic Centre  
Dagenham, Essex  
RM10 7BN

c/o Glen Oldfield  
Democratic Services  
Civic Centre  
Dagenham, Essex  
RM10 7BN

*(sent via e-mail)*

Reference: Transitions Strategy  
Date: 22 February 2011

Dear Councillor Reason,

**RE: Response to the Transitions Strategy**

At its meeting on 15 February 2012, the Health and Adult Services Select Committee reviewed the draft transitions strategy for disabled young people with support needs (2012/15). Before Cabinet takes its decision on this matter the Select Committee would like to bring to your attention some of the comments and issues that were raised in the scrutiny forum.

The Select Committee was especially pleased with a number of elements of the Strategy, including:

**Consultation**

- The HASSC was pleased that the experiences of students (and their families) from Trinity School who participated in the "Getting a life" project have been incorporated to develop parts of the strategy.

**Helping young people into adulthood**

- Members are glad that through this strategy disabled young people will be prepared and supported to have a fulfilling and independent adulthood. The Strategy recognises that early intervention and planning leads to better outcomes for disabled young people. By helping young people to shape their future from the age of 14 they will be given the chance to develop their aspirations and have richer life experiences.

### **Information and advocacy**

- The strategy seeks to improve the quality and volume of information available to families and in the process address inconsistencies about the options available to young adults.
- The HASSC welcomed the idea of establishing some kind of peer brokerage support and training whereby families who have been through the transition period are able to give advice and support to other families at the beginning of the process.

### **Improving local provision**

- The Strategy seeks to address the gaps in local education provision for young people with complex needs avoiding out of borough placements that can result in missed opportunities to make friends and develop local links.

### **Seamlessness**

- The HASSC supports any measures that seek to integrate services better to create a seamless and hassle-free experience for the service user; the Transitions Strategy does this in several ways.
  - Firstly, by nominating a professional to take the overall lead of a person's support package to give consistency, familiarity and stability to a family going through the transition period.
  - Secondly, the Strategy strives to create a single, multi-disciplinary 'transitions plan' that covers all aspects of an individual's future life and support needs, putting an end to parallel plans running concurrently for an individual.
  - Thirdly, data will be managed in a way that creates one resource for use by multiple agencies which will streamline things behind the scenes.
  - Finally, the Strategy recognises that Adult and Children's services must work better together in order to build on 2009's Transitions Protocol. One step towards this goal will be Children's Services having a better understanding of personal budgets.

The key concern that arose during our discussion about the Strategy was that it was not explicit that disabled young people would be able to access the new Skills Centre in Barking Town Centre. Members would therefore like assurances from Cabinet that disabled young people would be able to use, and benefit from, this provision.

**Recommendation:**

The HASSC recommends that the Strategy takes account of the opportunities the new Skills Centre will bring and the Council ensures that disabled young people's needs are recognised and catered for at the Skills Centre.

The Select Committee supports this strategy and feels that the draft is thorough, the action plan is clear and that considerable thought and effort has been put into the Strategy to achieve the vision outlined in the document. The HASSC hopes that you find this feedback useful in preparation for the Cabinet meeting on 20 March 2012.

Yours Sincerely,



**Councillor Evelyn Carpenter**

Member, Health and Adult Services Select Committee  
Becontree Ward

**cc:**

Councillor L Smith, Leader of the Council

Members of the Health and Adult Services Select Committee

Councillor L Butt, Chair of the Children's Services Select Committee

Anne Bristow, Corporate Director of Adult and Community Services

Karen Ahmed, Head of Adult Commissioning



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## CABINET

20 MARCH 2012

<b>Title:</b> Proposed Amalgamation of Grafton Infant and Junior Schools and William Bellamy Infant and Junior Schools	
<b>Report of the Cabinet Member for Finance and Education</b>	
<b>Open report</b>	<b>For Decision</b>
<b>Wards Affected:</b> Valence and Heath	<b>Key Decision:</b> Yes
<b>Report Author:</b> Mike Freeman, Group Manager – Schools Estate	<b>Contact Details:</b> Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jane Hargreaves, Head of Quality and School Improvement	
<b>Accountable Director:</b> Helen Jenner, Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>This report presents a proposal for the amalgamation of Grafton Infant and Junior Schools and William Bellamy Infant and Junior Schools to form two all through Primary Schools with effect from 1 April 2012 (Academic year 2011/12).</p> <p>This proposal has been initiated for the following main reasons:</p> <ul style="list-style-type: none"> <li>• educationally, a single school is able to ensure a more consistent approach to teaching and learning for the children than two separate schools;</li> <li>• each school can look at its management structure with a view to ensuring the best use of staff across the two schools. The combined expertise of the staff would be greater than in the two separate schools;</li> <li>• each school would have a combined budget and would benefit from greater flexibility;</li> <li>• each school will be able to rationalise the use of all resources and gain efficiencies including the benefits from the combination of funding from the individual school budgets and surplus balances carried forward from previous years.</li> </ul>	
<p><b>Recommendation</b></p> <p>The Cabinet is recommended to agree the amalgamation of Grafton Infant and Junior School and William Bellamy Infant and Junior School to become primary schools from 1 April 2012.</p>	
<p><b>Reason</b></p> <p>The Cabinet needs to consider changes proposed in the organisation and structure of schools as designated by the provision of the Education and Inspections Act 2006. The Council's policy is to consider amalgamation of linked infant and junior schools whenever a headship is vacant and over time to amalgamate linked infant and junior schools. For both of these paired infant and junior schools, there are clear benefits of amalgamation.</p>	

## **1. Introduction and Background**

- 1.1 Management arrangements at Grafton Infant and Junior Schools and William Bellamy Infant and Junior Schools are going through a process of change. This has therefore created an opportunity to examine the existing arrangements of organisation at the Schools. Further, the Grafton Infant and Junior School and William Bellamy Infant and Junior Schools are suitable for amalgamation owing to their size (4 forms of entry) and their shared sites.

## **2. Proposal and Issues**

- 2.1 Technically, the proposal involves closing the infant schools with effect from 31<sup>st</sup> March 2012 and enlarging the age-range of the existing junior schools. The age-range of the junior schools will be expanded from age 7 to 11 years to age 3 to 11 years with effect from 1 April 2012. All pupils on the school roll of the infant and junior schools as at the end of the Autumn Term 2012 will transfer onto the rolls of the Primary Schools.
- 2.2 An interim governing body for each new Primary School is to be established to focus on the amalgamation of the schools. This governing body will determine a new Instrument of Government, in accordance with the "Education School Governance (Constitution) (England) Regulations 2003", once the Primary School is set up.
- 2.3 This proposal will set a uniform standard number of 120 pupils per year group and will give consistent provision across all the age ranges.
- 2.4 This is in line with the Council's Policy House whereby we want a borough that believes in opportunity and one that recognises and champions success. Both of the junior schools and Grafton Infant School were judged to be good at their last Ofsted inspections. William Bellamy Infant School was given a notice to improve. Also, there is the potential to improve value for money across the proposed amalgamated schools.
- 2.5 The benefits seen in this proposal include:
- an amalgamated school will ensure approaches to teaching, learning and planning the curriculum are consistent and coherent;
  - each primary school will have a combined budget and would benefit from greater flexibility;
  - each primary school will be able to rationalise the management structure to ensure the best use of staff across the schools. The combined expertise of the staff would be greater than in the two separate schools.
- 2.6 On amalgamation of the schools, any current extended school services offered by both infant and junior schools will continue in the same way, unless the primary schools decide otherwise.
- 2.7 This proposal meets with the key principles of the Education Strategy:

- for a raising of the expected standards and shared ambition for all the children who live in the borough;
- for a commitment to sustain and refresh the partnership between schools and the Council which has been a critical factor in the improved outcomes for children and young people.

### **3. Options Appraisal**

3.1 As indicated in 1.1 above, there was a dialogue with representatives of both Governing Bodies for each school to explore options. At that time there was in-principle support for an amalgamation and it was agreed to begin the statutory consultation process. It is recommended that the amalgamation is the preferred option.

### **4. Consultation**

4.1 Governing Bodies of all infant and junior schools in the borough were presented with a report in the Spring Term of 2011 that included information on the Local Authority's policy to amalgamate all separate infant and junior schools over time, where governors were invited to discuss and comment. This was repeated to all governing bodies in the following (Summer) term.

#### **4.2 Grafton Infant and Junior Schools**

4.2.1 Meetings to consult with Headteachers, Chairs of Governors and Governors were held on 17 October and 15 November 2011

4.2.2 A meeting with Governors, staff and parents was held on 5 December 2011.

4.2.3 A consultation letter regarding the proposed amalgamation was sent to parents, carers, guardians of pupils, staff and governors of the Grafton Schools on 21 November 2011. This letter was also sent to Trades Unions of both teaching staff and support staff.

4.2.4 A notice was published in The News on 7 January 2012 to begin a formal consultation process which ended on 17 February 2012. The Notice has been displayed at the main public library in Barking and on both the infant and junior school notice boards.

4.2.5 The following communications have been received through the consultation process at the time of writing the report:

- Grafton Infant School Governing Body – letter dated 14 December with a majority against the proposal, but not unanimous.
- various communications from a parent dated 29 November and 5 December – seeking further information.
- communication from a parent dated 13 December – seeking clarification about the consultation process.

- letter from the Headteacher of Grafton Junior School dated 4 January – fully supporting the amalgamation proposal and indicating a desire to have a dialogue about the physical restraints of the building.
- letter from the Chair of Governors of Grafton Junior School (undated) on behalf of the governors giving unanimous support for the proposal.

4.2.6 The communications indicated above have been acknowledged and additional information provided as appropriate.

### 4.3 **William Bellamy Infant and Junior Schools**

4.3.1 Meetings to consult with Headteachers, Chairs of Governors, Governors and staff were held as follows:

- 12 October 2011 – meeting with Chair of Governors and Headteacher of William Bellamy Junior School.
- 3 November 2011 meeting with Governing Body of William Bellamy Infant School.
- 14 November 2011 – meeting with Headteacher of William Bellamy Infant School.
- 16 November 2011 – meeting with Headteacher of William Bellamy Junior School.
- 21 November 2011 – Director attends meeting at William Bellamy Infant School Governing Body meeting.
- 1 December 2011 – William Bellamy Infant School staff meeting.
- 2 December 2011 – director meets with Headteacher of William Bellamy Infant School, Chair and Vice Chair of Governing Body
- 14 December 2011 – meeting at William Bellamy Junior School.

4.3.2 A consultation letter regarding the proposed amalgamation was sent to parents, carers, guardians of pupils, staff and governors of the William Bellamy Schools on 5 December 2011. This letter was also sent to Trade Unions of both teaching staff and support staff.

4.3.3 A notice was published in The News on 21 January 2012 to begin a formal consultation process which ended on 2 March 2012. The Notice has been displayed at the main public library in Barking and on both the infant and junior school notice boards.

4.3.4 The following communications have been received through the consultation process at the time of writing the report:

- the DfE have indicated their support for the proposal.
- at a meeting held with staff on 1 and 14 December – the main issues raised were about staff contractual matters.
- these contractual issues have subsequently been brought up by staff representative groups (trade unions), and unions have sought clarification about the statements concerning YR2 - YR3 transfer.
- there has been a letter from a parent expressing strong support for the proposal.
- one letter from the Chair of Governors for William Bellamy Infants noted the benefits of having separate infant and junior schools.

- e-mail dated 7 February 2012 from a member of staff at William Bellamy Infants objecting to the proposal.
- letter dated 9 February 2012 from the Chair of Governors of William Bellamy Junior School on behalf of the governors indicating unanimous support for the amalgamation proposals.
- letter dated 9 February from the staff at William Bellamy Junior School indicating 100% support for the amalgamation proposal.
- letter dated 6 February 2012 from a parent of children attending both schools expressing her concerns about the proposal and disagreeing with the views expressed by the Council.
- an undated letter from a parent expressing reservations about the proposed amalgamation.
- a signed petition dated 10 February 2012 against the amalgamation and organised by parents of William Bellamy Infants School with 231 signatures.
- letters dated 21<sup>st</sup> and 23<sup>rd</sup> February from the Headteachers, William Bellamy Junior School sent to all parents and covers explaining a number of issues of concern and inviting parents to join in the debate.
- a survey questionnaire conducted by the William Bellamy Junior School which encouraged parents to enter the debate
- note of a meeting with parents that took place 27 February 2012
- 2 letters from a two parents/members of staff at the Infant School expressing concern about the amalgamation proposals

4.4 Any further issues raised subsequent to the writing of this report will be brought to the attention of Members of Cabinet.

## **5. Financial Implications**

Implications verified by: Dawn Calvert, Finance Group Manager

- 5.1 In terms of formula allocations, for the financial year 2011/12 Grafton Infant and Junior Schools received £1.7million each and William Bellamy Infant and Junior Schools received £1.8 million and £1.6 million respectively. On amalgamation, it is likely this amount of allocation would remain the same as allocations are chiefly driven using factors that include pupil numbers and the gross internal area of the school buildings and these factors are unlikely to change. However a new School Funding Formula is due to be in place from April 2013 and the impact of this new formula on current school allocations is not yet quantifiable. It is hoped the impact of transition will be minimal.
- 5.2 The school buildings do not require any major changes at this stage, however, there are benefits in rationalising provision and Children's Services will discuss with the schools options for improvement in the future. However there will be a reduction in the devolved formula capital allocation. The formula lump sum element funding allocated on an individual school basis will now reduce to one allocation for each of the Primary schools. This should not have a significant effect on the schools' budgets or on the projects planned for the forthcoming budget settlement.
- 5.3 It is not the intention of the amalgamation to cut budgets. However, over time it is expected that owing to efficiencies in staffing there could be some savings which would accrue to the School(s)

5.4 Schools are required to make efficient use of resources and the Governing Body would need to review its budget priorities and staffing structures in the light of demands and the requirement to respond to the needs of young people attending the school.

## **6. Legal Implications**

Implications completed by: Fiona Taylor, Legal Group Manager

6.1 The Education and Inspections Act 2006 and associated Guidance issued by the Department for Education empowers the Local Authority to amalgamate two schools through closure of Grafton Infant School and consequent change in upper age limit of Grafton Junior School to form an all through Primary school.

6.2 A six week consultation process with all interested parties (e.g. families of pupils, staff, trade unions and governing bodies) is a necessary requirement prior to formal publication of the proposals to amalgamate the schools.

6.3 A further six week representation period is required once proposals are published, to allow for comments on the proposals to be made by the public. The Council can then proceed to a final determination.

6.4 Implementation of the proposals would change the current school governance arrangements with the creation of one governing body with powers to determine budgetary and staffing issues as required.

6.5 There are two ways to 'amalgamate' two existing schools:

- a. by closing down both schools and opening a new one which will result in a new school number being issued for it; or
- b. close one school and enlarge the age range of an existing school to accommodate the displaced pupils.

6.6 The report proposes discontinuance of Grafton Infant and William Bellamy Infant Schools and a consequent change in lower age limit of Grafton Junior and William Bellamy Junior Schools to form all through Primary schools through their amalgamation.

6.7 The Council may bring forward such proposals in its role as the Local Education Authority, but must comply with the requirements specified in Part 2 of the Education and Inspections Act 2006, Schedule 2 to the Act and regulations made under the Act.

6.8 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 ("the Discontinuance Regulations") govern the proposed discontinuance. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations"), govern the proposed change in lower age limit.

6.9 In respect of both the discontinuance and the change in age limit, the Council is required to follow a two stage process; to consult with interested parties (families of

the pupils, staff, trade unions and governing bodies) and to then publish its proposals. The consultation period is not prescribed in statute. However, the Department for Education provides a Guideline of 6 weeks. The Council must demonstrate how it considered the views of the consultees. At the end of that period, the Council is required to publish its proposals to discontinue the infant Schools and extend the age range of the Junior Schools. The published proposals should state that the two proposals (for each paired infant and junior school) are dependent, i.e. one will not be implemented without the other.

- 6.10 It is essential that the published notices comply with the statutory requirements as set out in the Regulations otherwise they may be judged invalid.
- 6.11 Once proposals are published, a 6 week statutory representation period should follow during which comments on the proposals can be made.
- 6.12 The Council will make the final decision, for each paired infant and junior school, following that period.
- 6.13 Once approved, the proposals must be implemented as published.
- 6.14 There will be changes in school governance as a result of these proposals but the schools will remain local authority controlled community schools, although there will only be one governing body for the future for each primary school. The consultation process is designed to support these changes.

## **7. Other Implications**

### **7.1 Risk Management**

These proposals effectively close the two infant schools and expand the two junior schools into primary schools covering the age range 3-11 years. Both Grafton Infant and Junior Schools and William Bellamy Junior School were judged 'Good' in their last Ofsted inspections. William Bellamy Infants was judged 'inadequate' in its last Ofsted inspection carried out in October 2011. The Local Authority is working closely with William Bellamy Infant School and its governing body to bring about rapid improvements for the school. The amalgamation of the junior and infant schools will enable some of these changes to be made more rapidly and will bring additional leadership capacity to the schools.

### **7.2 Staffing Issues**

Staff at both paired infant and junior schools will be informed that their employment will be with Grafton Primary School or William Bellamy Primary School respectively with effect from 1 April 2012 and that all other terms and conditions of their contract of employment remain the same if these proposals are agreed.

### **7.3 Property / Asset Issues**

The amalgamation of the schools will allow for a pooling of asset related revenue budgets, and the ability to manage property costs over both buildings, which will support a better maintenance regime.

## **Background Papers Used in the Preparation of the Report:**

- Legislation which allows this – Education and Inspections Act 2006

- DFE Guidance – Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form and Closing a Maintained Mainstream School
- Council Policy House
- Children and Young People Plan
- Consultation letters dated 21 November 2011 and 5 December 2011
- Notices published 7 January 2012 and 21 January 2012
- letter from Governing Body of Grafton Infant School
- letter from Headteacher of Grafton Junior School
- letter from Chair of Governors for Grafton Junior School
- letter from Chair of Governors for William Bellamy Infants
- email from member of staff at William Bellamy Infants
- letter from Chair of Governors of William Bellamy Juniors
- letter from staff of William Bellamy Junior pupils
- signed petition from William Bellamy Infant parents
- 2 letters from the Headteacher William Bellamy Junior
- survey details seeking the view of William Bellamy Junior parents
- note of a meeting with parents on 27 February 2012
- 2 letters from two parents/members of staff

**List of appendices:** None



## CABINET

20 MARCH 2012

<b>Title:</b> Re-tendering of Five Children's Centre Day Nurseries	
<b>Report of the Cabinet Member for Finance and Education</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> Chadwell Heath, Eastbury, Village and Whalebone.	<b>Key Decision:</b> No
<b>Report Author:</b> Christine Pryor, Divisional Director, Targeted Support	<b>Contact Details:</b> Tel: 0208 227 5552 E-mail: christine.pryor@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Christine Pryor, Targeted Support	
<b>Accountable Director:</b> Helen Jenner – Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>There are eighteen children's centres in Barking and Dagenham, thirteen of which provide full day care for children aged 0-5. The Council currently manages two of the nurseries (Abbey and John Perry): the remainder are managed by a variety of voluntary sector and private providers.</p> <p>This report seeks the authority to commence a competitive re-tender exercise to appoint a provider of day-care nursery services at five children's centres - Eastbury, Ford Road, Furze, Leys and Wellgate. The current provider of these services is London Early Years Foundation (LEYF). The current contracts are due to expire on 31<sup>st</sup> December 2012. The new contract and leases to be awarded will be for a period of five years with an option for a further two year extension depending on performance.</p> <p>There will be no direct costs arising from the contract to run the nurseries for the Council. The operational running costs of the nurseries will be met by the contractor through fees paid by parents/carers on a total cost recovery basis. The nursery fees will not be capped by the Council and so the provider will be able to determine the fee charged to parents.</p>	
<p><b>Recommendations</b></p> <p>Cabinet is recommended to:</p> <p>(i) agree that a competitive procurement exercise is conducted for the appointment of a provider of full day-care nursery services at Eastbury, Ford Road, Furze, Leys and Wellgate Children's Centres, in accordance with the Council's Contract Rules, on the terms detailed in this report;</p> <p>(ii) agree that following the procurement exercise, service contracts and coterminous leases for each of the children centres are entered into with the appointed provider for the duration of the contracts;</p>	

- (iii) advise, in accordance with the Constitution (Contract Rules 3.6.4) whether Cabinet would wish to be further informed or consulted on the progress of the procurement and award of contracts and coterminous leases, or would be content for the Corporate Director of Children's Services, in consultation with the Director of Finance and Resources, to award the contract and coterminous leases upon conclusion of the procurement process.

## **Reasons**

The Childcare Act 2006, places a duty on local authorities to secure sufficient childcare for parents who are in education, training or work. The requirement to manage the market implies co-ordination of services and partnership working rather than direct delivery. In Barking and Dagenham the duty is discharged by working in partnership with the private and voluntary sector. Our Childcare Sufficiency Assessment shows that there is a continued demand for full day care in these areas.

Securing sufficient childcare to enable parents to access work and training supports the Council's vision of "Building a Better Life for All" by helping to raise household incomes.

## **1. Introduction and Background**

- 1.1 In 1998 the Government launched the National Childcare Strategy. This was a joint initiative by the then Department for Education and Schools and the Treasury. It aimed to increase the stock of accessible, affordable childcare places in order to allow more parents, especially lone parents, to re-enter the job market. It also aimed to improve the quality of the early education experience for children below five years of age.
- 1.2 The Neighbourhood Nursery Initiative, launched in 2001, recognised that while independent providers were developing sustainable childcare in moderately disadvantaged areas, extending this to the most deprived areas would require significant financial support. Funding was allocated to local authorities in order that pump-priming grants could be issued to providers from the statutory, private, or not-for-profit sectors thus creating a three-year lead-in period to achieve full sustainability.
- 1.3 In 2003 the Government introduced its children's centre initiative. This aimed to integrate existing day-care provision with the health, family support, and training service developed through Sure Start, locating the full range of services for under-fives in appropriate neighbourhood locations. It was recommended that neighbourhood nurseries were absorbed into children's centres. Capital funding for new children's centres was allocated with the requirement that all major new-build projects provided at least 50 full day-care places.
- 1.4 There are currently 18 children's centres in the borough, 13 of which provide full day care. Of the 13 which provide full day care, the Council manages two of the nurseries, the remainder are provided by a variety of providers in the voluntary and private sector as follows:

<b>Children's Centre Nursery</b>	<b>Provider</b>
Abbey	Council
Becontree	Playaway Ltd
Castle Green	Lifeline
Eastbury	London Early Years Foundation
Ford Road	London Early Years Foundation
Furze	London Early Years Foundation
Gascoigne	Chestnut Nursery School Ltd
John Perry	Council
Leys	London Early Years Foundation
Sue Bramley	Chestnut Nursery School Ltd
Sydney Russell	Playaway Ltd
Wellgate	London Early Years Foundation
William Bellamy	Chestnut Nursery School Ltd

- 1.5 The Childcare Act 2006, Section 6, places a duty on local authorities to secure sufficient childcare for parents who are in education, training or work. The requirement to manage the market implies co-ordination of services and partnership working rather than direct delivery. In Barking and Dagenham the duty is discharged by working in partnership with the private and voluntary sector.
- 1.6 In 2007, as part of phase three of the children's centre programme, four of the nurseries (Eastbury, Ford Road, Furze and Leys) were outsourced after a competitive tender exercise. Wellgate was originally operated by the Council but was outsourced, following a competitive tender exercise, in 2009. London Early Years Foundation was chosen as the preferred provider for all five nurseries.
- 1.7 The five nurseries are sustained through fees paid to the providers by parents/carers. At present the providers pay business rates, utility costs and recharges for various other services such as cleaning, waste disposal and grounds maintenance to the Council.
- 1.8 A report regarding the re-tendering of Gascoigne, William Bellamy, Becontree and Sydney Russell Children's Centre nurseries was presented and agreed by Cabinet on 10 May 2011.

## **2. Proposal and Issues**

- 2.1 The current contracts with the provider (London Early Years Foundation) for all 5 nurseries are due to expire on 31 December 2012. The proposal is to re-tender the five children's centre day nurseries (Eastbury, Ford Road, Furze, Leys and Wellgate) as one lot and to award the contract to one provider in the Private, Voluntary or Independent Sector.
- 2.2 There will be a competitive tender exercise for the appointment of a provider for all these nursery services in accordance with the Council's Contract Rules. The contract and coterminous leases will be awarded to the preferred bidder upon successful completion of the procurement process. The contract will specify clearly the need for the childcare to be of the highest quality and will be closely monitored by Children's Services.

### **3. Options Appraisal**

The following three options have been considered.

#### **3.1 Option 1 - The Council takes on the running of the nurseries**

It is not a viable option for the Council to take on the running of the childcare. This is due to the high cost of running the nurseries in-house and the volatility of the childcare market, particularly during such a prolonged challenging economic environment. The key risk to the Council is that of employing staff who might have to be made redundant should the childcare market decline further.

#### **3.2 Option 2 - The contract is not re-tendered**

Our Childcare Sufficiency Assessment shows that there is a continued demand for full day-care in Chadwell Heath, Eastbury, Village and Whalebone wards. Not re-tendering the contract will result in a loss of 180 childcare places for 0-5 year olds. This will mean that the Council will not be able to fulfil its statutory duty to secure sufficient childcare places to meet the demand of parents.

#### **3.3 Option 3 - The contract is re-tendered.**

3.3.1 By re-tendering the contract, the Council will ensure that it secures sufficient childcare places in the wards affected, to meet the needs of parents in line with its statutory duty. Demand for the free 15 hour entitlement for 3 and 4 year olds is particularly high due to the ongoing rise in the 0-5 population. There is also the additional pressure to provide 15 hours of free education to the most disadvantaged 2 year olds.

3.3.2 The proposal is to re-tender the five children's centre day nurseries (Eastbury, Ford Road, Furze, Leys and Wellgate) as one lot and to award the contract to one provider in the Private, Voluntary or Independent Sector. Currently one provider (London Early Years Foundation) is delivering services in all five of the nurseries. This has led to consistency of practice across the nurseries. Monitoring costs have also been considerably reduced by being able to have one quarterly monitoring meeting with the provider covering all five nurseries.

3.3.3 Awarding the contract as one lot will also ensure that all the nurseries are taken on by a provider. The Council recently tendered four nurseries as four separate lots. This led to concerns that providers would not apply for certain nurseries because of relatively low occupancy and profit margins: this would have meant that those nurseries might need to close. Deciding how to allocate the different lots was also problematic. Re-tendering all five nurseries as one lot will alleviate the concerns experienced previously.

### **4. Consultation**

4.1 A detailed consultation with parents, local employers, local providers, schools and employment agencies was undertaken as part of the Childcare Sufficiency Assessment in March 2011. Details can be found at <http://www.lbbd.gov.uk/ChildrenAndYoungPeople/ChildChoices/Pages/SufficiencyAssessment.aspx>

## **5. Financial Implications**

Implications verified by: Kathy Freeman, Group Manager Corporate Finance

- 5.1 There will be no direct costs arising from the contract and ancillary leases to run the five nurseries for the Council. The operational running cost of the nurseries will be met by the provider, through fees paid by parents/carers on a total cost recovery basis. The costs of the provision will be borne solely by the provider.
- 5.2 The indirect cost of the tender process and the managing of the contract and leases throughout the contract term will be met through existing resources within Children's Services. The tender exercise will assist in assessing the financial stability of any prospective provider. One of the tender evaluation criteria will be based on the financial viability of the providers to ensure the sustainability of the provision.
- 5.3 All prospective providers will be required to submit a business plan based on a specified template. This will be used to assess their financial viability. Providers will also be requested to submit a copy of their accounts for the last two years and credit checks will be requested for those providers who progress through to the second stage of the tender.
- 5.4 The chosen provider will be able to determine their own level of fees in line with their business plans. Therefore they will be able to recover the operational running costs of the nurseries through the income generated.
- 5.5 The successful provider will receive full use of the nurseries and equipment, which are both owned by the Council, in return for an appropriate rent and service charge. The service charges will be calculated using an assessment of shared spaces between the nurseries and the other occupants of the building.
- 5.6 An independent market valuation will be undertaken on the properties to determine the level of rent to be charged. The rent will generate additional income for the Council as previously the buildings were leased to the provider on a peppercorn rent basis. The rent will be used to cover the cost of repairs and maintenance of the building and equipment.
- 5.7 The provider will also be recharged by the Council for insurance, utilities, telephone, cleaning and any other charges associated with the nurseries. This will be based on the actual usage.

## **6. Legal Implications**

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Council is required to comply with Section 6 of the Childcare Act 2006 to secure sufficient childcare within the area for parents who are in education, work or training.
- 6.2 This report is seeking Cabinet's approval to tender for a contract for the provision of nursery services at five children's centre day care nurseries based at Council-

owned properties for a period of 7 years. The current contract expires on 31 December 2012.

- 6.3 The services to be provided under the contracts to which this report relate are classified as “Part B” services under the Public Contracts Regulations 2006 (the “Regulations”) therefore the full rigour of the Regulations do not apply.
- 6.4 It is proposed that the service will be advertised in Contracts Finder as well as on the Council’s website to take account of potential cross-border interest. The service will be tendered in a single lot using a two stage process based on the Restricted Procedure which allows a procuring authority to shortlist the service providers to be invited to tender. The Council will be seeking one provider to deliver the services at all 5 centres
- 6.5 Further details of the proposed procurement strategy are set out at 7.2. The proposed strategy complies with the Regulations and the EU Treaty principles of equal treatment of bidders, non-discrimination, and transparency.
- 6.6 As the services are to be provided from Council-owned premises, due consideration will need to be given to the property elements of the proposed re-tender and the appropriate documentation put in place to protect the Council’s interest in the properties. This will be in the form of coterminus leases and such other legal agreements as may be required.
- 6.7 The leases will fully detail, by way of an appended inventory, any equipment that the Council will be supplying to the provider. A full valuation to ascertain the appropriate rent will be carried out and also provided to the Insurance Team. The leases will clearly set out the repair and maintenance obligations of both the premises and any equipment. The provider will not be able to remain at the premises on the expiry or earlier termination of the contract.
- 6.8 The report is furthermore seeking a decision pursuant to Council Contract Rule 3.6.4, as to whether or not Cabinet should be kept informed on the progress of the procurement or would wish to be involved in the award of the contract or whether it is content for the commissioning Chief Officer to award the contract to the successful Contractor.
- 6.9 Under Contract Rule 13.3, a commissioning Chief Officer acting in consultation with the Council’s Section 151 Officer has the power to award a contract of this value, in the absence of direction to the contrary from Cabinet.
- 6.10 The Legal Practice confirms that there is no legal reason preventing Cabinet from approving the recommendations of this report. Furthermore, the Legal Practice has been instructed to draft the contracts and co-terminus leases.

## **7. Other Implications**

### **7.1 Risk Management**

- 7.1.1 The tender exercise will assist in assessing the financial stability of any prospective provider. A potential risk is that the provider raises fees to such an extent that they

are not affordable to local people on low incomes. However this risk will be mitigated by a robust business plan.

7.1.2 Once financial stability has been established the main risk involved will be the quality of the service delivered. Technical ability will be assessed during the tender stages. Providers will be expected to demonstrate/provide:

- five years relevant experience;
- a commitment to quality and continuous improvement;
- evidence of running Ofsted registered nurseries rated “good” or “outstanding”;
- evidence of providing inclusive childcare;
- evidence of how they intend to deal with the matter of TUPE for staff currently employed by the incumbent provider/s.

7.1.3 Once a provider has been chosen, written contractual arrangements will contribute to ensuring a quality service. The contracts and leases will be monitored and managed by the dedicated contract manager. The contract manager will liaise with Property Services as and when required in order to resolve any issues which arise specifically in relation to the leases. Quarterly monitoring reviews will be conducted and the preferred provider will be requested to complete a monitoring form on a quarterly basis before these reviews. The monitoring form will collect information about the service and will be based on the contract terms and conditions and service specification.

7.1.4 Council officers will conduct unannounced visits to the nurseries to monitor the quality of the provision. Quality surveys will be conducted by the provider and the Council and will be aimed at parents / carers and children attending the nursery. The provider will have to report any complaints made to the Council. The nurseries will also be subject to external inspection from Ofsted.

## 7.2 **Contractual Issues**

7.2.1 The tender process will be conducted in compliance with European Union rules and principles and Council Rules. The tendering of the nurseries will be advertised on the Council’s website and on Contracts Finder: this is a free service for businesses, government buyers and the public. The service comes from the government under its commitment to transparency and allows suppliers to find contract opportunities.

7.2.2 There is no requirement for this tender to be advertised in the OJEU as this is a Part B service and this tender is, therefore, not subject to full EU regulations. The contract for the five nurseries is being tendered as one lot with five individual leases. Therefore, tenderers must be prepared to bid for all five nurseries. Interested parties will be invited to tender on the basis of a restricted tender.

7.2.3 Consideration was given, in liaison with Legal Services, as to whether the contracts/leases could be let out as a concession. Following discussion it was agreed that as this service is a Part B service, and therefore not subject to the full rigours of the EU Regulations, that the impact of letting the contract/leases as a concession would be limited. The Council’s own Contract Rules require a formal tender process be followed. The route of a restricted tender previously utilised worked well: providers engaged with and had no issues with the way in which the procurement process was run.

- 7.2.4 At the Expression of Interest Stage, Pre-Qualification Questionnaire submissions will be invited from any provider who is able to demonstrate the criteria outlined in paragraph 7.1.2. Only those providers scoring over 60 marks out of 100, at this stage, will be considered to be invited to tender.
- 7.2.5 Up to a maximum of six providers will be invited to tender. At Stage One, tender returns will be evaluated in accordance with the tender evaluation criteria. Stage Two will consist of an unannounced visit to a nursery run by the provider. These processes will result in a shortlist of a maximum of up to four preferred providers being invited to interview (Stage Three). The contract and leases will be awarded to the successful provider for a period of five years with an option to extend for a further two years depending on performance. The contract period has been agreed upon to ensure consistency of service provision.
- 7.2.6 All providers invited to tender will be advised of the detailed price/quality criteria and weightings in the tender documentation. The price weighting will be 5% and quality will be 95%. Price has been given a relatively low weighting for the following reasons:
- a) sustainability of the nurseries is a major issue and the Council has had the foresight to recognise this by ensuring that nursery prices are not capped and that market forces prevail;
  - b) during a similar nursery re-tender that took place this year all providers who were invited to tender came in with a fee rate that was below the rate currently being charged by the Council;
  - c) the maximum difference in fees in the tender submissions that were received earlier this year was £8.

The weightings are expected to be as follows for quality:

Stage One

- 15% on service delivery and business planning;
- 20% on management and staffing;
- 10% on communication and partnership working;

Stage Two

- 20% based on an unannounced visit to a nursery operated by the selected provider/s;

Stage Three

- 30% on a presentation and interview session. (Tenderers will be made aware of sub criteria that are expected to cover service delivery, monitoring and evaluation, staffing and business management in advance).

The above weightings may change slightly but any revisions will be fully set out in the Invitation to Tender documentation.



## 7.2.7 Expected Tender Outline

Cabinet approval / advertise	20 March 2012
Expressions of Interest to be returned and evaluated	Early May 2012
Invitations to tender to be sent out	Mid May 2012
Invitations to tender to be returned	End June 2012
Tender evaluations, nursery visits and interviews	Early to mid July 2012
Approval and award of contracts	Early to mid August
Facilitate possible TUPE meetings	September – November 2012
Start of contract delivery for the five nurseries	1 <sup>st</sup> January 2013

## 7.3 Staffing Issues

7.3.1 There are no staffing issues in respect of the Council's workforce. However there could be possible Transfer of Undertakings (Protection of Employment) TUPE implications for staff currently employed at the five nurseries by the incumbent provider. Because there are possible TUPE implications the process that will be followed as part of this procurement exercise is as described below:

- a) the incumbent provider will be advised that they will need to supply TUPE information to the Council before the re - tender exercise commences;
- b) it will be made clear in the advert and Expression of Interest documents that TUPE may apply so that prospective tenderers are aware of this matter before they apply to be on the select tenderers list;
- c) six weeks before the tender documents are due to be sent to selected tenderers, a TUPE template document will be sent to the incumbent provider to complete. In this case, as there are five nurseries, five templates will be sent out so that the provider can complete a template for each nursery. The incumbent provider will also be asked to send any supporting documents (policies/procedures/pension information etc) to the Council and to advise the Council of any changes once the template has been completed and returned;
- d) the returned completed templates and any supporting documentation will be included in the Invitation to Tender packs so that all tenderers have this information available to them when completing their tender return;
- e) tender returns will be carefully reviewed to ensure that TUPE has been considered and returns reflect TUPE considerations: where necessary clarification will be sort by the Council;
- f) at interview stage TUPE will be discussed with providers. The Council will make it clear to providers that the Council will be available to facilitate meetings between providers in the case of TUPE. The Council's role will, however, be minimal as TUPE will be an issue that will need to be dealt with between the incumbent provider and any new provider;
- g) on award of contract/takeover of service delivery, the Council will monitor the situation to ensure that all TUPE matters are dealt with properly and efficiently.

7.3.2 At all stages of the procurement process providers will be made aware that they should obtain independent legal advice if TUPE is deemed to apply.

#### **7.4 Customer Impact**

7.4.1 Children's Services will be responsible for supporting the provider to deliver high quality, inclusive childcare which is financially sustainable. The contract will specify expectations in this respect. Regular equality impact assessments will be made. Parents will be eligible for all current childcare support, including access to free early education places and access to the childcare element of the Working Tax Credit.

7.4.2 Parents and carers will be kept fully informed of all events and processes. Prior to and during the procurement of the contract, parents and carers will be kept informed of any events/processes by the incumbent provider. Where relevant or necessary, Council officers will attend any meetings and respond to any individual concerns raised by parents/carers on the procurement process and possible effects on the nursery services.

7.4.3 Once a preferred provider has been awarded the contract and leases all parents / carers of children attending the nurseries will be informed by the incumbent provider in writing. The format of any letters will be agreed in advance with the Council. Parents/carers will be advised of any proposed changes in the service provider or service delivery. Where new providers are awarded the contract/leases the Council will ensure that meetings are arranged at the nurseries that include relevant representatives from the incumbent provider, the new provider and a dedicated Council officer. All parents/carers whose children are attending the nursery will be invited to these open meetings to enable them to raise any concerns they may have. Parents/carers will also be issued with contact details of a dedicated Council Officer so that queries/concerns can be raised on an individual basis in writing, or over the telephone.

#### **7.5 Safeguarding Children**

7.5.1 This re-tendering exercise will ensure that the childcare needs of working parents continue to be met. The chosen provider will be required to conform to all our local safeguarding procedures. This will be explicitly dealt with in the contract.

#### **7.6 Property / Asset Issues**

7.6.1 Children's Services will work closely with the Council's Legal and Property Services to ensure that leases for the five children's centre nurseries are put in place and run concurrently with the contract and are capable of being terminated, for whatever reason and justification, in accordance with the service contract awarded.

#### **Background Papers Used in the Preparation of the Report:**

None

**List of appendices:** None

## CABINET

20 MARCH 2012

<b>Title:</b> Framework Contract for the Provision of Independent Travel Training for Children, Young People and Vulnerable Adults	
<b>Report of the Cabinet Member for Children and Adult Services</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Jackie Chamberlain, Commissioning and Procurement Officer, Children's Services	<b>Contact Details:</b> Tel: 020 270 3623 E-mail: jackie.chamberlain@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Chris Martin, Divisional Director of Complex Needs and Social Care	
<b>Accountable Director:</b> Helen Jenner, Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>This report seeks approval for the Council to lead in a tendering exercise which will include participation of the following Authorities: Redbridge, Tower Hamlets, Waltham Forest, Havering, Newham and Barking &amp; Dagenham. This exercise is for the procurement of a Framework agreement for an Independent Travel Training Provision primarily for young people with significant educational needs. This contract can also be used by other user groups such as vulnerable adults.</p> <p>The proposed arrangement is intended to develop independence, particularly to potentially vulnerable residents to enable them to better access community resources. It is also anticipated that significant savings will be achieved by reducing the need for other transport solutions such as in-house bus fleet and private hire vehicles.</p> <p>The most recent contract that is in place is a fixed term contract for a pilot scheme that has been extended to allow for the participation of other East London Solutions boroughs. The other participating authorities have also embarked on a similar pilot scheme for a 6 month term.</p> <p>The Framework agreement across boroughs will secure more competitively priced services through joint-commissioning arrangements (with local boroughs), in conjunction with enhanced quality assurance through the improved monitoring of providers and information-sharing between participating authorities.</p> <p>Furthermore, it is hoped that the tender will encourage additional providers to offer travel training support for vulnerable children, which is accessible to Children's Services in Barking &amp; Dagenham and other authorities as required. This will increase capacity, improve response times and ensure continuity of provision.</p>	

## Recommendation(s)

The Cabinet is recommended to agree:

- (i) That the Council act as lead authority for a two-year Framework Agreement (with an option to extend for a further two years) for an Independent Travel Training Provision to a number of other participating authorities, as described within this report; and
- (ii) to indicate whether the Cabinet wishes to be further informed or consulted on the progress of the procurement and/or the use of the Framework agreement, or whether it 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 appoint the successful bidders to the Framework Agreement.

## Reason(s)

To achieve an appropriate and best value Travel Training Provision that delivers excellent outcomes for children and young people which supports the following key Council and Departmental policies and priorities:

the Council's Vision of *"Every child is valued, supported and challenged so that they develop the ambition, skills and resilience to succeed"*

the Council's Core Values of

- "We will be ambitious for our children, young people and their families."
- "We will listen to the voice of every child placing children, young people and families at the heart of what we do."
- "We will build on achievement, community cohesion and empowerment to make a bigger difference of our children, young people and their families."

The Council's key theme of "Better Future".

The Children and Young People Plan strategic priorities (2011-16):

- Priority 2: Narrowing the gap – Raise attainment and realise aspiration of every child. *The objective is to empower children and young people to realise their aspiration through positive activities and decision making in school and the local community.*
- Priority 4: Improve support and fully integrate services for vulnerable children, young people and families (particularly children in care and children with disabilities). The objectives are:
  - Strengthen support to parents and/or carers
  - Build empowerment, independence and self-sufficiency through personalisation. Self-directed support and personal budgets
  - Improve outcomes of children with disabilities and SEN across all five outcome areas.

## 1. Introduction and Background

- 1.1 The purpose of this paper is to describe the reasons for establishing a cross-borough framework arrangement for an Independent Travel Training Provision and seek approval to establish a Framework Contract to manage provision. The intention is: "To create a Framework of competent companies capable of providing

a managed service to travel train those with and without special needs where the service is provided on behalf of the local authority.”

- 1.2 Independent travel training involves providing support to people who may lack the skills, ability and confidence to undertake a journey by public transport independently. Through support young people can gain the essential skills and confidence they need to travel independently. This essential skill can open up many opportunities to access educational, employment and leisure opportunities.
- 1.3 The proposed procurement will ensure that local organisations are able to tender for the provision of the service.
- 1.4 The providers must be capable of ensuring continuity of supply, including tight management of the travel trainer provision to ensure minimum disruption of supply to vulnerable members of the community. A variety of training providers will be required to deliver specialist travel training for specific needs such as visual impairment.
- 1.5 The Framework will deliver savings through increased joint working, economies of scale and by use of shared services where possible.
- 1.6 The previous contract for Independent Travel Training was a fixed term contract that has been extended to accommodate the needs of other local authorities until the new framework agreement is in place. LBB requires a contract with providers of Independent Travel Training to be in place to assure continuity of provision for disabled young people and others.

## **2. Proposal and Issues**

- 2.1 The London Borough of Barking and Dagenham is seeking, on behalf of all participating authorities, expressions of interest from suitably qualified and experienced organisations interested in a framework agreement to provide an Independent Travel Training Provision for young people and adults with special needs.
- 2.2 This tender principally concerns young people with special educational needs while Adult Social Care may make use of the Framework agreement for their vulnerable elderly and disabled service users.
- 2.3 The framework will be accessible to the boroughs which constitute the East London Solutions group who have given a formal expression of interest to be named in the development of this Framework. These are the London Boroughs of Barking & Dagenham, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest.
- 2.4 Each of the above boroughs has indicated their wish to participate (in whole or part of the framework agreement), from the commencement of the framework which is intended to run for 48 months from the anticipated commencement on 30<sup>th</sup> July 2012.
- 2.5 There are a number of advantages to agreeing a contractual framework over spot-purchasing. 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 consistent, needs-focused, travel training for children and young people, allowing them to live more normal lives.

- 2.6 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. 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. It would also support Personalisation through any future arrangement whereby service users might purchase directly from the provider of their choice.

### **3. Options Appraisal**

- 3.1 "Doing nothing" – this will impact on the cost of other modes of travel support as there will be an increase in the need to supply long term support for young people. It will also have a negative affect on the young people that are waiting to be travel trained and who really want to become independent for their future.
- 3.2 "Doing Something" - option 1: initiate an independently-run Council procurement process. If the Council were to act independently to create its own Framework Agreement, it could take an officer around 6 months through from the start to the end of the process
- 3.3 "Do something" – option 2: to be named as the lead authority in a joint tendering process and carry out a single stage process whereby the contract would be advertised for all organisations expressing and interested will be invited to tender for the service.

### **4. Consultation**

- 4.1 Consultation with participating authorities as to the service that is required for their specific area. This has been facilitated by having two workshops to discuss and agree the specification for the new contract. Also agreed is the evaluation process and panel for evaluation.
- 4.2 Consultation with the service area that will be accessing the Framework agreement. This includes Education Inclusion and Adults Services who may want to call from the framework in the future
- 4.3 This report has been circulated to members of DMT and CMT for discussion, refinement and approval

## **5. Financial Implications**

Implications verified by: Dawn Calvert, Group Manager Finance (Adults & Community Services and Children's Service)

- 5.1 The purpose of this Framework agreement is to ensure the safety of vulnerable children and young people in Barking and Dagenham and all participating authorities, who are suitable to be travel trained from home to education.
- 5.2 The purpose of this Framework agreement is to maximise community benefits, safety and quality. There may be financial benefits experienced from renegotiation of provision terms, however, the overarching aim is safety and continuity of provision. The implementation of the Travel Training Provision has reduced the need to provide long term travel support in terms of providing a specialist door to door service.
- 5.3 The Framework agreement in no way commits the Council to any expenditure with any particular provider. The Framework agreement will secure the quality, reliability and safety of provision of appropriate travel training and secure savings on the council-wide spend on other modes of transport such as borough fleet and private hire vehicles. The current arrangements are that 10 young people are trained per term (12weeks), therefore totalling 30 young people being travel trained per academic year. However due to the increasing population of the authority and the increase in young people with significant needs and disabilities the framework will enable the numbers undergoing training to be increased, subject to available funding or increased productivity from providers.
- 5.4 The Framework may result in savings by joint working, economies of scale and by use of shared services where possible.
- 5.5 The framework contract when signed will be for 4 years. It is expected to deliver better value for money and will lead to savings over the four year period as a result of the sector-wide procurement process.
- 5.6 Within the Children's Budget there is a provision of £50,000 per annum to fund travel training. The exact costs of travel training each young person will not be known until the framework contract has been agreed but it is hoped the £50,000 budget will support between 15 to 20 young people. The framework agreement will provide another travel option for young people who can potentially travel independently with the appropriate support and advice. Financially, training young people to travel independently is more cost effective than providing transport direct. For comparative purposes, the average annual cost of providing a mini bus to transport young people to and from college is £44,000 for 7 young people.

## **6. Legal Implications**

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 This report is seeking Cabinet's approval to lead on a proposed joint arrangement with five other East London Boroughs Newham, Redbridge, Tower Hamlets, Waltham Forest, Havering for the procurement of framework agreement for the

provision of Independent travel training services to vulnerable children and where required adults.

- 6.2 The Government, in recent times, has 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.
- 6.3 As the services to be provided under the proposed Framework Agreement are Part B services, the full rigour of the provisions of the EU Regulations do not apply to this procurement, but because the estimated value of the services exceeds the EU threshold for services (currently £156,442), there is nevertheless a legal obligation to comply with the general EU Treaty principles of equal treatment of bidders, non-discrimination and transparency in procuring the services.
- 6.4 In compliance with Rule 3.6 of the Council’s Contract Rules which requires the strategy for the procurement of contracts of above £400,000 in value to be submitted to Cabinet for approval prior to procurement of such contracts.
- 6.5 The report states that the Framework Agreement to which this report relates will be tendered in the EU using the restricted procedure – a two-stage tender procedure in which expressions of interest are invited from interested providers with shortlisted applicants being invited to tender. This satisfies the EU Treaty principles of equal treatment of bidders, non-discrimination and transparency.
- 6.6 In compliance with Regulation 19(10) of the EU Regulations, the report states that the proposed Framework Agreement will not exceed a four-year period.
- 6.7 This report anticipates that selection of service providers from the Framework Agreement, to provide the services to the Council as and when required, will be undertaken by way of mini-competition.
- 6.8 This complies with the provisions of the EU Regulations which allows selection of service providers from 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 service providers on the Framework Agreement.
- 6.9 In deciding whether or not to approve proposed joint procurement of the Framework Agreement, Cabinet must satisfy itself that the proposed joint procurement will represent value for money for the Council.
- 6.10 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 appoint the successful bidders to the Framework Agreement.
- 6.11 Cabinet has the discretion to decide whether to be directly involved in the progress of the Framework Agreement procurement and appointment of successful bidders to the Framework Agreement, or to delegate this responsibility to the



commissioning Chief Officer, acting in consultation with the Council's section 151 Officer.

- 6.12 The Legal Partner (Procurement, Property and Planning) confirms that there are no legal reasons preventing Cabinet from approving the recommendations of this report.

## **7. Other Implications**

### **7.1 Risk Management:**

- 7.1.1 The current arrangements that are in place are an extension of the pilot scheme that was commissioned to one Voluntary Sector Organisation. It is a good time now to explore other organisations that may offer a similar service and be able to offer a more specific service to accommodate specific needs such as visual impairment.
- 7.1.2 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.
- 7.1.3 The risk to service users will be minimised considerably through providers being held to key quality standards within the terms of the Framework Agreement, such as:
- people are individuals and have the right to courtesy, dignity, privacy and independence;
  - all those involved in the delivery of travel training services are acquaintances in the passengers' lives and should act with respect;
  - all those involved in providing travel training should acknowledge and respect people's gender, sexual orientation, age, ability, race, religion culture and lifestyle;
  - services should respond sensitively and flexibly to people's changing needs.
- 7.1.4 The participating authorities have signed up to an ELS indemnity agreement which will establish responsibilities in the event of any challenge to the procurement process.

### **7.2 Contractual Issues**

- 7.2.1 There are difficulties in precise prediction of the take-up and therefore the likely total costs of this service. It is proposed that the most appropriate solution is that a budget be set aside for Independent Travel Training from within the overall transport budget, sufficient to train 30 young people per year. Should demand exceed this number then it would have to be funded from efficiency gains either from the providers or from within the transport budget. Given the nature of the service it is classified at "Part B" service under the Public Contract Regulations 2006. As such it is not necessary to run a full EU Procurement provided that we can demonstrate our adherence to the general principles of the Regulations in terms of openness and transparency throughout the procurement process.

- 7.2.2 The Framework Agreement concerns the London Boroughs engaged in developing a collaborative Independent Travel Training Provision (Framework) which Barking & Dagenham is to be named as the lead authority, with Project Support also from all participating authorities.
- 7.2.3 The procurement is follow the restricted process whereby there will be a 2 stage process commencing with a market warming event which will be held in one of the participating authorities.
- 7.2.4 The opportunity to tender for this contract will be advertised on the Council Website. Contract Finder (a government portal aimed at small businesses and the voluntary and community sector groups) Procure4London portal. In addition officers will proactively target known providers of this service to alert them to the contract opportunity.
- 7.2.5 The contract will be awarded for the maximum duration of a framework agreement (4 years). The London Boroughs to have the framework in place and contract awarded by April 2012. Each borough will enter into a contract with a supplier through an access agreement.
- 7.2.6 The following local authorities and members of East London Solutions (ELS) have already given a formal expression of interest to be named and actively engaged in the development of this Framework:
- London Borough of Barking & Dagenham
  - London Borough of Havering
  - London Borough of Redbridge,
  - London Borough of Tower Hamlets
  - London Borough of Waltham Forest
  - London Borough of Newham
- 7.2.7 The Project is led by Barking and Dagenham Children's Commissioning & Procurement team with support from Strategic Procurement and by invitation through Heads of Procurement for all other relevant input.
- 7.2.8 The Procurement will be overseen by a Project Board. The Project Board will be chaired by the lead officer from the London Borough of Barking and Dagenham and Barking & Dagenham will report to ELS through the Shared Services Project Manager of East London Solutions. All participating LA's will have representation on the Project Board.
- 7.2.9 This contract would fall under the heading of "Health and Social Services" and as such is deemed to be a Part B Service under the Public Procurement Regulations and as such is not subject to the full blown EU process in respect of advertising, timescales, etc.
- 7.2.10 A set of stringent evaluation criteria will be established for potential providers. The award of the contract will be based on 40% quality, 60% price; there are five lots and each provider can apply for each lot in each participating authority. The method statement questions are going to be marked by a range of parent representative and authority employees and will focus on the provider's ability to deliver a travel training service for service users with a variety of needs.

7.2.11 The “Call Off” process from this contract will have two strands. The first call off will be in relation to the service being suitable to cater for specific specialism such as visual impairment. The second will be based on price.

### **7.3 Customer Impact;**

7.3.1 Within the Pre-qualifying Questions (PQQ) for this procurement process, section 4 will scrutinise potential providers on their Equality and Diversity measures. The project board will monitor usage of the travel training Framework Agreement to ensure that equitable and appropriate usage is made, liaising with relevant departments of the Council as appropriate

7.3.2 The procurement of the Travel Training Provision will make the authority more adherent to the *Every Disabled Child Matters* agenda.

7.3.3 There is no evidence that indicating that any equality groups other than the identified service user groups will be affected by this tendering process. The impact on this group will be positive in that it will increase their ability to access various modes of transport and community resources that are available to all groups.

### **7.4 Safeguarding Children**

7.4.1 The well-being of children in the borough – ensuring that potentially vulnerable children, young people and vulnerable adults are safely travel trained is central to the provision.

7.4.2 Integrated service provision – the ability for children and young people to be safeguarded while being travel trained to school allows them to access community services within the community in a safe way. Thereby, this proposal will contribute to supporting positive life chances, educational and social development.

### **7.5 Health Issues**

7.5.1 A Framework Agreement will ensure that the health needs of vulnerable members of society are better supported and self managed where possible to gain better independence for the future

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

**List of appendices: None**

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## CABINET

20 MARCH 2012

<b>Title:</b> Re-tendering of Contract for Leasehold Property Insurance Services	
<b>Report of the Cabinet Member for Housing</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> Sharon Roots, Group Manager – Risk & Insurance	<b>Contact Details:</b> Tel: 020 8227 5380 E-mail: sharon.roots@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Ken Jones, Divisional Director Housing Strategy	
<b>Accountable Director:</b> Darren Henaghan, Corporate Director of Housing & Environment	
<p><b>Summary:</b></p> <p>The current contract for the provision of Insurance Services for Leaseholders expires on 29 September 2012 and this report sets out proposals to tender the contract on a three-year term with an option to extend up to a further two years.</p> <p>In readiness for the expiry of the current contract for the provision of Insurance Services on 29 September 2012, officers will tender the contract using the “Open Procedure” in accordance with European Procurement Directives.</p> <p>There is a limited market for the provision of Insurance Services for Local Authorities and an independent Insurance Broker has been engaged to ensure the widest possible selection of insurance companies are available to quote. Insurers expressing an interest in this contract will be short listed following a comprehensive evaluation. The Insurer to be appointed will have to prove they offer the best value for money solution for the Council and Leaseholders but, given the current market and claims trends, the probability is that premiums will be increased.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to :</p> <p>(i) Approve the re-tendering of the contract for the provision of Insurance services in respect of the Council’s leasehold property; and</p> <p>(ii) Advise, in accordance with the Constitution (Contract Rules 3.6.4), whether Cabinet would wish to be further informed or consulted on the progress of the procurement and award of contract, or would be content for the Corporate Director of Housing and Environment, in consultation with the Corporate Director of Finance and Resources, to award the contract upon conclusion of the procurement process and any extension options that are deemed to be in the best interest of the Council and Leaseholders.</p>	

## Reason(s)

To enable the Council to obtain insurance on the best terms available in the current market for Leaseholders and ensure continuity of insurance cover in respect of Council Leasehold property, assisting the Council in being a well run organisation, working towards raising Household Incomes under the theme of Better Homes.

### 1. Introduction and Background

- 1.1 The existing contract for the Council's Leasehold Property insurance programme is with Zurich Municipal (ZM) and expires on 29 September 2012. ZM were appointed as the Council's insurers after a tender process in line with the European procurement directives in 2007. The market for Local Authority insurance in 2007 was limited; however there are now a number of new insurers that are willing to quote on Local Authority Leasehold Property insurance programmes.
- 1.2 The current contract was for 3 years with an option for a further 2 years. This option was exercised as it was felt to be in the best interests of the Council and Leaseholders at that time, given the state of the insurance market rates, to ensure value for money. However we now have to tender as the Council is coming to the end of the extension option. To ensure the widest possible selection of insurance companies from the limited Insurance Market are available to quote, an insurance broker has been engaged as it is a specialist area and some Insurers will only deal with an Insurance Broker intermediary. The Specialist Insurance Broker has been contracted to procure both the Council's main insurance contract and this contract.

### 2. Proposal and Issues

#### Tender Process

- 2.1 The contract, which will be reviewable annually, is estimated to be valued at approximately £1.8million over a 3 year term. Due to the limited market and the anticipated low response, the 'Open procedure' will be used which means that tendering procedures are preceded by the placing of a notice advertising the contract with all those expressing an interest being invited to submit a tender.
- 2.2 It is confirmed that the relevant provisions of the "Contracts Guidance Notes", "Contracts Rules", "Contracts Codes of Practice" and the "Financial Rules" of the Council's Constitution and the EU Procurement Rules will be fully adhered to.
- 2.3 Insurance services is a Part A Service and must be awarded in accordance with the provisions of EU Regulations and are subject to the full regime (Directive 92/50/EEC for Service Contracts).

#### Tender Evaluation

- 2.4 The contracts will be awarded on the basis of the best value for money offer to the contracting authority of those able to meet or exceed the service specification and cover requirements in the following breakdown:

Price	60%
Quality	40%

2.5 Quality shall be made up of technical and financial capability and capacity from areas such as financial appraisals, experience with the leaseholder market, quality of documentation and value added services, customer care, fraud control and complaints proceedings.

2.6 All interested insurers will have to demonstrate, when submitting their quotations, their ability to meet the criteria outlined above.

2.7 The evaluation panel will consist of representatives from Insurance, the appointed Insurance Broker, Home Ownership Service within Housing & Environment Department and any other relevant persons who may have an interest.

### **3. Options Appraisal**

3.1 The Council does have the option not to pursue this contract but this would be to the considerable detriment of leaseholders and is not therefore recommended. Although there may be an increase in premiums charged to Leaseholders, these will be lower than if individual leaseholders attempted to obtain cover for themselves.

### **4. Leaseholder Consultation**

4.1 In line with Housing regulations and legislation, consultation with leaseholders will be undertaken by letter. The letter shall invite the leaseholders to express any opinions they have with regards to the provider and service. A second phase of consultation shall invite leaseholders to comment on the chosen provider and raise any concerns. The consultation shall be straightforward and factual with leaseholder rights clearly explained. The letter shall be made available in other formats, such as large print, if requested.

### **5. Financial Implications**

Implications completed by: Jo Moore, Finance Group Manager

5.1 There are no direct financial implications to the Council arising from this proposal. Any increase or savings on present leasehold insurance premiums obtained due to current insurance market conditions will be passed directly to Leaseholders.

5.2 Elevate has agreed that for this contract there will be no liability for gain share.

### **6. Legal Implications**

Implications completed by: Antonia Asielue, Senior Lawyer, Procurement and Contracts.

6.1 This report is seeking Cabinet's approval to undertake a re-tendering exercise in relation to the provision of insurance services in respect of the Council's leasehold property, in anticipation of the expiry of the existing contract in September 2012.

6.2 Under the Public Contracts Regulations, 2006 ("the EU Regulations") insurance services are classified as Part A services and are therefore subject to the full rigour of the EU public procurement regime. As the value of the contract is above the EU

threshold for services (currently £173,934), a full EU competitive tendering process is required to be undertaken.

- 6.3 This report confirms that the contract will be advertised in the Official Journal of the European Union (OJEU), and that the Open Procedure – a procedure whereby all organisations that submit an expression of interest in relation to the contract are invited to tender for the contract - will be followed.
- 6.4 It is anticipated that the cost to the Council of providing insurance cover in relation to leasehold property under the proposed contract, will be recovered from leaseholders via Service Charges payable by leaseholders.
- 6.5 Under Section 20 of the Landlord and Tenant Act, 1985, a notice of the intention to re-tender the contract must be given to leaseholders and consultation must be carried out with leaseholders in accordance with the Landlord and Tenant Act 1985 prior to award of the contract. This is imperative; otherwise the full cost of provision of the insurance cover will not be legally recoverable from leaseholders. This report confirms that the statutory leaseholder notices will be issued and that consultation with leaseholders will be undertaken in respect of this contract.
- 6.6 Under the Council's Contract Rules, a Corporate Director has the power, in the absence of direction to the contrary from Cabinet, to award contracts of above £50k in value provided this is undertaken in consultation with the Council's Section 151 officer (currently the Corporate Director of Finance and Resources).
- 6.7 The Legal Practice confirms that there are no legal reasons preventing Cabinet from approving the recommendations of this report.

## **7. Other Implications**

### **7.1 Risk Management**

The Leaseholders' Insurance Programme provides buildings and third party insurance cover for leaseholders in previously Council-owned properties. If buildings cover is not provided the Council will not be complying with its Landlord's obligations and will have to bear the risk of what otherwise would be covered by insurance.

### **7.2 Customer Impact**

Although it is a condition of the leases for all properties sold under the Right to Buy that the Council as landlord is responsible for insuring the building in which the property is situated, the Council is still providing a valuable contribution to social inclusion, enabling access to markets and savings that a lone leaseholder may not have while at the same time ensuring that appropriate insurance cover is in place on leasehold properties. Although there may be an increase in premiums charged to Leaseholders, these will be lower than if individual leaseholders were able to obtain cover for themselves.

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

**List of Appendices:** None



## CABINET

20 MARCH 2012

<b>Title:</b> Programme of Meetings 2012/13	
<b>Report of the Leader of the Council</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Alan Dawson, Democratic Services Manager	<b>Contact Details:</b> Tel: 020 8227 2348 E-mail: alan.dawson@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Tasnim Shawkat, Divisional Director of Legal and Democratic Services	
<b>Accountable Director:</b> Stella Manzie, Chief Executive	
<b>Summary:</b>  This report sets out the proposed principles for the Programme of Meetings for the forthcoming municipal year 2012/13 and seeks the Cabinet's confirmation to the principles in order that the full Programme can be finalised.	
<b>Recommendation(s)</b>  The Cabinet is recommended to agree the basis of the draft Programme of Meetings for 2012/13 as detailed in the report.	
<b>Reason(s)</b>  To accord with the requirements of the Council Constitution.	

**1. Introduction and Background**

- 1.1 The annual programme of meetings covers each municipal year and typically relates to the 12 month period from mid May each year. The annual programme includes details of all scheduled Council meetings and is available on the Council's website.

**2. Proposal and Issues**

- 2.1 The general principles underpinning the annual programme of meetings are well established and the proposals for the 2012/13 municipal year largely follow those principles, and where exceptions are proposed these are explained.

- 2.2 Wherever possible clashes between meetings are avoided and meetings scheduled outside of school holiday periods, although certain statutory deadlines and/or other legitimate reasons mean that this is not always possible.
- 2.3 In addition, the summer of 2012 will see the Olympics and Paralympics coming to London. Barking and Dagenham is one of the six Host Boroughs and will be a key gateway for those participating and visiting the Games, which commence with the Olympic Games opening ceremony on 27 July and culminate with the closing ceremony for the Paralympics on 9 September. With this in mind, the Council is committed to minimising the amount of travel that Councillors, officers and the local community have to undertake on Council-related business during this time. Therefore, it is proposed that only the Development Control Board and the Licensing and Regulatory Board would be included in the programme during this period, in view of the need for applications to be determined within prescribed timescales.
- 2.4 Set out below are the proposals in respect of the Council's main meetings:

#### **Assembly**

The Assembly typically meets six times a year at 7.00pm at the Town Hall, Barking (preceded by All Member Briefings at 6.00pm). There are two key dates during the year, namely the end of February for the budget / Council Tax setting and mid May for the Annual Meeting. There would normally be a meeting held between these two dates but as the Easter holidays fall in the middle it is proposed that for the 2012/13 municipal year only five meetings of the Assembly are scheduled. A six meeting schedule would return for the 2013/14 municipal year.

#### **Cabinet**

There are 11 meetings of the Cabinet proposed for the 2012/13 municipal year, typically on a four-weekly schedule commencing at 5.00pm at the Civic Centre, Dagenham.

#### **Licensing and Regulatory Board**

These would be scheduled fortnightly, typically at 6.00pm at the Civic Centre, in order to ensure that applications were considered within statutory timescales.

#### **Development Control Board**

These would be scheduled four-weekly, typically at 6.00pm at the Town Hall, in order to ensure that applications were considered within statutory timescales.

#### **Standards Committee**

It is proposed that meetings of the committee continue to be scheduled every two months at 3.00pm at the Civic Centre. However, it may be necessary to review matters at a later date in the light of anticipated changes to Standards Committee arrangements proposed under the Localism Act.

#### **Select Committees**

The five Select Committees would each meet eight times a year (typically every 6/7 weeks) at 6.00pm at the Civic Centre or Town Hall.

- 2.5 There are a number of other meetings that are included in the full Council programme, such as those relating to the Local Strategic Partnership, the new

Housing Forums and school governing bodies, but the dates of these meetings are set separately by the respective bodies. That said, the administrators of these meetings are asked to have regard to the Council's programme when setting their respective schedules.

### **3. Options Appraisal**

- 3.1 The proposals within this report generally reflect the standard approach to the annual programme. There is always some flexibility within the programme to allow for in-year changes.

### **4. Consultation**

- 4.1 The key principles which underpin this report have been agreed by the Chief Executive and Leader. Once the Cabinet has approved them, the detailed programme of meetings will be made generally available.

### **5. Financial Implications**

- 5.1 There are no financial implications associated with the recommendations in this report.

### **6. Legal Implications**

- 6.1 There are no legal implications associated with the recommendations in this report.

### **7. Other Implications**

- 7.1 **Customer Impact** - The arrangements for the 2012/13 municipal year follow the same general pattern as previous years and are therefore not considered to have any material impact on customers.

- 7.2 **Property / Asset Issues** - The Council's meetings are typically held in the Civic Centre or Town Hall due to their accessibility and to minimise costs.

### **Background Papers Used in the Preparation of the Report:**

Council Constitution

**List of appendices:** None

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## CABINET

20 MARCH 2012

<b>Title:</b> Debt Management Performance and Write-Offs 2011/12 (Quarter 3)	
<b>Report of the Cabinet Member for Finance and Education</b>	
Open Report	<b>For Information</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Peter Cosgrove, Service Delivery Director, Elevate	<b>Contact Details:</b> Peter.Cosgrove@ElevateEastLondon.co.uk
<b>Accountable Divisional Director:</b> Sue Lees, Divisional Director of Assets and Commercial Services	
<b>Accountable Director:</b> Tracie Evans, Corporate Director of Finance and Resources	
<p><b>Summary:</b> This report sets out the performance of the Council's partner, Elevate East London, in carrying out the debt management function on behalf of the Council for the third quarter of 2011/12 and also details the debts that have been written off. The report for the first quarter was considered by Cabinet on 20 September 2011 and for the second quarter on 14 December 2011. Debt is written off in accordance with the policy approved by Cabinet on 18 October 2011.</p> <p>In addition, PAASC at its meeting of 12 October asked for the following information to be added:</p> <ol style="list-style-type: none"> <li>1. Timescale of debt should be added to quarterly debt management reports,</li> <li>2. That the table at appendix 1 of bailiff performance be amended to include all debts,</li> <li>3. Provide more information on how much is written off and how much is generated through debt recovery,</li> <li>4. A breakdown of arrangements in place with the bailiff companies and more information about dormant cases.</li> </ol> <p>This report has incorporated this information.</p>	
<b>Recommendation(s)</b>	
Cabinet is asked to:	
<ol style="list-style-type: none"> <li>(i) note the contents of this report as it relates to the performance of the debt management function carried out by the Revenues and Benefits Service operated by Elevate East London including the performance of bailiffs; and</li> <li>(ii) note the debt write-offs for the third quarter of 2011/12 and that a number of these debts will be publicised in accordance with the policy agreed by Minute 69 (6 November 2007).</li> </ol>	

**Reason(s)**

Assisting in the Council's Policy House aim of ensuring a well run organisation delivering its statutory duties in the most practical and cost-effective way. It will ensure good financial practice and adherence to the Council's Financial Rules to report on debt management performance and total debt write-off each quarter.

**1. Introduction and Background**

- 1.1 The Council's Revenues, Benefits, General Income and Rents Service is operated by Elevate East London LLP (Elevate). The Service is responsible for the management of the Council's debt falling due by way of statutory levies and chargeable services.
- 1.2 This report sets out the progress and performance for the third quarter of 2011/12 and covers the overall performance of each element of the service, improvements planned for the service, service progress so far, and debts that have been agreed for write off in accordance with the Council's Financial Rules. On 18th October 2011 the Council agreed a debt management policy and as part of that a new procedure for write-offs was also agreed. Write offs in the third quarter have been actioned in accordance with this council policy.
- 1.3 In addition, this report includes information PAASC requested at its meeting of 12 October:
  1. Timescale of debt should be added to quarterly debt management reports. A breakdown year by year of Council Tax debt is provided at paragraph 2.4.
  2. That the table at appendix 1 of bailiff performance be amended to include all debts. This information is included in paragraph 2.39.
  3. Provide more information on how much is written off and how much is generated through debt recovery. Tables showing the bailiff collection for each debt is at paragraph 2.39 and write-off information is contained in appendices A, B and C.
  4. A breakdown of arrangements in place with the bailiff companies and information about the bailiff operation is presented in paragraphs 2.30 to 2.38 and on dormant cases is at paragraph 2.5. The overall value of debt for Council Tax year by year is set out at paragraph 2.4.

**2 Proposal and Issues**

- 2.1 For each of the teams of the Revenues Service a Continuous Service Improvement Plan (CSIP) is in place. The CSIP is an action plan that highlights the operational improvement activity being addressed during the financial year.
- 2.2 Set out below is the performance for the third quarter and highlights of the CSIP improvements being worked on by Elevate for each of the functions of the Revenues Service.

Table 1: Collection Rate Performance - 2011/12 (Quarter 3)

Revenue	KPI Profiled Target	Actual	Variance	Amount Collected	Yearly Amount Due	Year end estimate	Year end target
Council Tax	80.8%	81.5%	+0.7%	£42m	£51.6m	92.9%	92.9%
NNDR	78.1%	79.1%	+1.0%	£42.6m	£53.8m	96.0%	96.0%
Rents	95.90%	97.11%	+1.21%	£92.8m	£95.6m	96.75%	96.75%
Leaseholder	63.01%	68.59%	+5.58%	£2.6m	£3.8m	71.65%	71.65%

Council Tax performance quarter 3 and service improvements

2.3 Council Tax collection at the end of the third quarter was 0.7% above last year's performance at the same time. The percentage collection was 81.5%, equating to approximately £42m collected of the £51.66m Council Tax due.

2.4 A breakdown of the outstanding debt as at 31 December 2011 for Council Tax, year by year is set out below:

Year	Arrears
1999/00	£40,344
2000/01	£43,570
2001/02	£74,532
2002/03	£157,875
2003/04	£286,978
2004/05	£496,355
2005/06	£776,736
2006/07	£1,309,080
2007/08	£1,930,818
2008/09	£2,260,780
2009/10	£2,716,721
2010/11	£3,262,601

2.5 At the PAASC meeting of 21 October 2011 the Corporate Director of Finance and Resources (CDFR) informed Members that, previously, bad debts were left dormant on the old computer system and bad policy and processes were in place. Elevate are now working to improve performance and practice. Dormant cases are being processed and decisions made about whether to continue to pursue the debt or to write-off the balance. Paragraph 2.4 sets out the volume of council tax outstanding year by year from 1999. The decision to write-off hinges on the steps already taken and potentially exhausted to recover the debt. During the fourth quarter of 2011/12 and the first quarter 2012/13 Elevate will seek to write off or renew recovery action against such debts.

- 2.6 Elevate's new payment arrangement procedure has resulted in an increase in direct debit payers by 6% from 25,067 at the beginning of the year to 26,588 at the end of December.
- 2.7 Summons surgeries established by Elevate at the beginning of the year continue to be successful with customers seen at both Barking Learning Centre (BLC) and Dagenham Library resolving issues before the hearings.
- 2.8 An additional 9 customer service staff and 3 team leaders were given council tax training in December and will shortly be utilised by B&D Direct to reduce the need for back office cover.
- 2.9 Attachments of earnings have increased significantly since the beginning of the year with 897 attachments of earnings now in place compared to 242 in April. Attachments to benefits have gone up from 751 to 1,414.

#### NNDR performance quarter 3 and service improvements

- 2.10 NNDR collection for the third quarter is 79.1%, equating to £42.6m of the £53.8m debt to be collected. This is 1.0% above last year at the same point.
- 2.11 Plans are in place to improve case selection for enforcement action as well as automating key processes such as refunds to improve capacity within the team.

#### Rents collection performance and service improvements

- 2.12 At the end of Quarter 3, projected rent collection for the whole year stands at 97.11%, which is 1.21% above the profile performance of 95.90%. At the end of December 2011 the projected collection for the financial year is £92.8m of the £95.565m collectable in year.
- 2.13 Elevate have stabilised the Capita IT system. The improved stability of the system has allowed the Rents Team management to be proactive by running system reports that identify rent arrears actions that are overdue. This has had the effect of rent arrears reminders being sent on time so that we are taking action on debt at lower levels when there is still a realistic prospect of tenants making arrangements to clear the debt in the current financial year. Additional resources have been made available to ensure that we take tenants to Court to obtain possession orders where debt is high. Court action is demonstrably effective in producing large payments off of arrears and Court orders for eviction regularly produce full clearance of the debt.

#### Rents Quarter 3 and service improvements

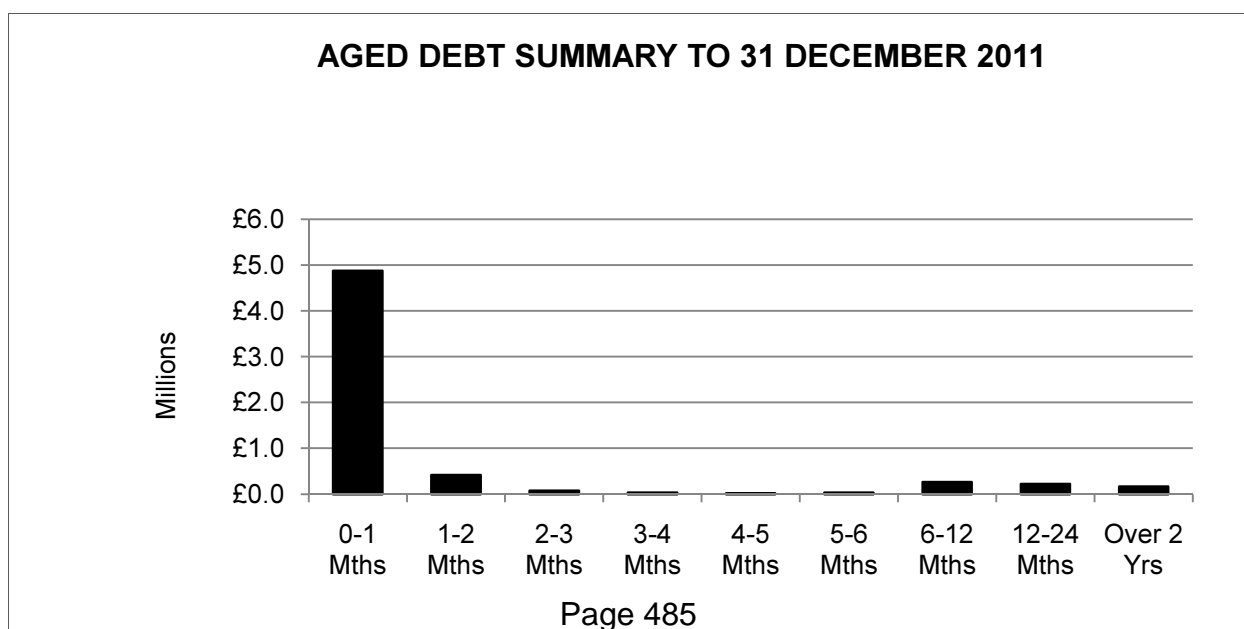
- 2.14 One Stop Shop staff at Barking Learning Centre and Dagenham Library have received extensive training on Rents since April and the number of tenants attending for advice is around 125 each week across both sites. Prior to Elevate there was no public access rents service through the one stop shops. The numbers being seen have been fairly stable over the last 6 months. It is not possible to identify the improvement in collection this service has produced given the other improvements that have also been made, however to offer tenants this service is in itself an improvement to the experience of customers seeking face to face contact.



- 2.15 Elevate encourage payment by Direct Debit (DD). The Council have launched a prize draw to promote DD through the annual report (the Council's annual report goes to all council tenants and reports on performance) circulated in quarter 3 and promoted on the web site and at public outlets, including one stop shops, children's centres and local advice centres..
- 2.16 The team continue to look at options to ensure smarter working; foremost being more joined up working with the Housing service. An end to end process review was carried out in quarter 3 which will ensure exchange of information between the Rents and Housing services at key points in the process. This will prevent arrears, identify potential abandoned tenancies and prevent evictions.
- 2.17 To ensure HB take up is maximised at tenancy sign up, Dagenham Library have recently joined the Barking Learning Centre in dealing with HB assessments, face to face, on the same day without an appointment.
- 2.18 SMS texting was introduced in Quarter 3 so that lower level arrears cases receive a text message in addition to a standard arrears letter, where we have their mobile number recorded on our system. We will be monitoring the effect and reviewing how we can make best use of this texting option.

General Income

- 2.19 General Income is used to describe the ancillary sources of income available to the Council, and which support the cost of local service provision. Examples of income streams from which the Council derives income include; recharges for social care; rechargeable works for housing; nursery fees, trade refuse, truancy penalty notices, hire of halls and football pitches. A single computer system is used for the billing of these debts and collection performance across all these debts is reported together.
- 2.20 The collection of Leasehold Service Charges and Penalty Charge Notices are monitored through separate computer systems and the performance of these is reported separately.
- 2.21 The current aged profile of the debt (Aged debt reflects invoices that remain unpaid after the Council's payment terms of 21 days) is as follows:



- 2.22 For 2011/12 by the end of December 2011 £43.7m of general income debt had been raised of which £40.5m had been collected.. For 2010/11 a total of £44.4m for the year was raised of which £41.6m was collected by the end of March 2011.
- 2.23 Elevate make sure that the debt is pursued while a reasonable prospect remains of collecting the debt. For example the above chart shows a tranche of debt that is over two years old. With these (around 300 cases) most commonly Elevate are in discussion with the issuing department to decide on the next steps or the debt has legal action pending. All debts are monitored on a regular basis to ensure that appropriate action is being taken.

#### General Income: Leaseholders

- 2.24 Performance for the collection of leasehold charges at the end of December stood at £2.059m which gives a collection rate of 84.48%, this is for current year charges, for previous debt we have collected £454,190 leaving a balance of £184,664 which gives a collection rate of 71.09%, it should be noted that due to ongoing problems with the Capita system it was only possible to commence recovery in July 2011. The overall collection rate for all years at 31 December 2011 stands at 68.59% which is 5.58% above the percentage collected at the same point last year.
- 2.25 It should be noted that leasehold collection has been greatly hampered by a lack of functionality of the new leasehold module of the computer system implemented by the Council in April 2010. It was only possible to issue letters in relation to last year's arrears at the beginning of July 2011, and for reminders regarding the current year to be issued in mid-July. The system is now able to deal with current year's debt and Elevate is working with the Council to improve how arrears can be dealt with.

#### General Income: Leaseholders - improvements

- 2.26 The IT issues highlighted above have meant that the efforts of Elevate's Revenues Service and its IT teams has been focused on working to improve the functionality of the IT system. This has been achieved with the Capita system's performance being stabilised. The changes to further improve the collection of leasehold debt have commenced and will focusing on increasing and improving the communication with those behind in their payments with a greater variety of letters and increased telephone contact.

#### Penalty Charge Notices

- 2.27 The Council refer unpaid Penalty Charge Notices (PCNs) for parking, bus lane and box junction infringements to Elevate for enforcement once a warrant has been obtained from the Traffic Enforcement Court. The vast majority of these relate to parking infringements.
- 2.28 In May 2010 the Council introduced a new computer system for dealing with PCNs. However, because of problems with this system the Council was not able to get warrants on this debt until early December 2011. On 7 December Elevate sent 942 files to the bailiffs for the total value of £173,374.00.

2.29 For the PCNs prior to May 2010 Elevate have been asked to focus on outstanding PCNs from the previous computer system. To this end Elevate is working closely with the Council to maximise recovery and clear remaining cases so that the old computer system can be shut down. This involves examining each case and recommending how to take the case forward. In the majority of cases this involves a recommendation to cancel the debt. As the debt is old, successful recovery is unlikely in most circumstances. The collection rate achieved by bailiffs on this old debt is only around 6%.

### Fairer Contribution Charging

2.30 From October 2011, billing commenced in accordance with the Council's new Fairer Contribution Policy.

2.31 Bills are issued every four weeks in arrears. A bill is classed as overdue after 28 days.

2.32 As at 31 December a total of £142,553 had been billed of which 63.26% had been collected.

2.33 As part of the new Fairer Contributions Policy project, the database used to manage and charge for care provided in residential homes changed from Abacus to Swift. Elevate are in the process of migrating all outstanding debt on Abacus to the Oracle financial management system by the end of March. This is on course to be achieved.

2.34 Similarly, the database used to manage home care charging has changed from POC to Swift. As with Abacus debt, Elevate are in the process of migrating all outstanding debt on POC to Oracle by the end of March 2012. This is also on course to be achieved.

2.35 Once these transfers are complete the Council will be able to decommission the POC and Abacus systems with recovery of the debt outstanding continuing via the Oracle system.

### Bailiff Performance

2.36 Currently Elevate use three bailiff companies, Newlyn, Equita and JBW. Bailiffs are used to enforce non payment for the following debts:

- Council Tax
- National Non Domestic Rates
- Benefit Overpayments
- Sundry Debts
- Commercial Rents
- Benefit overpayments.
- Car Parking

2.37 For Council Tax bailiff firms Newlyn and Equita are used to enforce non payment and Newlyn are used for the non payment of NNDR. A bailiff cannot be instructed to carry out this work until the council has obtained a liability order at court. The bailiff will visit the property with the intention of collecting the debt or removing goods to the value of the debt.

- 2.38 Day to day working arrangements are in place so that the Council Tax team have access to the bailiff's computer system and update individual cases in real time. Changes include, amendments to debts, the recall of cases where appropriate and make and update notes on the system. Bailiffs will not remove goods without direct authorisation from the Council Tax manager and removal is extremely rare as the debtor's goods are highly unlikely to cover the unpaid debt. The bailiffs are met on a monthly basis and any complaints are discussed alongside the performance of the bailiff. Bailiffs have direct access to council tax staff to check information and where swift action is required the council tax team can contact the bailiff companies by phone. The same arrangements exist for Business Rates.
- 2.39 Below a certain level sundry debt cases are deemed to have too low a balance to make court action economically viable. Such debts are referred to the bailiff for collection who seek to recover the debt using letters and phone calls to make contact in order to collect the debt.
- 2.40 Commercial rents are sent to bailiff for enforcement of non payment. Newlyn will visit the property with the intention of collecting the debt or removing goods to the value of the debt.
- 2.41 Where internal methods of collection have failed, benefit overpayments are referred to the bailiff for collection. They will write to and phone the debtor and where this proves unsuccessful they will visit the property with the intention of collecting the debt.
- 2.42 In most cases once a debt has been referred to the bailiff and the bailiff has been unable to collect the debt and where other available avenues are not possible the only route left is to write the debt off. Details of the write offs in quarter three of 2011/12 are in paragraphs 4.47 to 2.50 and in appendices A, B and C.
- 2.43 Bailiff action is a key tool in Elevate's work to recover overdue debts but is only one area of collection work.
- 2.44 An example of this is within Council Tax collection, which has the greatest need for the use of bailiffs. By the end of March 2011 an overall rate of 92.9% for that year's debt collected in that year was achieved. At the beginning of each financial year the arrears from the previous year are brought forward and collection continues. Of this previous year's debt collection during the current year 2011/12, as at the end of December 2011, 70.4% had been collected by bailiffs. The overall level of arrears collected could not be achieved without the use of bailiffs. The detail of the debt collected in quarters one, two and three by bailiffs for Council Tax is set out in the table below:

Debt year	Payment year	Bailiff collection	Other collection	Total Payment	Bailiff %
1999	2011/12	£836	£511	£1,346	62.1
2000	2011/12	£1,754	£1,232	£2,986	58.7
2001	2011/12	£2,381	£9,141	£11,522	20.7
2002	2011/12	£3,005	£5,271	£8,275	36.3
2003	2011/12	£5,811	£7,792	£13,603	42.7
2004	2011/12	£7,551	£12,474	£20,025	37.7
2005	2011/12	£10,013	£19,002	£29,015	34.5
2006	2011/12	£13,320	£32,353	£45,674	29.2
2007	2011/12	£29,181	£66,947	£96,128	30.4
2008	2011/12	£56,087	£76,948	£133,034	42.2
2009	2011/12	£126,875	£73,222	£200,097	63.4
2010	2011/12	£462,625	£194,515	£657,140	70.4
<b>Total</b>		<b>£719,439</b>	<b>£499,407</b>	<b>£1,218,847</b>	<b>59.0</b>

2.45 Detail of bailiff performance by type of debt for 2011/12 by debt is set out below:

Council Tax:

2011/12	Month	Value of cases less returns	Total remitted	Collection Rate (%)
	April	£201,444.85	£37,518.34	18.62
	May	£206,093.17	£34,219.08	16.60
	June	£42,917.22	£4,311.44	10.05
	July	£1,966,455.62	£228,676.77	11.63
	August	£419,809.16	£77,890.71	18.55
	September	£359,357.94	£53,486.84	14.88
	October	£363,616.25	£30,877.35	8.49
	November	£261,644.80	£10,774.41	4.12
	December	£203,813.99	£20.17	0.01
<b>TOTAL</b>		<b>£4,025,153.00</b>	<b>£477,775.11</b>	<b>11.87</b>

NNDR:

2011/12	Month	Value of cases less returns	Total Remitted	Collection Rate %
	April	£319,911.95	£98,493.20	30.79
	May	£0.00	£0.00	0.00
	June	£727,965.66	£119,130.84	16.37
	July	£25,689.15	£4,056.00	15.79
	August	£299,958.26	£63,748.18	21.25
	September	£46,159.76	£13,665.79	29.61
	October	£265,939.80	£45,076.21	16.95
	November	£122,332.52	£25,752.68	21.10
	December	£44,219.69	£0.00	0.00
<b>TOTAL</b>		<b>£1,852,176.79</b>	<b>£369,922.90</b>	<b>19.97</b>

General Income:

2011/12	Month	Value of cases	Total remitted	Collection Rate (%)
	April	£11,882.81	£2,418.64	20.35
	May	£10,228.47	£1,253.87	12.26
	June	£17,760.39	£1,626.45	9.16
	July	£8,371.65	£2,812.40	33.59
	August	£14,280.35	£1,665.87	11.67
	September	£5,038.15	£1,842.19	36.56
	October	£16,061.70	£4,336.24	27.00
	November	£12,221.99	£594.61	4.87
	December	£29,146.93	£480.85	1.65
<b>TOTAL</b>		<b>£124,992.44</b>	<b>£17,031.12</b>	<b>13.63</b>

Commercial Rent:

Bailiff Work (commercial)	Number referred to bailiff April to December	Value Referred to bailiff April to December	Amount Collected by bailiffs April to December	% Collected by bailiffs April to December
Number	18	£59,957.05	£58,549.73	97.65

Road Traffic Debt

The first batch of warrants related to PCNs from May 2011 were sent to bailiffs on 7 December 2011. Collection performance on this debt will be reported in the report for the fourth quarter.

- 2.46 The relatively low percentage collected by bailiffs as shown above needs to be seen in context. Elevate's revenues teams will attempt to collect their respective debts by means other than bailiffs where possible. However, where these methods have been exhausted bailiffs will be utilised.
- 2.47 In relation to council tax and business rates this can result in a large number of cases being sent at the same time to the bailiff and so can make performance in terms of cash collected as a percentage low. Although the teams will have attempted to cleanse the data related to the debts sent, in some cases there will be information about the property or debt that has not been supplied by the resident or landlord. In such cases the visit from the bailiff can often generate not only payment to the bailiff but direct payment to the council as well as hastening the supply of information that may change the account and/or details of a new occupant.
- 2.48 Although the bailiffs intention is always to collect unpaid debts, their actions also act as a deterrent and often prompt the supply of information that has a direct impact on whether they should continue to pursue the debt. Furthermore, bailiffs will often make payment arrangements over a number of months and due to the number of cases issued will take a number of weeks to visit all properties.

### Write off process

- 2.49 Where a debt is written off it is the case that measures have been taken to collect all debts and levies due; it is the case that some debts will remain unpaid, even after concerted efforts have been made to collect them.
- 2.50 Debts are categorised and recommendations made to write-off amounts deemed to be irrecoverable. The write-off of debt allows the service to focus on debts that are more likely to be recovered. At the same time the Council makes provision within its accounts for debts that are likely to be written-off.
- 2.51 The write-offs presented in this report fall into two broad categories. Firstly, debts Elevate is unable to collect on the Council's behalf because for example the customer is deceased and there is no estate, the customer has gone away and cannot be traced, or the age of the debt precludes recovery. Secondly, there are cases where it is uneconomic to collect.
- 2.52 Of the debts written off the three main reasons were that for 43% the debtor had absconded and could not be traced, for 37% it was deemed uneconomical to pursue the debt and for 9% the debtor was insolvent.

### Debt Write-off: Quarter 3 2011/12

- 2.53 The value of debts written off for the first quarter and second quarters of 2011/12, i.e. April to September 2011 total: £395,885 (see Appendix B).
- 2.54 In 2010/11 almost £2.4m was written off. (Appendix B)
- 2.55 Write-offs for debts managed by Elevate for the third quarter total £785,910.08. (see Appendix B).
- 2.56 The volume of write-offs to be actioned in the fourth quarter will be higher as this quarter will be used to make a decision on more cases. This is because during the third quarter Elevate put in place additional resources to further improve collection. Because of this cases waiting to be processed for write-off were not dealt with but will be dealt with in the fourth quarter.

### Publication of individual details of debts written off (Appendix C)

- 2.57 A number of Authorities publicise the details (names, addresses etc.), of residents who have had debts written off. In the majority of cases, these debts have been written off where the debtor has absconded.
- 2.58 The Council agreed in November 2007 (Minute 69, 6 November 2007) that a list showing the details of debtors, who have had debts written off, would be attached to this report. A list has been attached at Appendix C. The list has been limited to the top ten debts only.
- 2.59 As was previously outlined within the 6th November 2007 Cabinet report, It was recommended that the following types of debt write offs are excluded from this publicised list:

- a) Debts that have been written off following a corporate complaint being upheld
- b) Debts that have been written off due to the debtor falling within one of the vulnerable groups (e.g. elderly, disabled, infirm etc.)
- c) Where the original debt was raised in error
- d) Where debts have been written off, but no legal action has been taken to prove that the debt was legally and properly due
- e) Where the debt has been written off following bankruptcy or insolvency action (the majority of these cases will be individually publicised)

2.60 The exclusion of the category of debts listed above will eliminate the possibility of any unnecessary and potentially costly legal challenges from debtors, who take issue with their details being publicised. It is intended that where the details or whereabouts of debtors become known following publication, those debtors will be pursued as far as is possible, to secure full payment of the debt.

2.61 The list provided at Appendix C does not include debts or debtors that fall within categories a-e above, so the list as it stands can be publicised.

### **3. Options Appraisal**

3.1 This is not relevant for an information report.

### **4. Consultation**

4.1 Elevate have provided the information and been consulted in the drafting of this report.

### **5. Financial Issues**

5.1 As part of the closure of the Council's accounts each year, a review of outstanding debts are made and an estimate of bad and doubtful debts is provided for. All write offs in year are made against that provision. The level of bad debts proposed and agreed for write off is monitored quarterly against the provision made at year end.

5.2 Improvements in the pursuit and collection of debt enables the Council to make a lower provision and improves the level of balances and reserves though debts are only pursued to the point that it is economically sensible to do so.

### **6. Legal Issues**

6.1 The pursuit of debts owed to the Council is a fiduciary duty. The Council seeks to recover money owed to it by the courts once all options are exhausted. Not all debt will be recovered and a pragmatic approach has to be taken with debts as being on occasions, uneconomical to recover in terms of the cost of process and the means of the debtor to pay. As observed in the body of this report, in the case of rent arrears, a possession and subsequent eviction orders are a discretionary remedy and the courts will on many occasions suspend the possession order on condition the tenant makes a contribution to their arrears. The Councils decision to utilise Introductory Tenancies will over time begin to have an impact as only those tenants with a satisfactory rent payment history can expect to be offered a secure tenancy.



6.2 The decision to write off debts has been delegated to Chief Officers who must have regard to the Financial Rules.

## **7. Other Implications**

7.1 Risk Management - No specific implications save that of this report acting as an early warning system to any problems in the area of write off's.

### **Background Papers Used in the Preparation of the Report:**

- Operational Improvement Plans for Revenues Service areas.

### **List of appendices:**

- Appendix A – Debt Write Off Table for Quarter 3 2011/12
- Appendix B – Tables summarising the debt written off for Quarter 1, Quarter 2, Quarter 3 of 2011/12 and one table for 2010/11
- Appendix C – Top Debts Written Off

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Table 1: Debts Written Off during 2011/12 Quarter 3

	Write-offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	Home Care	Residential Care	Council Tax	NNDR	TOTAL
Oct-11	Under 2k	£37,374.74	£9,236.15	£25,550.93	£0.00			£0	£1,711.72	£73,873.54
	Over 2k	£9,819.45	£0	£0.00	£0			£0	£92,635.92	£102,455.37
	Over 10k	£0	£0	£0.00	£0			£0	£0	£0
	<b>Total</b>	<b>£47,194.19</b>	<b>£9,236.15</b>	<b>£25,550.93</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£94,347.64</b>	<b>£176,328.91</b>
Nov-11	Under 2k	£13,656.93	£5,425.45	£43,381.90	£1,231.83			£0	£0	£63,696.11
	Over 2k	£2,772.00	£2,442.34	£272,740.27	£0			£0	£0	£277,954.61
	Over 10k	<b>£0.00</b>	£0	£0	£0			£0	£0	£0.00
	<b>Total</b>	<b>£16,428.93</b>	<b>£7,867.79</b>	<b>£316,122.17</b>	<b>£1,231.83</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0</b>	<b>£341,650.72</b>
Dec-11	Under 2k	£3,055.96	£4,464.77	£141,203.31	£732.26			£0	£0	£149,456.30
	Over 2k	£4,392.76	£0.00	£114,081.39	£0			£0	£0	£118,474.15
	Over 10k	<b>£0.00</b>	£0.00	£0	£0			£0	£0	£0.00
	<b>Total</b>	<b>£7,448.72</b>	<b>£4,464.77</b>	<b>£255,284.70</b>	<b>£732.26</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0</b>	<b>£267,930.45</b>
Quarter 3 Totals		<b>£71,071.84</b>	<b>£21,568.71</b>	<b>£596,957.80</b>	<b>£1,964.09</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£94,347.64</b>	<b>£785,910.08</b>

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Table 2: Debts written off during 2011/12 Quarter 1

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	PSL Homeless	Home Care	Residential Care	Council Tax	NNDR	TOTAL
2011-12 Totals	£43,022	£25,883	£34,848	£844	£16,208	£0	£0	£0	£0	£120,805

Table 3: Debts written off during 2011/12 Quarter 2

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	PSL Homeless	Home Care	Residential Care	Council Tax	NNDR	TOTAL
2011-12 Totals	£32,012	£41,018	£40,764	£0	£N/A	£0	£0	£122,006	£39,280	£275,080

Table 4: Debts written off during 2011/12 Quarter 3

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	PSL Homeless	Home Care	Residential Care	Council Tax	NNDR	TOTAL
2011-12 Totals	£71,072	£21,569	£596,958	£1,964	£N/A	£0	£0	£0	£94,348	£785,910

Table 5: Total debts written off for 2011/12 Quarter 1 2 and 3

2011-12 YTD	£144,994	£88,469	£640,659	£2,808	£N/A	£0	£0	£122,006	£133,627	£1,149,884
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Table 6: Debts written off during 2010/11

Write Offs	Housing Benefits	General Income Debts	Former Tenant Arrears	Rents	PSL Homeless	Home Care	Residential Care	Council Tax	NNDR	TOTAL
2010-11 YTD	£117,197	£370,313	£694,217	£126,498	£46,260	£0	£0	£328,858	£698,506	£2,381,842

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## Appendix C

<b>NAME</b>	<b>AMOUNT</b>	<b>DEPARTMENT</b>	<b>TENANCY END DATE</b>	<b>REASON</b>
MR F B Mensi	£7,796	Former Tenant Arrears	16.11.2008	All recovery methods have been exhausted. Referred to debt collectors twice and was returned on both occasions as unable to recover from the former tenant as it had not been possible to contact the debtor and no response was obtained from visits to the debtor's property.
MR D Gore	£6,356	Former Tenant Arrears	11.01.2009	All recovery methods have been exhausted. Referred to debt collectors and was returned as unable to recover former tenant could not be traced.
MR B Vary	£6,258	Former Tenant Arrears	06.09.2009	Tenant was evicted and no forwarding address found. Referred to debt collector and they are unable to trace.
Miss T Malcolm	£5,192	Former Tenant Arrears	08.03.2009	All recovery methods have been exhausted. Referred to debt collectors and was returned as unable to recover former tenant could not be traced.
Miss L Lewars	£5,088	Former Tenant Arrears	25.05.2008	All recovery methods have been exhausted. Referred to debt collectors and was returned as unable to recover from the former tenant as it had not been possible to contact the debtor and no response was obtained from visits to the debtor's property.
Mr A Pendry	£5,065	Former Tenant Arrears	06.07.2008	All recovery methods have been exhausted. Referred to debt collectors and was returned as unable to recover former tenant could not be traced.
Mrs S Peerboccus	£5,048	Former Tenant Arrears	04.10.2009	Tenant was evicted and no forwarding address found. Referred to debt collector and they are unable to trace.

Mr S Bennett	£4,963	Former Tenant Arrears	04.02.2007	All recovery methods have been exhausted. Referred to debt collectors and was returned as it had not been possible to contact the debtor and no response was obtained from visits to the debtor's property..
Mrs B Sullivan	£4,877	Former Tenant Arrears	16.07.2006	Tenant was evicted and no forwarding address has been established. Referred to debt collector and they are unable to trace.
Mr & Mrs Davis	£4,606	Former Tenant Arrears	05.09.2010	Tenant was evicted and no forwarding address found. Referred to debt collector and they are unable to trace.