

Notice of Meeting

CABINET

Tuesday, 17 October 2017 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Darren Rodwell (Chair); Cllr Saima Ashraf (Deputy Chair) and Cllr Dominic Twomey (Deputy Chair); Cllr Sade Bright, Cllr Laila M. Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr Lynda Rice, Cllr Bill Turner and Cllr Maureen Worby

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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 interest they may have in any matter which is to be considered at this meeting.

3. Minutes - To confirm as correct the minutes of the meeting held on 19 September 2017 (Pages 3 - 11)

4. Budget Monitoring 2017/18 - April to August (Month 5) (Pages 13 - 23)

5. Fire Safety Policy Proposals (Pages 25 - 36)

6. **2018/19 Local Implementation Plan Funding Submission (Pages 37 - 50)**
7. **Local Discretionary Business Rate Relief Scheme 2017/18 (Pages 51 - 60)**
8. **Impact of the Children and Social Work Act 2017 (Pages 61 - 66)**
9. **Growth Commission Recommendations Progress Report (Pages 67 - 77)**
10. **Any other public items which the Chair decides are urgent**
11. **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 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.***

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



Our Vision for Barking and Dagenham

One borough; one community; London's growth opportunity

Our Priorities

Encouraging civic pride

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

Enabling social responsibility

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

Growing the borough

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth

Well run organisation

- A digital Council, with appropriate services delivered online
- Promote equalities in the workforce and community
- Implement a smarter working programme, making best use of accommodation and IT
- Allow Members and staff to work flexibly to support the community
- Continue to manage finances efficiently, looking for ways to make savings and generate income
- Be innovative in service delivery

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MINUTES OF CABINET

Tuesday, 19 September 2017
(7:00 - 8:52 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Laila M. Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr Lynda Rice, Cllr Bill Turner and Cllr Maureen Worby

Apologies: Cllr Saima Ashraf

34. Declaration of Members' Interests

There were no declarations of interest.

35. Minutes (11 July 2017)

The minutes of the meeting held on 11 July 2017 were confirmed as correct.

36. Budget Monitoring 2017/18 - April to July (Month 4)

The Cabinet Member for Finance, Growth and Investment introduced a report on the Council's revenue budget monitoring position for the 2017/18 financial year, as at 31 July 2017.

The General Fund showed a projected year-end overspend of £5.475m against the budget of £145.129m, which represented an increase of £0.68m on the position for the end of May 2017. The Cabinet Member referred to the ongoing areas of overspend and the new pressures and risks that materialised of late, which were detailed in the report. The Housing Revenue Account was also projecting a shortfall of £0.769m.

The Cabinet Member also advised on the need to realign existing budgets to reflect the new My Place and Be First services that would commence from 1 October 2017, as well as a new charging matrix under the Housing and Planning Act 2016 to address failures by landlords within the private rented housing sector via the issuing of Civil Penalty Notices, with fines of up to £30,000 for the most serious offences. It was further noted that the capital expenditure position would now be reported on a quarterly basis.

Arising from the discussions:

- The Cabinet Member for Social Care and Health Integration commented on the Government's long-standing attack on public sector funding which meant that unexpected costs, such as those relating to the placements of six very vulnerable children with exceptionally complex needs in residential / secure accommodation in recent months, would inevitably mean that planned budgets would overspend;
- The Operational Director for Enforcement Services confirmed that the £0.341m pressure in the Private Rented Property Licence (PRPL) scheme would be met

from the dedicated PRPL reserve; and

- The Cabinet Member for Corporate Performance and Delivery asked officers to provide a briefing note on the detail of the £0.498m overspend within the Elevate service.

The Cabinet **resolved** to:

- (i) Note the forecast outturn position for 2017/18 of the Council's General Fund revenue budget as detailed in section 2 and Appendix A of the report;
- (ii) Note the ongoing and new financial pressures and the suggested mechanisms for resolving them, as detailed in sections 3 and 4 of the report;
- (iii) Note the overview of the HRA for 2017/18, as detailed in section 5 and Appendix B of the report;
- (iv) Approve the virements from existing budgets into the new My Place and Be First service budgets as detailed in Appendix C to the report;
- (v) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Growth and Investment, to approve any additional virements to implement the next stage of the Council's Transformation programme, as outlined in section 6 of the report; and
- (vi) Approve the adoption of the proposed Civil Penalty Scoring Matrix and Scale of charges related to Enforcement Activity under the Housing and Planning Act 2016 Part II (Rogue Landlords and Property Agents), as detailed in section 7 and Appendix D to the report.

37. Investment and Acquisition Strategy Update

Further to Minute 72 (15 November 2016), the Cabinet Member for Finance, Growth and Investment presented an update report in respect of the Council's Investment and Acquisition Strategy (IAS).

The Cabinet Member advised that a commitment to a £250m investment budget and £100m land and property acquisition budget had already been made and he referred to several of the major projects already underway, including the street property purchasing scheme which was helping to provide much needed, affordable accommodation for care leavers, adults with mental health issues and other groups. On that issue, it was noted that plans were being progressed for the purchased properties to be held within a Special Purpose Vehicle, either as a stand-alone entity or within the B&D Reside structure.

The overall total debt required to deliver the 44 schemes in the Future Pipeline Regeneration Programme amounted to a further £2.12bn on top of the £250m already set aside. The Cabinet Member acknowledged that such a level of investment was not without risk but he stressed that it was essential for the Council to raise additional income through its growth agenda if it was going to be able to maintain essential Council services in the future, bearing in mind the

Government's ongoing austerity programme. The IAS was set to achieve £5m+ additional income from 2020/21 onwards and would primarily be delivered by the Council's new development vehicle, Be First.

The Cabinet Member also referred to the proposed establishment of an advisory Investment Panel, which would be responsible for assessing and reviewing investment proposals and decisions, and other governance arrangements that would help to support the delivery of individual projects within the overall programme.

In response to issues raised:

- The Cabinet Member for Finance, Growth and Investment undertook to keep Cabinet colleagues informed of progress on the major projects within the Future Pipeline Regeneration Programme; and
- The Finance Director clarified that the Council had already drawn-down £89m of the £150m loan approval from the European Investment Bank, although the criteria for borrowing the remainder had been made tougher since the Brexit vote.

The Cabinet **resolved** to:

- (i) Note the progress being made in meeting the investment and acquisition income target;
- (ii) Approve the future Pipeline Regeneration Programme, as set out at Appendix 1 to the report;
- (iii) Agree to receive a twice-yearly report on the Investment and Acquisition Strategy and Business Plan, to approve the investment programme and schemes and to enable effective land acquisitions and investments;
- (iv) Approve the principle to establish a Special Purpose Vehicle to hold properties under the street properties purchasing programme as required;
- (v) Approve the Terms of Reference of the advisory Investment Panel, established pursuant to the Chief Operating Officer's delegated powers, as set out at Appendix 2 to the report;
- (vi) Note that the Investment and Acquisitions Decision Framework at Appendix 3 to the report, which will be used to consider and assess each investment decision and land acquisitions, will be reviewed in consultation with Be First and advisors and any material resultant changes will be reported to a future Cabinet meeting;
- (vii) Note that the Investment Panel will be supported by external advisors in respect of property, tax and investment considerations as required;
- (viii) Delegate authority to the Chief Operating Officer, in consultation with the Director of Law and Governance and the Cabinet Members for Finance, Growth and Investment and Economic and Social Development, to

negotiate terms and agree investment proposals and land and property acquisitions for projects included in the Investment and Acquisition Strategy and Business Plan, subject to the endorsement of individual projects by the Investment Panel;

- (ix) Note that investment and acquisition proposals not included within the Investment and Acquisition Strategy and Business Plan shall be presented to Cabinet for approval following consideration by the Investment Panel, in accordance with the 'key decision' provisions in Part 2, Chapter 16, paragraph 3.2 of the Council Constitution;
- (x) Authorise the Director of Law and Governance, or an authorised delegate, to execute all the legal agreements, contracts and other documents on behalf of the Council required to implement the investment programme identified in this report.

38. Update on Implementation of Be First

Further to Minute 73 (15 November 2016), the Cabinet Member for Finance, Growth and Investment introduced a progress report on the establishment of Be First, the Council-owned regeneration company, and a proposal for the company to also act as a developer in its own right.

As referred to in the preceding IAS report on the evening's agenda, Be First was established to manage the delivery of the Council's Future Pipeline Regeneration Programme. The Cabinet Member explained that it had always been envisaged that Be First would also act as a developer and that vision had been progressed with representatives of Be First subsequent to the draft Full Business Case being approved at the November 2016 meeting. It was noted that the ability to be the developer for projects would enable Be First to deliver the annual £10.3m contribution to the Council's Medium Term Financial Strategy (MTFS), which was a key component of the approval given in November 2016.

The Cabinet Member referred to the appointments to Be First, staff TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) arrangements and other key areas of progress that would enable the company to formally launch on 1 October 2017. The proposed governance structure and arrangements were intended to provide Be First with the flexibility and freedom to successfully deliver the Council's regeneration aspirations while ensuring appropriate levels of oversight and approval by the Council of business plan proposals. The governance regime would also ensure that Be First met its social responsibility obligations.

In expressing support for the project, Cabinet Members commented that the launch of Be First represented a key achievement in the Council's transformation programme and would be model for the rest of London to follow.

The Cabinet **resolved** to:

- (i) Note progress on the arrangements for Be First to become operational with effect from 1 October 2017; and

- (ii) Agree, in principle, to the proposal for Be First to act as developer in its own right in order to achieve the long-term contribution to the Council's Medium Term Financial Strategy, the detail of which will be incorporated in Be First's first Business Plan to be submitted to Cabinet for approval before the end of this financial year.

39. Corporate Plan 2017/18 - Quarter 1 Performance Reporting

The Cabinet Member for Corporate Performance and Delivery introduced the corporate performance framework report for the first quarter of the 2017/18 financial year.

The Cabinet Member remarked on the regular meetings between Cabinet Members and senior managers at which the data was discussed in detail and referred to a number of the positive performance areas as well as several areas for improvement. The Cabinet Member also commented that the qualitative data that had proved informative in previous performance reports would be revived for future reports.

Other issues that arose during the discussions included:

- The need for the Council to address the problems of indiscriminate parking of lorries and trucks in residential areas to improve the safety and environment of local residents; and
- The interest from a number of other local authorities in the Council's Equality Strategy and the Gender Equality Charter.

The Cabinet **resolved** to:

- (i) Note progress against the Key Accountabilities as detailed in Appendix 1 to the report; and
- (ii) Note performance against the Key Performance Indicators as detailed in Appendix 2 to the report.

40. Local Flood Risk Management Strategy

The Cabinet Member for Environment and Street Scene introduced the Council's Local Flood Risk Management Strategy, which formed part of the Council's statutory obligations under the Flood and Water Management Act 2010.

The Cabinet Member advised that there were an estimated 11,000+ properties across the Borough at risk of surface water flooding or flooding from ordinary watercourses and a key aim of the Strategy was to establish a long-term vision to reduce the likelihood and detrimental consequences of flooding. The Strategy set out plans to provide support and direction for local residents, businesses and other stakeholders to understand the risks and offered best practice advice to reduce the risk of flooding.

The Cabinet Member confirmed that the Strategy had been subject to widespread consultation with neighbouring Boroughs, the Environment Agency and Thames

Water and would be refreshed over time to reflect changes in best practice and other appropriate updates.

In response to the point that the Council should ensure that drains and culverts were kept clear to reduce the risk of flooding, the Leader advised that lessons had been learnt from previous cuts to that service and additional funding had been made available. The Cabinet Member for Environment and Street Scene also advised that she had taken on board a suggestion from the Cabinet Member for Corporate Performance and Delivery and would be working with officers and ward Councillors to develop ward-specific analysis and action plans.

With regard to the recent burst main pipe in Thames ward and the poor response to the incident by Thames Water, the Operational Director for Enforcement Services outlined the steps being taken and agreed to keep the ward Councillors updated on the issue.

The Cabinet **resolved** to:

- (i) Adopt the Local Flood Risk Management Strategy and Action Plan at Appendix A to the report; and
- (ii) Authorise the Operational Director of Enforcement Services, in consultation with the Cabinet Member for Environment and Street Scene, to make any appropriate amendments to the documents arising from best practice initiatives or valid representations from the general public and/or risk management authority partners.

41. Fire Risk Assessment Report

The Cabinet Member for Finance, Growth and Investment introduced a report on the fire safety systems and procedures in place for the Council's housing stock and the additional measures undertaken in response to the recent Grenfell Tower tragedy.

The Cabinet Member advised that officers were mid-way through the annual cycle of fire risk assessment (FRA) updates for all properties with communal areas at the time of the Grenfell Tower tragedy and additional resources were committed to enable that work to be completed, and any actions points remedied, without delay. The frequency of inspections had also been increased, with all blocks of eight storeys and above now being reviewed every three months.

The findings and action plans stemming from FRAs were to be published to the Council's website as a further means of helping residents understand what to do in an emergency. On that issue, it was noted that residents of the Council's sheltered housing accommodation had each received a Personal Emergency Evacuation Plan (PEEP).

The Cabinet Member confirmed that the Council had always been open and transparent regarding the findings from FRAs and the Leader remarked that it was very unfortunate that one of the national political parties had used the publication of FRAs following the Grenfell Tower tragedy in an attempt to score political points.

The Cabinet **resolved** to:

- (i) Note the fire safety systems and procedures in place for the Council's housing stock, as set out in the report;
- (ii) Agree that the Council publishes a forward programme of FRAs on its website;
- (iii) Agree that the Council publishes a summary of the findings for each FRA on its website; and
- (iv) Agree that the Cabinet be presented with an annual report on fire safety issues.

42. Response to the Mayor of London's Draft Transport Strategy

The Cabinet Member for Economic and Social Development presented the Council's proposed response to the Mayor of London's inaugural draft Transport Strategy (MTS), which set out the policies and proposals to reshape transport in London over the next 25 years.

A key feature of the MTS was that, by 2041, 80% of all Londoner's trips would be made on foot, by cycle or by public transport. To achieve that, the Mayor was seeking to transform London's streets, improve public transport and create new opportunities for homes and jobs, under the themes of 'Good Growth' and 'Healthy Streets'. The Cabinet Member advised that many of the principles of the MTS supported the vision and themes of the Borough Manifesto and he referred to the 10 transport priorities for the Borough, which included tunnelling and junction improvements along the A13, new and improved rail / tram links and station improvements. A series of short, medium and long-term improvements had also been identified as crucial to the success of the Council's ambitious growth plans, such as the introduction of river passenger services from Barking Riverside to London's key employment hubs, new infrastructure to support cycling and walking, road traffic reduction measures and the potential for a future HS1/HS2 interchange at Barking Station.

Arising from the discussions, it was suggested that:

- The Mayor should be challenged to provide more detail on his proposals and give greater focus to deprived areas, although the Cabinet Member for Economic and Social Development commented that the expectation was for the respective London Boroughs to provide much of the detail to support the Mayor's strategic aims;
- There should be stronger links between the 'Healthier Streets' principles, the MTS and the London Plan;
- Local bus services needed to be more responsive to new developments and school expansion projects in the Borough to reduce traffic congestion and prevent harming children's education, although the Cabinet Member for Educational Attainment and School Improvement acknowledged that Council and TfL's bus network representatives had worked well together and the pace

of change in the Borough was sometimes an issue; and

- Significant improvements were needed to the C2C service through Barking and the Council should consider using the “Save Dagenham Police Station” campaign as a model for lobbying for the necessary improvements.

In response to those points, officers undertook to strengthen the draft response letter to the Mayor.

The Cabinet **resolved** to agree the draft response to the Mayor of London’s Transport Strategy consultation, as set out at Appendix 1 to the report, subject to the enhancement of a number of aspects of the Council’s response as discussed at the meeting, including the importance of bus service and route expansions keeping pace with the Borough’s school expansion plans.

43. Procurement of Integrated Healthy Child Programme

The Cabinet Member for Social Care and Health Integration introduced a report on the proposed procurement of an integrated programme for improving the health and wellbeing of all children and young people in the Borough.

It was noted that the 0-19 Healthy Child Programme would support a range of public health outcomes including improved sexual health, reduced numbers of teenage pregnancies, healthy diet and exercise, improved educational outcomes, smoking prevention and cessation, substance misuse prevention, and awareness and improved emotional health and wellbeing.

The Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a new Integrated 0-19 Healthy Child Programme commencing 1 September 2018, in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Strategic Director for Service Development and Integration, in consultation with the Cabinet Member for Social Care and Health Integration, the Chief Operating Officer and the Director of Law and Governance, to award and enter into the contract and any subsequent extensions with the successful bidder in accordance with the strategy set out in the report.

44. Debt Management Performance and Write-Offs 2017/18 (Quarter 1)

The Cabinet Member for Finance, Growth and Investment introduced the performance report for the first quarter of the 2017/18 financial year in respect of the debt management function carried out by the Revenues and Benefits Service within Elevate East London.

The Cabinet Member advised that although performance was slightly below the stretched targets across all areas for the first quarter period, as more and more households were feeling the impact of the Government’s austerity measures, overall performance against the corresponding period for 2016/17 had improved in a number of areas.

The Cabinet **resolved** to:

- (i) Note the performance of the debt management function carried out by the Revenues and Benefits service operated by Elevate East London, including the performance of enforcement agents; and
- (ii) Note the debt write-offs for the first quarter of 2017/18, as detailed in Appendix A to the report.

45. Private Business

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

46. Council Sites - Land Disposals: Hooks Hall Farm, Dagenham

Further to Minute 90(vii) (27 January 2015), the Cabinet Member for Finance, Growth and Investment introduced a report on the proposed sale, leasing and licensing of land at Hooks Hall Farm, Dagenham, to the long-standing tenant and proprietor of the Eastminster School of Riding which operated from the premises.

The Cabinet Member outlined the terms of the proposed sale and leasing arrangements, which were based on a valuation report commissioned from an independent specialist agricultural surveyor, and commented that the proposed terms represented an excellent deal for the Council while also helping to support the growth of a well-established local business.

The Cabinet **resolved** to:

- (i) Approve the disposal of the Council's freehold interest in the farmhouse at Hooks Hall Farm to the current, long-standing tenant on the terms set out in the report;
- (ii) Approve the granting of a 125-year lease of the 16-acre farm land to the tenant to facilitate the continued operation of a riding stables, on the terms set out in the report;
- (iii) Approve the granting of a licence to graze horses within the adjacent country park to the tenant, subject to strict adherence to a management regime agreement and on the terms set out in the report; and
- (iv) Authorise the Director of Law and Governance, or an authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council.

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CABINET**17 October 2017**

| | |
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| Title: Budget Monitoring 2017/18 – April to August (Month 5) | |
| Report of the Cabinet Member for Finance, Growth and Investment | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision: Yes |
| Report Author: Katherine Heffernan, Group Manager – Service Finance | Contact Details: Tel: 020 8227 3262 E-mail: katherine.heffernan@lbbd.gov.uk |
| Accountable Director: Kathy Freeman, Finance Director | |
| Accountable Strategic Director: Claire Symonds, Chief Operating Officer | |
| <p>Summary</p> <p>This report provides an update on the revenue budget monitoring position as at the end of August 2017.</p> <p>The total service expenditure for the year is expected to be £150.647m against a revenue budget of £145.130m. This results in a forecast overspend position for the full year as at the end of August 2017 of £5.517m. This is a small change from the position last month which was an overspend of £5.475m. Within the overall position there has been a worsening of the pressures in Care and Support services for Children while the Enforcement service has now developed its action plan and so the forecast has been revised down in that area.</p> <p>This is based on known factors at this stage of the year and may change as the result of successful management action or the appearance of new risks and pressures. Early identification of pressures is key to being able to plan and implement successful mitigation and the position will continue to be monitored and reported to Cabinet throughout the year.</p> <p>The Housing Revenue Account (HRA) is forecasting a revenue surplus of £38.873m which will be used as a contribution to the capital programme. This forecast surplus is a reduction of £0.789m from the planned contribution as a result of shortfalls in rent income.</p> <p>This report also includes a recommendation for the Council to advance funding to Be First to enable it to progress with its start-up and essential feasibility and other development work for its initial schedule of projects.</p> | |
| Recommendation(s) | |
| The Cabinet is recommended to: | |
| (i) Note the forecast outturn position for 2017/18 of the Council's General Fund revenue budget as detailed in section 2 and Appendix A of the report; | |

- (ii) Note the ongoing and new financial pressures and the suggested mechanisms for resolving them, as detailed in sections 3 and 4 of the report;
- (iii) Note the overview of the HRA for 2017/18, as detailed in section 5 and Appendix B of the report;
- (iv) Approve the allocation of up to £250,000 for Be First to undertake essential feasibility works in advance of its full business plan, as detailed in section 6 of the report.

Reason(s)

As a matter of good financial practice, the Members' should be informed about the Council's spending performance and its financial position. This will assist in holding managers to account and in making future financial decisions.

1 Introduction and Background

- 1.1 This report provides a summary of the forecast outturn for the Council's General Fund and HRA. It has been agreed by the Chief Accountant and the section 151 officer that Capital monitoring will be moved on a quarterly basis only to allow more detailed but less frequent reporting. The next report is planned for November. It has also been agreed that monitoring of the Council's transformation programme will be on the same quarterly basis.

2 Overall Position

- 2.1 As at the end of August there is a projected overspend of £5.517m. Full details are shown as an appendix to this report. This is based on current service expenditure and, in many ways, can be regarded as a worst case forecast as in most instances it does not include the potential impact of management action. On the other hand, with the changing of the seasons it is also possible that new risks may emerge and some pressures may worsen – especially in seasonally driven services such as Public Realm or Care for Older People. The commentary below notes where there is a wider potential range of outcomes around the central forecast.
- 2.2 There are overspends predicted for Children's Care and Support, the Homelessness budgets within Community Solutions, Disabilities, Leisure Services, Public Realm, Enforcement, and the Customer Access Strategy.
- 2.3 If this forecast was still the final position by the end of the financial year it would require a drawdown on the Council's reserves. Although the Council has sufficient to cover this amount at this time, a reduction in the reserves would mean less capacity for strategic investment and the management of future other risks. For this reason, it is important that action is taken swiftly to mitigate these pressures and any others that arise in the year.
- 2.4 In addition to this overspend there are further financial pressures that the Council is managing which the Cabinet's attention is drawn to. These are also explained in the commentary below along with details of the mitigating action that is being taken.

3. Main Variances

Public Realm - £1.99m overspent

- 3.1 Most of this overspend relates to staffing and the use of agency staff. An in-depth review of current staffing has been carried out and this shown that there is no budget for the funding of weekend works for street cleansing and leave and sickness cover across waste collection and cleansing. Hence the service remains over agreed/budgeted establishment.
- 3.2 There is an ongoing review of the delivery model for Street cleansing (and Caretaking service) which is due to report in the Autumn. This will include options to use existing resources to cover the full week and varying frequencies and nature of cleansing across the borough. A similar process is underway for the waste collection service. However it is unlikely there will be any impact from this work within this financial year due to the long lead in times to make this kind of change.
- 3.3 In addition there is a pressure of £0.358m relating to the costs of the current fleet vehicles many of which are in poor condition resulting in high maintenance and repair costs as well as costs in the intermittent hiring of vehicles. The existing waste collection fleet are to be assessed to ascertain what work is required to keep them in better working order for the term of the lease. The expected result of the overhaul is a reduction in the ongoing repair and maintenance bill.
- 3.4 The service has also been tasked with achieving savings from residual waste volumes and trade waste income. These amount to around £300k in total and are unlikely to be achieved in the short term. It is not clear whether alternative savings can be produced.
- 3.5 There is also a saving within Passenger Transport resulting from savings on Adults transport that have not yet been achieved. Further options are being developed for this service but in the interim it is producing a pressure of £0.25m.
- 3.6 Management action in this area will include replacing agency workers with fixed term staff where possible and limiting the overall use of agency and an overhaul of the waste collection fleet.

Children's Services - £1.5m overspend

- 3.7 Although there continues to be a successful programme of management action within Children's services the placement forecast has risen again this month. There has been a further increase of three high cost placements in residential or secure accommodation. These are high cost services for very vulnerable children with exceptionally complex needs. This service through its very nature is subject to some demand volatility as this shift illustrates.
- 3.8 However progress continues to be made in other areas with reductions in the forecast for services to care leavers and unaccompanied asylum-seeking children. There has also been some impact from the continued recruitment programme with a further fall in the staffing forecasts of £0.286m to £0.839m bringing this variance to under one million for the first time. This is still of course a substantial staffing

overspend.

- 3.9 Management action in this area includes reviewing high cost placements, finding alternative accommodation for care leavers and a recruitment and retention strategy to reduce the requirement for agency staff.

Community Solutions – £0.398m made up of Homelessness - £1.026m overspend partly offset by £0.6m additional funding (Grant/corporate provision for bad debt) and £0.027m other variances

- 3.10 The Homelessness service is continuing to experience a high level of financial pressure. The immediately actionable lines on the management action plan have largely been implemented which led to a reduction in the total net cost of temporary accommodation. Other action is now under way to increase the supply of accommodation. However in the short term this is increasing some pressures as it has resulted in a temporary loss of spaces at Boundary Road.
- 3.11 However the running costs of the hostels and the level of bad debt linked to the service have both increased. The hostels still make a surplus but the costs of the service have risen with inflation in particular the premises running costs such as utilities and the cost of ensuring there is sufficient staff or security presence.
- 3.12 The overall service variance is forecast to be just over £1.027m (a very slight rise since last month). This residual pressure will be hard to eliminate in the short term and any long-term solution will need to be linked to the revision of the Council's Housing strategy. However, for this year as a one-off remedy there is some additional grant funding support for Homelessness Prevention and Support and it may be possible to meet some of the costs of bad debt from corporate provisions. This will not however resolve the underlying issues.
- 3.13 There are further risks that have not been factored into the forecast – the most significant being the cost of temporary accommodation. Any increase in costs is unlikely to be recovered from Housing Benefit and so would result in an increase in pressure on this forecast.
- 3.14 Management action already taken includes reducing the use of bed and breakfast accommodation and more expensive nightly lets, a review of the top one hundred most expensive lettings and applying a more prevention led approach to reduce the numbers of new households in temporary accommodation. Further action is planned to increase the hostel provision. Further work will involve building on the preventative approaches in Community Solutions and taking a wider approach to increasing the Housing Supply.

Enforcement - £0.505m overspend

- 3.15 There continues to be a pressure in the Parking account, which is currently forecasting a shortfall of around £0.970m against the forecast income budget. Over recent years the pattern of income has been changing as a result of changes to the regulatory framework and motorist behaviour. Income from penalty charges has reduced as residents are parking more responsibly – perhaps partly as a result of the council's education campaigns and emphasis on civic pride. A detailed exercise

has been conducted to assess income trends and identify actions penalty which has formed the basis of an action plan for the service

- 3.16 The management action will include the introduction of new motorbikes and vehicles fitted with Automatic Number Plate Recognition systems to enable more efficient and accurate issuing of penalty charge notices and a review of the citing of CCTV cameras to target areas of high non-compliance. The business case for increasing the number of enforcement officers is also being considered. This is forecast to reduce the income shortfall by £0.465m in year and this has been factored into the forecast. However it should be noted that this depends on assumptions about the impact of the actions undertaken and as these are not yet in place there can be no certainty about the impact so this remains a risk.

Customer Access Strategy - - £0.380m overspend

- 3.17 There is currently a £380k pressure which relates to a Customer Access Savings that probably won't be delivered until 2018/19. Last month this was shown against the Elevate service block as this is how Customer Services are delivered; however Elevate are not responsible for this saving which will be achieved through the Council's transformation process.

Leisure Services - £0.516m overspend

- 3.18 This forecast relates to the costs of running the service during the first five months of the year while they were still operated by the Council. A full reconciliation and closedown process is underway and in the interim the forecast is based on the previous year's performance. This is a historic pressure brought forward from previous years.

The Leisure centres were transferred to their new provider from 1st September. Under the new arrangements our Leisure partner will pay a concession fee that over the whole life of the contract will exceed the income currently being received from the centres, thus generating a saving. However in the first years of operation this saving does not line up with the estimated profile of income. This will be realigned in the MTFS planning process.

Disabilities - £0.249m overspend

- 3.19 There is a pressure of £0.249m within the Disabilities service relating to services for children with Disabilities including Home to School transport and Direct Payments and Personal Care. Management action in this area includes working with parents to identify alternatives to organised transport such as direct payments. The impact of this action will become clear next month as some changes have been made with effect from the start of the new school year.
- 3.20 Additional social care funding of £1.5m has been applied to the Disabilities service budget - £0.300k to Equipment and £1.2m to care package pressures especially for Adults with severe and complex Learning Disabilities.

Growth and Homes – overspend of £0.14m

- 3.21 As part of the preparation for the move to Be First an in year reconciliation of the Planning and Regeneration budgets has been carried out. This shows a small net variance of £0.04m which mostly relates to funding feasibility studies etc for the Film Studios development.
- 3.22 In addition there are pressures from the new Commissioning structure which will shortly be recruited to. There are a number of new posts in the structure which are not funded in this financial year however due to the high level of vacancies only a small provision of £0.1m has been made this year.

4. Other Risks and Issues

Adults £0.281m overspend after application of new funding but before the impact of further management action.

- 4.1 Since last month £1.4m of ASC grant and IBCF funding has been applied to this budget in accordance with the plans recently submitted to NHS England. This has left a smaller residual pressure mostly within Mental Health and Relish Café. However it is expected that this can be managed down in year – it remains however a risk.

Assets and Investment – Facilities

- 4.2 There was a saving from the Office Accommodation strategy in the 2016/17 base budget. This has resulted in a short-term pressure in this year due to slippage on vacating the Civic Centre and Stour Road however there is corporate funding available to meet this short-term gap.

5. Housing Revenue Account

- 5.1 The current forecasts for the HRA shows an expected reduction in the surplus/contribution to the capital programme of £0.789m. This mostly relates to under achievement of income. This is unchanged since last month.
- 5.2 Rent and Service Charge Collectable Debit is not expected to achieve the budgeted level due to:
- Rent and Service Charge - the number of dwellings available for let is lower than was assumed in the HRA business plan. There were some delays in the New Build programme last year resulting in slippage on the 2016/17 capital programme (as reported in the Outturn report) which has meant that not all the expected new stock has been available for letting resulting in a reduction in rental income.
 - a reduction in lettable HRA stock being made available for Temporary Accommodation use at higher rents
 - a lower than expected collection of Rent and Service Charge debt is being forecast, this and any subsequent movements from current to former tenant arrears/write offs will adversely impact HRA revenue position through an increased revenue contribution to bad debt being required. The Housing Service

and Elevate partners continue to work together in improving collection levels throughout the year.

- The introduction of Universal Credit is also likely to impact on HRA balances, via an increase in arrears and therefore a further increase in the revenue bad debt contribution requirement.
- The level of garage relets is now forecast to be lower than the budgeted level due to a lower than anticipated uptake of the higher rent refurbished garages.

6. Be First

- 6.1 Cabinet in September approved the launch of Be First from 1 October 2017. Be First is progressing with its Business Plan which will set out how it will support the delivery of the 44 Council-led development programmes. In order to maintain the momentum of scheme delivery, Be First will need funding of up to £0.250m in advance of the business plan being approved by Cabinet to progress with essential feasibility works, site surveys, market valuations, legal and financial modelling costs in respect of five projects.
- 6.2 This will allow the company to progress in developing the 44 Council-led schemes as approved by Cabinet through the Council's Investment and Acquisition Strategy in September 2017. The funding approved here will be offset against the funding approved through the business plan which will be presented to Cabinet in January.

7. Financial Implications

Implications completed by: Kathy Freeman, Finance Director

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

8. Legal Implications

Implications completed by: Dr Paul Feild, Senior Corporate Governance Solicitor

- 8.1 Local authorities are required by law to set a balanced budget for each financial year. During the year, there is an ongoing responsibility to monitor spending and ensure the finances continue to be sound. This does mean as a legal requirement there must be frequent reviews of spending and obligation trends so that timely intervention can be made ensuring the annual budgeting targets are met.
- 8.2 A consequence of the monitoring process is there will be occasions where the ongoing review will identify further expenditure that would be beneficial to the Council's objectives if brought forward during the financial year, as in the case of the Be First proposal.

Public Background Papers Used in the Preparation of the Report:

- Oracle monitoring reports

List of Appendices

- **Appendix A** – General Fund Revenue budgets and forecasts.
- **Appendix B** - HRA budgets and Forecasts

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GENERAL FUND REVENUE BUDGETS AND EXPENDITURE

| SERVICE | 2017-18 BUDGET | ACTUALS - AUG 2017 | FORECAST | FORECAST VARIANCE |
|------------------------------|-------------------|-----------------------|----------------|----------------------|
| BE FIRST | 0 | 103 | 0 | |
| CARE & SUPPORT | | | 0 | |
| ADULT'S CARE & SUPPORT | 24,901 | 14,418 | 24,901 | |
| CHILDREN'S CARE & SUPPORT | 33,632 | 15,247 | 35,161 | 1,529 |
| DISABILITIES | 15,576 | 8,902 | 15,825 | 249 |
| CARE & SUPPORT Total | 74,109 | 38,567 | 75,887 | 1,778 |
| CENTRAL | -743 | 11,221 | -863 | -120 |
| COMMUNITY SOLUTIONS | 11,157 | 4,114 | 11,555 | 398 |
| ELEVATE CONTRACT | 7,578 | 14,423 | 7,958 | 380 |
| CORE | | | 0 | |
| ELEVATE CLIENT TEAM | 5,664 | -8,924 | 5,664 | |
| FINANCE | 4,229 | 1,520 | 4,229 | |
| LAW & GOVERNANCE | 95 | -2,103 | 95 | |
| STRATEGIC LEADERSHIP | 690 | 505 | 690 | |
| STRATEGY & PROGRAMMES | 914 | -390 | 914 | |
| TRANSFORMATION | 192 | 3,918 | 192 | |
| CORE Total | 11,785 | -5,474 | 11,785 | 0 |
| EDUCATION, YOUTH & CHILDCARE | 12,473 | 5,525 | 12,473 | |
| ENFORCEMENT | 10,515 | 3,571 | 11,020 | 505 |
| GROWTH & HOMES | | | 0 | |
| ASSETS & INVESTMENT | -3,215 | -2,864 | -3,215 | |
| CULTURE & RECREATION | 2,490 | 1,594 | 2,490 | |
| GROWTH & HOMES | -59 | 812 | 81 | 140 |
| GROWTH & HOMES Total | -784 | -458 | -644 | 140 |
| MY PLACE | 0 | 14 | 0 | |
| PUBLIC REALM | 6,961 | 6,105 | 8,951 | 1,990 |
| SDI COMMISSIONING | | | 0 | |
| ADULTS COMMISSIONING | 5,890 | 2,980 | 5,820 | -70 |
| CHILDREN'S COMMISSIONING | 4,193 | 1,313 | 4,193 | |
| HEALTHY LIFESTYLES & LEISURE | 406 | 940 | 922 | 516 |
| PUBLIC HEALTH | 1,034 | -1,652 | 1,034 | |
| SDI COMMISSIONING Total | 11,523 | 3,581 | 11,969 | 446 |
| TRADED SERVICES | 555 | 1,675 | 555 | |
| Grand Total | 145,130 | 82,966 | 150,647 | 5,517 |

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HOUSING REVENUE ACCOUNT BUDGETS AND EXPENDITURE

| | Budget £m | Forecast £m | Variance £m |
|--|----------------------|------------------------|------------------------|
| Dwelling Rents | (89.270) | (88,622) | 0.648 |
| Non-Dwelling Rents | (0.807) | (0.706) | 0.101 |
| Other Income | (19.624) | (19.436) | 0.188 |
| Repairs and Maintenance | 16.481 | 16.309 | (0.172) |
| Supervision and Management | 41.838 | 41.842 | 0.004 |
| Rent, Rates and Other | 0.350 | 0.350 | 0 |
| Bad Debt Provision | 1.046 | 1.046 | 0 |
| Corporate & Democratic Core | 0.685 | 0.685 | 0 |
| Interest Charges | 10.059 | 10.059 | 0 |
| Interest Receivable | (0.400) | (0.400) | 0 |
| Surplus/Revenue Contribution to Capital | 39.642 | 38.873 | 0.769 |

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CABINET**17 October 2017**

| | |
|---|---|
| Title: Fire Safety Policy Proposals | |
| Report of the Cabinet Member for Finance, Growth and Investment | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision: Yes |
| Report Author: Jonathon Toy, Operational Director - Enforcement | Contact Details: Tel: 020 8227 3683 E-mail: Jonathon.toy@lbdd.gov.uk |
| Accountable Director: Jonathon Toy Operational Director - Enforcement | |
| Accountable Strategic Director: Claire Symonds, Chief Operating Officer | |
| <p>Summary</p> <p>This report sets out a series of policy proposals related to fire safety. The proposals set out in this report have been developed in consultation with Council services, the London Fire Brigade and other key partners, specifically those involved in the construction industry. In addition, the proposals reflect the direction of central government and the early findings from the Grenfell Tower fire and the recommendations of the previous Lakanal fire inquiry recommendations of 2013. It is recognised that changes to regulations and legislation will take place in light of the findings from the Grenfell Tower inquiry. This report sets out three broad principles which will enable the council to adopt those changes as they take place.</p> <p>The proposals cover three principal headings:</p> <ul style="list-style-type: none"> • Improving fire safety in buildings • Using regulation to improve fire safety • Protecting people for the risk of fire and reducing the impact of fire if it occurs <p>The aim of this paper is to set out a policy context which will enable the council to make long term decisions on the best approach to improve fire safety, specifically in residential buildings and ensure that there is an increased auditing and quality assurance role to reduce the risk of fire.</p> <p>The Council is already working with partner agencies and the London Fire Brigade on a number of fire safety programmes which include:</p> <ul style="list-style-type: none"> • Fire safety in maisonettes, and • The mayoral priority for councils to work with privately owned and managed residential blocks, to ensure fire safety and construction standards are in place. <p>These programmes will continue and this policy paper supports these programmes.</p> | |

Whilst the council is setting out a series of forward looking recommendations to protect our current and future residents, the role of regional and central government will be critical in supporting us.

Central government rhetoric on the values of retro fitting sprinklers and tightening up on building regulations is cheap. The true value of commitment to such areas of improving fire safety is delivering the legislative framework which gives councils the powers to hold owners and developers to account and provides local authorities with the financial resources needed to carry out the improvements to high rise residential blocks.

The opportunity to tighten up on building regulations related to fire safety followed the 2013 Coroners recommendations on the Lakanal fire. This opportunity was not taken. In response, the then Secretary of State for Communities and Local Government 'noted' the concerns but went on to state "*...the design of fire protection in building is a complex subject and should remain, to some extent, in the realm of professionals*".

The commitment of a formal review and the publication of a new edition of the 'Approved Document' in 2016/17, set out in the Secretary of State's written response, has not been forthcoming. It is neither practical or feasible for central Government to expect local authorities to meet the financial implications of such improvements as retro-fitting sprinklers, during a decade of austerity for local government.

Central government advisors such as Sir Ken Knight have highlighted this. In his 2013 report "Facing the Future: Finding from the review of efficiencies and operations in fire and rescue authorities in England" Sir Ken states "*there is a clear case for suppression systems, such as sprinklers in targeted areas*". Sir Ken sights the insurance industry as a clear player in helping to fund such systems, as well as owners and occupiers.

However in his letter of 31 July to Chief Executives, the Secretary of State for Communities and Local Government (DCLG) stated "*Where a Local Authority has concerns about funding essential fire safety measures, they should approach us as soon as possible to discuss the position. Where works have been advised by local fire services to be essential to ensure the fire safety of a building, we will ensure that current restrictions on the use of financial resources will not prevent them going ahead. This does not include general improvements or enhancements to buildings which go beyond this.*"

Central Government departments need to be called upon to clarify the position that if the local authority and local fire service recommend a sprinkler system as an appropriate, proportionate and feasible fire safety measure to reduce the impact of fire in a targeted area, funding will be made available via DCLG to reduce the burden on local councils.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the policy recommendations set out in the report and Appendix 1; and
- (ii) Note the financial impact on the Housing Revenue Account of the policy recommendations, the impact of which will be developed in conjunction with the HRA Business Planning process.

Reason(s)

The report sets out a series of recommendations in relation to fire safety. These recommendations are proposed in response to the early finding following the Grenfell Tower fire. They set a policy context which the council can develop in line with legislative and best practice is developed at a local regional and national level. By setting this policy context, the council is meeting its objective of a well-run organisation, being responsive to the challenges arising from the tragic events of Grenfell Tower and demonstrating its commitment to risking the risks of fire for our residents.

1. Introduction and Background

- 1.1. In the early hours of 14 June 2017, emergency services responded to a report of a flat on fire on the 4th floor of Grenfell Tower, North Kensington.
- 1.2. The fire spread very rapidly and spread across 20 floors in 18 minutes. Up to 40 fire appliances and crews responded to the incident.
- 1.3. Grenfell Tower is a 24-storey block with 127 flats. 364 households have been placed in emergency accommodation. The current number of people who have been confirmed dead stands at 80. This figure will not be revised further until the end of the year, until a full search and recovery has been concluded.
- 1.4. There has been considerable speculation and focus on how the fire spread so quickly and claimed so many lives. The investigation into the cause and spread is ongoing and will take many months to conclude. This will also form part of the coroner's inquests into the deaths.
- 1.5. In addition, the Prime Minister has called for a public inquiry which be led by retired court of appeal judge Sir Martin Moore-Bick, this will take several years to conclude.
- 1.6. The government has also established a government fire safety expert panel, chaired by Sir Ken Knight to advise on any immediate actions that are required to ensure buildings are safe.
- 1.7. Barking and Dagenham council established a Strategic Operations Group to oversee the work across all departments in response to the fire, the early areas of investigation and the wider response to government departments at a regional and national level.
- 1.8. The Fire Risk Assessment Report was adopted by the Cabinet on 19 September 2017 (Minute 41 refers).
- 1.9. This paper sets out the policy recommendations related to fire safety, and their context.

2. Proposals and Issues

- 2.1 Following the Grenfell Tower fire in North Kensington, the council has been working in partnership with the London Fire Brigade and government departments to identify

areas which can improve fire safety and reduce the risk of fire to our residents. This paper sets out a series of policy positions related to fire safety. The changes do not contain any direct legal issues and reflect the current direction of Government in relation to fire related legislation.

2.2 However, it is recognised that changes to regulations and legislation will take place in light of the findings from the Grenfell Tower inquiry. This report sets out three broad principles which will enable the council to adopt those changes as they take place.

2.3 **Improving Fire Safety in Buildings**

2.3.1 There has been considerable national debate on the use of materials on external facades of buildings, in particular cladding and the materials that form cladding as an external façade to a building, as well as sprinkler systems, and alarms in high-rise residential blocks. The council's policy position on these is set out below. However, the council will reflect the most up to date national guidelines and changes, relating to these areas.

Use of materials

2.3.2 Currently, there are two tests under Building Regulations which are used to assess the combustibility of the materials used in the external facades of buildings.

2.3.3 The first test relates to each individual component. Under this test, all of the components in an external facade are required to meet the criteria of limited combustibility. In other words, each individual component must meet the requirement of limited combustibility (BS 476-11:1982 or classified A2 BS EN 1305-1-2007).

2.3.4 The second category relates to materials which when, combined in an external façade system, have limited combustibility. This means that whilst each individual material used in the system could be combustible, as a whole system they meet the requirements of limited combustibility. Current building regulations, BR135, set out the criteria related to this type of design.

2.3.5 It has been evident since Grenfell Tower Fire in June, and the subsequent BRE testing programme that there remain significant challenges in the use of any material in an external façade system which does not meet the standards of limited or non-combustibility. Materials which are classified being fire resistant, or of limited combustibility have failed the recent BRE testing regime. We want to be assured that any building with an external façade is as safe as possible – the only way that we can be confident of this is to ensure that each individual material meets the standard of non-combustibility.

2.3.6 Our policy will be to only use individual materials in any external façade system, that meet the standard of non-combustibility, as set out in prevailing building regulations, when building or refurbishing council-owned or maintained residential blocks or schools.

Installation of sprinkler systems in new buildings

- 2.3.7 The current building control requirement is that any new high-rise building of over 30 metres requires a sprinkler system.
- 2.3.8 Although it is not a material planning consideration, the expectation of the council will be that developers include sprinkler systems for any residential block of more than 18 metres.

Retrofitting sprinklers in council-owned residential buildings

- 2.3.9 The council is committed to ensuring that fire safety improvements in high-rise residential buildings is to the highest standard. There is evidence that sprinkler systems can play an important role in this. However, it is also recognised by the London Fire Brigade (LFB) that retro-fitted sprinklers is best achieved, as part of an appropriate package of fire safety measures and installed in a way which does not significantly affect the fire safety integrity of the block.
- 2.3.10 One of the key challenges in retro fitting sprinklers is that, to be effective, sprinklers need to be installed inside each dwelling, as well as in communal areas. As a result, the decision to retro-fit sprinklers has to be taken with the full agreement of tenants and leaseholders, alongside the design specification and fire safety integrity of the block.
- 2.3.11 Accordingly, the council's policy in relation to retro-fitting sprinklers will be based on key criteria and decisions to retro-fit will be considered in partnership with London Fire Brigade and in line with any recommendations of the public inquiry. The criteria is as follows:
- High-rise residential buildings of 8 storeys or more - Where there are council-owned or maintained buildings of 8 storeys or more, we will undertake a programme to assess if retro-fitting sprinkler systems are a viable option to improve fire safety, without detrimentally impacting on the integrity of the building.
 - High-rise residential blocks which form part of the Council's regeneration programme –Where buildings fall under this category, we will look to complete the scheme at the earliest opportunity. In the interim we will explore the use fire detection and alarm systems in partnership with the LFB, which will greatly improve the early detection, if fire were to occur.
 - The Council will continue retro-fitting sprinkler systems in sheltered accommodation, in partnership with London Fire Brigade.

Installation of Fire Detection and Alarm systems

- 2.3.12 Fire detection and alarm systems can provide a highly effective measure, when used by the LfB, in alerting residents to evacuate a property or building.
- 2.3.13 Although this is a new concept our policy will be to work with the LFB to identify buildings where the installation of fire detection and alarm systems, is deemed most

appropriate. The council will use its civil protection response when fire safety crews take the decision to evacuate a building. The council will only use fire detection and alarm safety alarms in high rise residential buildings.

2.4 Using regulation to improve fire safety

Building control

- 2.4.1 Developers of either new build or refurbishment programmes have the options of using the council's Building Control Department, or independent, Approved Inspectors, to carry out their Building Control functions. In light of the Grenfell Tower fire, it is important that there is a robust process in place to ensure that residential accommodation of more than 5 storeys (18 metres or above) are fully checked, either when they are being built, undergoing refurbishment, or where there are significant changes to the building.
- 2.4.2 Therefore, our policy will be that an auditing clause is written in to all future council contracts, explicitly requiring the Approved Inspector to co-operate with "any group or individual which LBBB assigns to audit the process." This should apply to any new build or refurbishments of council owned, or managed, buildings including residential accommodation, schools or educational establishments, residential homes and hostels.

Consideration of fire safety in planning

- 2.4.3 It is important that fire safety measures are fully considered as part of any new development or future refurbishment. Therefore, although it is not a material planning consideration, the council will request that developers set out their fire safety strategy in their design and access statement for any residential block of more than 18 metres.

Houses of Multiple Occupation in High-Rise Residential Blocks

- 2.4.4 Currently, the council has a policy which requires any property which is let to be licensed. Licenses can fall into 3 categories, a selective license relates to a property let to an individual or single family, an additional HMO which is let to 3 or more people, forming more than one household that share amenities. A statutory HMO that is three or more storeys, shared by five or more people living in two or more households.
- 2.4.5 In terms of residential tower blocks, there are increased fire safety risk of subdividing a flat into individual units. For example, a two bedroom flat with a sitting room subdivided into 3 individual properties sharing a kitchen and bathroom and potentially using the lounge as a bedroom. Such subdivision increases fire risk through use of multiple electrical devices, overcrowding and inadequate fire safety measures such as no fire doors, locks on individual doors compromising the escape. These create risks for not only the residents inside these HMO properties, but also for all residents living within that tower block.
- 2.4.6 The council policy will be to use its powers to ensure that no property in a residential tower block of more than 5 storeys, is sub-divided into an additional, or statutory HMO. In cases where there is evidence that this has taken place, the

council will use its enforcement powers to prevent the property being used for this purpose, including revocation of the lease if it is felt the case in question is serious enough.

Improving fire safety in licensing conditions

- 2.4.7 The council policy will be that for all additional and statutory Houses in Multiple Occupation, the council to require a fire risk assessment or, where appropriate a report of significant findings to be completed by a responsible person (the person who has control of the premises in connection with the business undertaking) and provided to the local authority. Where a FRA has not been provided, the local authority will conduct a Housing, Health and Safety Assessment to identify potential risk and take robust enforcement action on any deficiencies identified. No licence will be granted on an additional or statutory HMO that does not have a FRA or a report of significant findings
- 2.4.8 The council will provide advice and information to landlords on both Fire Risk Assessments and a report of significant findings including what they should cover and how they can benefit landlords and their tenants.

2.5 Protecting people from the risk of fire

- 2.5.1 The Council is committed to providing as much support as possible to those residents who have additional needs due to disabilities or frailty whenever we are aware of their needs. It is important to consider the additional needs of these residents, both when they are allocated accommodation but also at the stage when the residents require further support at a later date. Updating the plans will in future be linked to the routine care reviews that take place at regular intervals. The council currently has up to date Personal Emergency Evacuation Plans (PEEP) for each resident in residential care home, sheltered housing units and council run extra care. Whenever possible these plans are shared and discussed with residents, however this will not always be possible with those residents who lack mental capacity and cannot understand what is proposed. Working with LFB, personal protection water misting systems which detect and suppress fire have been made available to some vulnerable adults along with other assisted living technology where this is an appropriate way to reduce the risk of injury through fire.
- 2.5.2 It will be our policy to expand this so that there is a PEEP for those individuals (both adults and children) who have substantial disabilities or vulnerabilities, drawing on accepted Care Act and Children Act definitions whatever type of accommodation they live in. This approach is being developed over the next few months so that we can put in place robust systems that enable the fire service to access the necessary information in an emergency. Once in place, plans will be reviewed and updated on a regular basis.

Working with residents

- 2.5.3 Our policy in relation to Fire Safety will be to work with the LfB to provide the best, most up to date advice to residents about how they can keep themselves and their families safe, to prevent fire and protect themselves in the case of a fire.

- 2.5.4 The council recognises the rapidly changing fire safety environment as lessons are learnt from incidents such as Grenfell Tower.
- 2.5.5 The council's policy will be to continue to look for best practice in fire safety through guidance, audit tools and free e-learning, such as the fire safety in the home training provided by the TSA in partnership with LFB and Learning Curve.

2.6 Financial Impact on the HRA

- 2.6.1 The current HRA Business Plan does not include financial provision for any additional expenditure which may result from the implementation of the proposed recommendations outlined in this report. The HRA Business Plan is currently being updated and will be recommended to Cabinet for approval in early 2018.
- 2.6.2 The revised Business Plan will need to include appropriate adjustments to the existing HRA capital programme, either via delaying non-priority projects or by using additional HRA resources earlier than currently planned. The timing and use of additional resources needs to consider the financial impact on both HRA cashflow and HRA balances to ensure the continued financial viability of the HRA.

3. Options Appraisal

- 3.1 This paper sets out a series of policies in relation to Fire Safety. The policy considerations have been drawn from the work undertaken by the council in responding to the Grenfell Tower Fire, and as part of our review of the current arrangements. In light of this, the Council has the following options:

Option A – agree recommendations = strengthening approach and giving assurance on safety of LBBB buildings

Option B – Don't agree recommendations = not responding to Grenfell Tower risks that fire safety policies and measures are not suitably robust and the council will not have the policy framework to respond to the issues and challenges that will arise through the coroner's inquest, the public inquiry or reports from the Fire Safety body, chaired by Sir Ken Knight.

4. Consultation

- 4.1 The Policy Recommendations have been drawn together in consultation with London Fire Brigade, and senior officers across Council departments.
- 4.1.1 A paper was taken to Assurance Board setting out a series of recommendations which focused on improving our Fire Risk Assessment procedures and a number of other policy considerations.

5. Financial Implications

Implication completed by: Katherine Heffernan, Group Manager for Service Finance

- 5.1 The policies set out in the paper will have a financial impact, particularly in terms of the capital programmes such as the potential increase in costs in using non-

combustible materials, retro-fitting sprinklers and the introduction of alarms in residential blocks where they are deemed appropriate.

- 5.2 Any funding for these capital programmes will form part of the council's overall capital programme as approved by cabinet. It is likely to require funding from the HRA business plan for existing housing stock while for new stock the additional costs will need to be built into the investment appraisal.
- 5.3 The increased auditing and quality assurance process for Building Control will require an increased capacity in the existing team. The financial commitment will be in the region of £60,000. This will be met through an increase in fees and charges applied to developers and contractors via Capital delivery.

6. Legal Implications

Implication completed by: Dr Paul Field, Senior Corporate Governance Lawyer

- 6.1 The law on the duty of safety requirements on landlords is well established. The key provisions are:
- **The Occupiers Liability Act 1957** this imposes a duty of care upon the landlord who controls the communal areas to ensure that visitors to the property are reasonably safe.
 - **The Landlord and Tenant Act 1985** this imposes a duty on landlords to keep the structure and exterior of a property in repair and also to ensure that the installations which supply essential services remain in proper working order.
 - **The Defective Premises Act 1972** imposes a duty of care obligation on the landlord to all persons who might reasonably be expected to be affected by defects within the premises. In addition, there will be liability for any that defects arising from or because of acts/omissions by the landlord which breach their obligation to carry out repairs where the landlord knows or ought to know of the relevant defect.
- 6.2 Furthermore at time of this report the Grenfell Tower legal proceeding both civil and criminal are at an early stage. The local authority concerned may well face criminal liability notwithstanding the Tower was managed via an arm's length not for profit company. It is entirely conceivable that fresh legislation will be introduced in the Government's legislative programme extending responsibility to local housing authorities.
- 6.3 The proposals in relation to not allowing additional and statutory Houses in Multiple Occupation in council owned tower blocks of more than 5 storeys is a decision that can be taken by the council as the landlord. This decision is supported by existing legal frameworks which the council currently adopts as follows:
- The council has adopted an Article 4 direction as part of its planning framework. This takes away permitted development rights that would otherwise allow the change of use of a family home to a House in Multiple Occupation.
 - The leasehold agreements which apply to all council owned buildings include a requirement that no internal alterations related to a dwelling can be carried out

without the permission of the council.

- The council has a policy which does not allow a council tenant to sub-let their accommodation

6.4 In reference to the changes in the role of Building Control to adopt an auditing and quality assurance programme for new build or refurbishments of council owned, or managed, buildings including high rise residential accommodation of more than 5 storeys, schools, or educational establishments, residential homes and hostels; this is a contractual matter between the council and developers or appointed contractors.

7. Other Issues

7.1 **Risk Management** – This paper outlines a suite of actions and measures which are designed to reduce the risks to the council and residents in relation to fire. Failure to adopt the recommended actions/measures may leave LBBB buildings and tenants at risk of fire.

7.2 **Staffing Issues** – There is no direct impact to staff or unions related to the proposals in this paper. Any requirement for additional staffing, for example in Building Control, will be met through existing resources or offset against additional income.

7.3 **Corporate Policy and Customer Impact** – The proposals set out in this paper link to the Cabinet report on Fire Risk Assessments adopted in September 2017. The policy proposals set out in this paper are universal. There are no specific impacts in relation to race, gender, sexuality, faith and community cohesion. It is anticipated that there will be a positive impact in relation to people with disabilities or vulnerable in terms of age through the expansion of the Personal Emergency Evacuation Plans to tenants for those individuals who have substantial disabilities or vulnerabilities.

7.4 **Safeguarding Children** – The stronger focus on providing residents good quality advice in respect of fire safety and the steps care givers can take to keep children safe together with the extensive fire safety programme proposed should reduce the risk of harm to children and young people.

7.5 **Health Issues** – There are no specific health issues related to this report. However, our policy to expand the Personal Emergency Evacuation Plan will have a positive impact on independent living for those individuals who have substantial disabilities or vulnerabilities.

7.6 **Property / Asset Issues** - This report does not commit the council to any capital expenditure. It sets the policy context for which decisions will be made in relation to fire safety in residential buildings of more than 5 storeys, or council owned buildings. Any decision to undertake capital improvements as outlined in this report will form part of the Councils Capital Programme as approved by cabinet.

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

List of appendices:

Appendix 1 – Table of recommendations

Table of recommendations

| Number | Principle | Recommendation |
|------------------|------------------------------------|--|
| Recommendation 1 | Improving fire safety in buildings | Our policy will be to only use individual materials in any external façade system, that meet the standard of non-combustibility, as set out in prevailing building regulations, when building or refurbishing council-owned or maintained residential blocks or schools. |
| Recommendation 2 | Improving fire safety in buildings | The expectation of the council will be that developers include sprinkler systems for any residential block of more than 18 metres. |
| Recommendation 3 | Improving fire safety in buildings | <p>The Council's policy in relation to retrofitting sprinklers will be based on key criteria and decisions to retro-fit will be considered in partnership with London Fire Brigade and in line with any recommendations of the national inquiry. The criteria is as follows:</p> <p>High-rise residential buildings of 8 storeys or more _ Where there are council-owned or maintained buildings of 8 storeys or more, we will undertake a programme to assess if retrofitting sprinkler systems are a viable option to improve fire safety, without detrimentally impacting on the integrity of the building.</p> <p>High-rise residential blocks which form part of the council's regeneration programme – Where buildings fall under this category, we will look to complete the scheme at the earliest opportunity. In the interim we will explore the use fire detection and alarm systems in partnership with the LFB, which will greatly improve the early detection, if fire were to occur.</p> <p>We will continue retro-fitting sprinkler systems in sheltered accommodation, in partnership with London Fire Brigade.</p> |
| Recommendation 4 | Improving fire safety in buildings | To work with the LFB to identify buildings where the installation of fire detection and alarm systems, is deemed most appropriate. The council will use its civil protection response when fire safety crews take the decision to evacuate a building. The council will only use fire detection and alarm safety alarms in high rise residential buildings. |

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|-------------------|---|--|
| Recommendation 5 | Using regulation to improve fire safety | An auditing clause will be written in to all future council contracts, explicitly requiring a Building Control Approved Inspector to co-operate with “any group or individual which LBBB assigns to audit the process.” |
| Recommendation 6 | Using regulation to improve fire safety | The council will request that developers set out their fire safety strategy in their design and access statement for any residential block of more than 18 metres, although it is recognised that this is not a material planning consideration. |
| Recommendation 7 | Using regulation to improve fire safety | The council will be to use its powers to ensure that no property in a residential tower block of more than 5 storeys, is sub-divided into an additional, or statutory HMO. |
| Recommendation 8 | Using regulation to improve fire safety | For all additional and statutory Houses in Multiple Occupation, the council to require a fire risk assessment to be completed by a responsible person. and provided to the local authority. No licence will be granted on an additional or statutory HMO that does not have a FRA. |
| Recommendation 9 | Protecting people from the risk of fire | To expand Personal Emergency Evacuation Plans (PEEP) for those individuals (both adults and children) who have substantial disabilities or vulnerabilities, drawing on accepted Care Act and Children Act definitions whatever type of accommodation they live in. |
| Recommendation 10 | Protecting people from the risk of fire | The council will work with the LfB to provide the best, most up to date fire safety advice to residents about how they can keep themselves and their families safe, to prevent fire and protect themselves in the case of a fire. |
| Recommendation 11 | Protecting people from the risk of fire | To continue to look for best practice in fire safety through guidance, audit tools and free e-learning, such as the fire safety in the home training provided by the TSA in partnership with LFB and Learning Curve. |

CABINET**17 October 2017**

| | |
|--|--|
| Title: 2018/19 Local Implementation Plan Funding Submission | |
| Report of the Cabinet Member for Economic and Social Development | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision |
| Report Author: Tim Martin – Acting Transport & Planning Policy Manager; Growth & Homes | Contact Details: Tel: 020 8227 3939 E-mail: timothy.martin@lbbd.gov.uk |
| Accountable Director: Dan Pope, Acting Head of Planning; Growth & Homes | |
| Accountable Strategic Director: John East, Strategic Director, Growth & Homes | |
| <p>Summary</p> <p>The LB Barking and Dagenham Local Implementation Plan (LIP) is the Council's transport strategy and delivery plan for improvements to the transport network in the borough. Ahead of the development of a new plan in 2018, the Council is required to submit a transitional 1-year spending plan to Transport for London (TfL) for funding for local transport schemes, including a range of road safety, traffic management, highways maintenance and cycling/walking schemes for implementation in 2018/19.</p> <p>The proposed programme of investment focuses on:</p> <ul style="list-style-type: none"> • Tackling various road safety, congestion and accessibility issues in Gale Street and River Road; • Continuing the programme of public realm improvements in Barking Town Centre; • Funding for road safety education and schemes across the borough, including plans for improvements outside borough schools; • Funding for cycle training and school travel planning; • Studies to inform future LIP schemes at the Ripple Road gyratory, St Pauls Road roundabout and the 'Lighted Lady' roundabout in Barking Town Centre. <p>The programme has been developed to deliver the Council's priorities including those set out in the Borough Manifesto, the recommendations of the Growth Commission Report and the Health and Wellbeing Strategy outcomes; is consistent with the Mayor of London's emerging Transport Strategy; and supports the Council's regeneration priorities by helping to shape a place that people chose to live in. The programme also aligns with the Council's Highway's Investment Programme.</p> <p>The purpose of this report is to set out the Council's proposed 2018/19 LIP spending plan submission to TfL.</p> | |

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| <p>Recommendation(s)</p> <p>The Cabinet is asked to recommend the Assembly to approve the Council’s 2018/19 Local Implementation Plan funding submission to Transport for London, as set out at Appendix 1 to the report.</p> |
| <p>Reason(s)</p> <p>To help deliver the Borough Manifesto priorities, the recommendations of the Growth Commission Report and the Health and Wellbeing Strategy outcomes, whilst helping to address some of the key transport challenges affecting the borough. This in turn will assist the Council in achieving all of its Community Priorities, in particular enabling social responsibility by protecting the most vulnerable; keeping adults and children healthy and safe; and growing the borough through supporting investment in public spaces to enhance our environment.</p> |

1. Introduction and Background

- 1.1 Local Implementation Plans (LIPs) are a vital tool in supporting jobs and growth and delivering a better quality of life for those who live and work in London. The Greater London Authority Act 1999 requires the Council to prepare a LIP that sets out how it will deliver better transport in the borough in the context of the Mayor of London’s Transport Strategy (MTS). The Council’s most recent LIP covered the 3-year period 2014/15 - 2016/17 whilst an interim 1-year spending plan for 2017/18 was approved by Cabinet in February 2017 (Minute 100 refers).
- 1.2 In 2016, following the election of the new Mayor of London, TfL began work on developing a new Transport Strategy for the capital, which is anticipated to be completed by the end of 2017. The publication of the new MTS will necessitate the Council having to produce a new LIP in 2018. In the meantime, TfL has issued guidance that requires the Council to produce a one-year interim funding submission for 2018/19 which provides details of the transport schemes to be taken forward in the year ahead.

2. Proposal and Issues

- 2.1 The latest TfL Business Plan was published in December 2016 and sets out TfL’s plans for the transport network over the five years to 2021/22. It includes details of the LIP budget for London for 2018/19 which forms part of a wider Healthy Streets funding portfolio totalling £223 million which is designed to support delivery of Healthy Streets for London. The Council has been allocated £2.075 million for 2018/19 - the breakdown of which is set out below:

| Category | Funding Programme | Total Funding | Borough Allocation |
|----------|---|---------------|--------------------|
| Formula | Corridors, Neighbourhoods and Supporting Measures (Includes schemes for Bus Priority/Bus Stop Accessibility; Cycling; Walking; Local Safety Schemes; Freight; Environment; Accessibility; School/ Workplace Travel | £74m | £1.613m |

| | | | |
|---------------|---|--------------|--|
| | Plans; Travel Awareness; Education and Training) | | |
| | LIP Partnerships, Good Practice | £1m | N/A |
| Discretionary | Liveable Neighbourhoods (Large scale, area-based schemes to deliver the Healthy Streets Approach in and around town centres and residential areas) | £30m | Awarded through competitive bidding process |
| | Principal Road Maintenance | £20m | £462k (submissions to be made for a sum 25% above this figure) |
| | Bridge Strengthening | £7m | Funding informed by condition surveys |
| | Traffic Signal Modernisation | £11m | New signals should only be proposed where there is no feasible and/or cost-effective solution |
| Strategic | Bus Priority | £24m | Funding available via competitive bidding process or through direct award where TfL data have identified need for intervention in specific areas |
| | Borough Cycling Programme | £41m | |
| | Crossrail Complementary Measures | £9m | |
| | Pedestrian Town Centres | £3m | |
| | Mayor's Air Quality Fund | £3m | |
| TOTAL | | £223m | £2.075m |

2.2 This report recommends how the Council's LIP funding should be spent (the programme of investment) in 2018/19.

LIP Programme of Investment - Corridor, Neighbourhood and Supporting Measures

2.3 A summary of the schemes that the Council is proposing under the Corridor, Neighbourhood and Supporting Measures programmes for 2018/19 is set out below. A more detailed programme is included in Appendix 1. For each scheme an indication of costs and the measures proposed are given. It is considered that the measures proposed will help deliver the Council's priorities including those set out in the Borough Manifesto, the recommendations of the Growth Commission Report and the Health and Wellbeing Strategy outcomes, whilst also being consistent with the emerging Mayor's Transport Strategy (MTS) and a range of other national, regional, sub-regional and local plans and policies.

| Scheme | Cost |
|---|-------------------|
| Gale Street Corridor Improvements | £500,000 |
| Barking Town Centre Improvements | £200,000 |
| River Road/Creek Road/Long Reach Road Corridor Improvements | £300,000 |
| Road Safety Improvement Programme | £300,000 |
| Borough Cycle/Walking Link Improvements | £100,000 |
| Borough-Wide Healthy/Active Travel Programme | £113,000 |
| Future Schemes Development | £60,000 |
| Minor Works | £40,000 |
| TOTAL: | £1,613,000 |

2.4 Further details on and justification for the recommended Corridors, Neighbourhoods and Supporting Measures programme of investment is set out below:

- **Gale Street Corridor Improvements**

Following the delivery of a range of transport and public realm enhancements outside Becontree station and the nearby shopping parade in early 2017, it is now proposed to implement a number of improvements to the section of Gale Street between Rugby Road and Porters Avenue and between the junction of Woodward Road / Hedgemans Road and the A13. The scheme will focus on delivering road safety improvements at these busy junctions and the junction with Goresbrook Road to reduce incidences of collisions and personal injury; pedestrian and cyclist accessibility improvements, particularly as a means of encouraging trips on foot and by cycle to local schools and other amenities including the forthcoming Youth Zone; and enhancements to the local public realm. Improvements will follow the 'Healthy Streets' approach advocated in the emerging MTS.

- **Barking Town Centre Improvements**

In line with the place making and accessibility objectives of the Barking Town Centre Strategy, it is proposed to continue the programme of public realm improvements within the town centre focused on East Street – one of the high street 'gateway' improvement areas. This scheme will help deliver the Growth Commissions objective of creating a destination which attracts people to the Town Centre.

- **River Road/Creek Road/Long Reach Road Corridor Improvements**

Building on the road safety, traffic management and public realm enhancements currently being implemented in Thames Road, it is proposed to continue the programme of improvements along River Road, Creek Road and Long Reach Road where there is a pressing need to better manage the current chaotic parking, to work with businesses to reduce the impacts of the commercial vehicles which blight the area, improve safety and accessibility for pedestrians and cyclists, and to improve reliability on EL3 bus services which serve the area. The measures will help deliver the Borough Manifesto aims of creating safe, clean places and a place where businesses and communities grow and thrive.

- **Road Safety Improvements Programme**

A borough-wide road safety improvements programme is proposed in support of Council and Mayoral objectives to reduce the number of road casualties, and to complement our various corridor/neighbourhood initiatives. Measures include:

- Implementation of various physical interventions along Bennetts Castle Lane and Dagenham Road and in the Surrey Road area to address problems with personal injury accidents, rat-running traffic and reported issues of speeding; and to improve conditions for cyclists, pedestrians and those with disabilities;
- Continuation of road safety education programme at all borough schools and the roll-out of small-scale road safety improvements outside and on the approach to schools. Work to implement new pedestrian crossing facilities in the vicinity of Ripple, Southwood, Five Elms, Richard Alibon and Hunters Hall primary schools is currently underway and is expected to be completed by early 2018, with similar proposals earmarked at several other locations (to be confirmed) in 2018/19.

- **Borough Cycle/Walking Link Improvements**

The need to improve cycling and walking links across the borough has been identified by a range of local stakeholders as critical as a means of encouraging a shift to healthy, sustainable modes of travel. A key priority in the MTS, it also figures prominently in the Council's Health and Wellbeing Strategy as well as forming an important element of the Barking Riverside Healthy New Towns programme. New and improved cycling and walking infrastructure will also help achieve the Borough Manifesto target of increasing the proportion of people walking and cycling 30-90 minutes each week. In support of these improvements it is proposed to improve cycle parking/storage facilities throughout the borough. It is also proposed to look at measures to encourage older people to walk more including resting points.

- **Borough-Wide Healthy/Active Travel Programme**

To assist the Council in achieving its Borough Manifesto priorities of enabling social responsibility and keeping adults of all ages and children healthy and safe, and in line with the Growth Commission's recommendations that 'no one should be left behind', it is proposed to continue the successful programme of cycle training across the borough; to assist schools with updating travel plans and delivering small scale physical measures such as cycle parking; and to work with businesses to reduce the impact of freight movements. The Council will also continue its partnership agreement with Living Streets to deliver a range of walking events and initiatives which have proved popular amongst residents and schools and have helped to encourage the take-up of more healthy, active lifestyles. These include initiatives such as led walks around the borough, Walk Leader training to train volunteers to lead walks, and engagement with schools to promote events such as Walk to School week.

- **Future Schemes Development**

Funding has also been set aside for feasibility studies into schemes which can be delivered in subsequent years. This includes future LIP Corridor schemes

aimed at tackling a range of localised congestion, road safety and accessibility problems; as well as new 'Liveable Neighbourhood' schemes with a focus on promoting healthy, active travel in the borough. Priorities for 2018/19 include the Ripple Road gyratory, St Pauls Road roundabout and the 'Lighted Lady' roundabout in Barking Town Centre. Proposals for a new pedestrian crossing facility and supporting road safety measures along Porters Avenue, to address issues of speeding traffic and improve pedestrian accessibility to the nearby Roding Primary school, as identified in the recent Porters Lodge DIY Streets project, will also be developed and could be implemented in the 2019/20 LIP programme.

- **Minor Works**

A minor works programme, comprising a range of ad-hoc measures such as pedestrian access improvements; small-scale public realm enhancements; implementation of cycle parking; reviews of parking and waiting/loading restrictions; etc. is proposed in support of our main LIP Corridors/ Neighbourhood schemes and to address any issues/opportunities that may arise during the course of the year.

Maintenance Programme

- 2.5 Borough funding for principal road maintenance is based on an assessment of need taken from road condition surveys. On that basis, Barking and Dagenham has provisionally been allocated £462,000 in 2018/19 for such schemes.
- 2.6 The Council is required to identify proposals for principal road maintenance, including details of the priorities and criteria that will be used to identify proposed areas of spend, within the LIP spending plan. A key priority for 2018/19 includes St. Pauls Road in Barking.
- 2.7 Funding for bridge assessment and strengthening schemes is allocated to boroughs on a priority basis based on the relative condition of bridges/structures. Circa £7 million is available across London in 2018/19. Work to identify those structures in the borough most in need of repair is underway as part of the work to develop the Council's Highways Asset Management Plan (HAMP).
- 2.8 LIP funding cannot be used to fund repairs to borough's road which are not principal roads. However, when LIP Corridor and Neighbourhood schemes are delivered the opportunity will also be taken, subject to funding, to repair those roads which are included in the Highway's Investment Programme Action List.

Strategic Funding Programmes

- 2.9 A number of additional funding streams are likely to be available to the Council to bid for during the course of 2018/19, including funding to deliver bus priority, cycling and air quality improvements in the borough. However, details of these have still to be confirmed by TfL. In 2016/17 the Council was successful in securing funding through the Crossrail Complementary Measures programme, which has enabled the completion of a range of accessibility and public realm improvements outside and on the approach to Chadwell Heath station – the first borough along the Crossrail route to do so, and well ahead of the opening of Elizabeth Line services in 2019.

Funding was also secured in 2017/18 to undertake feasibility/design works for the introduction of bus priority measures along Longbridge Road as a means of improving bus journey times along this busy corridor, and for the introduction of a new bus service along Goresbrook Road. Work on these studies is set to be completed by early 2018 and any recommendations made will be reported to Cabinet separately.

3. Options Appraisal

- 3.1 The Council is required by TfL to submit an interim 1-year spending plan for 2018/19. Section 2 of this report has provided a justification for the recommended program.
- 3.2 Whilst the focus of the 1-year spending plan is to address local transport issues, the programme is also designed to help deliver the objectives of the MTS.
- 3.3 The LIP programme is also required to be broadly consistent with a range of other national and regional plans and strategies. They include the Healthy Streets for London document and TfL's Business Plan at the pan-London level; and the East London Sub Regional Transport Plan at the sub-regional level.
- 3.4 The LIP programme also aligns with the aims and objectives of a number of local plans and strategies including the Borough Manifesto; Growth Commission Report; the emerging Local Plan; Children and Young People's Plan; Community Safety Strategy and Health and Wellbeing Strategy; and the Highways Asset Management Plan and Highways Investment Programme.

4. Consultation

- 4.1 The programme has been drawn up in consultation with the relevant Council services including planning and regeneration; parking and highways; and public health.

5. Financial Implications

Implications completed by: Katherine Heffernan, Finance Group Manager.

- 5.1 The LIP funding available for the Borough in 2018/19 will be £2,075m. This figure is broadly in line with the level of funding the Authority has received from TfL in both 2016/17 and 2017/18. The funding will continue to be claimed from TfL periodically during the year in line with actual level of spending against each scheme.
- 5.2 It is anticipated that the full programme of works will be carried out within the allocated funding and there will be no impact on the Authority's internally funded capital programme or level of borrowing. Some of the proposed projects will be treated as revenue expenditure as, rather than enhancing the highways infrastructure, they relate to training, publicity or the staging of events. There will be no impact on existing revenue budgets.
- 5.3 Whilst it is unlikely that there will be any ongoing revenue implications associated with the programme (e.g. infrastructure maintenance costs), if additional ongoing

maintenance costs do arise, they will be met from the existing highway maintenance programme budget with additional external funding sought where possible.

- 5.4 The revenue cost of monitoring the LIP targets and mandatory indicators will continue to be met from existing Regeneration and Economic Development budgets.

6. Legal Implications

Implications completed by: Dr. Paul Feild, Senior Governance Lawyer

- 6.1 The Council is required under Section 146 of the Greater London Authority Act 1999 ('the GLA Act') to submit its Local Implementation Plans to the Mayor of London for his approval. These plans must include a timetable for implementing its proposals and a date by which all the proposals are delivered.
- 6.2 In preparing a Local Implementation Plan the Council must have regard to the Mayor's Transport Strategy. The Mayor will take into consideration whether the Plans is consistent with the Transport Strategy and the proposals and timetable are adequate for the implementation. The Council's submission to the Mayor will consist of the version of the plans agreed by the Cabinet.

7. Other Implications

- 7.1 **Risk Management** – Failure to submit a 1-year LIP funding programme could result in the Council's funding allocation for 2018/19 being withdrawn and the Council having to bear the full costs of any planned transport schemes. A number of the proposed schemes will require further investigation/detailed design work to be carried out before they can be progressed, to ensure all potential risks are properly mitigated.
- 7.2 **Contractual Issues** – Procurement relating to the design/delivery of the scheme will be undertaken in accordance with the provisions of the Council's contract rules and procurement rules including EU procurement rules where applicable. The Legal Partner would be consulted in entering into terms and conditions with suppliers in relation to such procurement.
- 7.3 **Staffing Issues** – There are no specific staffing implications.
- 7.4 **Corporate Policy and Customer Impact** – The schemes in the LIP programme are in line with Council priorities. In particular, the programme will contribute to enabling social responsibility through protecting the most vulnerable, keeping adults and children healthy and safe. The proposed schemes will also benefit all those who live on or travel through the borough including motorists, pedestrians and cyclists and will improve safety along various roads and at key junctions. The programme also contributes to the Council's 'Growing the borough' priority through investment in enhancing our environment.

All schemes are subject to consultation with relevant stakeholders, including TfL, and road safety and accessibility will be considered carefully in drawing up options. Where LIP works are planned at a similar location to planned Highways Investment

Programme works, wherever possible, a coordinated approach will be taken so that local disruption can be kept to a minimum.

- 7.5 **Safeguarding Children** – The LIP Programme includes schemes to improve road safety both through highway safety measures and also through initiatives such as cycle training.
- 7.6 **Health Issues** – It is widely acknowledged that walking and cycling is one of the best ways for people to achieve good health and fitness. The promotion and enabling of walking and cycling in Barking and Dagenham is a key component of the Council's Health and Wellbeing Strategy.
- 7.7 **Crime and Disorder Issues** – Personal safety has been highlighted as a concern by both users and non-users of the local transport network. The Council is addressing these concerns by working with TfL to ensure that roads and footways are well maintained and free from obstructions and infrastructure is safe and secure. The Crime and Disorder Act requires the Council to have regard to crime reduction and prevention in all its strategy development and service delivery. The Council will work with partners to ensure that the infrastructure is delivered with due regard to safety and to reducing the fear of crime.
- 7.8 **Property / Asset Issues** – The precise nature of some of the LIP schemes is still to be determined, however, in general, very little of what is proposed represents 'new' infrastructure. In many cases, schemes are, in effect, 'replacements' for existing infrastructure which would otherwise require maintaining. Where new infrastructure is required, high quality design, durable products and well-engineered schemes should ensure that short term maintenance is not required. In most circumstances, ongoing maintenance costs will be met through the existing highway maintenance programme budgets with additional external funding sought where possible.

Public Background Papers Used in the Preparation of the Report:

- Interim Local Implementation Plan (LIP) Annual Spending Submission Guidance: 2018/19, June 2017; Transport for London (<http://content.tfl.gov.uk/18-19-lip-ass-guidance.pdf>)

List of Appendices:

- Appendix 1: 2018/19 Local Implementation Plan Programme of Investment

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2018/19 Local Implementation Plan Programme of Investment

| Scheme Name/ Location | Scheme Summary | Ward(s) Affected | 2018/19 Allocation | Project Management/ Delivery Arrangements |
|---|--|---|-----------------------|---|
| Maintenance Programme – Provisional Allocation: £462,000 | | | | |
| Principal Road Resurfacing Programme | Carriageway resurfacing to be undertaken at following priority locations: <ul style="list-style-type: none"> • St. Paul’s Road. | Abbey | £462,000 | Management & Delivery: Capital Delivery |
| TOTAL: | | | £462,000 | |
| Corridors, Neighbourhoods and Supporting Measures Programme - Provisional Allocation: £1,613,000 | | | | |
| Gale Street Corridor Improvements | Corridor enhancement scheme building on improvements delivered outside Becontree station in 2016/17. Scheme will address long-standing road safety issues, particularly at the junctions with Porters Avenue, Woodward Road/Hedgemans Road, Goresbrook Road and A13; deliver pedestrian/cyclist accessibility improvements, particularly to nearby schools; forthcoming Youth Zone and enhance the local public realm. Measures include: <ul style="list-style-type: none"> • Junction/side road entry treatments; • Upgrade to pedestrian/cyclist facilities; • Review of parking/loading restrictions; • Footway/street furniture repairs and enhancements. | Goresbrook, Thames, Mayesbrook, Parsloes | £500,000 | Management: Regen Delivery: Capital Delivery |

| Scheme Name/ Location | Scheme Summary | Ward(s) Affected | 2018/19 Allocation | Project Management/ Delivery Arrangements |
|---|---|---------------------|-----------------------|---|
| Barking Town Centre Improvements | Continuation of highway/public realm improvements at key locations within the town centre. Focus for 2018/19 includes: <ul style="list-style-type: none"> £200,000 towards phase 2 of the High Street Improvement Programme for East Street, with a focus on strengthening the quality and appearance of one of the high street's key 'gateway' areas and enhancing physical links to the neighbouring Abbey Green; | Abbey, Gascoigne | £200,000 | Management: Regen Delivery: Capital Delivery |
| River Road/Creek Road/Long Reach Road Corridor Improvements | Continuation of road safety, traffic management and public realm enhancements currently being implemented in the area with the aim of better managing on-street parking; reducing the impacts of commercial vehicles; improving safety and accessibility for pedestrians and cyclists; and improving reliability of local bus services. Specific interventions subject to design/consultation. | Thames | £300,000 | Management: Regen Delivery: Capital Delivery |
| Road Safety Improvements Programme (Various Locations) | Borough-wide road safety improvements programme in support of our LIP objective to reduce the number of road casualties, and to complement our various corridor/ neighbourhood initiatives. Programme for 2018/19 includes: <ul style="list-style-type: none"> £50,000 to address personal injury accidents and reported issues of speeding traffic along Bennetts Castle Lane; £90,000 to address personal injury accidents and improve cycling/walking infrastructure along Dagenham Road; £90,000 to address the issue of rat-running/speeding traffic and to improve cycling/walking infrastructure in the Surrey Road area; £70,000 towards schools' road safety programme, including the continuation of road safety education and the roll-out of small-scale road safety improvements outside and on the approach to schools. | Borough Wide | £300,000 | Management: Parking/Road Safety Delivery: Capital Delivery |

| Scheme Name/ Location | Scheme Summary | Ward(s) Affected | 2018/19 Allocation | Project Management/ Delivery Arrangements |
|---|---|---------------------|-----------------------|--|
| Borough Cycle/Walking Link Improvements | Continuation of programme to provide high quality, safe, accessible and well-connected cycling and walking routes as a means to increase the uptake of these healthy modes of travel within the borough. Includes funding towards the implementation of a 'Quietways' cycle route linking Barking Riverside/Thames View with Dagenham Heathway. | Borough Wide | £100,000 | Management: Regen Delivery: Capital Delivery |
| Borough-Wide Healthy/Active Travel Programme | Continuation of work with borough schools, businesses and residents to promote healthy, active and sustainable travel practices. Funding earmarked for: <ul style="list-style-type: none"> • £60,000 towards the provision of cycle training to cyclists of all ages and the delivery of walking events/initiatives to promote cycling and walking as healthy and sustainable modes of travel; • £53,000 towards the review/update of school travel plans, including funding for promotional events and small scale physical measures (e.g. cycle parking) and the development/implementation of business travel strategies/ logistics plans to reduce the impact of freight movements/ deliveries, etc. Includes contribution towards the cost of employing London Riverside Travel Coordinator. | Borough Wide | £113,000 | Management: Regen Delivery: Regen/ Specialist Suppliers |
| Future Schemes Development (Various Locations) | Investigative studies to inform future LIP Corridor and Liveable Neighbourhood schemes. Focus will be on promoting healthy, active travel and on securing road safety and accessibility improvements. Priorities for 2018/19 include the Ripple Road gyratory, St Pauls Road roundabout and the 'Lighted Lady' roundabout in Barking Town Centre and Porters Avenue. | Borough Wide | £60,000 | Management: Regen Delivery: Capital Delivery/ Term Consultants |

| Scheme Name/ Location | Scheme Summary | Ward(s) Affected | 2018/19 Allocation | Project Management/ Delivery Arrangements |
|---------------------------------------|---|---------------------|-----------------------|---|
| Minor Works (Various Locations) | Ad-hoc measures such as pedestrian access improvements; small-scale public realm enhancements; implementation of cycle parking; reviews of parking and waiting/loading restrictions; etc. | Borough Wide | £40,000 | Management: Regen Delivery: Highways/Capital Delivery |
| TOTAL: | | | £1,613,000 | |
| GRAND TOTAL: | | | £2,075,000 | |

CABINET**17 October 2017**

| | |
|--|---|
| Title: Local Discretionary Business Rate Relief Scheme 2017/18 | |
| Report of the Cabinet Member for Finance, Growth and Investment | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision: Yes |
| Report Author: Gill Hills, Head of Revenues | Contact Details: Tel: 020 8724 8615 E-mail: gill.hills@elevateeastlondon.co.uk |
| Accountable Director: Kathy Freeman, Finance Director | |
| Accountable Strategic Director: Claire Symonds, Chief Operating Officer | |
| <p>Summary</p> <p>This report sets out proposals for the dispersal of the funds provided by Government to support local businesses who have been adversely affected by the revaluation of business rates which came into effect on 1 April 2017.</p> <p>The Government has provided £530,000 to Barking & Dagenham to be awarded in relief for the current financial year, 2017/18, with the total award being £909,00 over the four-year period. The Government has confirmed that the relief cannot be carried forward to future years. The report and the attached policy make it clear as to how the Council proposes to award the relief, the eligibility criteria and the forecasted financial implication.</p> | |
| <p>Recommendation(s)</p> <p>Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Note the four-year grant funding arrangements for the Local Discretionary Rate Relief Scheme, following which the costs of providing relief to the affected businesses would need to be absorbed into the Council's overall budget; and (ii) Approve the Local Discretionary Business Rate Relief Scheme 2017/18, as set out at Appendix A to the report. | |
| <p>Reason</p> <p>To provide details of the Local Discretionary Rate Relief policy to enable distribution of the funds provided Government to aid businesses adversely affected by the 2017 revaluation.</p> | |

1. Introduction and Background

- 1.1 In the spring budget, the Government announced measures to reduce the impact of the 2017 business rates revaluation. A revaluation of properties is conducted by the Valuation Office every five years and the last revaluation was planned to take place in 2015. However, the Government delayed this by two years until 2017.
- 1.2 Generally, revaluations result in an increase in business rates as they are primarily based upon the rental value of properties. Notably, not all rateable values are based upon the rental value of the property, in some cases the rateable value reached is based upon businesses receipts, e.g. supermarkets. Therefore, the greater the businesses income the greater the rateable value.
- 1.3 The Government has also changed the qualifying criteria for Small Business Rates Relief. Before 2017 a business could apply for Small Business Rates Relief and if their rateable value was below £6,000 they could qualify for a full exemption. The relief was then tapered on a sliding scale of 1% for every £60 in rateable value between £6,001 and £12,000.
- 1.4 From 2017 any property with a rateable value under £15,000 can apply for Small Business Rates Relief. If the rateable value is under £12,000 it is possible to obtain a full exemption and tapered relief will be on a sliding scale of 1% for every £30 in rateable value between £12,001 and £15,000.
- 1.5 Whilst the threshold for Small Business Rates Relief has increased, so too has the rateable value of the properties. The additional relief provided under the proposed scheme is aimed toward those businesses who have been adversely impacted by the revaluation after taking into account the level of relief they receive from any other relief(s).

2. Government Measures

- 2.1 Set out in Table 1 below is how much the Government will fund the 4-year Local Discretionary Rate Relief scheme for LBBB:

| Year | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|-------------------|----------|----------|----------|---------|
| Relief | £530,000 | £258,000 | £106,000 | £15,000 |
| % of total budget | 58% | 28% | 12% | 2% |

- 2.2 The Government have introduced 3 measures to try and reduce the impact of the revaluation as part of the Spring 2017 budget.
 - Supporting small businesses – through the temporary capping of Business Rates increases for people who have lost Small Business Rates Relief as a result of the revaluation.
 - New Local Discretionary Relief scheme
 - New business rates local relief for pubs which have a rateable value of below £100K

- 2.3 The implementation of the pub relief has already begun, and those eligible parties who have returned the application form provided have been awarded the relief which amounts to £1,000 per year on a pro-rata basis.
- 2.4 In respect of the “Supporting Small Businesses” relief, a software update will be available to enable the awarding of this relief by 31 October 2017.

3. Consultation

- 3.1 Local businesses were invited to two open sessions on 7 September, the sessions were used to both inform the customers and allow them to provide feedback. The feedback received in these sessions was noted, however, none of it pertained to any amendments to the policy itself and comprised of issues raised on an individual basis.
- 3.2 The proposed policy was published on the Council’s consultation page on 1 September 2017 and the consultation closed on 17 September 2017. All comments provided were again of a more individual nature, although they did all highlight the on-going struggle retailers within the Borough are facing.
- 3.3 The Barking and Dagenham Chamber of Commerce also responded during the consultation period and asked for some of the language in the paper to be elaborated and simplified. The policy copy attached in the pack is inclusive of these changes.
- 3.4 The GLA (Greater London Authority) were consulted also and made several suggestions to alter the earlier draft of the policy. As a result of the advice the following amendments have been made to the policy;
- Section 1.5 – The inclusion of “The Rate Payer will be given 12 months from date of the alteration to pay any debt that has been created as result of a relief adjustment”.
 - Section 1.6 – The inclusion of “Financial institutions that are of a direct benefit to the local community e.g. Credit Unions”.
 - Section 1.8 – Previously stated that Rate Payers that had arrears due from previous years would not qualify for the relief. This has been amended to include “Unless the Rate Payer can demonstrate they are in arrears due to genuine hardship”.
 - Section 1.12 – A hardship clause has been added to accommodate businesses that do not fall within the eligibility criteria where the Council may deem it appropriate to award relief.

4. Effects of the revaluation

- 4.1 The table below is a summary of the charge increase/decrease from the 2010 Valuation list to the 2017 Valuation list. Each category has a breakdown of how many properties have increased/decreased and remained the same in respect of their Rateable Value limits, e.g. below 70k.

| | Charge Change | | | | |
|-----------------------|----------------------|-------------------|------------------|-----------------|--------------|
| Rateable value | <70k | 70k - 100k | 100k-150k | >150k | Total |
| Down | 1,511 | 105 | 43 | 102 | 1,761 |
| No Change | 589 | 2 | 3 | 5 | 599 |
| Up | 1,896 | 161 | 34 | 40 | 2,131 |

- 4.2 The below demonstrates the monetary totals for each of the Rateable Values in the above table and the net impact of the 2017 revaluation.

| | Charge change | | | | |
|-----------------------|----------------------|-------------------|------------------|-----------------|--------------|
| Rateable value | <70k | 70k - 100k | 100k-150k | >150k | Total |
| Down | -£1,920,047 | -£271,181 | -£210,764 | -£674,224 | -£3,076,216 |
| No Change | £0 | £0 | £0 | £0 | 0 |
| Up | £1,488,728 | £901,447 | £403,934 | £918,547 | 3,712,656 |
| Net | -£431,319 | £630,266 | £193,170 | £244,323 | 636,440 |

- 4.3 The table below shows the average increase in Business Rates charge for our business within their respective categories. Please note that these figures are net of any reliefs (excluding the proposed Local Discretionary Relief), and do not include the Business Rates Supplement (BRS).
- 4.4 The BRS charge was not factored in as it calculated separately to the Business Rates charge, therefore cannot be included as “Rates increase” due to the revaluation.

| | Average Charge Increase | | | |
|-----------------------|--------------------------------|-------------------|------------------|-----------------|
| Rateable value | <70k | 70k - 100k | 100k-150k | >150k |
| Increase | £785 | £5,599 | £11,880 | £22,964 |

5. Local Discretionary Rate Relief

- 5.1 The proposed Local Discretionary Business Rate Relief scheme will apply for the billing period 1 April 2017 to 31 March 2018 only. Under the proposed scheme the relief will only be provided where the applicant’s bill has increased due to the 2017 revaluation, and not due to any loss of relief or change in circumstances. The scheme lasts for 4 years, which similar to the Transitional Rate Relief scheme is there to act as a buffer for rates increase due to the revaluation.
- 5.2 The Government has allocated a fund of £300M to be given to Local Authorities under the proposed new Local Discretionary scheme. Of that fund LBB has been awarded £909,000 over 4 years (see below). The level of relief that is allocated yearly is consistent with what Government have set for all Billing Authorities (BA’s) Nationally (with the exception of one BA due to their size).
- 5.3 The Government has distributed the £300M based upon the bill increases of properties given the following criteria: their Business Rates bill is increasing by more than 12.5% following revaluation, and their Rateable Value is less than £200,000. Bill changes were calculated using the multiplier after inflation and with adjustment for appeals (0.466)

Central list properties are excluded from the analysis. This is based on the VOA's draft 2017 rating list (September 2016).

- 5.4 Whilst devising the policy, consultation was carried out with our neighbouring Boroughs, Havering, Redbridge and Newham who are all adopting a similar approach. London Boroughs are required to consult with the GLA before making the policy public.
- 5.5 Government have urged all Billing Authorities to spend as much of their budget as possible, this is due to the fact there is no carry forward with any budget surplus. The Council will review the position in respect of any surplus In January 2018 to ensure that the Council spend as much of the budget as possible and maximises the number of recipients benefiting from the relief.

6 Summary of the proposed scheme

6.1 The main elements of the scheme are as follows:

- The rateable value in respect of the 2010 Valuation list must not exceed £70,000, this limit is in-line with the rateable value limit where BRS becomes payable, this limit best represents small to mid-size businesses.
- There must have been an increase in net rates payable of 1% or above
- A fixed relief of 5% will be applied to the 2017 rates charge.
- Qualifying criteria (appendix A) will apply. These criteria are similar to the guidelines given by the Government for Retail Rate Relief which was granted in 2014.

6.2 This scheme will give relief to the smallest businesses in the borough and it is estimated that 1,129 businesses will be eligible to apply receiving an average relief of £402. The below table provides a breakdown of the relief value average and the total relief value. This table excludes all accounts where relief has already been awarded which negates the effects of the revaluation, e.g. those who are in receipt of 100% Small Business Rates Relief. The determining factors used whilst estimating how much relief will be awarded were both the net increase of Business Rates (1% or more), and whether the properties were occupied.

| | |
|-----------------------|-----------------|
| Rateable value | <70k |
| Relief Value | £453,600 |
| Number | 1,129 |
| Average relief | £402 |

6.3 The Council will actively promote the scheme by sending application forms to all the properties that have already been identified as likely to be eligible. The relief will also be promoted on the Council's website and with support from Marketing & Communications the methods used for raising awareness for the relief will be as efficient and effective as possible. The local Chamber of Commerce has also agreed to help the Council promote the relief once Cabinet has approved the policy.

Case Example

Mr. A runs a newsagent which has a rateable value of £21,000 in respect of the 2010 Rating List.

The new rateable value then increases to £27,000 with effect from 1 April 2017. The below calculations demonstrate how Mr. A would be impacted by the scheme if he were in receipt of Local Discretionary Rate Relief for the financial year 2017/18 - this relief would not carry forward into the next financial year:

| | 2016/17 | 2017/18 | Increase | Percentage increase | Proposed Scheme (5% relief) | 2017 charge after relief | Increase after relief |
|---------------|---------|---------|----------|---------------------|-----------------------------|--------------------------|-----------------------|
| Charge | £10,164 | £10,886 | £722 | 7% | £544 | £10,341 | £177 |

7. Financial Issues

Implications completed by: Kathy Freeman, Finance Director

- 7.1 The Government has awarded the Council £900k over a period of four years to provide businesses with support who have been impacted through the business rates revaluation.
- 7.2 As seen from section 2.1, the funding significantly reduces in year 4, by which point the costs of providing the relief to the affected businesses will need to be absorbed into the Council's overall budget.

8. Legal Issues

Implications completed by Dr. Paul Feild, Senior Governance Lawyer

- 8.1 In the 2017 Budget, the Chancellor announced that the Government would make available a discretionary fund of £300 million over four years from 2017-18 to support businesses that face the steepest increases in their business rates bills as a result of the revaluation. The power to apply relief was delegated to local authorities (billing authorities) for them to determine their relief policy.
- 8.2 This will be administered through Billing Authorities discretionary relief powers under section 47 of the Local Government Finance Act 1988. Providing the billing authority's scheme is compliant with the Governments eligibility criteria then it will be compensated for any loss of income it incurs by means of grant payments under s.31 of the Local Government Act 2003.

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

List of appendices:

- **Appendix A** – Local Discretionary Relief Policy

DRAFT

**Barking & Dagenham Local Discretionary
Business Rate Relief Scheme 2017/18**

1. Introduction

1.1 The Local Discretionary Business Rate Relief Scheme will apply for the billing period 1 April 2017 to 31 March 2018 only. Under the proposed scheme the relief will only be provided where an applicant's bill has increased due to the 2017 revaluation and not due to any loss of relief or change in circumstances.

1.2 The Government has allocated £300m to Local Authorities to give in relief. Barking and Dagenham has been allocated the following funds:

| Year | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|---------------|----------------|----------------|----------------|----------------|
| Relief | £530k | £258k | £106k | £15k |

1.3 The Government has distributed the £300m based upon the bill increases of properties given the following criteria: their business rates bill is increasing by more than 12.5% following revaluation, and their rateable value is less the £200k. Bill changes were calculated using the multiplier after inflation and with adjustment for appeals (0.466). Central list properties are excluded from the analysis. This is based on the VOA's draft 2017 rating list (September 2016)

1.4 As per the table above the level of relief awarded will reduce over the four-year period. This policy will be reviewed annually with the view to adjust the percentage of award to ensure that this falls in line with the allocated budget.

1.5 In cases where a recipient of the relief has their 2016/17 or 2017/18 bill reduced due to any of the following reasons, the relief will be reduced or removed accordingly and the Ratepayer will be given 12 months from date of the alteration to pay any debt that has been created as result of a relief adjustment:

- A reduction in rateable value in the 2010 and/or the 2017 lists;
- The provision of a certificated value for the 2010 rating list or a historical change;
- The application of any retrospective rate relief and/or exemption;
- Vacation or reoccupation of the property the relief is being awarded for;
- Any other reason that results in the charge being retrospectively reduced in respect of either/both the 2016/17 & 2017/18 financial years.

1.6 Ratepayers in occupation of properties who benefit from the scheme will have to have a property with a rateable value of below £70,000 (BRS limit 2017/18) and will have to fall into one of the categories listed below:

- Shops (including: Florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, newsagents/convenience stores, hardware stores.
- Charity shops
- Opticians

- Furnishing Shops / display rooms (such as: carpet shops, double glazing, garage doors)
- Car/vehicle show rooms
- Car sale Lots
- Markets
- Garden Centres
- Art Galleries (where art is for sale)
- Shoe repairs/ key cutting
- Travel agents
- Dry cleaners/laundrettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- Game/DVD rental
- Tool hire
- Hair and beauty services
- Restaurants/Cafes and Takeaways.
- Coffee/sandwich shops
- Pubs and Bars
- Financial institutions that are of a direct benefit to the local community e.g. credit unions.

1.7 Please note that the following types of uses are not eligible for local discretionary business rate relief:

- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, amusement arcades, pawn brokers)
- Professional services (e.g. solicitors, accountants, insurance agents/financial advisers, tutor)
- Post office sorting office
- This list is not exhaustive the Council reserves the right to refuse this relief.

1.8 Further Exclusions – For properties where any of the following apply the ratepayer will not be eligible for local discretionary business rate relief:

- multiple properties that are operated by the same organisation / business. This applies where the business runs three or more properties in the U.K or in the U.K and overseas.
- Ratepayers in receipt of small business rate relief support which limits increases on small properties caused by the loss of small business rates relief to £600.
- Ratepayers who have been in occupation of the property in question for less than 31 days prior to the 1 April 2017.
- Properties which were not on the rating list at 1 April 2017. (Relief will not apply where properties are entered the list retrospectively).
- Properties which are unoccupied.
- Rate Payers where any arrears due from 2016/17 or earlier are not cleared by 31 May 2017 or are not in an arrangement plan which is up to date, unless the Rate Payer can demonstrate they are in arrears due to genuine hardship.
- Multinational / international companies
- Housing associations / Tenant's management organisation.

- Where the award of relief would not comply with EU law on State Aid.

1.9 The application form requires you to confirm that you have not received any other State Aid that exceeds in total €200,000, including any other rates relief (other than exemptions, transitional or mandatory reliefs) you are being granted for premises other than the one to which this declaration and letter relates, under the De Minimus Regulations EC 1407/2013.

1.10 Under the European Commission rules, you must retain this guidance for three years and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this guidance longer than three years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on ‘De Minimus’ aid for the next three years.

1.11 Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

Hardship

1.12 In cases where the rateable value of a property is greater than £70,000 but less than £150,000, and the Rate Payer can clearly evidence that the 2017 revaluation has caused them to suffer significant financial hardship, the Council will consider an application for relief providing the following evidence is supplied:

- The past three financial years (if applicable) audited accounts; and
- A summary statement as to why the revaluation has had a direct effect upon the Rate Payer’s finances.

1.13 The amount of relief awarded will be at the discretion of the Council and may not fall in line with the above percentage of relief awarded.

1.14 All other qualifying criteria apply, including the right of appeal.

2. How the proposed Local Discretionary Business Rate Relief is Calculated:

2.1 Local discretionary business rate relief is calculated after all other reliefs have been applied, i.e. small business rates relief.

2.2 The calculation made to determine the amount of relief does not include the business rates supplement (Crossrail).

2.3 The maximum percentages of local discretionary business rate relief available are shown in the table below:

Eligible Properties – Rateable Value up to £70,000

| Increase in business rates | Percentage of relief |
|-----------------------------------|-----------------------------|
| Less than 1% | 0% |
| More than 1 % | 5% |

3. The Application Process

- 3.1 All applications must be completed in full. Incomplete forms will not be returned to the applicant and relief will not be awarded.
- 3.2 Applications cannot be backdated prior to the year of application unless the payable amount has been changed by a change to the rateable value.
- 3.3 The Council's decision is final, there is no right of appeal.
- 3.4 Relief will end at the end of each financial year and will not carry forward through the four years. Applications must be made for each subsequent year.
- 3.5 Business Rates must be paid whilst the application is being assessed.

CABINET

17 October 2017

| | |
|---|---|
| Title: Impact of the Children and Social Work Act 2017 | |
| Report of the Cabinet Member for Social Care and Health Integration | |
| Open Report | For Information |
| Wards Affected: All | Key Decision: No |
| Report Author: Heather Storey, Head of Commissioning, Children's Care and Support | Contact Details: Tel: 0208 227 2827 E-mail: Heather.Storey@LBBD.gov.uk |
| Accountable Director: Chris Bush, Director of Commissioning, Children's Care and Support | |
| Accountable Strategic Director: Anne Bristow, Deputy Chief Executive and Strategic Director for Service Development and Integration | |
| Summary | |
| <p>The Children and Social Work Act 2017 received Royal Assent on 27 April 2017. The Act enshrines in law several significant changes which will have implications for all Local Authorities. This report describes the reforms introduced by the Act and the implications for the Council.</p> <p>The Act was given Royal Assent sooner than expected due to the dissolution of parliament, therefore there is a shortage of supporting information on the timescales for introduction of the different elements of the Act and as yet no supporting guidance that supports these changes. Never-the-less, it is incumbent on the Council to ensure that the new standards and legal requirements are being adhered to. Whilst the detail of the Act is not yet fully known, officers are developing plans that position the Council strongly in terms of known requirements such as a local offer for Care Leavers.</p> <p>The Act aims to:</p> <ul style="list-style-type: none"> • Improve support for looked after children in England and Wales especially for those leaving care. • Enable better learning about effective approaches to child protection and care in England. • Establish a new regulatory regime for the social work profession in England. <p>The most controversial 'different ways of working' provisions were dropped by the government at the report stage but a number of provisions which seem somewhat illogical remain and it appears likely the requirements of the legislation will impact negatively on the budget.</p> | |

| |
|---|
| <p>Recommendation(s)</p> <p>The Cabinet is recommended to</p> <p>(i) Note the report and the potential implications for the Council of the Children and Social Work Act 2017; and</p> <p>(ii) Request the Corporate Parenting Panel to consider the extended Corporate Parenting duty and develop proposals on how the Council should meet the new requirements.</p> |
| <p>Reason(s)</p> <p>Well run organisation: The Council must comply with recently agreed legislation in the Children and Social Work Act 2017. By briefing members and officers, a fuller understanding will be gained and further development work undertaken.</p> |

1. Introduction and Background

1.1 This report sets out the details of the act in the key areas affecting the local authority and the children it helps care for. They broadly fall into seven key areas of work:

- Corporate parenting and looked after children
- Adoption
- Safeguarding Children
- Abolition of Local Safeguarding Children Boards
- Child Death Reviews
- New Regulatory Regime for the Social Work Profession
- Relationships, sex and PSHE Education

Corporate Parenting and Looked After Children

- 1.2 Local authorities in England must publish a “*Local Offer*” for care leavers, providing information about services which the local authority offers that may assist care leavers in, or in preparing for, adulthood and independent living. This includes services relating to health and well-being; relationships; education and training; employment; accommodation; participation in society.
- 1.3 Extension of local authority support to Care Leavers to age 25, including provision of Personal Advisers, assessment of the needs of former relevant children and preparation of a Pathway Plan.
- 1.4 Educational achievement of previously looked after children - local authorities in England must make advice and information available for the purpose of promoting the educational achievement of previously looked after children educated in their area, and must appoint at least one person for discharging that duty.
- 1.5 Schools must designate a member of the staff as having responsibility for promoting the educational achievement of previously looked after children who have left care

through adoption, Special Guardianship Order, or Child Arrangements Order. It places academy schools under similar statutory duties to maintained schools.

- 1.6 The Act outlines seven Corporate Parenting Principles that Local Authorities must have regard to in respect of Looked After Children and those leaving care to establish what it means for the authority to act as a good Corporate Parent.
- To act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people;
 - To encourage those children and young people to express their views, wishes and feelings;
 - To consider the views, wishes and feelings of those children and young people;
 - To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
 - To promote high aspirations, and seek to secure the best outcomes, for those children and young people;
 - For those children and young people to be safe, and for stability in their home lives, relationships and education or work;
 - To prepare those children and young people for adulthood and independent living.
- 1.7 The Council is ahead of these requirements in a number of ways, with the Street Purchasing Scheme expected to deliver more and improved accommodation to Care Leavers by the end of the calendar year. Cabinet also received a report in July explaining the work being undertaken to reduce the number of looked after children and care leavers who are Not in Education, Employment or Training (NEET) and the work underway is strengthening our support to these young people.
- 1.8 Whilst the financial implications are not yet fully known, it can be expected that the duty to support care leavers to the age of 25 will have a significant cost implication for the Local Authority.
- 1.9 It is recommended that Cabinet requests that the Corporate Parenting Panel to consider the implications of this Act and develop proposals on how the Council to meet the requirements and respond to the extended Corporate Parenting duty.

Adoption

- 1.10 Permanence provisions in respect of care and adoption proceedings in England and Wales are significantly affected by the Act; particularly in respect of adoption. The Local Authority will now have a duty to have regard to the ongoing relationship with adopters.
- 1.11 Additional considerations in relation to the permanence provisions which a court, when deciding whether to make a care order, is required to consider: the impact on the child concerned of any harm that he or she suffered or was likely to suffer; the current and future needs of the child (including needs arising out of that impact); the way in which the long-term plan for the upbringing of the child would meet those current and future needs

Secure Accommodation

- 1.12 Placing children in secure accommodation elsewhere in Great Britain - has come into force. This allows local authorities in England and Wales to place children in secure accommodation in Scotland under the Children Act 1989. This is helpful given there is often a real shortage of secure accommodation for children and young people and whilst it is not ideal to have to place a young person so far away it may be preferable to not being able to find a bed.

Safeguarding Children

- 1.13 Establishment of a Child Safeguarding Practice Review Panel to identify serious child safeguarding cases in England which raise issues that are complex or of national importance, and, where they consider it appropriate, to arrange for those cases to be reviewed under their supervision to identify any improvements that should be made by safeguarding partners or others to safeguard and promote the welfare of children.
It is unclear how this new body will improve practice or national co-ordination given there is already a requirement to provide such information to OFSTED.
- 1.14 Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if:
- The child dies or is seriously harmed in the local authority's area, or
 - While normally resident in the local authority's area, the child dies or is seriously harmed outside England.

Again, it is not clear whether this is replacing the duty to notify DfE and Ofsted or is introducing a further layer of oversight.

Abolition of Local Safeguarding Children Boards

- 1.15 These are to be replaced by the introduction of local arrangements for safeguarding and promoting the welfare of children.
- 1.16 The safeguarding partners for a local authority area in England are the local authority; a clinical commissioning group for an area, any part of which, falls within the local authority area; the chief officer of police for a police area any part of which falls within the local authority area.
- 1.17 Through the introduction of local child safeguarding practice reviews - the safeguarding partners for a local authority area in England must make arrangements:
- a) to identify serious child safeguarding cases which raise issues of importance in relation to the area, and
 - b) for those cases to be reviewed under the supervision of the safeguarding partners, where they consider it appropriate to identify any improvements that should be made by persons in the area to safeguard and promote the welfare of children;

- 1.18 Provision is made for combining safeguarding partner areas and delegating functions. However, it will not be requirement to do so and is unlikely to be of benefit in our borough.

Child Death Reviews

- 1.19 As now the child death review partners for a local authority area in England must make arrangements for the review of each death of a child normally resident in the area. Provisions are set out to allow for combining child death review partner areas and allocate the necessary funding to achieve this. It is considered we already have the ability to co-operate in this way and plans are well advanced for a joint panel across the BHR health and care economy. Since the numbers of child deaths in a single London Borough are low, working across a wider geographical area makes sense as the ability to identify trends is greatly increased.
- 1.20 New powers have also been introduced to assist in obtaining information from a person or body to provide information specified by a Child Death Reviewer.

New Regulatory Regime for the Social Work Profession in England

- 1.21 The Act enshrines in law a series of changes to the social work profession, including:
- The creation of a new organisation, Social Work England(SWE), to take over from the Health and Care Professions Council (HCPC) as the profession's regulator;
 - A requirement for the new regulator to obtain the Education Secretary's approval for professional standards;
 - New powers for the Education Secretary to set 'improvement standards' for social workers, and introduce assessments for practitioners.
- 1.22 The logic of forming an additional quango in a period of such significant austerity to replace the HCPC is unclear given the General Social Work Council which had this role was abolished in 2012 and its responsibilities merged into HCPC. However, the dropping of another earlier proposal to make SWE an executive arm of government, under direct control of the Secretary of State, is welcomed.
- 1.23 Under the revised terms in the statute, SWE will be a non-departmental public body, or quango, with the same status as social work regulators in the rest of the UK. Ministers will, however, still be able to set post-qualifying improvement standards for social workers. It is still unclear how all this intended to operate in respect of social workers who do not work with children and how their qualifications and professional membership will be affected.

Relationships, Sex and PSHE Education

- 1.25 The Act places relationships education on a compulsory statutory footing for all primary school pupils in England, as well as sex and relationships education for secondary school children. This is likely to be challenging for some of our faith groups including a number of Catholic schools in the borough.

2. Proposal and Issues

- 2.1 At the time of writing, no formal implementation guidance, timelines, or new-burden funding has been issued by central government. However, many of the implications of the Act are clear and work should begin in advance of any formal guidance to work towards implementation.

3. Financial Implications

Implications completed by: Daksha Chauhan, Group Accountant, Children's Finance

- 3.1 This report is informing Cabinet of the potential impact of Children and Social Work Act for the authority. Although there are no direct financial implications arising from this report, there are likely to be resourcing requirements dependent on the option selected for implementing requirements of the Act. Once the detailed proposals for implementation have been developed, these will need to be costed and funding sources identified.
- 3.2 In particular the extension of duties regarding Looked After and Previously Looked After Children is likely to increase costs for the authority. The Government should make additional monies available under the New Burdens doctrine; however whether this provides sufficient funding cannot yet be ascertained.

4. Legal Implications

Implications completed by: Lindsey Marks Principal Solicitor for Children's and Adults' Safeguarding.

- 4.1 The Children and Social Work Act 2017 sets out the corporate principles for the Local Authority as a whole to be the best parent it can be to the children in the Local Authority's care. These are largely a collation of existing duties that a Local Authority has towards its looked after children and those young people leaving care.
- 4.2 Local Authorities will be required to publish their support offer to those young people leaving care and to promote the educational and attainment of children who have been adopted or placed in other long-term arrangements.

5. Other Implications

- 5.1 It will be necessary to monitor the implementation timescales and emerging financial and staffing implications.

Public Background Papers Used in the Preparation of the Report:

- The Children and Social Work Act 2017
(<https://www.legislation.gov.uk/ukpga/2017/16/contents/enacted>)

List of appendices: None

CABINET**17 October 2017**

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| Title: Growth Commission Recommendations Progress Report | |
| Report of the Leader of the Council | |
| Open Report | For Information |
| Wards Affected: None | Key Decision: No |
| Report Author: Sarah Myers, Strategy and Performance Officer | Contact Details: Tel: 020 8227 2253 E-mail: sarah.myers@lbbd.gov.uk |
| Accountable Director: Tom Hook, Strategy and Programmes Director | |
| Accountable Strategic Director: Chris Naylor, Chief Executive | |
| <p>Summary</p> <p>In 2015, the Council established an independent Growth Commission to examine the options for and likely impact of the future development of the Borough. The Commission recognised the Borough's potential as London's growth opportunity and outlined 109 recommendations to help the Council turn their vision into reality. It should be noted that the 109 recommendations were all different in nature, scope and timescale, ranging from the strategic to narrow and focused. Some of the actions will take much longer to deliver.</p> <p>The report was discussed at Cabinet in April 2016 and Members agreed to refer the recommendations to the relevant Select Committees for further consideration. The Living and Working, Children's Services and Public Accounts and Audit Select Committees identified priorities within the 109 recommendations.</p> <p>In addition to the Growth Commission recommendations, the Council adopted a series of principles to adhere to in the delivery of its ambitions, embedding new ways of working from the outset. These principles include committing to a 20-year vision, renewing civic culture, developing a varied housing market and vibrant local economy, leaving no one behind, and making decision based on the best available evidence.</p> <p>One recommendation from the Growth Commission was that the Council should commit at the outset to a public annual review report, and its dissemination across the community, which would set out the achievements and obstacles in the past period. This report provides an update on the progress achieved against the principles adopted by the Council and the priority actions identified by the Select Committees.</p> | |
| <p>Recommendation(s)</p> <p>Cabinet is asked to:</p> <p>(i) Note progress made against the principles adopted by the Council following the Growth Commission;</p> | |

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| <ul style="list-style-type: none"> (ii) Note progress made against the priority actions identified by the Select Committees; (iii) Note areas where performance has been slower than expected and agree any action needed to boost performance; and (iv) Agree areas of success that can be used as part of key communications and messaging. |
| <p>Reason(s)</p> <p>To assist the delivery of the Council’s vision of “one borough; one community; London’s growth opportunity” and delivery of the priorities.</p> <p>One of the recommendations of the Growth Commission (no.16) was for the Council to commit to a public annual review report, outlining the achievements and obstacles in the past period. This report is the implementation of this recommendation.</p> |

1. Introduction and Background

- 1.1 The Borough of Barking and Dagenham is London’s growth opportunity and the Council aims to create an inclusive, prosperous and resilient place, in which all communities have the opportunity to fulfil their potential.
- 1.2 To help achieve this, the Council established an independent Growth Commission to examine the options for the Borough’s future development and the likely impact of pursuing those options, and to maximise the contribution of the Borough to the London economy. The Commission comprised of specialists with a range of national and international experience of business, regeneration, successful economic development in other parts of the UK, and knowledge of the London economy.
- 1.3 The Commission recognised Barking and Dagenham’s growth potential and agreed that the Council had the right vision. The scale of the transformation would require the Council to engage and mobilise every part of the Borough; building on existing and developing new partnerships, empowering the people of Barking and Dagenham to play a greater role in shaping the future of the Borough.
- 1.4 The final report from the Growth Commission was published on 24 February 2016 and outlined 109 recommendations that they believed would help the Council to turn their vision into reality.
- 1.5 The recommendations were not definitive and were intended to provide a framework for discussions with a wide range of stakeholders as part of collaborative working to examine how the Borough can be what it wants to be: inclusive, prosperous and resilient.
- 1.6 The recommendations covered all aspects of the Borough’s economic growth including housing, business, transport and infrastructure, culture and heritage, urban design, educational attainment, and skills and employment.

2. Progress to date - Principles

2.1 The Council welcomed the principles and key actions proposed by the Commission. Building on this, the Council committed itself to a set of principles and have pledged to implement them, including committing to a 20-year vision, renewing civic culture, developing a varied housing market and vibrant local economy, leaving no one behind, and making decision based on the best available evidence. Good progress has been made to date in delivering against these principles. The section below provides an update on council activity for each one.

2.2 A 20-year vision

2.2.1 Barking and Dagenham Together - the Borough Manifesto is the council's resident-led, shared long-term vision for the future of the Borough. It was developed through extensive consultation, where residents were asked what they liked about the Borough, what they disliked and what their aspirations for the area were. This consultation received the highest number of responses to any consultation undertaken, with nearly 3000 responses received. These responses and the high-level emerging themes were discussed at a conference of partners and key stakeholders in November 2016.

2.2.2 The themes, aspirations and targets of Barking and Dagenham Together mirror the concerns, opinions and priorities from the public consultation and partners' feedback. It has 13 ambitious, measurable targets to be achieved within the next 20 years. The targets cover ten themes: employment, skills and enterprise; education; regeneration; housing; health and social care; community and cohesion; environment; crime and safety; fairness; and arts, leisure and culture.

2.2.3 The Barking and Dagenham Delivery Partnership (BDDP) has been established. It is a forum of stakeholders from the public, private, voluntary and community sectors who will work towards and monitor progress on the aspirations and targets and plan how to best collaborate in the future.

2.2.4 Barking and Dagenham Together- the Borough Manifesto was launched on 10th July, with an event for partners and key stakeholders at the Dagenham Civic Centre.

2.3 No-one left behind

2.3.1 Leaving no-one behind is a key message in Barking and Dagenham Together, and its targets and aspirations. The Council strives to ensure that all residents have the opportunity to benefit from the Borough's growth. And this message feeds into all developments and changes taking place within the borough.

2.3.2 Particularly through this period of significant change, the Council will continue to analyse changes to policies and services in order to assess the potential equalities impacts and risks before final decisions are taken. The Council's approach to equalities is embedded and fully integrated into our decision-making processes and business planning.

2.3.3 The Council remain committed to our work to eliminate discrimination in Barking and Dagenham based on age, gender, sexuality, disability, religion and belief,

ethnicity, gender reassignment, marriage and civil partnership, and pregnancy and maternity.

- 2.3.4 To further strengthen our approach, an Equality and Diversity Strategy for the Borough has been developed, setting out our strategic objectives, ensuring that we support and celebrate our diverse and changing population and that all people who live, work, study and visit our Borough are treated fairly and enjoy equal opportunities. The Council will continue to use the information we hold about residents to break down by protected characteristics, wherever such analysis helps, to improve our services and intervene in a more intelligent manner.

2.4 Renewal of civic culture

- 2.4.1 The Council is supporting the renewal of civic culture through various projects aimed at increasing the active involvement of local people and communities, organised and empowered to support and challenge the public and private sectors. The Council's crowdfunding platform launched on 5th April 2017 with a small grants fund to enable community groups to apply for funding against council priorities. The criteria for crowdfunding projects ensure that they benefit people who live or work in B&D, and have strong local support, shown through a vibrant crowdfunding campaign. The Council will match-fund any approved project by up to £10,000 or 50% of the project value. The first projects are now live on the platform.

- 2.4.2 The B&D Local Lottery was launched to the public in September 2017, and is another way for local people to help fund the projects that mean the most to them. When purchasing online tickets, people will be able to directly select which good cause they want to support. Tickets will cost £1 with 60p going towards local good causes. The first prize draw is scheduled for 21st October 2017.

- 2.4.3 Every One Every Day is seeking to establish a participatory culture across Barking and Dagenham over the next five years. This is the first time an attempt has been made to develop this across a borough. It offers the opportunity for residents to lead and shape the initiative, and for the Council and investors to learn about a new way of facilitating civil society engagement across a whole community. This project has put the Council at the forefront of new ways of engaging and empowering communities and offers a significant opportunity for residents. The ambitious scheme will work with 25,000 residents across the borough to create over 250 neighbourhood-led projects and form more than 100 new businesses over the next five years.

2.5 Local Housing offer

- 2.5.1 The Council is committed to developing the local housing offer. Be First is a new company wholly owned by the public sector, but operating at arm's length from the Council. Be First will use the freedoms and flexibilities that this independence gives to speed up house building and the construction of new infrastructure, whilst ensuring that no one is left behind. It will attract investment to the borough and accelerate growth. As an investor in its own right, it will be self-financing and create significant new revenue for the Council.

- 2.5.2 Key appointments have been made to Be First, including Lord Bob Kerslake who has been appointed as Chair of the Board of Be First and Pat Hayes who has been

appointed the Managing Director. The company will be up and running by autumn 2017.

2.5.3 The Council is committed to developing housing of all tenures and ensuring that no one is left behind in a balanced tenure mix.

2.6 **Vibrant local business community**

2.6.1 Be First will also drive development and encourage a vibrant local business community. One of the recommendations from the Growth Commission was to prioritise Barking town centre, and use this as an exemplar for the Council's new approach to its urban areas. Considerable progress has been made within the first year, with the approval of the Be:Here, Vicarage Fields, Abbey Industrial Park, Cambridge Road and Abbey Sports Centre schemes. The Vicarage Field development will deliver a major transformation of the town centre's retail offer. It will feature around 900 new homes, a state of the art shopping, dining and leisure destination and, at the heart, a 'field' with shared communal garden for residents, orchards and play spaces. Be First will build on this progress and aim to attract further investment to the borough and accelerate growth.

2.7 **Evidence led approach**

2.7.1 The Council is committed to having an evidence led approach to decision making. The Insight Hub has been established, who collate and analyse data, to make better use of data and intelligence and to ensure an evidence based approach to service and policy development. The Council is also committed to taking the views of the residents into account, and commissioned a resident survey in late 2015, and again in 2016, to understand the views of residents and gauge satisfaction with Council services. The survey is a useful tool for the Council to identify areas for improvement and will ensure that the limited resources available are spent in areas that really matter and will make the greatest difference to residents. This survey will be run annually to ensure the views of residents help shape services and lead to improvement. Public consultations are regularly undertaken during the development of new services and policies, and the feedback gathered incorporated into future planning.

2.7.2 The Council is focusing delivery of its services on outcomes that are important to its users with an emphasis on consumer-centred design. Accordingly, the Council is moving to adopt an outcomes-based commissioning model.

2.7.3 The Council's Core function designs and articulates the overall outcomes and priorities in the Corporate Plan. These are based on the aspirations within Barking and Dagenham Together, existing statutory duties and other key partnerships strategies. Sitting underneath the Corporate Plan will be a suite of strategies that form a more detailed framework for the Council, and underneath these will be the commissioning plans. Each service block will then have a single mandate. Mandates are the annual service agreements which contain the expected outcomes, key performance measures and targets, areas of priority, information on key developments and details of resources. Successful development of robust commissioning plans and mandates will be the main focus in 2017/18. Performance on the mandates will form part of the Council's formal performance monitoring and management arrangements.

- 2.7.4 The performance management arrangements are part of the commitment to making Barking and Dagenham a stronger, more prosperous place to live for the benefit of all, ensuring no one is left behind. In addition to the Key Accountabilities and Key Performance Indicators, in 2017/18 the Council will begin annual monitoring of our performance against the targets in Barking and Dagenham Together and the outcome measures incorporated in the Social Progress Index.
- 2.7.5 Developed by the Social Progress Imperative from Harvard Business School, the Social Progress Index (SPI) was created as a framework for assessing social progress using social and environmental outcome measures. Originally developed to determine the social progress of countries, we have been working with the Social Progress Imperative to use this framework to measure the social progress of the Borough. The index measure basic human needs (water, shelter, safety), the foundations of wellbeing (access to basic knowledge, communication, environment), and opportunity (personal rights, freedom, tolerance and access to advanced education).

2.8 Priority Actions

- 2.8.1 The 109 Growth Commission recommendations covered all aspects of the Borough's economic growth and were different in nature, scope and timescale, ranging from the strategic to narrow and focused. Members of the Living and Working Select Committee and the Children's Services Select Committee were asked to prioritise some of the Growth Commission recommendations. These proposals were then put before the Public Accounts and Audit Select Committee before making final recommendations to Cabinet in October 2016.
- 2.8.2 **The Living and Working Select Committee** identified 9 actions for prioritisation, which Cabinet supported. Progress achieved is summarised below.

The removal of the barrier of the A13 corridor by burying the roadway. The development of lands freed up by that initiative should be an important medium to long-term priority (recommendation 66)

The Council is working with Architecture Sans Frontieres (ASF-UK) and Transport for London (TfL) on proposals to redevelop Castle Green. The first phase of feasibility and master planning is due to be completed by the end of September 2017 and this will confirm whether the project is viable or not.

Borough to be pilot area for high speed digital hub (recommendation 108)

Barking Riverside has entered into a flagship deal with BT Openreach for ultrafast fibre broadband for the whole site. BT Openreach will build fibre-to-the-premises (FTTP) technology capable of speeds up to 1Gbps for more than 10,500 new properties on the site, which include a mix of family housing, apartments, schools, retail, community and leisure facilities. Work to install fibre to the properties will begin within the next few months, providing access to the fastest broadband speeds in the UK.

One anchor institution the Borough does have on its boundary is CEME (Centre for Engineering and Manufacturing Excellence). It is a very well-designed institution. The Council ... to establish how CEME could develop further to meet the needs of local, national and international businesses

(recommendation 108) The Council and CEME engage through the London Riverside Employment Steering Group seeking to maximise the impact of the facility on Borough businesses. CEME have commissioned a consultancy to review and advise on their long-term vision. The Council was a stakeholder interviewed as part of the process, providing the Council the opportunity to influence CEME's future direction. Coventry University is another fantastic anchor institution within the Borough. Situated in Dagenham Civic Centre, it opens its doors to the first cohort of students in September 2017. The university will offer high quality higher education within the Borough, with 3,000 places to study degrees and apprenticeships in a range of flexible part time and full-time courses.

Stronger regulation of private landlords through the Council's licensing scheme (recommendation 52)

All private landlords are required to be registered with the Council. The Borough-wide Private Rented Property Licensing scheme was launched in 2014 and runs for five years. The scheme aims to work with landlords and tenants to improve conditions across the private rented sector as a whole and help to reduce crime and anti-social behaviour (ASB) associated with the poor management of rented properties. Landlords who are not registered are at risk of prosecution. A new consultation is being currently being planned to assess the impact of this scheme and will inform future planning around this issue, with a new Private Sector Landlord Licensing Scheme planned for 2019-20.

Housing should be of all tenure forms (recommendation 20)

The Council is committed to developing housing of all tenures and ensuring that no one is left behind in a balanced tenure mix.

The selective redevelopment of existing retail areas [in Becontree, including Dagenham Heathway] would help improve the attractiveness of the area to current and new residents (recommendation 56)

As Be First establishes, its development programme it will look at the opportunities for redeveloping retail area. The Council has met with TfL who have identified development potential on land they own in Becontree, Dagenham East and Dagenham Heathway stations, which the Council could get involved with. Other opportunities include the Iceland site at Merry Fiddlers and Martin's Corner. Be First will need to establish whether there is a business case for taking these developments forward.

The mud flats to the east of the wharf could become a wetlands area and the Council should examine if there is a role for the Wetlands Wildlife Trust to undertake a venture similar to that at the Barnes reservoirs (recommendation 49)

The Strategic Infrastructure Scheme for the Barking Riverside development is due to be submitted to the Council later this year. This has detailed designs for Barking Riverside foreshore which aims to enhance its natural setting whilst also increasing public enjoyment of it.

Iconic community facilities should be improved, with the community encouraged to manage them (recommendation 55)

This priority action links to the principle that the Council has committed to by the renewal of civic culture through much more active involvement of the local people and communities. The Council is working with community and voluntary

organisations to build capacity in this area, with the aim of developing skills and effectively using resources, and encouraging them to manage these facilities.

Burying of existing power lines to enhance the Barking Riverside area and other affected areas (recommendation 45)

Barking Riverside Limited (BRL) has been discussing burying the existing power lines with government. At present, this is not viable but remains an option for the future when viability improves. In August 2017, a proposal for burying the power lines was submitted as a bid to the Housing Infrastructure Fund, which aims at funding vital physical infrastructure projects to support new and existing communities. Bids are to be assessed and funding awards announced by summer 2018.

- 2.8.3 **Children's Services Select Committee** identified 7 actions as priorities. These recommendations were divided into three themes; supporting the aspirations and ambitions of young people, developing innovative partnerships to support young people's achievements and encouraging a broad and varied curriculum which develops young peoples' talents and prepares them well for adulthood. Progress achieved is summarised below.

Schools should identify and develop strategies, drawing on successful examples from both inside and outside of the Borough, to help engage parents where low aspirations are a hindrance on children's performance (recommendation 81)

This issue remains an ongoing challenge. All schools develop strategies to help engage parents where low aspirations are a hindrance on children's performance. Some appear to be more successful than others. The school improvement services support schools by identifying those with particularly interesting or successful practice, which can be used as exemplars and inform new strategies. From April 2018, the school improvement services, statutory and traded, will be provided by the School Improvement Partnership, a not for profit company jointly owned with the Borough's schools, giving schools greater power to develop services.

The Council should persuade tutoring organisations, including those that draw on tutors from the private sector or those that utilise university students to support students in the Borough (recommendation 80)

The Council has supported a number of organisations, largely mentoring ones, to offer their services to schools. Increasingly schools are using these organisations to support access to Higher Education with some success as indicated by rising numbers going to Russell Group/top third Higher Education institutions.

The Council should ensure that schools in the Borough are providing careers education, as distinct from individual advice and guidance, to students from a young age (recommendation 83)

The Council provides a well-regarded careers support as a traded service. The support includes a variety of information and activities, including work experience, traineeships and support with writing CVs, job and university applications. Careers education does tend to focus on the older years of secondary school, but officers are working to develop links and opportunities for careers education in primary schools.

A multi-agency early intervention strategic partnership could play a critical role in developing and implementing the range of interventions needed during early years. Such a partnership should be driven by the Council, and have as its focus the need to break the cycle of poor outcomes, including health, poverty and education (recommendation 69)

The Family Information Service provides comprehensive information and advice on the services available to parents. It brokers early education places for vulnerable and disadvantaged two-year olds, which supports future educational outcomes and is particularly important for developing early communications and language skills. There is a strong partnership between schools, children's centre and early years providers with the Council, which is essential for ensuring a continued focus on improving provision and outcomes for the youngest children.

Recognising the holistic approach required to address educational underachievement, strong partnerships between schools and other stakeholders, including the community and voluntary sectors, and business, should be established focusing on providing the social, emotional and practical support children and families require (recommendation 76)

There are two priority strands here: increasing links with business and bringing the resources and expertise in business to bear on improving outcomes for children and young people (this is an area which the Council's Delivery Unit is supporting); and strengthening the impact of work with health through a more joined up approach - with a focus on access to the therapies and support for mental health. The Deputy Chief Executive is ensuring this is addressed at very senior levels with health colleagues.

Schools should adopt an experiential approach to the curriculum, which incorporates the cultural entitlement statements adopted by school governing bodies in the Borough, enabling students to have wide-ranging experiences that both inform their learning and contribute to widening their horizons (recommendation 82)

The Council is having significant influence in this area through the work of the Cultural Education Partnership, which is bringing together arts practitioners, organisations and schools to support creative ambition and enable young people to be confident, imaginative and fulfilled. Evidence of their success and influence includes: the reach of the INSPIRE Festival has grown year on year, about half of schools have cultural lead governors, 17 schools have been accredited with the prestigious national certification Artsmark, and the Commissioning Music Hub continues to receive strong external reviews of its work.

Schools should support the development of healthy lifestyles and active citizenship through their curricular and extra-curricular activities (recommendation 95)

The Council works closely with schools to support increased physical activity and healthy weight as well as prevent the development of harmful behaviours (smoking, drug & alcohol use, sexual risk taking). Support available includes the Healthy Schools London Programme, with 90% of the boroughs schools signed up, and 33 having achieved their Bronze Award, 25 their Silver (6th highest in London) & 9 their Gold (5th highest in London). There is also cycle training and clubs, programmes promoting health diet and exercise and helping children to manage their weight, and oral health promotion aimed to early years and reception children. The School Health Survey 2017 canvasses views from secondary school pupils on areas such

as activity, diet, mental health, smoking, drugs and alcohol & sexual health and will provide valuable information to schools and to the services supporting schools on the important areas for future health development and targeted interventions.

3. Options Appraisal

- 3.1 This paper outlines progress achieved following the Growth Commission and specifically considers progress achieved against the priority actions, which were agreed by Cabinet in October 2016.
- 3.2 To avoid duplication and to ensure that the updates are purposeful, future reporting of progress on the Growth Commission recommendations will be reassessed. The Growth Commission recommendations will be cross referenced with the current performance reporting arrangements to identify which actions/recommendations are monitored through other mechanisms. Consideration also to be given to incorporating key Growth Commission recommendations in the Commissioning Mandates, which are being developed now and are due to completion in Autumn 2017.

4. Consultation

- 4.1 The Council has committed itself to making decision based on the very best evidence available, which includes consulting with residents, key stakeholders, staff as appropriate. Barking and Dagenham Together was developed following extensive consultation, which received the most responses to any consultation undertaken and resulted in a shared vision for the future of Barking and Dagenham. All recommendations which impact on service delivery, residents experience or result in a policy change will be subject to public consultation.

5. Financial Implications

Implications completed by: Kathy Freeman, Finance Director

- 5.1 There are no direct financial implications to be considered as a result of this report. The financial implications of the Growth Commission's recommendations will be costed through the Medium Term Financial Strategy and the Council's budgeting process.

6. Legal Implications

Implications completed by: Dr. Paul Field, Senior Governance Lawyer

- 6.1 There are no direct legal implications to be considered as a result of this report. The legal implications of the individual recommendations will be addressed within the department's project plans and not within this report. In line with the Council's drive to be open and transparent, this report will be published online.

7. Other Implications

- 7.1 **Risk Management** - Robust governance and programme management will be put in place within department's project plans to manage any risks associated with the implementation of Growth Commission recommendations.

- 7.2 **Contractual Issues** - Any contractual issues relating to delivering individual recommendations will be identified and dealt within department project plans.
- 7.3 **Staffing Issues** - There are no specific staffing implications.
- 7.4 **Corporate Policy and Customer Impact** - The implementation of the recommendations and the adoption of the new set of principles clearly demonstrates to residents the Council's "new way of working". Customer impact as a result of delivering each recommendation will be assessed within department's project plans and in Equality Impact Assessments, as part of the aim to ensure that all residents benefit from the regeneration, development and changes and that no one is left behind.
- 7.5 **Safeguarding Children** - Recommendations relating to the welfare of children will be delivered by the relevant departments, who will ensure that the Council fulfils its statutory duty to safeguard children.
- 7.6 **Health Issues** - Although delivery of health services is not the responsibility of the Council, together with health partners the Council is committed to tackling the health issues prevalent in the borough. Recommendations relating to health issues will be implemented by the relevant departments, subject to their governance and performance management arrangements.
- 7.7 **Crime and Disorder Issues** – Recommendations relating to the improvement and reduction of crime and disorder issues will be implemented by the relevant departments and subject to their governance and performance management arrangements.
- 7.8 **Property / Asset Issues** – Recommendations relating to property or asset issues will be implemented by the relevant departments and subject to their governance and performance management arrangements.

Public Background Papers Used in the Preparation of the Report:

- "No-one Left Behind: In Pursuit of Growth for the Benefit of Everyone" - Independent Growth Commission Report, February 2016 (<https://www.lbbd.gov.uk/business/growing-the-borough/our-strategy-for-growth/overview-2/>)
- Independent Growth Commission – Select Committee Feedback and Recommendations Cabinet Report (18 October 2016) (<http://moderngov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=180&MId=8806&Ver=4>)
- Council's response to the Growth Commission and Ambition 2020 Report, including Public Consultation Document Cabinet Report and Appendix 1, 19 April 2016 (<http://moderngov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=180&MId=8153&Ver=4>)

List of appendices: None

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