

Notice of Meeting

CABINET

Tuesday, 22 January 2019 - 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 Evelyn Carpenter, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Margaret Mullane, Cllr Lynda Rice 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 11 December 2018 (Pages 3 - 10)

4. Budget Monitoring 2018/19 - April to November (Month 8) (Pages 11 - 19)

5. Homelessness Strategy 2019-2023 (Pages 21 - 77)

- 6. Review of the Housing Allocations Policy (Pages 79 - 146)**
- 7. Update on the Reinvigoration of Barking and Dagenham Reside (Pages 147 - 179)**
- 8. Participation in West London Alliance for Children's Care and Support Services (Pages 181 - 196)**
- 9. Private Rented Property Licensing (PRPL) Scheme 2019 - 2024 (Pages 197 - 424)**
- 10. Review of School Places and Capital Investment - Update January 2019 (Pages 425 - 443)**
- 11. Lease of Mayesbrook Park Football Stadium (Pages 445 - 449)**
- 12. Council Tax Support Scheme 2019/20 (Pages 451 - 455)**
- 13. Calculation and Setting of the Council Tax Base for 2019/20 (Pages 457 - 463)**
- 14. Final Third Local Implementation Plan Submission (Pages 465 - 486)**
- 15. Core Support Services post-Elevate - Design Options Appraisal (Pages 487 - 513)**

Appendix 1 to the report is in the private section of the agenda at Item 18.
- 16. Any other public items which the Chair decides are urgent**
- 17. 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 item below is in the private part of the agenda as it contains commercially confidential information which is exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 18. Appendix 1: Core Support Services post-Elevate - Design Options Appraisal (Pages 515 - 624)**
- 19. Any other confidential or exempt items which the Chair decides are urgent**



Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

A New Kind of Council

- Build a well-run organisation
- Ensure relentlessly reliable services
- Develop place-based partnerships

Empowering People

- Enable greater independence whilst protecting the most vulnerable
- Strengthen our services for all
- Intervene earlier

Inclusive Growth

- Develop our aspirational and affordable housing offer
- Shape great places and strong communities through regeneration
- Encourage enterprise and enable employment

Citizenship and Participation

- Harness culture and increase opportunity
- Encourage civic pride and social responsibility
- Strengthen partnerships, participation and a place-based approach

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MINUTES OF CABINET

Tuesday, 11 December 2018
(7:00 - 8:43 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Margaret Mullane and Cllr Lynda Rice

Apologies: Cllr Maureen Worby

59. Declaration of Members' Interests

There were no declarations of interest.

60. Minutes (13 November 2018)

The minutes of the meeting held on 13 November 2018 were confirmed as correct.

61. Budget Monitoring 2018/19 - April to October (Month 7)

The Cabinet Member for Finance, Performance and Core Services presented a report on the Council's General Fund and Housing Revenue Account (HRA) revenue budget monitoring position for the 2018/19 financial year as at 31 October 2018 (Month 7).

The underlying General Fund position continued to be similar to that at the end of September, with a projected end of year overspend of £3.818m. The Cabinet Member referred to the People and Resilience Action Plan which sought to manage the significant pressures across both the Adult and Children's service areas and also commented on the other services that were experiencing pressures as a consequence of the Government's underfunding of public services. On that point, the Cabinet Member for Enforcement and Community Safety remarked on the Government's recent announcement that local authorities could support Police funding via the Council Tax, which was yet another example of the Government absolving itself of its responsibilities.

The HRA was forecast to be £0.9m below the planned revenue surplus contribution to the HRA Capital Programme. The Cabinet Member also advised on the receipt of grant funding towards road repairs and an addition to the fees and charges schedule that was approved at the last meeting to reflect new animal licensing regulations.

The Cabinet **resolved** to:

- (i) Note the current forecast outturn position for 2018/19 of the Council's General Fund revenue budget, as detailed in section 2 and Appendix A to the report;
- (ii) Note the forecast outturn position for 2018/19 on the HRA, as detailed in section 4 and Appendix B to the report;

- (iii) Agree the inclusion of Local Transport Capital Grant funding of £0.42m in the Capital Programme, as detailed in section 5 of the report; and
- (iv) Agree the inclusion in the Fees and Charges schedule approved by Cabinet on 13 November 2018 (Minute 54) of new fees and charges relating to animal welfare effective from 1 October 2018, as detailed in section 6 of the report.

62. Dedicated Schools Budget and School Funding Formula 2019/20

The Cabinet Member for Educational Attainment and School Improvement presented a report on the latest position regarding the Government's education funding reforms and the proposed allocation of funding to schools for 2019/20.

The Cabinet Member referred to the provisional allocations for 2019/20 across the four funding areas covering the main allocation to schools (Schools block), central costs for core Local Authority education services (Central block), additional costs for Special Educational Needs pupils (High Needs block) and childcare and pre-school services (Early Years block). It was noted that the overall allocation for 2019/20 would again represent another real-term cut in education funding in the Borough and the High Needs block would continue to be significantly underfunded until such time that the Government fully implemented its proposed reforms. The Cabinet Member explained that as schools were not able to transform in the same way that the Council had in response to the Government's underfunding of public services, the loss of some teacher posts was a real possibility.

The Schools' Forum had been consulted on the proposed funding factors for 2019/20 and the specific allocation for each school was currently subject to final consultation with Headteachers and Governing Bodies. In that respect, the Cabinet Member was seeking authority for approval of the final submission to the Education Funding Agency to be delegated to the Commissioning Director of Education following full consultation.

The Cabinet **resolved** to:

- (i) Note the latest position on the national Education Funding Reform and the expected implications for Barking and Dagenham as set out in section 2 of the report;
- (ii) Approve the 2019/20 strategy for the Dedicated Schools Budget as set out in section 3 of the report;
- (iii) Agree, in principle, the proposed model for allocating school funding in 2019/20, as set out in section 4 and Appendix A to the report; and
- (iv) Delegate authority to the Commissioning Director of Education, in consultation with the Schools Forum, the Cabinet Member for Educational Attainment and School Improvement and the Chief Operating Officer, to approve the final 2019/20 school funding formula submission to the Education Funding Agency.

63. Pan London Procurement of Temporary Accommodation Hub - Capital Letters

The Cabinet Member for Regeneration and Social Housing presented a report on the proposal for the Council to participate in a multi-London Borough initiative aimed at providing a collaborative approach to the procurement of temporary accommodation across London.

The Cabinet Member explained that the current piecemeal approach across London often led to Councils competing against each other for suitable accommodation, which created a false housing market and drove up costs. The new initiative, via the creation of a company limited by guarantee to be known as 'Capital Letters', would enable participating Councils to access more properties via a co-ordinated approach, as well as potentially benefiting from a £34m funding stream from the Ministry of Housing, Communities and Local Government (MHCLG). The intention was to join the company in the first phase, which would give the Council a voting seat on the Board as well as other benefits over those who joined at a later stage.

In response to questions, the Cabinet Member confirmed that the new service was expected to go live in April 2019 and he was aware of approximately six Councils who had currently expressed an interest in joining in the first phase, although it was hoped that the initiative would be London-wide in the longer term.

The Cabinet **resolved** to:

- (i) Agree, in principle, to the Council's participation in "Capital Letters", a company limited by guarantee to be established by the London boroughs, in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Regeneration and Social Housing and the Director of Law and Governance, to make the final determination on the Council's participation and, if appropriate, enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement any aspect of the arrangements, including the appointment of the Council's Company Member Representative and operational arrangements for staff secondment.

64. Procurement of Data Analytics and Predictive Modelling for Children's, Homelessness and Adult Services

The Cabinet received a report on the proposed procurement of the data analytic and predictive modelling platform provided by EYXantura to assist the Council's Community Solutions service in the provision of Children's, Homelessness and Adult Services.

The EYXantura platform would consist of the development and deployment of data analytics and predictive demand models for children's social care (including early help), homelessness and adult social care and assist Community Solutions to achieve its main aims of "Foster resilience and independence", "Resolve early", "Reduce demand" and "Generate savings" by providing a better understanding of

demand factors and helping to identify those most at risk / in need. Members welcomed the holistic family approach that the platform offered and the potential savings to the service from year 3 onwards.

The Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a contract for data analytics and predictive modelling for children's, homelessness and adult's services in accordance with the strategy set out in the report;
- (ii) Authorise the Chief Operating Officer, in consultation with the Cabinet Member for Social Care and Health Integration and the Director of Law and Governance, to determine the final procurement route, conduct the procurement and award and enter into the contract and all other necessary or ancillary agreements with the provider, in accordance with the strategy set out in the report; and
- (iii) Note the approach proposed for an initial mobilisation and scoping phase, aimed at providing additional assurance and validation on expected benefits prior to commencement of the full contract.

65. Sale of Council-Owned Shared Ownership Properties at Leys Estate (Phase 2)

Further to Minute 84 (27 January 2015), the Cabinet Member for Finance, Performance and Core Services presented a report on the formalisation of arrangements to enable the sale of the shared ownership units constructed as part of The Leys Phase 2 development.

The Cabinet Member explained that the previous report should have included a recommendation regarding the sale of the shared ownership units, as had been the case for similar projects involving shared ownership properties. Authorisation was therefore being sought to enable the planned sales to be finalised. In response to points raised it was noted that approximately 80% of properties across the Council's four shared ownership development sites in the Borough had gone to local people, while the local connection rate across the entire redevelopment of The Leys estate was circa 90%.

Cabinet Members commended the Council's approach to providing a genuine mix of affordable housing that both encouraged and enabled local people to continue to live in the Borough as they progressed up the housing ladder.

The Cabinet **resolved** to authorise the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Performance and Core Services and the Director of Law and Governance, to approve the final terms in respect of the shared ownership arrangements for the 34 units at Leys Phase 2 and enter into all the necessary agreements.

66. Robert Clack School Lymington Fields Site Sub-Station Lease

The Cabinet Member for Educational Attainment and School Improvement introduced a report on the proposed terms of a lease with UK Power Networks

(UKPN) to facilitate the supply of power from a new electricity sub-station at Royal Anglian Way, Dagenham, to serve the Robert Clack School Lymington Fields site.

The Cabinet **resolved** to:

- (i) Agree that the Council enters into a 99-year lease with UKPN in respect of the new electricity sub-station at Robert Clack School Lymington Fields site, Royal Anglian Way, as shown on the site plan at Appendix 1 to the report, on the proposed terms; and
- (ii) Authorise the Director of Law and Governance to enter into the lease agreement with UKPN and any other agreements deemed necessary to facilitate the delivery of the Robert Clack School Lymington Fields site project.

67. Purchase of Welbeck Wharf, 8 River Road, Barking

The Cabinet Member for Finance, Performance and Core Services presented a report on an opportunity for the Council to purchase a key strategic site, known as Welbeck Wharf, at the northern end of River Road, Barking.

The site benefitted from significant frontage onto River Road and the River Roding and was a major gateway into the Barking Riverside Gateways Housing Zone and Barking Riverside areas. In view of the potential benefits to the Council and Be First of securing such a site, Be First officers had entered into preliminary negotiations with the site owners prior to the site being offered on the open market. The Cabinet Member outlined the indicative terms of the proposed purchase and lease-back arrangements, which were detailed in an exempt appendix to the report, and confirmed that the final terms of any deal would be subject to a number of factors. Those factors included the commissioning of an independent expert to produce a flood risk strategy for the area and the findings of any land contamination studies. The Cabinet Member also referred to the potential unlocking of a further 27 acres of development land in the area.

The Cabinet Member stressed the importance of securing the Welbeck Wharf site on the proposed favourable terms prior to it being offered on the open market and confirmed that future reports to the Cabinet would set out the detailed options for the site.

The Cabinet **resolved** to:

- (i) Approve the acquisition by the Council of the Welbeck Wharf site, as shown in Appendix 1 to the report, on the terms set out in the report;
- (ii) Delegate authority to the Chief Operating Officer, advised by the Investment Panel and in consultation with the Director of Law and Governance, the Cabinet Member for Finance, Performance and Core Services and the Cabinet Member for Regeneration and Social Housing, to determine any short-term holding arrangements for the site and to enter into any necessary agreements to affect those arrangements;
- (iii) Approve funding ‘in principle’ for pre-development costs up to the sum

specified in Appendix 3 to the report and delegate authority to the Chief Operating Officer, advised by the Investment Panel and in consultation with the Director of Law and Governance, the Cabinet Member for Finance, Performance and Core Services and the Cabinet Member for Regeneration and Social Housing, to approve the release of the appropriate pre-development funding; and

- (iv) Delegate authority to the Chief Operating Officer, in consultation with the Director of Law and Governance, to enter into all necessary agreements to complete the freehold purchase and lease back arrangements.

68. Institutional Funding Proposal - Hotel Investment

The Cabinet Member for Finance, Performance and Core Services presented a report on a proposal, as part of the Council's Investment and Acquisition Strategy (IAS), to enter into an investment arrangement with an Institutional Investor and Travelodge Hotels Limited (Travelodge) regarding a new hotel development in Poplar, east London.

The Cabinet Member explained that the successful delivery of the IAS was integral to the future provision of services to local residents as the Council had to find new, innovative sources of funding in the light of the Government's continued cuts to public funding. The hotel investment proposal, together with the Welbeck Wharf purchase discussed earlier in the meeting, were just two examples of how that would be achieved. The Cabinet Member outlined the finances associated with the Head Lease and Sub-Lease arrangements, which were detailed in an exempt appendix to the report, and confirmed that while there were risks associated with any investment, the due diligence and risk analysis work that had been undertaken showed the proposal in a very positive light.

Cabinet Members spoke in support of the proposal and it was suggested that the Council should encourage similar investment opportunities in the future.

The Cabinet **resolved** to:

- (i) Approve Option B1, as detailed in Appendices 2 and 3 to the report, as the preferred option in respect of the Council's participation in the proposed investment arrangement;
- (ii) Subject to (vii) below, agree to the Heads of Terms between the Council and the Institutional Investor as detailed in Appendix 5 to the report;
- (iii) Subject to (vi) and (vii) below, agree that the Council enters an Agreement to Lease with the Institutional Investor and Travelodge Hotels Limited on state aid compliant market terms;
- (iv) Subject to (vi) and (vii) below, agree that the Council enters a 50-year Head Lease with the Institutional Investor on state aid compliant market terms;
- (v) Subject to (vi) and (vii) below, agree that the Council grants a 35-year sub-lease with an option to renew to Travelodge Hotels Ltd;

- (vi) Delegate authority to the Chief Operating Officer, in consultation with Director of Law and Governance and the Cabinet Members for Finance, Performance and Core Services and Regeneration and Social Housing, to negotiate final heads of terms, final commercial and lease terms and agree the contract and ancillary legal documents to fully implement and effect the proposals set out in the report;
- (vii) Authorise the Director of Law and Governance, or an authorised delegate on her behalf, in consultation with the Chief Operating Officer to execute all the legal agreements, contracts and other documents on behalf of the Council; and
- (viii) Delegate authority to the Chief Operating Officer to incorporate a special purpose vehicle (whether a company or Limited Liability Partnership) if, in the Chief Operating Officer's opinion, that would be necessary (such incorporation to include such shareholders or member's agreement as may be required).

69. Corporate Plan 2018-2022 - Quarter 2 Performance Reporting

The Cabinet Member for Finance, Performance and Core Services introduced the corporate performance monitoring report for the second quarter of the 2018/19 financial year, which set out progress at the mid-year point in respect of the Key Accountabilities and the 47 Key Performance Indicators (KPIs).

The Cabinet Member advised that 29% of the KPIs were showing a positive 'green' rating while 12% had a 'red' rating, with the remainder at 'amber'. Sickness absence was highlighted as one of the positive areas, with the average number of days lost continuing to reduce towards the year-end target of 6 days, while the Cabinet Member stressed the importance of working with partner organisations to address many of the poor performing areas.

With regard to the Key Accountabilities linked to Cabinet Member portfolios, particular reference was made to the progress of plans for a new Industrial Heritage Museum at the former Ford Stamping Plant and the public realm improvements as part of the regeneration of the Becontree Estate.

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 KPIs as detailed in Appendix 2 to the report.

70. Debt Management Performance and Write-Offs 2018/19 (Quarter 2)

The Cabinet Member for Finance, Performance and Core Services introduced the performance report for the second quarter of the 2018/19 financial year in respect of the debt management functions carried out on behalf of the Council by the Revenues and Benefits service within Elevate East London.

The Cabinet Member commented that the challenges that many local residents

faced as a consequence of the Government's ongoing austerity programme had impacted on some collection rates and the situation was only expected to worsen once the Government rolled out Universal Credit. On a positive note however, the pro-active approach being taken by the Council's Community Solutions service and Elevate to assisting local residents who faced debt problems was proving very successful and specific mention was made of the 'Money Hub' initiative. The Leader also referred to the Council's new Beam Energy project that was due to be launched very soon which could help local residents save considerable sums on their energy bills.

The Cabinet **resolved** to:

- (i) Note the contents of this report as it relates to the performance of the debt management function carried out by the Revenues and Benefits service operated by Elevate East London, including the performance of enforcement agents; and
- (ii) Note the debt write-offs for the second quarter of 2018/19.

71. Any other public items which the Chair decides are urgent

The following issues were raised:

- (i) The Leader conveyed the Council's condolences to those affected by the suspected terror-related incident in Strasbourg, France that had occurred earlier in the evening;
- (ii) The Leader advised that he had recently appointed Councillors Irma Freeborn and Chris Rice as Member Champions for Quality in Care and Mental Health respectively; and
- (iii) The Leader placed on record the Council's appreciation and best wishes to Richard Wilson, Senior Media Relations Officer, who would shortly be leaving the Council to take up a career as a firefighter with the London Fire Brigade.

CABINET**22 January 2019**

Title: Budget Monitoring 2018/19 - April to November (Month 8)

Report of the Cabinet Member for Finance, Performance and Core Services
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Open Report	For Decision Yes
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: Helen Seechurn, Interim Finance Director

Accountable Strategic Leadership Director: Claire Symonds – Chief Operating Officer
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Summary

This report shows the updated forecast based on financial performance in the first eight months of the year. The forecast outturn position has remained broadly the same since last month's forecast and is now a forecast of £149.225 total net expenditure against the approved budget of £145.368m which is an overspend of £3.857m. It should be noted that this is dependent on the successful delivery of the People and Resilience Action Plan which is expected to achieve a £2.5m reduction in spend from their current trajectory. The plan was developed in September and October and so it is too early to see the impact of the actions taken in the financial information. However, as we are approaching the year end the in-year impact of any action begins to reduce so from next month the forecast impact of the plan will be tapered down.

Before the impact of the action plan there is an overspend of just under £12.000m across People and Resilience. This month we have seen that expenditure has reduced in Disabilities as the result of securing more Continuing Care funding for individuals supported by the service and activity has reduced in some parts of the Adults service. However the reduction in activity is being offset by increases in the cost of care and the pressure in Mental Health services is increasing. In addition there has been a further increase in Childrens.

In recognition of the high levels of demand being faced by Childrens and Disabilities it is proposed to vire £1.370m to these services to increase the approved establishment in these areas. This will enable the service to establish a number permanent posts where agency staff are currently being used. This will help to contain caseload levels and ensure that we can meet the needs of vulnerable children and families. Cabinet is asked to approve this virement.

In addition to the overspends in Care and Support there are small overspend variances in Culture and Heritage, Community Solutions and Public Realm being offset by other services, central expenses and contingency. The Parking Service has improved its income forecast again this month and the forecast for the BD Trading Partnership has

also been improved in line with the company's latest return. This means that the overall variance is £3.857m

Recommendation(s)

The Cabinet is recommended to:

- (i) Note the current forecast outturn position for 2018/19 of the Council's General Fund revenue budget, as detailed in section 2 and Appendix A to the report; and
- (ii) Approve a virement of £1.37m from the Central Expenses budget to increase the staffing budget for Children's and Disabilities services, as detailed in paragraph 3.27 of the report.

Reason(s)

As a matter of good financial practice, the Cabinet should be informed about the Council's spending performance and its financial position. This will assist the Cabinet in holding officers 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 revenue budget and the quarterly update on the Housing Revenue Account.

2 Overall Revenue Position

- 2.1 The overall position is currently forecast to total net expenditure of £149.225m which would result in an overspend against the expenditure budget of £3.857m. If this is the year-end position, it would require a further drawdown from the Council's budget support reserve. There is sufficient funding in this reserve to cover this amount.
- 2.2 There are potential overspends across Care and Support, offset by an action plan within People and Resilience Commissioning and, at Council level, by underspends in Central Services and the use of risk contingencies written into the budget as part of the planning process. In many ways this could be regarded as a worst case forecast that should be reduced by further management action. However, it should also be noted that new pressures and risks may yet emerge. The position will be closely monitored and reported on a monthly basis.

3. More Information on the Main Variances

Children's Care and Support – potential overspend of £6.373m

- 3.1 The Children's Forecast has increased this month. There were increases in both the staffing forecast and the cost of placements for Looked After Children. This was partly mitigated by a close review of commitments by brokerage and finance including clearing down old purchase orders.

- 3.2 As previously reported the top three elements of the overspend are staffing, (£2.86m – an increase of £0.118m), placements (£2.47m), and the costs associated with legal proceedings (£0.39m including costs of Counsel, expert witnesses and court mandated assessments and investigations – shown within Supplies and Services.). Although there have been some variations in year the pattern of expenditure has been consistent.

Subjective	2018/19 Annual Budget	Forecast (November)	Variance against Budget	Variance against Budget	Movement	Reason for Variance
Income	(2,228,000)	(2,886,809)	(658,809)	(271,646)	(387,163)	Home Office settlement of previously disputed UASC grant claims projected to year end & Contribution of Health to LAC cases (£89k) & Mocking bird grant (£86k)
Employees	11,773,950	14,639,597	2,865,647	2,748,591	117,056	Revised staff forecasts
Premises	78,300	371,447	293,147	294,389	(1,242)	Rents payable for young people incl care leavers
Transport	261,400	240,342	(21,058)	20,413	(41,470)	Reduction of transport recharge forecasts and client transport costs
Supplies & Services	1,015,840	1,861,535	845,695	888,054	(42,358)	Revised forecasts based on general office expenses based on spend to end of November
Third Party Payments	19,422,980	22,554,905	3,131,925	2,323,997	807,928	Increase in placement costs
Transfer Payments	71,000	138,854	67,854	55,933	11,922	Transfer payments to asylum seekers
Support Costs	1,216,300	1,064,640	(151,660)	(31,508)	(120,152)	Internal recharge to YOS management
Grand Total	31,611,770	37,984,511	6,372,741	6,028,222	344,519	

- 3.3 There are a number of strands of work looking at the staffing forecasts. This includes a recruitment and retention strategy with increased incentives for staff to remain with the borough and overseas recruitment in key shortage areas. The staffing model has also been reviewed to ensure it meets the current needs of the borough. This has identified a requirement for 17 additional posts to be added to the establishment (plus two in Disabilities.) There are currently agency staff in these posts. The Cabinet is asked elsewhere in this report to approve a virement to fund these posts.
- 3.4 The projected cost of placing children in care across the various provisions has increased this month to £20.127m (M7 £19.805.) an increase of £0.323m from M7. An additional sum of £0.264m is expected to be spent on S17/S20 cases which is a reduction of £0.041m from M7. The increase is thought to be driven as much by the increasing costs of care and the complexity of needs as by an absolute increase in LAC numbers.
- 3.5 The forecast for Legal expenditure remains the same as reported at Month 7. The projected spend is **£0.658m** against a budget of **£0.482m**. This budget pays for the services of Counsel. The current forecast is based on 2017/18 outturn with a 2% uplift. The cost of court applications is forecast to spend **£0.462m** against a budget of **£0.250m**. The actual expenditure on court related costs to end of month 8 is **£0.324m** so there is a risk that the current forecast may be exceeded.

3.6 The budget pressures within this service are long standing and reflect the demography of the borough with a very young population and high levels of deprivation and need. The pressures reached a high point in 2015/16 when the SAFE programme was set up and successfully reduced the overspend down from over £9m to under £3m. However, this residual pressure which is the result of recruitment and staffing pressures common throughout the sector and our locally high levels of need has persisted.

Disabilities Care and Support – forecast overspend of £3.62m,

- 3.7 The All Age Disability Service is forecasting to spend £19.472m which is £3.530m over budget (M7-£3.622m). This represents a favourable movement of £0.091m from the position at Month 7. The reduction in forecast is the net position across the service with increases in Education & Health Care Plans (EHC), Children with Disabilities (CWD) social care provision and Heathlands day centre and reductions in Enabling Independence, School Psychology and Transport.
- 3.8 **Learning Disabilities** – The projected overspend on Learning Disability Packages at the half way point in the financial year is **£1.947m**. This has remained stable since last month. The Transport overspend has also remained stable at £0.639m.
- 3.9 **Children with Disabilities Social care provision** – The position on this element of the service has improved from Month 7 £0.782m to Month 8 to £0.670m. The reduction this month has been due to a successful Continuing Health Care (CHC) challenge to Health partners, the contribution from Health amounts to £0.100m for 2 cases. It should be noted that there are an additional 18 cases awaiting a decision across the whole of the Disability service. Should any of these be successful it will reduce the forecast over the next few months.
- 3.10 The staffing position this month has improved slightly– by £0.064m – to an overspend of £0.300m. The Cabinet will be asked below to approve a virement of £0.120m for two posts to support vulnerable Children and Families.

Adults Care and Support – Overspend of £2.020m,

- 3.11 The Adults forecast has been maintained this month at an overspend of just over £2m based on current information. The service has put into place an ambitious action plan to reduce spend so the forecast should start to come down in future months. However, it must be noted that winter can have a significant but not straightforwardly predictable impact on the level of social care need.
- 3.12 Within this overall forecast there has been an increase in the pressures within Mental Health representing increased need for support and placements.
- 3.13 For Older People the service is continuing to experience high levels of demand with a clear net increase in numbers of people receiving services. The service is working hard both to ensure that hospital discharge is supported and admission to residential care is avoided where possible – however this is resulting in high levels of homecare and crisis resolution activity. Moreover although the number of residential/nursing placements is being kept at a low level, the costs of care are increasing.

- 3.14 Although expenditure has been increasing income has not been increasing. This is being investigated

People and Resilience Commissioning and Action Plan

- 3.15 There is a net underspend across People and Resilience Commissioning of £0.179m mostly relating to staffing vacancies. The Children's Commissioning team underspend forecast has increased this month.
- 3.16 In addition the People and Resilience Management team have committed to meeting these targets set by the Council's strategic management team as follows:
- To reduce the Adults Operations pressure to under £1m
 - To contain all future growth in Children's and Disability and ensure that the variance in those areas do not increase further from the end of August position
 - To find £2.5m of in year reductions from across all budgets including Public Health Grant, Children's and Adults Commissioning and Education, Youth and Childcare.
- 3.17 A management action plan is being developed and finalised but is currently estimated to provide a reduction in spend of approximately £3.5m. Actions being taken include:
- Review of Direct Payments balances and clawback of unspent monies
 - Commissioning and Procurement savings on Supported Living and Accommodation for Care Leavers
 - Stronger life planning and more community focused care for working aged Disabled People
 - More effective utilisation of crisis intervention services.
 - In year savings within the Education budget.

Enforcement – reduced forecast – underspend of £0.502m

- 3.18 Enforcement began the year with a forecast overspend in Parking but strong management action and the revised fees and charges have produced a huge improvement in the position. The Parking account is reporting an increase in income of £0.111m since month 7, This is mainly attributable to overachievement of income target across two particular income streams, PCN and Non-Staff Permit charges. PCN income has seen the highest ever monthly income in October 2018 (£649k) for the past 5 years. Income from non-staff permit charges has also surpassed the target by £334k per annum.

Trading Entities – Improvement of £0.6m

- 3.19 The MTFS includes expected dividends from the Home Services division of the Barking and Dagenham Trading Partnership and development activity income from Be First. This was based on the best information last summer about the expected performance of the company and the date upon which it would start trading. The Trading Partnership has now submitted its quarter two shareholder report which shows an expected dividend to the Council of £0.632m against the target of £0.942m. On this basis an improved position is now being reported in the budget monitoring. It should be noted that the shortfall against the target is in large part the result of the delayed start and different structure of the company.

Elevate Contract and Customer Services

- 3.20 There has previously been a pressure in this area related to the recovery of court costs. This was rebased in the MTFS and is not expected to recur. However, there is a pressure of £0.2m on the IT budget which is being investigated and may be possible to resolve from the Corporate Infrastructure reserve. There is an expected saving of £0.52m for the Customer Access Strategy. The programme has achieved some channel shift and a reduction in call volumes – discussions are underway as to how far this will translate into a cashable saving, so this is currently shown as a pressure.

My Place and Public Realm

- 3.21 A overspend of £0.18m is being reported against this service area. There are significant underspends within My Place from staffing vacancies and improved efficiency. However this is offset by pressures within Public Realm and Passenger Transport.

Community Solutions – net variance of £0.07m

- 3.22 Community Solutions has been formed by bringing together a range of budgets including some budgets that have faced pressures in recent years including Homelessness and MASH/NRPF from Children's services. The Temporary Accommodation pressure has been mitigated by additional MTFS growth funding and the service has also been very successful in working more effectively with families to avoid the need for accommodation. However, there are voids in some of the homeless hostels which is creating an income pressure.
- 3.23 In addition the service has inherited high levels of agency staffing in some areas (especially ex Children's.) This is being managed down by the service management but does remain a risk.
- 3.24 The service is able to mitigate these pressures through use of one-off income including a brought forward grant resulting in a small net variance this year.

Central Expenses

- 3.25 Currently there is a projected underspend of £2.045m on Central Expenses. Central expenses contains the budget for the Apprenticeship levy which is forecast to underspend this year (as Council staffing has reduced since the modelling was first carried out) and the rebate on agency usage.
- 3.26 In addition a number of risk provisions were written into the MTFS this year. These were as follows:

Pay Contingency	472,000
Savings Risk Contingency	2,000,000
Parking Risk Contingency	1,000,000
Temp Accommodation cost contingency	660,000
	4,132,000

- 3.27 It is proposed to vire £1.37m from Central Expenses to Childrens and Disabilities to fund 19 posts which are identified as required to manage current demand while maintaining reasonable caseloads.

4. Financial Implications

Implications completed by: Katherine Heffernan, Group Manager – Service Finance.

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

5. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Lawyer

- 5.1 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

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

List of Appendices

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

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APPENDIX A

General Fund Revenue Budgets (Month 8)

Strategic Function	RVD 18/19 BUD	Actuals YTD	Revised Forecast	Variance
BD TRADING PARTNERSHIP	0	410,035	310,000	310,000
BE FIRST	-26,483	2,013,516	0	26,483
CARE & SUPPORT - DISABILITIES	15,942,508	14,444,621	19,472,932	3,530,424
CARE & SUPPORT - ADULTS	17,096,830	16,054,355	19,193,000	2,096,170
CARE & SUPPORT - CHILDREN	31,611,770	24,104,879	37,984,511	6,372,741
CENTRAL	8,452,190	11,279,274	2,308,358	(6,143,832)
COMMUNITY SOLUTIONS	12,668,510	10,628,466	12,738,510	70,000
CONTRACTED SERVICES	6,393,470	16,221,456	6,913,470	520,000
CORE	10,306,130	8,696,783	10,306,130	0
DEDICATED SCHOOLS GRANT	0	734,576	0	0
EDUCATION, YOUTH & CHILDCARE	14,359,970	9,451,533	14,359,970	0
HRA	0	-5,389,228	0	0
INCLUSIVE GROWTH	-46,270	649,633	-92,270	-46,000
LAW, GOVERNANCE & HR	-1,309,046	-680,408	-1,787,000	-477,954
MY PLACE	17,709,861	-11,114,372	17,889,861	180,000
POLICY & PARTICIPATION	3,001,900	1,372,208	3,099,900	98,000
SCHOOL IMPROVEMENT				
PARTNERSHIP	0	333,976	0	0
SDI COMMISSIONING	9,207,020	1,937,606	9,028,020	-179,000
P&R ACTION PLAN			-2,500,000	-2,500,000
Net Budget (Underspend)/Overspend	145,368,360	101,148,908	149,225,392	3,857,032

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CABINET**22 January 2019**

Title: Homelessness Strategy 2019-2023

Report of the Cabinet Member for Regeneration and Social Housing and the Cabinet Member for Employment, Skills and Aspiration
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Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Neil Pearce, Strategy & Commissioning, Inclusive Growth	Contact Details: Tel: 020 8227 5733 E-mail: neil.pearce@lbbd.gov.uk
Accountable Director: Mark Fowler, Director of Community Solutions	
Accountable Strategic Leadership Director: Graeme Cooke, Director of Inclusive Growth	

Summary:

The Homelessness Act 2002 requires the local authority to conduct a five-yearly review of recent homelessness trends, covering activities to tackle homelessness, provide temporary accommodation and set out a new prevention strategy.

In response, the Council's review found that during 2012/18 the borough's level of homelessness and reliance on temporary accommodation climbed to an unprecedented high following the impact of welfare reform and changes in the local housing market, before it began a modest fall from 2017 onwards with the advent of Community Solutions. The number of households in temporary accommodation has also fallen over the last year, as a result of both reductions in new demand and increases in those being found permanent housing solutions.

However, the challenges of alleviating homelessness remain, while numbers in temporary accommodation remain too high. The roll-out of Universal Credit, a lack of local affordable rented properties (especially in the private rented sector), the stark evidence of rough sleeping and fresh demands arising from the Homelessness Reduction Act 2017 compel the Council to arrest the social and financial impact of residents living with no fixed abode. Homelessness is a social, moral, human and financial scar on our community and actions to prevent and reduce it are central to the council's emerging Inclusive Growth strategy.

Building on progress to date, the strategy seeks to entrench activities already underway in this area, principally led by Community Solutions, while also seeking to be more ambitious in key areas to further improve outcomes over the coming years.

The proposed aims and objectives of the homelessness strategy are to:

- Reduce the incidence of homelessness in the borough through prevention, including new tenancy sustainment, mediation and support activities – aimed at

creating an exemplar service in tackling homelessness leading to Gold Standard accreditation

- Bring down the number of households in temporary accommodation through a combination of reductions in demand plus securing sustainable long-term housing solutions for clients from a range of sources. In addition, reducing reliance on higher cost, lower quality accommodation (working towards a cost-neutral service)
- Eliminate rough sleeping through increased partnership working and employing a No Second Night model of rapid assessment and rehousing.

Once the strategy is agreed, work will take place between Inclusive Growth and Community Solutions to agree outcome trajectories in relation to homelessness prevention and temporary accommodation. Community Solutions will be commissioned to produce and deliver against an annual homelessness and temporary accommodation reduction plan, showing how it will deliver on these trajectories in a way that is consistent with the strategy.

These proposals sit alongside a number of related pieces of work which together constitute key building blocks of the Council's approach to pursuing its goals and priorities for housing in the borough – as a core strand of our emerging strategy for Inclusive Growth. In particular, the proposals should be seen as companions to the papers on the allocations policy and the update on the reinvigoration of Reside (plus work under way on housing pathways for vulnerable residents, the update to the HRA business plan and the tenure and size mix of future housing supply in the borough).

Recommendation(s)

The Cabinet is recommended to approve the Homelessness Strategy 2019-2023, setting out the Council's strategic direction for tackling homelessness, reducing temporary accommodation and eliminating rough sleeping, as at Appendix 1 to the report.

Reason(s)

To assist the Council to achieve its priorities of:

- Empowering People
- Inclusive Growth

1. Introduction and Background

- 1.1 The Homelessness Act 2002 requires the local authority to conduct a five-yearly review of recent homelessness trends, evaluate prevention activities, plan the procurement of accommodation and subsequently develop a preventative strategy. There is also a specific requirement within the Ministry of Housing's Code of Guidance on Homelessness to ensure all strategies are refreshed and compliant with the Homelessness Reduction Act 2017 (HRA17).
- 1.2 The 2012/18 review of homeless trends depicts a borough which transitioned from a relatively low number of homeless approaches and acceptances to a rapid increase in both following the implementation of total benefit caps and Local Housing

Allowance (LHA) freezes. This led to a trajectory of rising evictions, diminished supply of affordable privately rented accommodation and increasing homelessness between 2012 and 2016. The scale of that change has been stark. The reforms and changing local market led to a 37% rise in homeless approaches and a quadrupling of homeless acceptances to 941 by 2015/16. It represented the highest rate of acceptances per 1,000 households in the capital. From 2012 until 2017 roughly half of all households making a homeless application were found to be owed a duty, culminating in the Council having to find emergency and temporary accommodation for 3,964 families. The main causes related to loss of a privately rented property through eviction and exclusion from the family home by parents or others, frequently accounting for 60% of all cases.

- 1.3 Naturally the rise in homeless acceptances in earlier years paved the way for a burgeoning demand for emergency and temporary accommodation, with total numbers edging towards 2,000 households. Problematically, the continued flow of families into TA dwarfed the modest numbers leaving it. Historically, this caused bottlenecks in the systems, leading to fruitless searches for cheap accommodation in the locality and the procurement of expensive, unsuitable accommodation such as nightly lets all adding to the Council's cost pressure.
- 1.4 As a precursor to HRA17, Community Solutions recalibrated the Council's traditionally reactive approach to tackling homelessness to a proactive early intervention model which seeks to shift resource to resolve issues before they become more complex and costly. This also fosters the client's personal ownership of problems, assisting them to help themselves resolve the threat of homelessness through a realistic review of housing options and choices.
- 1.5 The impact of these reforms has led to an evening-out in the number of homeless approaches, and a lower rate of homelessness acceptances. In turn this has reduced numbers entering temporary accommodation (TA). Likewise, the number of households being discharged from TA into permanent housing has increased, resulting in a reduction in overall placements across the TA portfolio.
- 1.6 However, we are faced with new threats of homelessness. There have been recent spikes in Universal Credit claimants falling into rent and Council Tax arrears, threatening their ability to sustain tenancies. Rough sleeping levels, while low in comparison with our neighbours, are still high when reviewed against historic data. While overall homeless demand is being managed, the new duties of the Homelessness Reduction Act require us to assist all households which are homeless or threatened with homelessness within 56 days, regardless of their priority need or deliberate intention and this has stimulated fresh approaches with high levels claiming the threat of parental exclusion from the home and significant numbers facing the imminent loss of their private rented tenancy. Recent changes to policy by the Home Office have been associated with an upsurge in homeless refugees who have been ejected from asylum quarters without the necessary support into the job market or help finding new accommodation.
- 1.7 Equally, there are still historically high numbers of people in temporary accommodation with – so far – only a modest increase in the rate of households being moved on into suitable permanent housing. In addition to the human suffering this causes, it also generates a cost pressure for the council. Although homeless households cover most TA costs through rents and housing benefit, the Council still

had to budget this year for £2.6m to subsidise the shortfall in the cost of private sector licensed properties.

- 1.8 Therefore this new strategy seeks to embed and deepen what we know works well in prevention and in helping people to move people on and out of temporary accommodation, while setting out new activities and proposals which strengthen those services and aim to further address the social, human, moral and financial costs of homelessness.
- 1.9 Once the strategy is agreed, it will be for Community Solutions to lead the implementation of the homelessness strategy, in collaboration with other council services and external partners. Subject to Cabinet approval, work will take place between Inclusive Growth and Community Solutions to agree outcome trajectories in relation to homelessness prevention and temporary accommodation. Community Solutions will then be commissioned to produce and deliver against an annual homelessness and temporary accommodation reduction plan, showing how it will deliver on these trajectories in a way that is consistent with the strategy.

2. Proposal and Issues

- 2.1 As required by legislation, the new strategy charts a trajectory for tackling homelessness and finding permanent and sustainable housing solutions for those threatened with the prospect of having no fixed abode.
- 2.2 The Council will embed and deepen its current overall approach to preventing people from losing their homes and will improve the number of prevention outcomes, so that by 2023 Barking and Dagenham is an exemplar borough in tackling homelessness. It will also accelerate activity to move people out of temporary accommodation into suitable permanent housing, eliminating the most expensive types of TA, reducing the overall portfolio and providing a cost-neutral model for accommodating homeless households. The strategy will also adopt for the first time a proactive policy towards alleviating rough sleeping. While the recorded numbers of street sleepers are consistently very low the Council recognises that it must do more to identify hidden street homelessness and provide an appropriate pathway into safe, secure accommodation for those rough sleeping.
- 2.3 By 2023 the borough's strategy aims to have:
 - Reduced the incidence of homelessness in the borough through prevention, including new tenancy sustainment, mediation and support activities – aimed at creating an exemplar service in tackling homelessness, leading to Gold Standard accreditation
 - Brought down the number of households in temporary accommodation through a combination of reductions in demand plus securing sustainable long-term housing solutions for clients from a range of sources. In addition, reducing reliance on higher cost, lower quality accommodation (working towards a cost-neutral service).
 - Eliminated rough sleeping through increased partnership working and employing a No Second Night model of rapid assessment and rehousing.

2.4 Objective One: Reducing the incidence of homelessness through prevention

- 2.4.1 The strategy seeks to develop a service with prevention at the heart of its delivery, with an approach which counters rising levels of housing dispossession through early identification, pre-crisis interventions and personalised planning away from the risk of homelessness. Effective prevention planning will ultimately reduce the social and financial cost to the Council of accommodating thousands of people. The set of activities and approaches adopted in the strategy should dampen down the overall number of homeless approaches, reduce the number of formal homeless acceptances (i.e. duty to be rehoused) and avoid bouts of recurring homelessness.
- 2.4.2 Our early intervention model is increasingly geared to helping people help themselves by identifying and resolving the root causes of their problems before they become critical. The Community Solutions model crystallises that ethos by incorporating housing, employment, family support and financial advice services working as one to deal with the challenges of clients presenting themselves to the Council. It provides different levels of support throughout a resident's journey but aims to resolve, prevent and mitigate problems before they escalate.
- 2.4.3 The strategy highlights a number of targeted pre-crisis interventions we will employ to head-off homelessness. Through the provision of high-quality information and advice, access to mediation services and support in negotiating with landlords we will enable households to retain the roof over their heads; there will also be on offer resilience building tools such as tenancy sustainment and life-skills training.
- 2.4.4 Each and every client will now be required to sign-up to a personal housing plan requiring those who are homeless or at risk to commit to a series of actions to help prevent their situation or alleviate their homelessness problem (alongside support from the council). For a majority of clients there will be a requirement to partake in life-skills and tenancy sustainment training to ensure that clients have a cogent understanding of managing their tenancies and budgets, making them 'tenant ready' for their move into permanent accommodation.
- 2.4.5 Underpinning our strategy is keeping people in their homes in the first instance – rather than finding expensive emergency accommodation when things go wrong – and this usually begins with identifying clients with money problems as early as possible. Through the Homes & Money Hub we will seek to maximise the income of residents and ensure they are accessing all the benefits to which they are entitled including helping people sustain their tenancies through Discretionary Housing Payments (DHPs), Universal Credit advance payments and support through the Council's Prevention Fund which helps to top-up small rent shortfalls or clear small arrears. This will be coupled by directing customers to employment, education and skills training support. These are critical elements to ending the cycle of homelessness and poverty and we will continue to help households to find new employment opportunities.
- 2.4.6 A second link to sustaining tenancies is by preventing rent evictions through our Rent Arrears Eviction Panel; identifying those most likely to be at risk and working with local registered providers to agree new protocols regarding the triggers and measures used to prevent evictions across their 5,000 properties. Equally, making accommodation planning and prevention a core component of the discharging

arrangements of our partners such as the NHS, the probation services, armed forces, the Home Office and care and support teams should see a reduction in the number of clients leaving hospital, care, prison, refugee hostels or the armed forces presenting as homeless.

- 2.4.7 We also appreciate there is a need for a more robust message on the ‘housing offer’ that is available to local residents. We will dispel the perception that a homeless application is a direct pathway to accessing social housing. With a significant number of recent HRA17 applications claiming parental ejection or exclusion, we will develop direct and clear housing messages, including alerting customers to live statistics on waiting times. This is critical in managing expectations and making people realise that obtaining access to social housing, especially for younger, single residents is a very unlikely prospect and that temporary accommodation is not an attractive option.
- 2.4.8 In light of the fact that social housing is a remote option for most households, we have begun assisting people threatened with homelessness with a pathway into the private rented sector. Residents will be advised to visit trusted letting agents to find affordable private tenancy options and they can also utilise HomeFinder to locate cheaper properties out of borough.
- 2.4.9 We aspire to providing a seamless customer journey for our residents. By developing digitally accessible services, the highest quality advice, information and prevention support we will strive to develop an exemplar service in preventing and tackling homelessness and will seek to continuously improve our homeless prevention and alleviation offer to our customers. We hope to achieve Gold Standard accreditation for our housing options functions from the National Practitioner Support Service by 2023. We will start benchmarking against other boroughs in 2019.

2.5 **Objective Two: Reducing TA through sustainable housing solutions and shifting away from lower quality, higher cost accommodation**

- 2.5.1 The strategy proposes actions to reduce overall TA numbers through prevention and securing sustainable permanent housing solutions through a range of sources; eliminating the use of all high-cost, low-quality accommodation and enabling a cost-neutral temporary accommodation service by 2023 which no longer requires such a significant level of council subsidy. We aspire to a zero-based, self-funded model for temporary accommodation by this milestone and over the coming year further work will be carried out considering all financial variables of the portfolio, aiming for a £300,000 reduction in cost to the service by the end of the first year of the strategy.
- 2.5.2 Pivotal to providing permanent long-term housing to homeless clients and containing costs is a reduction in the current 1,767 TA numbers and a recalibration of the stock we are currently using. The council is aiming at a cost-neutral temporary accommodation service, including a reduction in its private licensed portfolio as well as improving pathways towards permanent housing in the private rented sector and Reside for as many households as possible.
- 2.5.3 We aim to reduce the 1,292 private licenced properties in our TA portfolio to a portfolio of just 500 by 2023. Working with existing landlords we aim to convert up to 100 current licence arrangements into sustainable tenancies in 2019 so that the

homelessness duty owed to clients can be successfully discharged. Barking and Dagenham is bidding for Government grant through the Private Rented Sector Access Fund to support this initiative with the anticipation of saving nearly £1 million.

- 2.5.4 There have been zero placements in B&B over the last year and we have succeeded in reducing the number of households in expensive nightly lets and Houses in Multiple Occupation (HMOs) to just eight. We are pledged to end the use altogether by 2019 and avoid further use of these types of property for temporary accommodation.
- 2.5.5 We will continue to hold regular proactive case reviews for the households with the most complex needs, who are in the most expensive type of accommodation and have been for long periods. We will accelerate the number of successful move-on cases into appropriate accommodation, generating a saving and eliminating a no longer needed expensive let. We will become more robust in the auditing of TA households to proactively assess clients move-on chances. We aim to inspect 50% of properties annually by 2023.
- 2.5.6 We will increase the number of Private Rented Sector Offers (PRSOs) we use to discharge our homelessness duty. While we will do our best to source private accommodation in Barking and Dagenham, the Council will discharge its duty with placements outside of London where suitable and affordable accommodation cannot be found locally. Utilising partnerships like Cedar House Solutions, we have provided attractive, affordable relocation offers to residents in places like West Yorkshire, while encouraging households to approach relocation in more affordable areas as a positive means to relieve their homelessness. Implementing our PRSO policy, we will assist the smooth relocation of clients with accompanied viewings where appropriate, tenancy sustainment training and supply a new comprehensive directory of their resettlement area covering transport networks, health and educational services; community facilities and employment and training opportunities.
- 2.5.7 Cabinet is considering proposed changes to the Council's allocations policies with the aim of making it easier for working households in the borough to access housing at affordable rents offered by Reside. This aims to make it more possible for working families living in temporary accommodation to access Reside properties.
- 2.5.8 We are due to deliver additional TA through modular build units at sites at Wivenhoe Road and Weighbridge. These are expected to provide 116 extra units of TA by 2019 and we are looking for sites to deliver further units where feasible. In tandem with that we have recently completed the expansion and refurbishment of new hostel spaces at Boundary Road for residents with complex needs and we will look for further opportunities to develop hostel spaces or utilise current hostel sites with development land potential where it is viable to do so.
- 2.5.9 The establishment of Capital Letters, a pan-London venture supported by government grant, aims to alleviate the costs to boroughs of providing accommodation. We propose becoming one of the initial partners of the scheme which could save the Council about £160,000 by the second year. Capital Letters will collaboratively procure new properties for TA and the discharge of the homeless duty on behalf of London boroughs supported by government funding. It is intended

to have a deflationary effect on procurement costs and allow a more rational allocation of supply across London. It will also be possible for Barking and Dagenham to secure more PRS and leased properties nearer to the borough, allowing homeless residents the ability to maintain a local connection.

2.5.10 A project has begun, involving services across the Council, to understand the housing offer and pathways for vulnerable households, including those at risk of homelessness. This targets care leavers, older persons, adults with mental health and learning disabilities, substance misusers and victims of domestic abuse. This will report back in the first half of 2019 on the supply and demand issues and analyse the referral routes and protocols into specialist, supported and general needs housing with recommendations on the nature of the overall supported housing offer.

2.6 **Objective Three: Ending rough sleeping**

- 2.6.1 We recognise that despite having very low rough sleeping estimates in comparison to most London boroughs, the Council still needs to develop a more proactive response to tackling this issue. In line with the Government's Rough Sleeping Strategy, we aim to halve street homelessness by 2022 and eradicate it before 2027 through identifying rough sleepers, adopting a No Second Night Out model for alleviating street homelessness and utilising Government funding to support new rough sleeping prevention programmes.
- 2.6.2 Our only recent numerical understanding of the street population came from the CHAIN project which attempts to estimate rough sleeper populations and suggested that in 2017/18 we had 40 people street sleeping. Our recent resumption of the annual street count found 20 people in night shelters and an additional 9 sleeping outdoors.
- 2.6.3 However, we believe these numbers to be an underestimate which do not capture hidden homelessness, female homelessness and sofa-surfing. Anecdotal evidence from local partners tackling rough sleeping suggest that the 20-night shelter beds are always run to capacity all year round and charities based in Vicarage Fields which provide meals for 150 people per week had an estimated 86 people directing their post for collection suggesting they had no fixed abode.
- 2.6.4 In response we have set aside £50,000 of funding to resource an officer who can help co-ordinate our links and working with outreach, support services, shelters and the voluntary sector to alleviate rough-sleeping in Barking and Dagenham. Our strategy aims to halve rough sleeping in the borough by 2020 and eliminate it by 2023.
- 2.6.5 Working with partners we will reinstate the annual Street Count to monitor rough sleeper numbers across the borough as well as routine shifts, where resources allow, to assess and assist roofless individuals in hotspots around Barking Town Centre, the Abbey and the Heathway. This will provide a far more accurate identification of the levels of street sleeping in the borough than anything other measure we have used to date.
- 2.6.6 Working with partners, we will introduce a No Second Night Out model of service delivery for rough sleepers ensuring that anyone sleeping on the streets for the first

time is prevented from sleeping out for a second night and that nobody has to bed down outdoors in freezing conditions during the winter. It aims to provide a rapid response to new rough sleeping, based on better intelligence and public awareness; link those who migrate to Barking and Dagenham back into services where their local connection means they are most likely to sustain a life away from the streets; provide a single offer based on the assessment of each individual's needs, which means no-one need spend a second night out on the streets. This will require the Council to proactively identify new rough sleepers on a regular basis and utilise existing assessment and housing hubs through East London Housing Partnership sub-regional arrangements

- 2.6.7 We will continue to bid, including jointly with the East London Housing Partnership, for government funding emanating from the Government's Rough Sleeper's Strategy 2018. We will continue to explore with partners how we can deliver some permanent accommodation for people straight from the street – an unconditional offer of independent housing alongside intensive support for street homeless people with multiple and complex needs.

3. Options Appraisal

- 3.1 The production of a homelessness strategy is a statutory requirement which has been subsequently reinforced by the homelessness guidance for local authorities issued by the Ministry of Housing, Communities and Local Government. In December 2018 the Secretary of State requested that all councils produce a homelessness and rough sleepers' strategy by the winter of 2019.
- 3.2 Not to produce such a strategy would make the authority non-compliant with legislation and ministerial guidance, prevent it from seeking Gold Standard accreditation for best practice and may have an adverse impact on future bids for government funding to prevent and tackle homelessness.

4. Consultation

- 4.1 The draft strategy received significant input from teams within the Council and organisations involved in delivering services used by homeless people. These included Community Solutions, Inclusive Growth, Care & Support, Enforcement Services, My Place, Be First, Elevate, the East London Housing Partnership and local voluntary sector organisations and homeless charities as well as a homelessness strategy workshop in April 2018.
- 4.2 Public consultation on the draft strategy will begin on 28 January inviting comment and responses from the general public, interested parties, housing providers, voluntary sector groups and the clinical commissioning group by 11 March 2019. The public response page will be found on Barking and Dagenham's consultation portal. Invitation for comment will also be found on the Council's Facebook page and Twitter feed as well as through the e-newsletter, One Borough.

5. Financial Implications

Implications completed by: Geetha Blood, Interim Group Manager, Finance

- 5.1 A full financial assessment will need to be undertaken alongside the development of the Homelessness Strategy 2019/23.
- 5.2 The direct homelessness budgets are Temporary Accommodation and hostels and these are currently projecting to spend in line with budget in the current financial year. However, there is a risk to this position, due to the demand led nature of this service. Demand over recent months has been steadily increasing and is likely to be further exacerbated by ongoing Welfare Reforms and cuts in funding.
- 5.3 The primary risks to the homelessness budgets are the required level of income currently not generated from hostels due to voids. Significant savings are expected to be delivered through a reduction in temporary accommodation placements. The service currently employs a mix of Private Sector Landlord properties, nightly lets, Council hostels and short-life dwellings on Council estates decanted for regeneration in order to meet current demands.
- 5.4 Temporary accommodation (excluding hostels) currently costs around £18.8m per annum for 2018/19. The £2.67m net budget for TA is required to cover the shortfall in rent and housing benefit, but there is a recognition that the TA portfolio is due an overall review. Hence, Community Solutions has an ambitious target to make the portfolio cost-neutral by 2023 by reducing the number of expensive nightly lets, HMOs and reducing the number of privately licensed properties.
- 5.5 The actions that are in place will hopefully ensure that the levels of expenditure incurred on temporary accommodation remain within budget going forward into 2019/20 and thereafter. This projection, however, needs to be viewed in the context of the increases in homelessness numbers that are being experienced nationally and there are clear risks to the position that is currently being projected.

6. Legal Implications

Implications completed by: Martin Hall, Housing Solicitor/Team Leader, Legal Services

- 6.1 There are no direct legal implications arising from the principles of the draft homelessness strategy. In accordance with the Ministry of Housing, Communities and Local Government's Homelessness Code of Guidance for Local Authorities 2018 it is compliant with the new duties of the Homelessness Reduction Act 2017.

7. Other Implications

- 7.1 **Risk Management Issues** - There are no risk management implications at this stage of the consultation.
- 7.2 **Contractual Issues** - Where the paper indicates a procurement or contractual solution this will be delivered with best practice and in consultation with corporate procurement services.

7.3 **Staffing Issues** - Any staffing related implications arising from this strategy will be dealt with through the policies, procedures and consultative processes agreed between the Council and the trade unions.

7.4 **Corporate Policy and Equality Impact** - The strategy seeks to build upon the vision of the Borough Manifesto, the Corporate Plan and the service ambitions of Community Solutions as set out in Chapter 2 of the main document.

Overall it seeks to deliver integrated services at first contact for homeless residents and draws on ways to improve the work of the Council in preparing links, pathways and referrals between support services to prevent homelessness in the first place or minimise its impact when it happens. Developing an efficient seamless, multi-agency approach to homelessness has been a key driver of national and regional policy which encourages the design of locally integrated services which tackle the root causes of homelessness such as health inequalities, troubled families and improving access to employment.

The homelessness review in Appendix 1 and the initial equalities impact assessment in Appendix 2 capture some of the data in relation to the protected characteristics.

7.5 **Safeguarding Adults and Children** - In consultation with Care and Support teams dealing with mental health, people without recourse to public funds, looked after children and leaving care teams the review and draft strategy outlines support for vulnerable households and individuals and look to improve outcomes for those at risk of homelessness.

7.6 **Health Issues** - Homelessness is a key indicator in the JSNA's annual assessment of future health and social needs of the population and includes recommendations for public policy commissioners on strategic outcomes in reducing homelessness. This is reflected in the Homelessness Review and strategy.

Housing and homelessness are recognised as determinants of public health and critical to increasing the life expectancy of people living in Barking and Dagenham. The Homelessness Review and draft strategy links in with the health and wellbeing pledges to close the gap in life expectancy and to improve health and social care outcomes through integrated services.

7.7 **Crime and Disorder Issues** - The homelessness review examines the relationship between certain client groups at risk of being homeless, current support services and crime and disorder issues. In particular it looks at victims of domestic violence and the role of the Sanctuary scheme; the impact of rough sleeping; ex-offenders and those suffering from substance and alcohol misuse.

7.8 **Property / Asset Issues** - The draft looks at the Council's use of accommodation, stock and assets and suggests ways in which to utilise them better as part of a more innovative approach to relieving homelessness.

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

List of appendices:

- Appendix 1 - Homelessness Strategy 2019-2023

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Homelessness Strategy

2019-2023

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1. Introduction

Throughout 2018 local authorities reported record numbers of rough sleeping and homelessness. Some 320,000 people in the United Kingdom are currently either roofless or languishing in temporary accommodation awaiting a permanent place to call home. More than half of these are in the capital, including 6,532 people in Barking and Dagenham. Overall, this represents a 41% increase in incidences of homelessness over the last 10 years.

The social and human costs of homelessness present exceptional challenges to local authorities, which are dedicated to addressing the underlying causes of people losing their homes and dealing with the adverse consequences of public policy, such as welfare reform and an undersupply of genuinely affordable housing. The financial impact alone is estimated to cost the public purse in excess of £1bn annually.

By definition, homelessness is a complicated social problem which comes in many guises and not just in the most evident form of rough sleeping. In a majority of cases people become homeless due to a breakdown in domestic relationships or because their landlord wishes to regain possession of the property they are renting. In other circumstances, people may become and stay homeless through a combination of domestic violence, addiction, debt, worklessness, poor health and wellbeing. This leads to isolation, a disconnection from pathways to essential support, which would otherwise help identify and break that downward cycle.

At a local level, Barking and Dagenham's high watermark of homeless demand came during 2015/16, when it ranked as having the highest rate of acceptances per 1,000 households in the capital. Our

review of this 'acceptance' rate as it is described and general homeless trends over the last five years depicted a borough which has transitioned from relatively low numbers of homeless approaches and acceptances, to a rapid increase in both following the implementation of total benefit caps and Local Housing Allowance (LHA) freezes.

This led to a trajectory of rising evictions, diminished supply of affordable private rented sector accommodation and increasing homelessness.

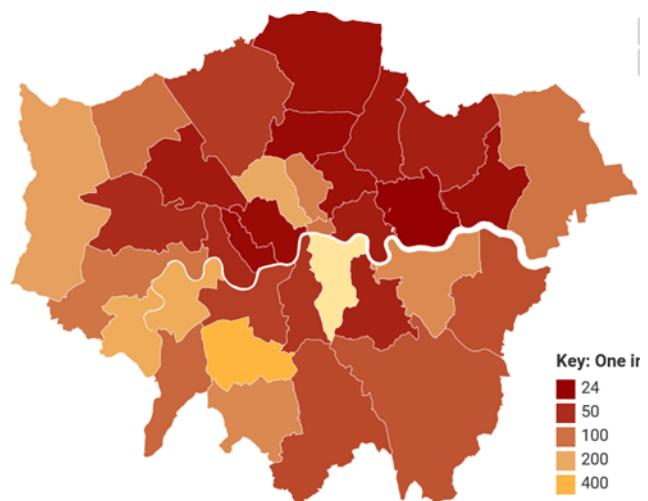


Fig 1: Homeless households per population by London Borough – Shelter Report 'Homelessness in Great Britain' November 2018

The Borough has since embarked on a proactive response to the problem of homelessness through the establishment of Community Solutions. This multi-faceted service seeks to tackle complex social problems and gets to root causes by dedicated early identification, intervention and prevention activities supporting residents to avoid the threat of homelessness in the first instance and remain in their homes.

Community Solutions is recalibrating the Council's traditionally reactive approach towards a preventative early intervention model, shifting resource to resolving issues before they become more complex and costly. This also encourages residents to take steps, where possible, to help themselves to resolve the threat of homelessness through a realistic review of housing options and choices.

This has enabled the Council to prevent and alleviate homelessness in a far more effective manner, reducing the number of households it needs to rehouse in emergency and short-term accommodation and increasing the number of people leaving temporary accommodation and moving into secure and permanent homes.

However, we are faced with new threats of homelessness. The impact of the roll-out of Universal Credit has seen recent spikes in claimants falling into rent and Council Tax arrears, threatening their ability to sustain tenancies. Rough sleeping levels, while low in comparison with our neighbours, are still high when reviewed against historic data.

The implementation of the Homelessness Reduction Act 2017 (HRA17) from April 2018 requires the authority to assist all households which are homeless or threatened with homelessness within 56 days, regardless of their priority need or deliberate intention. This requirement places a particular emphasis on preventing the problem of single persons' homelessness in a far more intensive, tailored approach than was previously required. This is completely consistent

with the values and principles of Community Solutions.

The new duties of the HRA17, in particular, have prompted fresh requests for support, especially from those facing the threat of parental exclusion from the home and significant numbers facing the imminent loss of their private rented tenancy. Recent changes to policy by the Home Office have led to an upsurge in homeless refugees ejected from asylum quarters without the necessary support into the job market or help finding new accommodation.

Equally, there are still historically high numbers of people in temporary accommodation in Barking and Dagenham with – so far – only a modest increase in the rate of households being moved on into suitable permanent housing. This generates a cost pressure for the council. The overall cost of housing homeless households equates to an average of £18.8m per year, the vast majority of which is covered through rents and housing benefit, however the Council still had to budget this year for £2.6m to subsidise the shortfall in the cost of private sector licensed properties.

In response to this landscape, this document sets out a new strategy which seeks to embed and deepen what we know works well in prevention and moving people out of temporary accommodation, while charting new activities and proposals which strengthen those services and aim to further address the social, human, moral and financial costs of homelessness in our borough.

2. Our Vision: 'One Borough, One Community. No-one Left Behind'

The Borough Manifesto and the Corporate Plan

Our new homelessness strategy connects to the Council's overall vision of 'no one left behind'. This vision aims to drive inclusive growth, empower citizens and by definition, design services that address the root cause of the problems Barking and Dagenham residents face, including homelessness. The Borough Manifesto 'One Borough, One Community. No-one Left Behind' focused on encouraging civic pride, enabling social responsibility and growing the borough's economy over the next 20 years. This included commitments to help residents shape their own quality of life, take responsibility for themselves, homes and communities as well as integrating services for the vulnerable, building high quality homes and supporting investment in housing. These ambitions are imbedded in the Council's Corporate Plan: 'No-one Left Behind' and runs as a constant theme through overarching strategies concerning housing, health and wellbeing.

Part of that commitment includes our vision for an affordable housing market which provides a diverse choice of low-cost, high quality homes to a wide range of income groups. The overarching approach seeks to improve the quality of life of all residents through building sustainable communities and by addressing the needs of residents living in different types of tenure. The Corporate Plan specifically prioritises tackling homelessness, decreasing the numbers in short-fix temporary accommodation and creating a vibrant, accessible housing

market which includes a responsive, quality private rented sector.



Fig.2: The vision principles of the Corporate Plan

Those priorities are monitored through the Council's commissioning structures and delivered operationally under mandates which expects services such as Community Solutions and Care and Support to drive down demand, reduce costs and improve outcomes and performance.

Homelessness Strategy ambitions

The Homelessness Act 2002 requires the local authority to conduct a five-yearly review of recent homelessness trends (Appendix 1), plan the procurement of accommodation and subsequently develop a preventative strategy which articulates its ambitions and prevention offer. There is also a specific requirement within the Ministry of Housing's Code of Guidance on Homelessness to ensure all strategies are refreshed and compliant

with the duties of the new Homelessness Reduction Act (Appendix 4).

This strategy, underpinned by the core corporate objectives, charts a trajectory for tackling homelessness and finding permanent and sustainable housing solutions for those threatened with the prospect of having no fixed abode.

In short, the Council will embed and deepen its existing approach to preventing people from losing their homes and improve the number of prevention outcomes, so that by 2023 Barking and Dagenham is an exemplar borough in tackling homelessness and achieving the kind of community envisaged within the Borough Manifesto, by 2037.

It will also accelerate activity to move people out of temporary accommodation into suitable permanent housing, eliminating the most expensive types of TA, reducing the overall portfolio and providing a cost-neutral model for accommodating homeless households.

The strategy also adopts for the first time a proactive policy towards alleviating rough sleeping. While the recorded numbers of street sleepers are very low we recognise that more must be done to identify hidden street homelessness and provide an appropriate pathway into safe, secure accommodation for those sleeping on the streets, even if intermittently.

This will be achieved by adopting the following three key objectives so that by 2023 the borough's strategy will have:

- Reduced the number of homeless incidences in the borough through prevention, including new tenancy sustainment, mediation and support activities, creating an exemplar service in tackling homelessness, leading to Gold Standard accreditation
- Brought down the number of households in temporary accommodation through a

combination of reductions in demand plus securing sustainable long-term housing solutions for clients from a range of sources. In addition, reducing reliance on higher cost, lower quality accommodation and working towards a cost-neutral service

- Eliminated rough sleeping through increased partnership working and employing a No Second Night Out model of rapid assessment and rehousing.



While this is a five-year overarching strategy, both Community Solutions and the HRA17 are still in early stages of implementation and evaluation. We recognise the fluid nature of housing and homelessness policy at the moment and as a result this document's outlook will be subject to an annual review. Our key deliverables and timelines to achieve our goals in Year 1 are set out in the Annual Homelessness and TA Reduction Plan in Appendix 5.

Supporting national and regional initiatives to tackle homelessness

Our local ambitions for tackling homelessness also reflect the dimensions of national and regional policy. Ever since the Government published its Cost of Homelessness report, Making Every Contact Count and No Second Night Out strategies between 2011 and 2012, Barking and Dagenham has followed through on its aspiration to design a locally integrated service which tackled

the roots of homelessness and created financial resilience. The advent of Community Solutions has been a recognition of this agenda.

The introduction of the Homelessness Reduction Act 2017 came with a Government commitment of £72m over three years to assist local authorities to administer the new duties and this was supplemented in August 2018 by a further £100m to tackle street homelessness through the national Rough Sleepers Strategy. We have capitalised on New Burdens Funding and Flexible Homelessness Support Grant to bolster and resource our prevention activities, reflecting those national aims.

Our desire to prevent and relieve homelessness also mirrors the Mayor of London's Rough Sleepers Action Plan and Housing Strategy published during 2018 and our development of a new proactive approach to street sleeping will parallel those long-term objectives.

We also work collaboratively with neighbouring boroughs through the East London Housing Partnership, which takes a strategic sub-regional approach to housing needs and pressures. One of its core priorities is to contribute to minimising and preventing homelessness, particularly that of single person households and we are a partner to the subregion's Homelessness Prevention Trailblazer project.

Priority 1: Reducing homelessness through prevention

Understanding and preventing the local causes of homelessness

Identifying the main causes of homelessness enables us to design early intervention services which prevent escalations of people presenting themselves to the Council and needing to be rehoused. Understanding the reasons behind each trend shapes the improvements we make in driving down demand.

Historically the loss of private rented tenancies through section 21 evictions (commonly known as loss of an assured shorthold tenancy AST) and parental exclusion from the family home presented the most significant reasons for people losing a roof over their heads. This has been accelerated by the impact of welfare reform – more recently around Universal Credit. The benefit caps, frozen LHA rates, low turnover of council homes, and a retreat of cheaper lets from the private rental market continue to dominate the drivers of homelessness.

The scale of change over the last five years has been stark. The impact of these factors saw the number of homeless approaches rise by 37% and acceptances almost quadruple to 941 cases between 2012/13 and 2015/16. During that period an average of half of all households making a homelessness application were found to be owed a duty, 60% of whom had lost a private tenancy or were excluded from the family home.

While an emphasis of self-resolution, more robust verification of casework and some early prevention work has contributed to a 28% fall in approaches

and a 42% reduction in acceptances, the HRA17 requirement to assist all households within 56 days to prevent or alleviate the threat of homelessness has determined the need for even more intense prevention activity.

Since April 2018 parental and family exclusion from the home has once again become the largest cause or threat behind homelessness in Barking and Dagenham, with 246 cases registered by October.

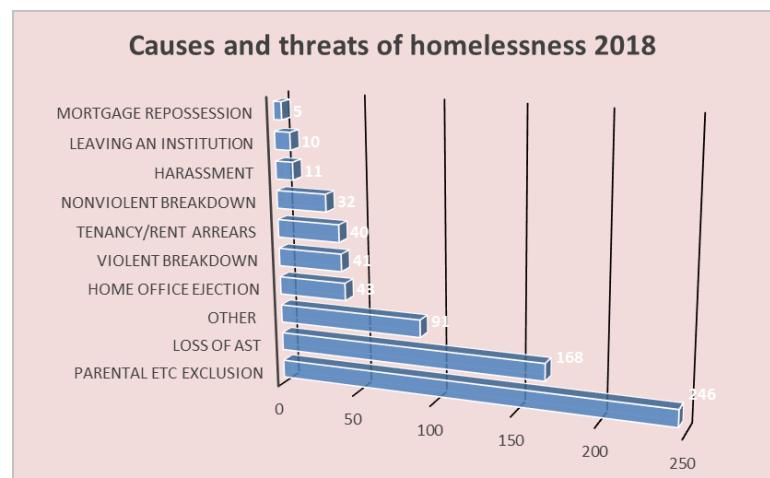


Fig.3: Reasons for threatened or accepted homelessness since the introduction of the HRA17 – April/Sept 2018. Internal records, Community Solutions

This is followed by the loss of private rented tenancies caused by evictions, numbering 168 cases.

The ejection from holding accommodation by the Home Office of asylum seekers granted refugee rights now constitutes the third biggest reason for homelessness and locally, the highest level on record and where we have a duty to assist.

The fourth main cause relates to households leaving local authority care, an institution, hospital or the armed forces, collectively registering between 30-40 persons annually. Homelessness due to

the violent breakdown of a relationship accounted for an average of 45 persons every year until it dropped to 17 in 2016/17 and spiked upwards again to 41 so far in 2018.

We recognise that these are the areas where fresh demand and pressure are arising. Tackling rising levels of housing dispossession, therefore, can only be achieved through early identification, pre-crisis interventions and personalised planning away from the risk of homelessness. So effective prevention planning will ultimately reduce the human experience and financial cost to the Council of homelessness.

By understanding these causes, embedding what already do well and exploring new activities to tackle homelessness we can develop Community Solutions into an exemplar homelessness prevention service. This will break the cycles of homeless demand, reduce the associated financial and human cost and allow us to meet the ten-point challenge requirement to become a Gold Standard local authority in this field.

We will benchmark our progress by committing to:

- Reducing the number of homeless approaches through early identification of those at risk and fostering resilience
- Reducing the number of formal homeless acceptances through pre-crisis interventions
- Obtaining Gold Standard accreditation by developing an exemplar homeless prevention and advice service

Reducing homeless incidences through early identification of those at risk:

Our whole early intervention model is based on helping people help themselves

by identifying and resolving the root causes of their problems before they become critical. Community Solutions incorporates housing, employment, family support and financial advice services working as one to deal with the challenges of clients presenting themselves to the Council. It provides different levels of support throughout a resident's journey but aims to resolve, prevent and mitigate problems before they escalate.

This offer includes improved digital access for customers; high quality information, advice and personalised planning to provide positive and affordable outcomes for clients and delivering sustainable housing options and solutions for all who require our assistance.

Our Community Solutions advisors, in collaboration with services such as Care and Support and third sector partners such as Care City and Citizens Advice, can target those most at risk and those who are most vulnerable including those progressing through our Troubled Families Programmes, Multi-agency Safeguarding Hub (MASH) or Adult Intake teams. All customers are either prevented from becoming homeless or found accommodation if they are already homeless.

Our adoption of a person-centred housing and support approach through individual plans ensures effective information and advice is available at every stage to maximise positive outcomes for those who could potentially become homeless. Building up resilience among residents so they can withstand the pressures and challenging circumstances they face is also a central feature.

Delivering a much stronger focus on self-resolution and being far more honest about the prospects of obtaining council housing will encourage residents to be realistic about their housing choices and avoid ill-informed and costly decisions.

The establishment of the Homes and Money Hub – part of the Community Solutions offer working in partnership with the voluntary sector and Jobcentre Plus – allows for a much smoother prevention journey for clients who are in debt and arrears, which could ultimately risk homelessness. Pathways into employment and training and assistance in maximising income sits at the heart of what we continue to offer.

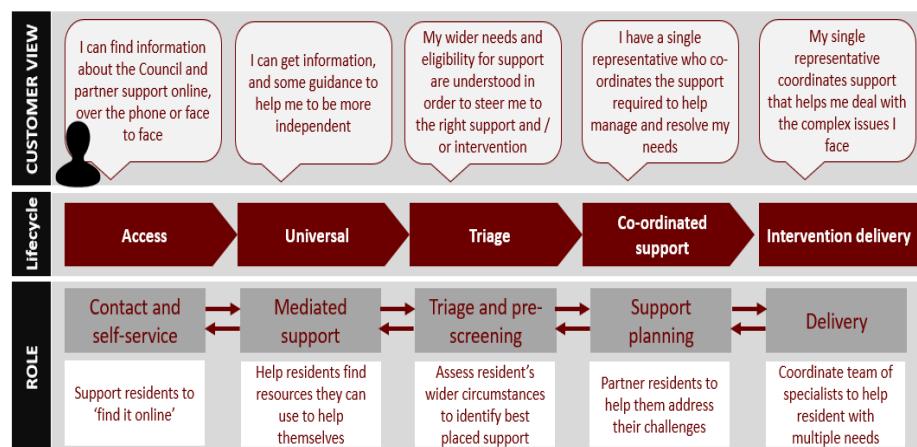


Fig.4: Community Solutions model

Income maximisation and discretionary funding

Underpinning our strategy is keeping people in their homes in the first instance and this usually begins with identifying those most at risk, such as clients with money problems.

We will always seek to maximise the income of residents and ensure that they are accessing all the benefits to which they are entitled. Where appropriate we will consider discretionary funding to support those residents willing to help themselves sustain their tenancies and avoid the risk of homelessness. This may be through Universal Credit advance payments and Discretionary Housing Payments (DHP) for those customers actively seeking training or work.

These services remain vital to clients in need of income support or access to DHP to sustain their tenancies and as of October 2018, there were 1,286 DHPs awarded in Barking and Dagenham.

Access to employment, skills and training

We also recognise employment, education and the development of skills are critical to ending the cycle of homelessness and poverty. Access to higher skills and higher incomes increases the chances of tenancy sustainment or retention of home ownership. So, we will continue to work with the Adult College, Barking and Dagenham College and Jobcentre Plus to support clients through pathways into training, education and employment, ensuring that our professional advisors assist residents in making informed choices about the benefits of work and help with claiming in-work entitlements.

Realistic housing choices

We also appreciate there is a need for an honest message on the 'housing offer' that is available to local residents. We will ensure that residents are clear that a homeless application is not a direct pathway to accessing social housing. With a significant number of recent HRA17 applications claiming parental ejection or exclusion by another in the household, we have to develop a direct, clear and resolute housing message, including highlighting live statistics on waiting times to customers and where appropriate bold marketing materials which are realistic about housing choices informing residents before making an approach. This is critical in managing expectations, especially those of younger, single residents. We will notify households about the unattractiveness of a long stay in temporary accommodation and the remote likelihood of obtaining social housing. We will also explore the resumption of school visits to discuss homelessness prevention with 15-16 year olds and are in talks with

local schools to evaluate how this can be mainstreamed into the PSE curriculum.

Discharge planning for vulnerable people

The discharge planning of vulnerable people leaving local authority care, leaving hospital, being demobbed from the armed forces, ex-offenders released from prison and refugees being ejected from Home Office accommodation is also an area requiring more robust action. During 2018, 53 people in one of the above categories were owed a rehousing duty, suggesting that in a minority of cases, transition arrangements to future housing options had not worked effectively.

We will be seeking dialogue and refreshed protocols with the Home Office, Her Majesty's Prison and Probation Services and internal teams about early support for clients transitioning to the community. Homelessness prevention must become a core component of our partners discharging arrangements, particularly as a person's departure date is often known well in advance. It is essential that housing services are liaised with at the earliest opportunity to ensure appropriate accommodation arrangements can be found before a case of homelessness is triggered.

We aim to trial a Critical Time Intervention (CTI) pathway for clients being discharged. This involves a four-phase housing-focused support model including rapid rehousing; initial intensive case management at transition to ensure the resident has the necessary support for a smooth set up in the new home; an adjustment period by which the client can settle-in and support becomes less intense before a final phase of independent living with the appropriate long-term support and care services. Trials of this approach have produced exceptionally high sustainment rates with few cases of abandoning the property or homelessness recurring.

Reducing the number of acceptances through early and pre-crisis interventions:

Knowing who is most likely to be at risk of homelessness is one method of trying to model, predict and head-off demand before it materialises. However, there will be circumstances where an imminent crisis is building and we need to provide robust, quality information, support and advice that can prevent it from escalating into the reality of homelessness. This often includes advice on current housing options, assistance with debts or rental arrears and diffusing problems between the resident and the property owner, essentially ensuring that the resident keeps the current roof over their head.

Universal Credit and preventing rent arrears and evictions

We know that there are currently 5,014 claimants on Universal Credit in Barking and Dagenham with more than a thousand being council tenants. 63% of those tenants are in rent arrears at an average of £1,152 per household. So far, the numbers claiming Council Tax Support have dropped as delays in confirmation of Universal Credit and inaccurate information have gummed up the system.

It is imperative that we work partners like Jobcentre Plus to ensure claims are processed accurately and that Housing Benefit payments are paid swiftly to an agreed target. This should reduce the threat of rising rental evictions, which accounted for 40 cases over the course of the year. While a numerically small cause of homelessness, it could easily rise without teams working to resolve housing benefit queries, Universal Credit delays and identifying general rent arrear patterns.

Community Solutions already liaises with My Place landlord services on the Rent Arrears Eviction Panel to head-off cases which could result in homelessness but recognise that the problems posed by the

further roll-out of Universal Credit will demand more focus on council tenants who fall into rent and Council Tax arrears. This now forms part of our early identification process.

However, we still need to develop closer links with our registered providers and housing associations which collectively own more than 5,000 social landlord properties. In partnership with providers we will develop a protocol setting out the triggers and measures to prevent evictions through rent arrears and the roll-out of Universal Credit. The protocol will require partners to evict only in the last resort and only where the resident refuses to seek support or advice from the Council, voluntary sector or equivalent housing association services.

Pathways into the private rented sector

The Council is proactively encouraging private rented sector pathways (PRS) away from homelessness as a preventative measure. By being realistic with clients about their options, what is actually available and what they can afford we have successfully encouraged 237 households to move into the PRS as a means to prevent their homelessness and we will increase the number of clients assisted onto such a pathway.

Providing honest information about the prospects of obtaining social housing is essential in encouraging customers to recognise that PRS is the most likely solution for their housing need. Clients will be advised to visit trusted letting agents to find affordable private tenancy options and they can also utilise HomeFinder to locate cheaper properties out of borough. This service acts as a national housing mobility scheme, sourcing accommodation for all types of households, including social tenants, who are homeless or threatened with homelessness.

We currently assist residents in calculating what they can afford when searching for a suitable property and encourage them to take responsibility for the search for their

own accommodation as part of their personal plan. However, we will explore the use of a real-time affordability mapping tool similar to that employed by the London Borough of Brent. The product helps residents to understand what housing options they have in the private rented sector. The tool matches their income, LHA rates and average rent levels for their chosen areas against what is physically available to privately rent across the country. Similar products have helped people to take ownership of their relocation and honestly appraise what is genuinely affordable for them.

'Prevention Funding'

Keeping people in their properties avoids having to fund the cost of expensive emergency accommodation and thereby preventing homelessness. We will therefore maintain the Prevention Fund, generally restricted to a maximum of £2,000 per case, and use it to deter the threat of homelessness by topping-up a gap in the rent or clearing small arrears for clients at risk. Our Rent Deposit Scheme and Prevention Fund has spent £873,756 in this financial year and New Burdens Funding is expected to provide an additional £426,000, helping 338 households from becoming homeless.

We will revisit our approach to professional mediation with the aim of reducing the number of homeless clients threatened with parental exclusion. An enhanced mediation offer, providing conflict resolution in the home, could delay exclusion where the client can be assisted on a journey into the PRS.

Personal planning and repeat homelessness

Breaking revolving cycles of homelessness is one of the aims of the Community Solutions model. Historically, we have not been able to use our IT systems to identify clients who routinely make repeat approaches for homelessness. Using our new Civica tool, we will be able to determine those coming

back through the system who find themselves again with no fixed abode. This will allow us to specifically target clients who require far more intensive personal planning and support.

This underlies our commitment to improve the use of personalised housing plans, allowing those who are homeless or threatened with homelessness to sign-up to key commitments to help themselves prevent the loss of their accommodation while working with them to resolve the root causes of their problems.

Life-skills and tenancy training

Coupled to this is a requirement to cultivate resident resilience in the face of personal hardships and this includes a new commitment to roll-out tenancy sustainment training.

Many residents who approach us with housing needs also require additional support with life-skills or confidence to manage their finances and sustain their tenancies.

As a result, we will provide a life-skills and tenancy training programme with the Adult College, to ensure our clients understand their tenancy rights and responsibilities as well as budget properly and prioritise prompt payments of rent. This will be a prerequisite of individual personal plans for most homeless approaches and for those who we have supported into housing with a Private Rented Sector Offer (PRSO). Making clients 'tenant ready' will reduce the number of homeless incidences caused by rent arrears and loss of assured shorthold tenancies. A well organised tenancy training programme should ensure that more than 90% of clients are still sustaining their tenancies for longer than a year later.

Developing Gold Standard services:

We aspire to providing a seamless customer journey for our residents. By providing digitally accessible services, the highest quality advice, information and prevention support we will strive to develop an exemplar service in preventing and tackling homelessness. We will seek to continuously improve our homeless prevention and alleviation offer for our residents.

We are committed to developing a Gold Standard service, recognised by the National Practitioner Support Service (NPSS). The borough needs to meet ten local challenge targets which thread together multiagency actions to tackle homelessness, support vulnerable households, work with the private sector, engage with the voluntary sector and provide pathways out of homelessness for all client groups affected. The service will start to bench-mark its provision using the Gold Standard self-assessment toolkit in 2019.

Having overhauled our IT systems, we will deliver an enhanced online housing options portal for customers to access information, guidance and personalise their planning for housing register, choice-based lettings and homelessness queries. At the same time this will allow us to update and integrate Community Solution's information management capabilities for smoother decision-making by our housing options advisors.

Over time we will seek to build further on digital improvements to provide customer insight and predictive modelling. Working with our Data Insight team, we are extrapolating information to model a much clearer view of our residents, who they are and their needs in a bid to make assumptions about future trends and demands on the service.

Priority 2:

Reducing temporary accommodation through permanent housing solutions

Addressing costly temporary accommodation

Providing permanent, long-term housing solutions for local residents is pivotal to reducing the numbers of people in temporary accommodation.

People are languishing in TA for far too long and at a high cost. A movement away from short-term fix accommodation to a proactive discharge policy into permanent homes will allow for better outcomes for our residents and greater sustainability of their tenancies. It will also allow the Council to contain costs and recalibrate the stock we currently use which in turn can generate savings that could be reinvested into prevention activities.

We therefore propose to:

- Reduce overall TA numbers through prevention and securing sustainable permanent housing solutions through a range of sources
- Eliminate the use of all high-cost, low-quality accommodation
- Enable a cost-neutral temporary accommodation service by 2023

As illustrated earlier, the significant rise in homeless acceptances paved the way for a burgeoning demand for emergency and temporary accommodation. Historically, the flow of households into TA dwarfed the modest numbers leaving it. This caused bottlenecks in the system, leading to fruitless searches for cheap accommodation in the locality and the procurement of expensive, unsuitable

accommodation such as nightly lets, all adding to the Council's cost pressure.

The overall number of households in temporary accommodation rose steadily between 2014 and 2016, rising from 1,188 to 1,317. In comparison to other London boroughs Barking and Dagenham's numbers ranked in the lower quartile of statutory homeless households in TA. However, the impact of welfare reform led those numbers to soar to 1,837 households by the end of 2016/17 and at its peak, to 1,904 by quarter 3 of 2017/18. The number of households in TA either rose or remained static for 10 consecutive quarters until it started a gentle decline in late 2017.

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
(a) Existing Supply - EA						
Bed and Breakfast	0	0	0	0	0	0
(b) Existing Supply - TA						
Nightly Lets (In Borough)	0	1	2	0	0	3
Nightly Lets (Out of Borough)	0	2	2	0	0	4
HMOs (Various - In Borough)	0	0	0	0	0	0
HMOs (Romford Road - Out of Borough)	1	0	0	0	0	1
HMOs (Mother and Baby Unit)	0	0	0	0	0	0
PSL (In Borough)	137	303	247	114	1	802
PSL (Out of Borough)	83	172	181	53	1	490
The Foyer	89	0	0	0	0	89
Council Stock	71	76	82	1	0	230
Hostel 1 - Riverside	20	0	0	0	0	20
Hostel 2 - Butler Court	59	0	0	0	0	59
Hostel 3 - Brocklebank	45	1	0	0	0	46
Hostel 4 - Boundary Road	23	0	0	0	0	23

Fig.6: Temporary accommodation portfolio – September 2018

The Council uses a varied mix of temporary accommodation to fulfil its statutory duty including council-owned and managed hostels and short-life housing on estate renewal projects.

The bulk of TA is composed of self-contained rented properties licensed in the private sector (PSL), the cost of which is expected to cost the Council's General Fund £2.6m this year. For an average three-bedroomed property this represents a cost to the Council of £5.27 per night.

The use of bed and breakfast (B&B) and expensive Houses in Multiple Occupation (HMOs) has been dramatically scaled-back over the last year with emergency B&B numbers falling to zero since the introduction of the HRA17.

However, there remain some expensive nightly lets in the portfolio and we are still too reliant upon some relatively poor-quality forms of PSL accommodation.

The lack of a more structured move-on strategy for households in local temporary accommodation has also meant that on average twenty-six per cent of clients are placed in TA outside of the borough due to a lack of suitable, affordable accommodation in Barking and Dagenham. In 2017/18 the average waiting time for residents in TA who bid for social housing through Choice Based Lettings was 19 months. It was 30 months for those waiting for a direct offer of social housing from the Council. Although there were very few B&B clients during 2017/18, the average stay in this type of accommodation was four weeks. Clients placed in hostels stayed on average 3 months.

That aside the total number of households residing in TA has fallen as the numbers being discharged from TA have picked up pace. Total new households being placed in TA has also dropped setting the Council on a course of reducing the size of its temporary accommodation portfolio. There is also a recognised need to improve the mix of accommodation, shifting away from those that are lower quality and higher cost.

While prevention activities are dampening the need for fresh TA supply, a more determined approach of discharging our homeless duty and settling people into permanent accommodation has to be at heart of this strategy and our annual temporary accommodation plan. Both of which aspire to lower overall numbers in TA and achieve a cost-neutral temporary accommodation service over the coming years.

A cost-neutral, rationalised and quality TA sector by 2023

The Council's most significant homelessness cost is the subsidy which covers shortfalls in rent for temporary accommodation. Our ambition to move to a cost-neutral temporary accommodation service by 2023, will include a significant reduction in our suite of 1,292 private licenced properties to a TA portfolio of just 500 by the time this strategy expires.

By 2020 we aim to convert up to 200 current licence arrangements into sustainable tenancies so that the homelessness duty owed to residents can be successfully discharged. To support this initiative, we are bidding for Government grant under the Private Rented Sector Access Fund. Landlords will be offered upfront half of the annual shortfall costs which the Council would otherwise subsidise on a monthly basis, plus a security deposit in order to convert the licences into 24-month assured shorthold tenancies.

Several TA suppliers have indicated an interest in supporting this venture and we have guaranteed that our Homes & Money Hub will work with the chosen tenants and provide tenancy training thereby maximising their incomes so they will eventually be in a position to afford their own rent in full. We have identified 200 households in secure employment and this grant funding will allow the Council to avoid the cost of a rent deposit and the monthly subsidy, amounting to a total saving of £925,000.

We are also keen to explore further opportunities for modular build sites where appropriate and increase the number of quality bed spaces in existing hostels. We are due to deliver additional TA through high quality prefabricated modular build units at sites at Wivenhoe Road and Weighbridge. These are expected to provide 116 extra units of TA by the end of 2019 and we are looking for sites to deliver more. In tandem we have recently

completed the expansion and refurbishment of new hostel spaces at Boundary Road for clients with complex needs and we will look for further opportunities to develop hostel spaces and utilise hostel sites with developable land where it is viable to do so.

We will also maintain our policy of using short-life dwellings on Council estates decanted for regeneration. This has proven to be a cost-effective option for TA, however, we will no longer use stock which is found to be of poor quality and therefore aim to devise a quality standard that will apply to our future use of such units. We aim to increase the number of lets in these properties from 230 to 300 by 2019.

Coupled to our efforts to drive down the costs of TA, we aim to become an initial pioneer in the establishment of Capital Letters, a not-for-profit pan-London company supported by £34m of government grant, which aims to alleviate borough costs for providing accommodation and iron-out the historic dilemma of boroughs out-bidding their hosts for properties. By April 2019 we propose becoming one of the initial partners of the scheme, allowing us to access a higher grant subsidy for each property. This is exclusively open to applicant boroughs who join in Year 1 and because the company will be able to offer landlords 100% Local Housing Allowance as opposed to the current 90% TA-rate imposed on boroughs, it will also allow the Council to transfer properties into the scheme with an estimated saving of £160,000 by Year 2.

Capital Letters will collaboratively procure new properties for TA, the discharge of the homeless duty and homelessness prevention on behalf of London boroughs supported by government funding. It is intended to have a deflationary effect on procurement and allow a more rational allocation of supply across London. It will be possible for Barking and Dagenham to secure more PRS and leased properties nearer to the borough, allowing homeless clients to maintain a local connection.

Eliminating high-cost, low-quality accommodation

Until 2017, the lack of easily sourced emergency and temporary supply led to the Council procuring expensive shared or nightly-rate accommodation to satisfy its statutory duties. In 2017/18 alone 47 households using such accommodation cost the Council £270,000. However, with better prevention activity and a determination to relinquish this type of let, we have managed to drastically curb their use.

There have been zero placements in B&B over the last year allowing the Council to meet Government targets on not placing families in such accommodation for more than six weeks. Likewise, we have succeeded in reducing the number of households in expensive nightly lets and HMOs. We are pledged to end their use by 2019 and avoid these altogether thereafter.

Connected to this, we will continue to hold regular proactive case reviews for the households with the most complex needs and who have been for long periods in the most expensive accommodation, assisting them to find genuinely affordable, suitable and permanent housing.

We will accelerate the number of move-on cases into permanent accommodation, generating savings and eliminating expensive lets which are no longer required. We will become more robust in the auditing of TA households, to deter suitability of accommodation challenges, to detect fraud and proactively assess clients ability to move-on. We are currently committed to auditing 10% of our portfolio each year but this will incrementally increase each year until we meet the London average of 50% by 2023.

Moving people out of TA into permanent accommodation

Fostering a sense of resilience and self-resolution is equally important for those

households who have found themselves in emergency and temporary accommodation. Preparing households leaving their temporary lodgings is at the centre of residents regaining control of their lives and responsibilities. Being realistic about the housing options available is a major part of that process.

Some households will eventually, where circumstances require, receive a direct offer or successfully bid for an available social let, but the likelihood of a council housing offer for most will remain remote. With an average of 1,800 households in TA over the last few years, only 239 moved-on into social housing during 2016/17; 192 in 2017/18 and 244 so far throughout 2018/19.

Just as with homelessness prevention cases, we are keen to promote PRS pathways out of homelessness for our clients. This can be through private rented sector accommodation in Barking and Dagenham which the household can afford or it can be an affordable property sourced elsewhere as part of a relocation package.

We will accelerate the number of Private Rented Sector Offers (PRSOS) we use to bring our homelessness duty to an end. Part of this programme is behind our bid to convert PSL licensed properties into tenancies and we will do our best to source private accommodation in Barking and Dagenham for other households. However, we will discharge our duty with placements outside of London where suitable and affordable accommodation cannot be found locally.

Utilising partnerships with providers like Cedar House Solutions, we have provided attractive, affordable relocation offers to clients in places such as West Yorkshire, while encouraging customers to positively consider the benefits of properties in more affordable areas to help relieve their homelessness. Implementing our PRSO policy, we will assist the smooth relocation of clients with accompanied viewings, tenancy sustainment training and supply a

new comprehensive directory of their resettlement area covering transport networks, health and educational services; community facilities and employment and training opportunities.

There are also housing options through Reside, the Council's arms-length company, created to recognise the need for affordable market rented properties for working households who have little chance of accessing social housing. We are currently amending the Council's allocations policy to make it easier for those households to access affordable rents at 65%-80% of market rates. This will ensure that working families do not have to languish in TA, waiting years for social housing, and switching them to an offer available with Reside.

Developing new-build affordable homes

While alternative routes into secure housing are vital, the Council remains committed to its own affordable new-build programme through BeFirst, its development arm, and will continue to work with developers and registered providers to maximise the number of social and affordable lets on their sites.

The London Plan expects 2,264 new homes to be built in Barking and Dagenham each year between now and 2027, with a requirement that at least 35% of these are affordable (i.e. a mix of council comparative rents and sub-market, intermediate rents or shared ownership).

Supported housing pathway for vulnerable households:

Significant numbers of people who become homeless lose not only their accommodation but have a specific vulnerability or complex need, whether that be a mental, physical or learning disability, a history of substance and alcohol abuse; the scars of domestic abuse or new immigrant households with no recourse to public funds. We need to ensure that their pathways out of

temporary accommodation are smooth, sustainable and prevent recurring bouts of homelessness.

We have commissioned a project, involving services across the Council, to better understand the housing offer and pathways for vulnerable households, including those at risk of homelessness. This focuses on care leavers, older peoples, adults with mental health and learning disabilities, substance misusers and survivors of domestic abuse. This will report back in the first half of 2019 on the supply and demand issues and analyse the referral routes and protocols into specialist, supported and general needs housing with recommendations on the nature of the overall supported housing offer.

We are also mindful of the new duty, which came into force in October 2018, for public authorities to refer homeless clients known to their services. Anticipating the fresh demands this will bring we must ensure that those with complex needs are appropriately supported and suitably accommodated, reviewing all of our protocols and support arrangements for vulnerable households who are homeless.

We are dedicated to working with the array of public health services and intervention programmes to assist multiply excluded clients, rough sleepers, mental health clients and numerous other individuals identified as vulnerable. We will also seek to improve our role in working with the voluntary sector in providing advice and referral services.

Priority 3: Ending rough sleeping

Halving rough sleeping by 2020 and eliminating by 2023

We recognise that despite having very low rough sleeping estimates in comparison to most London boroughs, the Council still needs a more proactive response to tackling the problem. This is in line with the Government's Rough Sleeping Strategy to halve street homelessness by 2022 and eradicating it by 2027.

We are therefore committed to:

- Ending rough sleeping by 2023 through a proactive policy of identification and adopting the No Second Night Out model
- Utilising government funding to support new rough sleeping prevention programmes

In November 2018 we conducted our first annual street count for two years and only the second in thirteen, having been previously reliant upon the street population data recorded by the CHAIN project which estimates rough sleeper populations. The CHAIN data suggested that we had 40 people sleeping on the streets during 2017/18, while our most recent assessment found 20 full night shelter beds and 9 people on the street, tallying to 29 rough sleepers in all.

However, we believe these numbers are an underestimate which do not capture hidden homelessness, female homelessness and sofa-surfing. Anecdotal evidence from local partners tackling rough sleeping suggest that the night shelter beds are always run to capacity all year round and charities based in Vicarage Fields which provides meals for 150 people per week with an estimated 90

people redirecting their post to the service suggesting a lack of fixed abode.

Understanding the depth of this problem, which has become starkly more visible in Barking Town Centre and Dagenham Heathway, requires a dedicated resource to coordinate partnership working. We have set aside £50,000 of funding to resource an officer who can help co-ordinate our links and working with outreach, support services, shelters and the voluntary sector to alleviate rough-sleeping in Barking and Dagenham. We will halve rough sleeping in the borough by 2020 and eliminate it by 2023.

Working with partners we have now reinstated the annual Street Count and where resources allow we will carry out further random street counts to assess and assist roofless individuals in hotspots around Barking Town Centre, the Abbey and the Heathway. This will provide a far more accurate identification of the levels of street sleeping in the borough than any other measure we have used to date.

We will continue to promote StreetLink through our briefings and communications so that members of the public can report suspected rough sleepers and trigger an alert to our outreach partners who can assist in a timely manner as well as ensuring our Severe Weather Emergency Protocols (SWEP) continue to reflect the needs of rough sleepers.

In alliance with local delivery partners such as Thames Reach, St Mungos and the East London Housing Partnership we will introduce a No Second Night Out model of service delivery for rough sleepers ensuring that anyone sleeping on the streets for the first time is prevented from sleeping out for a second night and that nobody has to bed down outdoors in

freezing conditions during the winter. It aims to provide a rapid response to new rough sleeping, based on better intelligence and public awareness; link those who migrate to Barking and Dagenham back into services where their local connection means they are most likely to sustain a life away from the streets; provide a single offer based on the assessment of each individual's needs, which means no-one need spend a second night out on the streets. This will require the Council to proactively identify new rough sleepers on a regular basis and utilise existing assessment and housing hubs through East London Housing Partnership sub-regional arrangements

New rough sleepers should be identified and helped off the streets immediately so that they do not fall into a dangerous street sleeping lifestyle, providing a place of safety where their needs can be quickly assessed and they can receive advice on their options and have access to housing and recovery services.

The health needs of rough sleepers are also paramount. The last set of street counts found that between 30-40% of the borough's rough sleepers suffered from drink, drugs or mental health problems, some of them with high needs. We will ensure that the appropriate outreach and support provision is offered and we will renew a concordat that was in place with the primary health care services which provided a referral route to appropriate health services for rough sleepers, including registration with a GP. This arrangement ended in 2011 with the transition to clinical commissioning groups.

Bolstering our efforts to alleviate rough sleeping, we will bid for funding through the Government's Rough Sleeper Strategy 2018, including jointly with the ELHP where this supports sub-regional needs. We will continue to explore with partners how we can deliver some permanent accommodation for people straight from the street – an unconditional offer of independent housing alongside intensive

support for street homeless people with multiple and complex needs.

Appendix 1:

Summary - Homelessness Review 2013/18

1. Introduction

Each homelessness strategy requires a statistical overview of key trends and data as part of the requirements of the Homelessness Act 2002. This includes an analysis of the information submitted to Government annually through the P1E and H-Clic statistical returns. This monitors acceptance rates, decisions, reasons for homelessness and equality impacts data. The review also looks at the top-line facts relating to prevention tools to date, rough sleeping figures and a brief overview of temporary accommodation.

2. Key trends overview

The impact of welfare reform, the loss of private rented properties for temporary accommodation, the low annual turnover of available council properties and undersupply of genuinely affordable housing has underpinned the landscape of homelessness in Barking and Dagenham for the last five years.

This led to an unprecedented demand for accommodation from homeless households. At its watershed in 2015 the Council received 1,811 homelessness applications. The Council accepted a duty to rehouse 53% of applications (941 households) as opposed to just 30% five years before that (199 households), representing one of the highest acceptance rates in the capital. Although this trend has modestly reversed in the last few years and only 14% of homeless approaches have resulted in a housing duty this year so far, the number of approaches has risen once more, following the introduction of new duties under Homelessness Reduction Act 2017 (HRA17).

The main causes of homelessness – loss of private rented tenancies and exclusion from the home by families or others - continue to be driven by welfare reform and housing market conditions. Private sector rents in Barking and Dagenham have increased by 42% since 2011 while wages have risen by only 2% over the same period and the roll-out of Universal Credit to 5,019 residents poses similar tenancy sustainment challenges as did the first wave of welfare reform in 2011/12.

With only two quarters of data available, it is too early to assess the overall effect of the HRA17 and the third phase of welfare reform. However, the text below summarises the main statistical overview recorded under the P1E system during 2011/18 and providing a snapshot of the current state of homelessness recorded through H-Clic since new legislation was introduced.

3. Homelessness approaches and acceptances

A review of homeless approaches and acceptances allows us to measure the amount of demand on homeless services. It highlights the number of people making inquiries about potential homeless crises and records how many are entitled to be rehoused by the Council once it has found them to be eligible for support.

Until 2012/13 the number of homeless approaches had been under 700 a year. Those eligible to be rehoused by the Council averaged under 200 a year. However, the impact of

welfare reform, benefit caps and LHA freezes coupled with a lower turnover of council houses, and a retreat from the PRS of cheaper lets saw the number of homeless approaches rise by 37% and acceptances almost quadruple to 941 by 2015/16. It represented the highest rate of acceptances per 1,000 households in the capital. From 2011/12 to 2016/17 roughly half of all households making a homeless application were found to be owed a duty, culminating in the Council having to find emergency and temporary accommodation for 3,964 families.

An independent diagnostic service review of our housing advice services in March 2016 found that the Council's ambition to reduce the number of homelessness acceptances and demand for temporary accommodation was being frustrated by an unresponsive service model in place at the time. As a result, a stronger focus on self-resolution and being upfront about the prospects of obtaining council housing were adopted to encourage residents to self-help and be realistic about their housing choices. This led to a 28% fall in formal homeless approaches in 2016/17 and a 42% reduction in households owed a rehousing duty.

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Accepted as homeless	199	664	853	764	941	543	512
Intentionally homeless	12	49	76	137	136	183	113
Homeless but no priority	197	46	82	425	557	329	172
Eligible but not homeless	128	324	336	275	171	194	227
Ineligible	27	58	100	167	93	99	83
Total decisions	563	1141	1447	1768	1898	1348	1107
Annual change in acceptances		+234%	+28%	-10%	+23%	-42%	-6%

Fig.1: DCLG Live tables on homeless approaches and acceptances - 2018

The number of approaches and acceptances followed a more modest decline up to the introduction of the HRA17 on 1 April 2018.

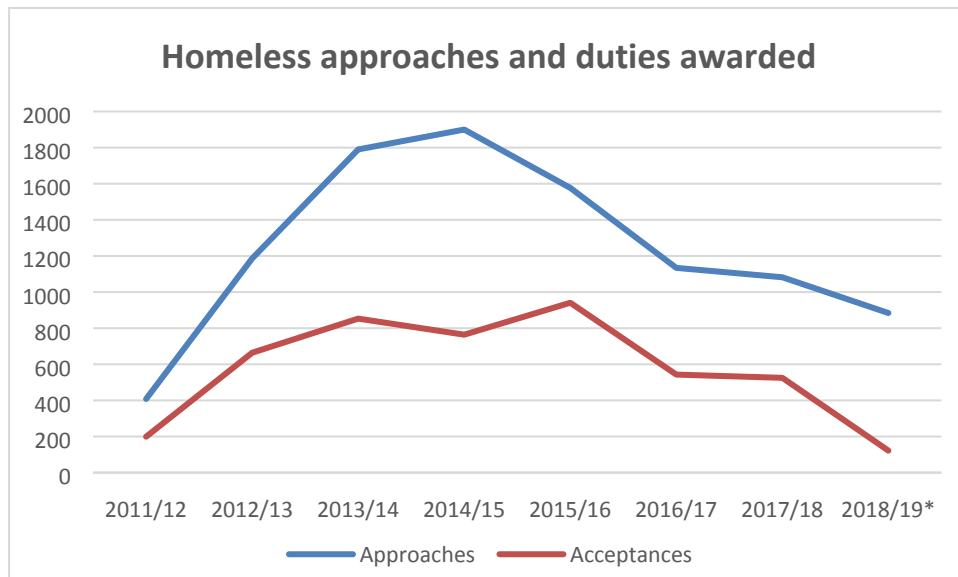


Fig.2: DCLG Live Tables on homeless approaches and acceptances - 2018

However, the new legislation has changed the way the Council needs to interpret and respond to homeless approaches or applications. The new duties require us to prevent and relieve homelessness within 56 days before we are legally obliged to exercise the main duty to rehouse a resident. This shift aligns very closely with the aspiration for Community Solutions to proactively manage demand through early intervention and prevention while building resident's independence.

Since the introduction of the HRA17, the Community Solutions model is managing demand more effectively despite the new pressures. Although there are only two quarters of information for the current period, there have been 884 approaches to date which could have become or potentially could still result in a main housing duty as an outcome. However, 48% of those cases (422 households) have been prevented from becoming homeless and progressing to a formal application while only 14% of cases (122) have closed with a housing duty being owed by the Council.

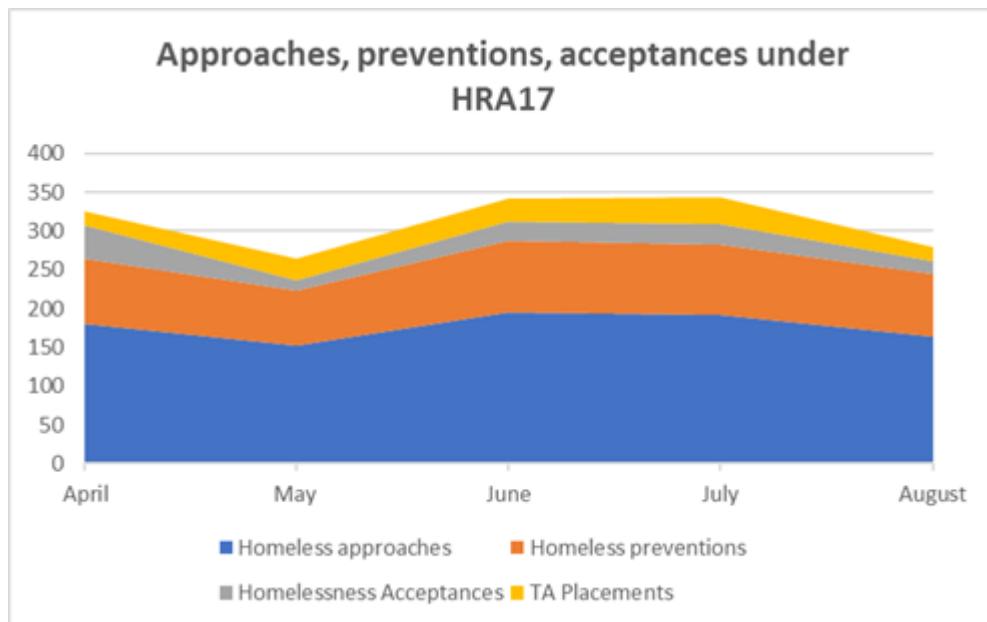


Fig.3: LBBD Community Solutions Vital Signs Dashboard 2018

4. Main causes of homelessness

Identifying the main causes of homelessness enables us to build early intervention services which prevent escalations of residents presenting themselves to the Council and needing to be rehoused.

It is worth noting that the review found exclusion from the parental home, by a partner or by another family member was the largest cause of traditional homelessness until the period of welfare reforms. Those changes led to a significant spike in homelessness. This was caused by the loss of assured tenancies in the private rented sector (PRS), as landlords retreated from the market or sought tenants who could pay higher market rents. This has continued to be the largest reason for homelessness to date.

Reason	2013/14	2014/15	2015/16	2016/17	2017/18
Family ejection	342	300	273	127	121
Loss of PRS tenancy	296	336	505	324	283
Non-violent relationship breakdown	15	16	25	11	9
Violent relationship	48	44	43	17	14
Harassment	7	1	2	1	1
Mortgage arrears	20	6	1	4	0
Rent arrears	23	10	22	10	8
Leaving institution	32	43	57	35	42
Others	25	8	13	14	29

Fig.4: DCLG Live tables on causes of statutory homelessness 2018

In 2011/12 there were only 47 homeless households owed a duty due to losing their PRS tenancies. By the watershed year of 2015/16 that increased by almost eleven-fold to 505 households. It has frequently accounted for almost 60% of cases. Under the new HRA17, the loss of ASTs still accounts for the second largest cause of homelessness to date, but parental exclusion has returned as the biggest factor of threatened homelessness.

The third main cause of homelessness relates to households leaving care, an institution or the armed forces, collectively registering between 30-40 persons annually. Homelessness due to the violent breakdown of a relationship accounted for an average of 45 person every year until it dropped to 17 in 2016/17.

Under the HRA17, parental and family exclusion, at 246 cases, has become the largest cause of or threat of homelessness, followed by the loss private rented tenancies, numbering 168 cases. The ejection from holding accommodation by the Home Office of asylum seekers granted refugee rights now constitutes the third biggest reason for homelessness. At 43 cases this is the highest level on record as a result of Government policy.

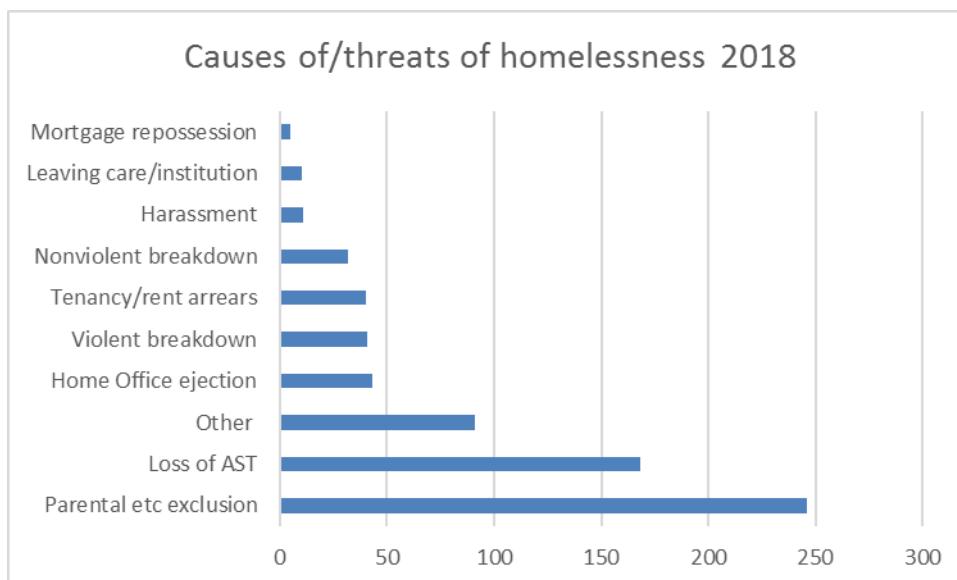


Fig.5: Community Solutions internal records – causes and threats of homelessness Q1/Q2 2018/19

To be accepted as statutorily homeless and receive housing assistance from the local authority, residents must have an established priority need, defined under the Housing Act 1996 and subsequently amended to include those leaving care and the armed forces. The following table shows until April 2018 the main qualifying priority need for those owed a housing duty, although some customers may have had multiple qualifying needs.

Households with dependent children or pregnant women consistently ranked as the most significant primary priority need of homeless households.

Main priority need	2013/14	2014/15	2015/16	2016/17	2017/18
Pregnant or with children	628	602	346	268	426
Single people 16-17	0	0	0	0	0
Physical disability	52	46	13	10	27
Mental illness	102	66	30	26	48

Fig.6: DCLG Live tables – main priority need of statutory homelessness 2018

The statistics also reveal that the most significant age profile of those found to be statutorily homeless has consistently been in the group aged 25-44 years of age, with other age groups declining every year from 2015/16 onwards:

Age	2013/14	2014/15	2015/16	2016/17	2017/18
16-24	209	163	208	84	62
25-44	501	469	570	352	335
45-49	116	107	187	95	94
50-64	16	12	10	0	11
65-75	8	12	7	0	0
75+	3	0	0	0	0

Fig.7: DCLG Live tables – age profile of statutory homeless

The table below illustrates the breakdown of ethnicity for statutory homelessness households. Black and African households appear to be disproportionately more vulnerable to homelessness since 2015/16, representing between 40-48% of all cases.

Ethnicity	2013/14	2014/15	2015/16	2016/17	2017/18
White	402	327	381	170	155
Black/African	295	276	362	254	218
Asian	63	71	90	89	92
Mixed	78	74	88	18	33
Other	12	12	0	0	9
Undeclared	3	4	16	0	5

Fig.8: DCLG Live tables – ethnicity breakdown of statutory homeless

5. Prevention activities

Barking and Dagenham has worked with agencies, partners and voluntary sector organisations to produce a notable and collaborative record on prevention work stopping thousands of households from becoming homeless. The table below records the numbers prevented from becoming homelessness or from making a formal application by assisting households to remain in their current properties or find alternative accommodation.

Year	Able to remain in existing home	Assisted in finding alternative accommodation	Total	Prevention rate per 1000	Number of cases where positive action was successful in relieving homelessness	Relief rate per 1000 households	Total cases of prevention & relief	Rate per 1000 households of prevention & relief
2013/14	2376	190	2566	35.43	689	9.51	3255	44.94
2014/15	1947	0	1947	26.38	1362	18.45	3309	44.83
2015/16	2323	96	2419	32.07	1155	15.31	3574	47.39
2016/17	1568	112	1680	21.81	812	10.54	2492	32.35
2017/18	1913	n/a	n/a		1,321	n/a	3,234	n/a

Fig.9: DCLG Live tables – homelessness prevention and relief

These prevention rates are broken down into the following activities:

	2013/14	2014/15	2015/16	2016/17	2017/18
Sanctuary scheme measures for domestic violence	295	153	136	103	91
Mediation using external or internal trained family mediators	4	4	2	1	0
Conciliation including home visits for family or friend threatened exclusions	7	7	10	0	85
Financial payments for a homeless prevention fund	1	2	0	0	79
Debt advice	0	0	89	20	0
Resolving housing benefit problems	1509	1619	1131	970	1248
Resolving rent or service charge arrears in the social or private rented sector	0	0	36	51	0
Negotiation legal advocacy enabling household to remain in private rented sector	1	1	2	0	262
Assistance enabling household to remain in private or social rented sector	159	159	917	422	146
Mortgage arrears interventions or mortgage rescue	1	1	0	1	0
Total cases able to remain in home	1847	1947	2323	1568	1913

Fig.10: DCLG Live tables – reasons for homeless prevention

6. Rough sleeping

Rough sleepers cover a wide range of ‘roofless’ persons who are either sleeping or bedding down in the open air, buildings or places not designed for habitation. Rough sleepers tend to be in the most vulnerable categories of homeless often becoming so due to long-term mental health issues, crime, destitution, substance misuse or addiction. They have more likelihood of contracting communicable diseases such as tuberculosis or HIV and studies suggest that they live thirty years less than the average member of the public.

In comparison to the rest of London, Barking and Dagenham does not have high levels of rough sleeping but with the sub-region attracting migrants from eastern Europe looking for established communities and links, there has been an anecdotal rise in rough sleepers. Ascertaining a credible baseline for the level of rough sleeping is challenging and local authorities are dependent upon Street Count (a bi-annual ‘on the spot’ survey conducted by partners agencies to evaluate rough sleeping on any given night) and CHAIN (real time reporting from agencies dealing with rough sleepers like St Mungos an funded by the Mayor of London) reporting to gauge the numbers in the borough:

CHAIN monitoring categorises rough sleepers as ‘flow clients’ who have had no previous contact; ‘returner clients’ who have intermittent periods of rough sleeping and use of outreach services and ‘stock clients’ who tend to be regular uses of outreach support and likely to be permanent rough sleepers.

The socio-economic data of identified rough sleepers is not broken down by borough, but the 2016/17 analysis of ‘outer boroughs’ (which includes Barking and Dagenham), suggested that 45% of rough sleepers were British, and central and Eastern Europeans accounted for 38.5%. Overall, 63% of all rough sleepers were previously flow clients and had no previous contact with 8% being stock and 13% of returners.

The 2017/18 count suggested that 72% of clients were flow; 20% being stock and 8% returners. 45% had been evicted or asked to leave and 18% cited relationship breakdown. 50% were British and 75% are under 45. Of those assessed around 30% had drug, drink or mental health support needs 12 had left prison; 2 left care and 4 the armed forces 35 were male and 5 females. The following table shows the estimated number of rough sleepers in Barking and Dagenham compared to our sub-regional partners:

Borough	2014/15	2015/16	2016/17	2017/18
LBBB	27	32	49	40
Havering	25	20	31	27
Redbridge	121	222	219	239
Waltham Forest	118	139	82	94
Hackney	155	148	134	94
Newham	221	260	396	418
Tower Hamlets	246	345	445	375

Fig.11: CHAIN data on rough sleepers

7. Temporary accommodation

The significant rise in homeless acceptances in earlier years paved the way for increasing demand for emergency and temporary accommodation. Problematically, the continued flow of households into TA dwarfed the modest numbers leaving it. This caused bottlenecks in the system, leading to the procurement of expensive, unsuitable accommodation such as nightly lets, all adding to the Council's cost pressure.

The overall number of households in temporary accommodation rose steadily between 2014 and 2016, rising from 1,188 to 1,317. In comparison to other London boroughs Barking and Dagenham's numbers ranked in the lower quartile of statutory homeless households in TA. However, the impact of welfare reform led those numbers to soar to 1,837 households by the end of 2016/17 and at its peak, to 1,904 by quarter 3 of 2017/18. The number of households in TA either rose or remained static for 10 consecutive quarters until it started a gentle descent in late 2017.

The Council has employed a mix of temporary accommodation to fulfil its statutory duty including hostels and short-life housing on estate renewal projects. However, the bulk of TA is composed of self-contained rented properties licensed in the private sector, the cost of which is subsidised by the General Fund to the tune of £2.6m this year. The use of bed and breakfast (B&B) and expensive HMOs has been dramatically reduced over the last year with emergency B&B numbers falling to zero. However, there are some remaining expensive nightly lets in the portfolio and we are still too reliant upon some relatively poor-quality forms of PSL accommodation.

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
(a) Existing Supply - EA						
Bed and Breakfast	0	0	0	0	0	0
(b) Existing Supply - TA						
Nightly Lets (In Borough)	0	1	2	0	0	3
Nightly Lets (Out of Borough)	0	2	2	0	0	4
HMOs (Various - In Borough)	0	0	0	0	0	0
HMOs (Romford Road - Out of Borough)	1	0	0	0	0	1
HMOs (Mother and Baby Unit)	0	0	0	0	0	0
PSL (In Borough)	137	303	247	114	1	802
PSL (Out of Borough)	83	172	181	53	1	490
The Foyer	89	0	0	0	0	89
Council Stock	71	76	82	1	0	230
Hostel 1 - Riverside	20	0	0	0	0	20
Hostel 2 - Butler Court	59	0	0	0	0	59
Hostel 3 - Brocklebank	45	1	0	0	0	46
Hostel 4 - Boundary Road	23	0	0	0	0	23

Fig.12: Temporary accommodation portfolio – September 2018

The previous absence of a more robust move-on strategy for households in local temporary accommodation has meant that on average twenty-six per cent of clients are placed in TA outside of the borough due to a lack of suitable, affordable accommodation in Barking and Dagenham. Prior to HRA17, the average waiting time in TA was 19 months for those applicants who bid for social housing and 30 months for those waiting for a direct offer. Barking and Dagenham has placed very few numbers in bed and breakfast (B&B) but for those clients using such arrangements the average stay was four weeks. Clients placed in hostels stayed on average 3 months

Under the HRA17 there has been a gentle decline in total households residing in TA as the numbers being discharged has picked up pace. The number of households being placed in TA anew has also dropped.

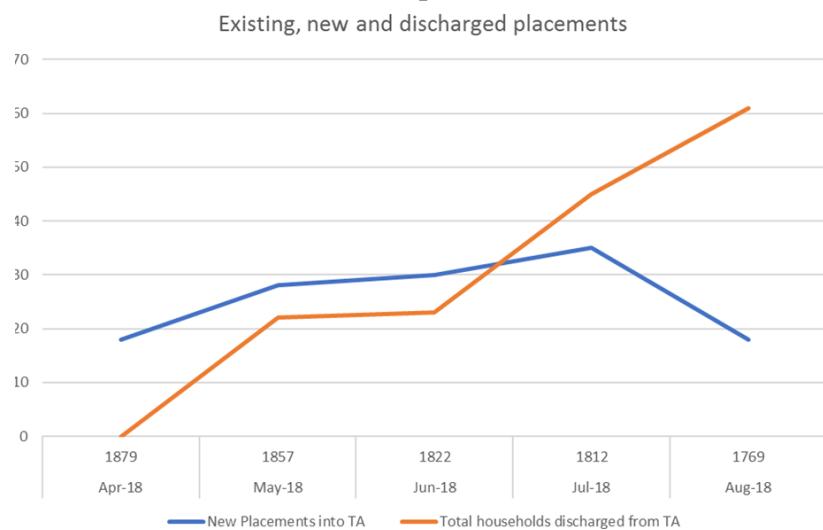


Fig.13: Total numbers, new placements and discharges from TA – internal records

Appendix 2: Equality Impact Assessment

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

About the service or policy development

Name of service or policy	Homelessness Strategy
Lead Officer	Neil Pearce
Contact Details	Neil.pearce@lbbd.gov.uk

Why is this service or policy development/review needed?

The Council has a duty to involve users and the public in the development of the borough's Homelessness Strategy and pay due regard to the Public Sector Equality Duty.

Within the public sector duty all public authorities are covered by general and specific equality duties.

For the general equality duty they must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, in relation to the aims set out in the general equality duty.
- They undertake a continual review of policies or decisions (for example, if the make-up of service users changes), as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do that which is set out in the aims of the general equality duty, not only when a policy is developed and decided upon, but when it is being implemented.

Under the specific duties, public authorities are also under an obligation to publish information to demonstrate compliance with the general equality duty.

An Equality Impact Assessment (EIA) is an effective tool which supports the Council meet its public sector duties.

By undertaking a continual systematic assessment of homelessness and associated commissioning strategies and in identifying any potential effects or opportunities for positive promotion of equalities for the nine protected characteristics, the Council can embed those values within its priorities and corporate plans.

The Homelessness Act 2002 mandates every local authority to review their homelessness and housing advice services every five years, setting out a comprehensive assessment of trends in homelessness. Subsequently the borough is expected to prepare a prevention

Why is this service or policy development/review needed?

strategy charting activities which tackle and mitigate against homelessness over the five year period. As part of the Council's ambition to achieve continuous improvement of its housing advice function, it is also committed to developing a Gold Standard Housing Options service recognised by the National Practitioner Support Service. Accreditation requires the annual appraisal of policies, decision-making and mitigation measures in reducing and preventing homelessness.

The nine protected characteristics are as follows:

- Age
- Disability
- Gender reassignment (identity)
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief
- Sex (gender)
- Sexual orientation (sexuality)

Barking and Dagenham has developing the first draft in partnership with internal services, external partners and voluntary sector organisations, including through design workshop sessions in the spring of 2018. The strategy is focused around the following objectives:

- Reducing the number of homelessness incidences through prevention
- Bringing down the number people in TA by finding them permanent housing solutions
- Ending rough sleeping
- Linked to all three is the design of an exemplar homelessness prevention service

The Council monitored the equality impact assessment implications as part of its workshops with partners, capturing the needs of marginalised and hidden groups across the spectrum of equality and identifying gaps in our information. It will also conclude its full equalities impact assessment following the end of the consultation period. The broad ambitions of the strategy should support all equality groups currently and subsequently affected by the blight of homelessness.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?
Look at what you know? What does your research tell you?

Consider:

- National and local data sets
- Complaints
- Consultation and service monitoring information

- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.

	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	x			The homelessness review provides an analysis of homelessness trends, looking at age, categories of vulnerability, gender, ethnicity and other equality characteristics where the collected data allows.	The draft strategy has already identified where knowledge gaps exist and seeks to revise data collection to respond positively to the unmet needs of groups with protected characteristics. This is a work in progress as the consultation widens and the strategy is amended.
Age	x				
Disability	x				
Gender reassignment		x			
Marriage and civil partnership		x			
Pregnancy and maternity	x				
Race (including Gypsies, Roma and Travellers)		x			
Religion or belief		x			
Gender		x			
Sexual orientation		x			
				The strategy and review recognises that there are gaps in information relating to certain groups. In particular the identification of	The draft strategy attempts to address variances to services

			<p>homelessness and rough sleeping caused by clients being discriminated against because of the sexual orientation is inadequate and is to be addressed by Community Solutions in their application processes.</p> <p>Equally it is accepted that using CHAIN data and spot counts to assess the level of rough sleeping in Barking and Dagenham reflects a generally male experience, whereas female rough sleepers tend to be hidden.</p> <p>At this stage of the strategy consultation it also clear that greater emphasis needs to be placed on identifying the impact of government policy on asylum seekers recently granted refugee status and upon migrant communities living in the burgeoning private rented sector. The Private Sector Licensing team is also reviewing whether the mandatory licensing regime and illegal eviction and harassment services can be utilised to mitigate the consequences of recent changes to</p>	<p>that impact on housing and homelessness advice. Recommendations to address these are made where necessary .</p>
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			<p>immigration law and the private rented sector.</p> <p>The demographic profiling of people without recourse to public funds also requires further study.</p> <p>No correlation between faith and homelessness is currently made but the borough will attempt to draw out from voluntary faith groups whether religious characteristics have posed a particular challenge for disadvantaged groups at risk of homelessness. This will be conducted through further review over the course of the year.</p> <p>Data on Roma communities, as well as Gypsies and Travellers in general is exceptionally limited and wholly dependent on self-identification. Although the Council is addressing latent traveller housing need, Roma needs data is virtually non-existent.</p> <p>The review and strategy does not use stereotypical examples or language which discriminates against equality groups.</p>	
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				The strategy seeks to improve services around homelessness for all equality groups. In identifying current gaps in knowledge and the experiences of disadvantaged groups as part of the consultation, the Council aims to strengthen the strategic response to the needs of those groups.	
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2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

Consultation events/meetings so far:

- Homelessness Strategy workshop – May 2018
- Community Solutions Design Group sessions and Community Solutions Board
- Homelessness meeting with the Ministry of Housing, Communities & Local Government 2018
- Portfolio holder briefings
- Corporate Strategy Group

Invitations to comment through following media will be live under consultation:

- The Council website and social media
- Distributed by mail and e-letter

Face to face discussions/consultations with the following

- Voluntary organisation – CAB, CVS, ILA, DePaul
- Probation services
- Internal organisations – Care & Support, Enforcement, Be First, Policy & Partnerships
- Registered providers – L&Q, Clarion, Southern Housing
- External partners – East London Housing Partnership

Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented?

These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.

Action	By when?	By who?
Review EIA following the end of the consultation on working draft	March 2019	Inclusive Growth

3. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole.

Take some time to précis your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact

It is recommended that responses from the strategy and EqIA consultation process are evaluated and a systemic approach is taken across all delivery plans which involve residents and local community groups in their implementation, recognising them as joint partners in tackling, preventing and understanding homelessness needs. As follows:

Engaging them

- to design and co facilitate consultation events and engagement plans around key decisions and strategies, potentially overseen by a new Homelessness Forum;
- to co-design methods of communication and delivery in relation to the strategy's objectives
- to be part of the design and delivery of housing advice and homelessness prevention services

Supporting them

- by developing a collaborative approach with stakeholders to undertake a borough wide campaign of the implications of homelessness particularly among disadvantaged groups, examples which may constitute elements of hidden homelessness
- improving resilience of all residents through prevention initiatives and self-resolution; targeted support geared to assisting the most acute circumstances; developing robust partnerships with external providers and voluntary sector groups and increased access to employment and training

Enabling them

- through provision of accessible and inclusive information with regard to the implications of welfare reforms, rights and responsibilities in relation to sustaining private and social tenancies and increasing access to housing choice
- through sharing data about homeless trends and needs create effective referral routes between the voluntary sector/community groups and Council services and partners to help prevent homelessness incidences in the first place and alleviate homelessness when crisis presentations occur

Appendix 3- Consultation and Governance

1. Consultation

The far-reaching implications of preventing and tackling homelessness requires a comprehensive and meaningful consultation process in which residents, stake-holders and voluntary sector organisations are given the opportunity to inform and comment upon the strategic ambitions of the Council.

The Council's consultation programme will include both qualitative and quantitative methods to gauge a detailed understanding of attitudes and views. The consultation schedule shall follow the methodology set out in the table below and to ensure the fullest opportunity for responses, the Council will invite comment over a six-week period.

The public consultation period will begin on 28 January and finish on 11 March 2019.

Consultation Type	Purpose	Timeline
Internal consultation	Internal discussion with relevant departments and commissioned services, such as My Place and Community Solutions, will be on-going	Throughout the period of 28 January-11 March 2019
General presentations to significant public fora	General slide-deck presentations and question and answer sessions will provide opportunities for residents to comment directly. Presentations will be made to the Barking and the Dagenham Housing Fora and the Voluntary Sector Strategic Forum, where appropriate, to capture a wide audience of residents, tenants and groups working with BAME, LGBTQIA+, disabled and other protected characteristic groups who access housing advice and support through third sector organisations. Presentations to external boards which are interested in the impact of the	Barking Housing Forum in 2019 (date to be confirmed) Dagenham Housing Forum in 2019 (date to be confirmed) Voluntary Sector Strategic Forum (to be confirmed)

	proposals will be considered.	
SMS and social media approach	Notification of the official consultation and weblink to the portal shall be made on the Council's Twitter and Facebook profiles as well as through the SMS service which reaches a significant proportion of Council tenants	Live on Portal and through social media links between 28 January 2019 and 8 March 2019
Online proposal and questionnaire on the Consultation Portal	A layman's guide to the proposals and a questionnaire inviting responses will be posted on the Consultation Portal. Large numbers of people can be contacted at low cost, surveying people over a wide area. Response rates tend to be higher than through paper consultations.	Live on Portal between 28 January 2019 and 8 March 2019

Governance

The Homelessness Strategy will be used to underpin the commissioning intentions for Community Solutions, which will have ultimate responsibility to deliver on the proposals and the delivery plan in this document. The Inclusive Growth department will be responsible for monitoring and assessing progress on the strategy structured around an agreed annual homelessness and temporary accommodation reduction plan.

With the conclusion of the consultation period in March 2019, a revised equalities impact assessment will be undertaken to represent any public comments. A mid-year review of progress will take place in August 2019 followed by an annual review in March 2020.

Appendix 4 – Summary of general homelessness duties (HRA17)

The Homelessness Reduction Act 2017 places new legal duties on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help, irrespective of their priority need status, as long as they are eligible for assistance.

Definition of homelessness/ threatened homelessness

Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002, sets out the duties owed by English local housing authorities (LAs) to someone who is homeless or threatened with homelessness. Section 175 of the 1996 Act defines that a person is threatened with homelessness if it is likely that they will become homeless within 28 days. The Homelessness Reduction Act 2017 extends the number of days from 28 to 56. In addition, people who have received a valid notice under section 21 of the Housing Act 1988 and the expiry date is within 56 days, will be treated as being threatened with homelessness.

Duty to provide advisory services

Under the HRA17, we are required to provide or secure the provision of free services to give people in their area information and advice on:

- preventing homelessness
- securing accommodation if homeless
- the rights of people who are homeless or threatened with homelessness, and
- any help that is available for people who are homeless or likely to become homeless as well as how to access that help

We are required to ensure services are designed to meet the needs of particular groups that are at increased risk of

becoming homeless including (but not limited to); care leavers, people leaving prison, people who have left the regular armed forces, victims of domestic abuse, people leaving hospital and people suffering from a mental illness or impairment.

New duties

We are currently required to make inquiries to establish what duty, if any, is owed to someone seeking homelessness assistance. As part of our investigations, we must determine if an applicant has a 'priority need' for homelessness assistance. Categories of priority need are set out in section 189 of the 1996 Act and are extended by the Homelessness (Priority Need for Accommodation) (England Order) 2002. Those who are found to be in priority need and unintentionally homeless are owed what is referred to as the 'full housing duty' meaning we are obliged to secure that suitable accommodation is made available for them. However, non-priority need households, which are most likely to be single people without children, or childless couples, are owed the 'advice and assistance' duty only. The 2017 Act legally obliges us to assess and provide more meaningful assistance to all people who are eligible and homeless or threatened with homelessness, irrespective of their priority need status.

Duty to assess all eligible applicants' cases and agree a plan

Once we are satisfied someone is homeless or threatened with homelessness and also eligible for assistance, we will carry out an assessment of the applicant's case. These assessments should include the circumstances that have caused homelessness and the housing and

support needs of the applicant and their household.

We aim to reach an agreement with applicants on a personalised plan which must be recorded and should set out the steps the applicant and the authority are required to take to ensure accommodation is secured and/or retained. Applicants' assessments and agreements must be kept under constant review until we have determined that no other duty is owed to the applicant under part VII of the 1996 Act.

The duty to prevent homelessness

If we are satisfied that an applicant is threatened with homelessness and is eligible for assistance, we will take 'reasonable steps' – with reference to the applicant's assessment - to help them avoid becoming homeless. Once triggered, the prevention duty would continue for 56 days - or longer if a valid section 21 notice has expired and no alternative accommodation has been secured - unless it is brought to an end via one of the prescribed conditions.

Applicants will have a right to request a review of a decision to end this duty.

The duty to relieve homelessness

We must take 'reasonable steps' – with reference to the applicant's assessment - to help all homeless eligible applicants to secure accommodation for at least six months unless the applicant is referred to another local authority due to having no local connection to the authority they have applied to. Once triggered, the relief duty would continue for 56 days unless it is brought to an end via one of the prescribed conditions. Applicants will have a right to request a review of a decision to end this duty.

Interim accommodation duties owed to people under the existing provisions (section 188) continue to apply during this stage – the duty to provide accommodation to people who we have

reason to believe may be homeless, eligible for assistance and in priority need - pending a decision on whether we are obliged to provide some form of longer term settled accommodation.

Failure to co-operate by an applicant for assistance

This provision will place a requirement on all applicants to cooperate with our attempts to comply with the prevention and/or relief duties. If we consider that an applicant has 'deliberately and unreasonably refused' to cooperate or take any of the steps set out in the personalised plan, we can serve a notice on the applicant to notify them of our decision as long as the notice explains, what the consequences of the decision are and that they have a right to request a review of the decision. Notice can only be served if we have provided a 'relevant warning' to the applicant and a 'reasonable period' has elapsed since the warning was given. Consequences of deliberately and unreasonably refusing to cooperate include the ending of the prevention and/or relief duties and in cases where the applicant would normally be owed the full housing duty (section 193), this duty would be limited to securing that accommodation is made available for their occupation for a temporary period until the applicant either;

- ceases to be eligible for assistance
- becomes homeless intentionally from accommodation made available for the applicant's occupation
- accepts an offer of an assured tenancy from a private landlord, or
- decides to cease occupation of the accommodation made available to them
- accepts or refuses a 'final' offer of accommodation

In deciding whether an applicant has deliberately or unreasonably refused to

cooperate, we will consider the applicant's particular circumstances and needs.

Care leavers

All care leavers under the age of 21 will be considered as having a local connection with an area if they were looked after, accommodated or fostered there for a continuous period of at least two years.

Mandatory code of practice

Currently we are required to have regard to the Homelessness Code of Guidance for Local Authorities when carrying out their part VII functions. The Act includes a

provision that would allow the Secretary of State to provide local authorities with 'one or more' codes of practice, that we must have regard to, on how they exercise and monitor their functions under Part VII and staff training.

Public authority duty to refer

Where a "specified public authority" considers that someone they are working with is or may be homeless or threatened with homelessness, they must refer that person's details to us but only if the person agrees to the notification being made.

Appendix 5: Annual Homelessness and Temporary Accommodation Reduction Plan 2019/2020

Objective 1: Reducing homelessness through prevention

Aim: Over the course of the next year we will have reduced the number of homeless incidences through early intervention and prevention by continued personal planning and advice, access to the prevention fund, employment skills and training and discretionary payments to ensure people remain in their homes as part of our business as usual approach in Community Solutions (Lead: Katherine Gilcreest, Head of Support, Community Solutions)

Actions: We will also have developed the following new activities:

- Tenancy sustainment/life-skills training to prevent loss of ASTs by May 2019
- An enhanced mediation offer to tackle parental exclusion by October 2019
- Crafted a suite of clear and direct housing messages for deployment by June 2019
- School visits as part of the curriculum by September 2019
- Agreed new discharge planning protocols regarding vulnerable households, particularly refugee households by August 2019
- Developed a predictive modelling insight tool by September 2019
- Started peer-to-peer benchmarking for Gold Standard accreditation by November 2019

Outcomes: We will assess the effectiveness of these activities against the following targets by March 2020:

- Total number of new homeless applications will have declined by 30%, from 1082 in 2017/18 to under 758 applications per year
- Total number of new prevention approaches closed in one month will have increased by over 100% from 66 per month in 2017/18 to 133 per month (793 per year to 1599 per year)
- Total number of homeless acceptances will have reduced by 66% from 490 in 2017/18 to 168 per year
- Total number of people accessing the Prevention Fund will have increased by 70% from 156 households accessing this fund in 2017/18 to 507 households accessing this fund per year
- Total number of new placements into TA will have reduced from 406 households in 2017/18 to 320 households per year. We will also reduce the average length of stay in temporary accommodation by 25% as we help people secure permanent accommodation more quickly
- Total number of social evictions will have reduced by 20% from 82 per year in 2017/18 to fewer than 57 per year
- Total number presenting as homeless through parental exclusion down by 30% from around 260 households/individuals in 2017/18 to 180 households/individuals per year
- Total number presenting as homeless through loss of AST down by 20% from around 260 households in 2017/18 to 208 households

Objective 2: Reducing TA through permanent solutions

Aim: To reduce the overall number of TA households through permanent housing offers, eliminating expensive lets and HMOs and beginning moves towards a cost-neutral service by reconfiguring the temporary accommodation portfolio (Lead: Shaun Childs, Head of Intervention, Community Solutions).

Actions: We will have also proceeded with the following actions:

- Eliminated the use of all nightly lets and HMOs by March 2019
- Converted 100 private licensed properties to ASTs by March 2019
- Converted a further 100 private licensed properties to ASTs by March 2020
- Designed a housing standard specification for use against all decant units by May 2019
- Accelerated the use of PRSOs by March 2020
- Agreed in principle to join Capital Letters by March 2019
- Increased auditing of TA properties to 20% of all stock by March 2020

Outcomes: We will assess effectiveness of these activities against the following targets by March 2020:

- Overall total number of TA households down from 1861 at the end of 2017/18 to fewer than 1650 households
- Total number of households moved on from TA increased from 321 in 2017/18 to 615 per year
- Total number of households in nightly lets and HMOs from 47 households in 2017/18 to zero and maintained at this level
- Total number of households in B&B at zero and maintained at this level
- Total number of properties audited up to 353 units

Objective 3: Ending rough sleeping

Aim: To develop a proactive rough sleeping policy and work towards halving rough sleeping by 2022 (Lead: Katherine Gilcreest, Head of Support, Community Solutions).

Actions: We will have initiated the following proposals:

- Developed a proactive partnership approach to tackling rough sleeping with the voluntary sector by May 2019
- Work with partners in East London to develop a No Second Night Out model of intervention by August 2019
- Made links with the CCG to address access to primary care for street sleepers

Outcomes: We will assess the effectiveness of out interventions against the following targets by March 2020:

- Number of identified rough sleepers reduced to under 20
- Number of street sleepers with a priority need provided with rapid referral to support services increased by 20%

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CABINET**22 January 2019****Title:** Review of the Housing Allocations Policy**Report of the Cabinet Member for Regeneration and Social Housing**

Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Sue Witherspoon Project Manager, Housing Strategy	Contact Details: Tel: 0208 227 3428 E-mail: sue.witherspoon@lbbd.gov.uk
Accountable Strategic Leadership Director: Graeme Cooke, Director of Inclusive Growth	

Summary

This report proposes changes to the Housing Allocations Policy. These changes are designed to ensure:

- that the process of working with partners to meet the needs of vulnerable groups is better planned and more transparent
- that more working households on modest incomes in Barking & Dagenham access homes managed by the Council's Local Housing Company, Reside
- that a clearer process for managing the allocation of homes to older people takes account of the full range of options available to older people and considers vulnerability as well as age as part of the assessment criteria;
- that there is clearer guidance on which members of the household may be registered with the applicant
- greater priority to those households under-occupying their home, to release more larger family homes for waiting families on the Housing Register.

It is proposed that these changes are subject to extensive consultation for 12 weeks and that the results are brought back to Cabinet.

These proposals sit alongside a number of related pieces of work which together constitute key building blocks of the Council's approach to pursuing its goals and priorities for housing in the borough – as a core strand of our emerging strategy for Inclusive Growth. In particular, the proposals should be seen as companions to the papers on the homelessness strategy and the update on the reinvigoration of Reside (plus work under way on housing pathways for vulnerable residents, the update to the Housing Revenue Account business plan and the tenure and size mix of future housing supply in the borough).

Recommendation(s)

The Cabinet is recommended to:

- | | |
|-------|---|
| (i) | Approve the proposed changes to the Housing Allocations Policy for consultation with those affected, and relevant partners; |
| (ii) | Note that a further report setting out the results of the consultation and proposing a new Allocations Policy shall be brought back to Cabinet for final approval; and |
| (iii) | Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Regeneration and Social Housing and the Director of Inclusive Growth, to approve any variations to Reside documents that are necessary to ensure that Reside adheres to the allocation policies as approved by the Council. |

Reason(s)

Councils are obliged to have a published scheme which sets out how they decide to allocate any social housing that is within their authority. This includes both social housing owned by the Council, and nominations to Housing Association partners. In addition, the Council needs a published scheme setting out how homes managed by Reside, the Council's wholly owned housing company are let.

There is increasing pressure on homes available for social lets and therefore it is vital that we are using them according to transparent and deliberate criteria.

The significant increase in the number of homes owned and managed by our local housing company, Reside means that we need to review the arrangements for letting them, and ensure that these valuable resources are used to support local working people.

Across the Council a range of social services need to fulfil their duties by assisting their clients with housing solutions. The Allocations Policy can better support the wider changes to people services across the council, in both Community Solutions, Adult Social Care and Children's Services and ensure that they are more effective in finding the right housing solution for their clients.

1. Introduction and Background

1.1 The Allocations Policy sets out how the Council decides who will be offered social and affordable housing and on what basis. It is therefore one of the Council's most important housing policies. The last full review of the Allocations Policy was carried out in 2014 and a new Allocations Policy adopted by Cabinet on 8th April 2014. This policy was initially only applied to new applicants, and for a time the Council operated two Allocations Policies side by side. By a further decision on 15th September 2015 Cabinet approved the adoption of the new rules, retrospectively to all applicants. The key features of the new policy included:

- A Residential Qualification for applicants of three years' residence
- Certain exclusions from the Register, including owner occupiers
- Additional priority for working households
- The use of flexible tenancies in certain limited cases
- The adoption of a policy to enable the Council to discharge its duty to homeless households into the Private Rented Sector.

- 1.2 A simple basic Allocations Policy was adopted for the Reside Properties (the Council's wholly owned housing company) on 13th November 2012, and subsequently incorporated into the main Allocations Policy as a sub-section.
- 1.3 It is essential that the Allocations Policy is reviewed from time to time to ensure that it is updated in line with legislation, regulation guidance, case law and current Council goals and priorities. As such, this report sets out some proposed changes to the Allocations Policy to reflect changes that have occurred since the two polices were adopted and seeks authority to consult extensively about the proposed changes. Consultation with Housing Association partners is a statutory requirement for Allocations Policies; it is also a requirement to consult with those affected when changes are made to policies affecting social housing tenants (s105 Housing Act 1985).
- 1.4 The proposed changes to the Allocations Policy are taking place alongside other important work to improve the Council's housing offer. First, Reside itself is undergoing a transformation programme. The first special purpose vehicles (SPVs) which hold 810 properties are let and managed by staff in My Place and supported by special project officers, an arrangement which has kept the project going through the early years. Now, with further expansion planned, the Reside transition programme is set to recruit dedicated staff and an independent board. The Council will set the Allocations Policy for Reside homes, and the Board will be responsible for operational matters. It is the Council's vision that Reside will play an important part in meeting the housing need of local people. The pipeline of new homes owned and managed by Reside will be significant, and it is important to have in place an Allocations Policy that ensures that these homes contribute significantly to meeting housing need in Barking and Dagenham.
- 1.5 At the same time as this report, an updated Homelessness Strategy is being presented to Cabinet. This statutory document will respond to the new Homelessness Reduction Act 2018 and is seeking to improve the Council's ability to prevent homelessness where possible, and to intervene in situations to prevent a crisis at the earliest possible stage. This will include the development of options and pathways for vulnerable households (such as those with a history of mental health illness or Learning difficulties). The revised Allocations Policy will consider the need to support the aims of preventing homelessness where possible and trying to prevent housing or support needs becoming a crisis (including using Temporary Accommodation and then permanently discharging the council's housing duty).
- 1.6 Because the Allocations Policy is a way of rationing resources between different categories of housing need, the overall context of housing need and supply is relevant. Research has been undertaken jointly with Planning colleagues in Be First to establish the overall housing need in the borough. The overall numbers are relatively simple because there is an established methodology within the National Planning Policy Framework (NRPPF) to calculate this. This is not enough to help plan to meet the needs of different income groups; and additional work over and above the Strategic Housing Market Assessment (SHMA) is being done to establish the housing need of the borough by tenure and rent levels, and the housing needs of particular groups, such as older people, students, households with support needs. This work is now ready and will guide the Borough in ensuring that the forward programme of new supply is in the right locations, at the right price and of the right size and tenure.

- 1.7 Work has also taken place to review the housing pathway for older people and consider the case for developing additional extra care accommodation to enable residents to live independently for longer. This work is being expanded to review the housing options and pathways for key groups of vulnerable residents. The Allocations Policy is a key element in developing and implementing these pathways; setting out explicitly the way in which both existing and new homes are allocated, building on best practice to ensure that both housing and care needs are appropriately met. As the Older People's Pathway work is implemented there may be a need for a further review of this aspect of the allocations process.
- 1.8 Finally, the establishment of the new structure of the Council is designed to drive forward a new ethos for the Council, managing demand by rebalancing the relationship between the Council and its citizens so that they become more active, independent and self-reliant; and are fully engaged in finding solutions to their problems. The Allocations Policy can support this direction of travel by the messages it gives, and the behaviour it encourages. In particular, the Allocations Policy needs to support the messaging about housing options being developed and promoted by Community Solutions – and the approach of frontline staff to working with residents in housing need.

2 Current Allocations Policy

- 2.1 The current Allocations Policy, covering all Housing Revenue Account (HRA) secure lettings, Registered Social Lettings (RSL) nominations and Reside Lettings of properties at 50% market rents, was adopted in November 2015. This section briefly sets out the current Allocations Policy and how it works. A copy of the current Allocations Policy is attached as Appendix 3.
- 2.2 Lettings of social rented properties within the HRA are carried out either through Choice Based Lettings (CBL) or via a Direct Offer by Community Solutions staff. To be eligible to register, an applicant must have a right to remain in the UK, be over the age of 18 and have at least 3 years' residence in the Borough. There are exceptions to the 3 years' residence requirements. These are: current Council tenants; homeless households to whom a duty has been accepted, those being discharged from the Armed Forces and a limited number of other exceptional cases. Some people are excluded from being able to register: e.g., home owners, and people who have been evicted from a previous tenancy for antisocial behaviour, or fraud.
- 2.3 The Allocations Policy allows anyone to register in conjunction with the applicant who can "reasonably be expected to reside with" the applicant. This is relatively generous compared to neighbouring boroughs, who define those who can be included on the application more narrowly to include only those in the immediate family and those who need to live with the applicant to either give or receive care. The reason for this is that most boroughs have very few larger properties and extended families can wait an inordinate amount of time for assistance – or indeed may never be assisted if they all wish to live together.
- 2.4 Barking & Dagenham operate a banding system. This means that there are groups of applicants in Bands from the highest Band to the lowest Band.

Bottom Band – Reasonable Preference	The lowest band of cases are those who have one characteristic from the “Reasonable Preference” categories listed in the <u>Housing Act 1996</u> . These characteristics are: overcrowding, insanitary conditions, homelessness, a medical or a welfare need to move, or a need to move because of financial hardship. There is one local additional preference category, which is that either the applicant or partner is working.
Second Band – Cumulative Preference	The second band up, includes everyone who has two or more of these characteristics together
Third Band – Additional Preference	The third band is those who have a reasonable preference characteristic, but who also have an urgent reason to move, such as the fact that they have a serious urgent medical condition, or if they are in fear of violence.
Top Band – Decant cases	These are people who must be moved from their home permanently, because their home is going to be demolished. They are the highest priority.

- 2.5 An applicant's priority can be reduced if they have rent arrears, or have been convicted of unacceptable behaviour, or are subject to a Notice of Seeking Possession (NOSP). Home visits are carried out to verify the details of applicants; and applicants have a duty to report any change in their circumstances. Applicants complete a paper form which they can download from the Council's website; and once they have been accepted and registered, they receive a pin number, and can bid through the Choice Based Lettings system.

2.6 **Choice Based Lettings**

About half of all lettings are let through the “Choice Based Lettings system”, with the number of properties available through this route a function of those ‘left over’ after decisions to make direct let offers have been made (see below). Applicants who have registered can look at the weekly list of properties advertised as being available to let; and they can bid for up to three properties. The CBL system sorts them out in the priority order established by the Allocations Policy. Those in the top band would be the highest priority, and then if there are more than one applicant in this band, they are sorted out into the date order on which they were placed in the band. If no one from the top band has bid, then those in the second band will be the highest priority; again, if there are more than one person in this band bidding, then they will be sorted out into date order, the date on which they entered that band. and so on, down the bands.

2.7 **Direct Lets**

The other properties are directly let, with an officer deciding in line with the Allocations Policy who to let a property to and offering it directly to that applicant. When a property becomes available, the Community Solutions staff decide whether to advertise it, or to use it for one of the Direct Let groups. Allocations staff need a good knowledge of

the housing stock, and the characteristics of the properties that become available. When a property becomes available, they make a judgement based on those property characteristics, whether to advertise it, or to make a direct let. The decision whether to advertise a property or use it for another queue, is based on:

- The property characteristics and its desirability
- The pressure to meet specific needs as expressed by service managers of particular need groups (e.g. those in temporary accommodation, Adult Social Care (ASC) partners who need to assist vulnerable groups)
- Commitments to partners and the groups of vulnerable residents they support.

2.8 Allocations are made to the following groups or categories of residents:

- Decants – these are people whose homes are due to be demolished as a result of estate regeneration programmes
- Homeless households in temporary accommodation
- Referrals, where cases are referred from a partner agency or another council department supporting a vulnerable person in the community
- General Needs Register – also known as the Waiting List

Applicants who are being decanted for estate renewal schemes, a homeless household to whom we have accepted a duty, and applicants on the General Needs Register can all bid through Choice Based Lettings. Referral groups are made direct offers, and the Council retains the right to make a direct offer in other categories where an applicant is not bidding or has not been successful in bidding.

2.9 Referrals are arrangements made with other council services or external partners who provide short term supported accommodation, and whose schemes will become ineffective if the residents are not able to move on to more permanent accommodation in due course.

2.10 An important point to note about the way in which the Allocations Policy is currently implemented is that there is no forecasting or planning for what number or proportion of new lets are targeted to these main groups or categories of potential beneficiaries, say on an annual basis. The aim of the new Policy is to ensure that there is a process of strategic planning in the way in which allocations are made; against a clear set of principles and criteria.

2.11 Allocations for sheltered, extra care and adapted properties operate separately. There is a dedicated Community Solutions Officer whose job is to assess the Sheltered Housing applicants. As Sheltered housing is not specifically mentioned in our current Allocations Policy applicants are assessed in line with the same housing needs as set out above, except that there is currently an age qualification of 55+ for these properties. However as Sheltered Housing applicants are much more likely to be sensitive to geographical issues, there is more sensitivity exercised in accommodating the applicants' needs and preferences.

2.12 Adapted properties are also dealt with differently. There is a dedicated officer whose role is to understand the nature of the disabilities of each applicant on the Register who needs adapted housing (there are around 360 at the present time). When an adapted property becomes available, they will liaise with an Occupational Therapist

to ensure that an up to date assessment is carried out and that the specific property is suitable for the needs of the applicant. When allocating a particular property, they will take into account:

- Adaptation need
- Priority level – (each of the bands as set out above)
- Waiting time

If there is a medical emergency then a member of Community Solutions staff may be either able to increase the banding, or alternatively complete a delegated authority for a decision outside Policy.

2.13 In terms of numbers, the volume of HRA and 50% market rent Reside lettings carried out in the last five years is set out below:

	2013/14	2014/15	2015/16	2016/17	2017/18
1 Sheltered	109	91	89	102	86
2 Adapted	132	174	180	123	127
3 Decants	148	93	117	138	87
4 Homeless from TA	281	450	369	239	192
5 Referrals	148	167	77	112	80
6 Other – CBL	174	386	341	125	174
<i>Total general needs (3, 4, 5 and 6)</i>	<i>751</i>	<i>1096</i>	<i>904</i>	<i>604</i>	<i>533</i>
Total	992	1361	1173	839	746

NB The temporary increase in the number of lettings in 2014/15 and 2015/16 was due to the HRA New Build programme after the introduction of Self Financing. (Self-Financing removed the financial disincentive to building new homes within the HRA).

2.14 Reside Lettings Policy

The Council, as 100% shareholder in Reside, has ensured that the Allocations Policy has been incorporated into each of Reside scheme's legal transfer documents. The Reside Board then determines the operational arrangements. These policies (which currently determine how Reside properties are allocated) are contained within the overall Council Allocations Policy, but it is very brief and broad brush. Properties managed by Reside at 50% market rents are let in line with the current Allocations Policy for HRA properties (discussed above). The separate section on Affordable Housing lettings sets out the priority order in which affordable rented properties – rents set at between 65% and 80% of market rents – are let. The categories for rented properties are, in priority order:

- Council tenants and RSL tenants within the Borough (in employment)
- Those on the Housing Register (in employment)
- Working Households resident in the Borough

- ▶ Households not resident but working in the borough
 - ▶ Households working but not in the Borough
- 2.15 Within those categories, households are prioritised in date order, based on the date on which they applied. There is a list of people who have expressed an interest in these properties, and the officers in the team will contact them, each category in turn with those in Category 1 having priority over those in Category 2, and then Category 3. If there is more than one applicant in the category, then these applicants are dealt with in date order.
- 2.16 Reside Lettings are carried out by My Place staff, on behalf of the company. Reside set out on their website the way in which people can apply for affordable housing. There is an income cap for Reside affordable lettings: applicants should not be earning more than £66,000 if they are applying for a one or two bed property, or more than £80,000 if they are seeking a three or four bed property. They then apply a rule which says that they should not be spending more than 35% of their gross household income on their rent; and if they do not have enough income to achieve this ratio, then they are excluded from the Affordable Housing Register. Income includes earned income, Child Benefit and Child Tax Credit, but not other benefits.
- 2.17 Applicants are required to pay a deposit of one months' rent in advance and a fee so that Reside can undertake a credit check. Applicants are required to produce passports, confirm immigration status; provide evidence of 3 months' earnings including bank statements, and 3 years' proof of residence. This is not a residential qualification but simply to establish overall bona fides. There is an online application form. Staff allocate properties in line with the policy and undertake viewings and all checks. These checks are in line with current practice in the Private Rented Sector.

3. Proposed changes to the Allocations Policy

- 3.1 The proposed changes to the Allocations Policy are driven by the following objectives:
- To meet our statutory obligations to help those in housing need;
 - To make the best use of the scarce resources available;
 - To ensure that the Council uses its housing stock to assist in meeting the support needs of the community, including those supported by Children's Services and Adult Social Care;
 - To ensure that the housing stock is used effectively to reduce costs.
 - To reinforce the positive characteristics of local people to engage in finding their own solutions to problems and, to become independent and resilient;
- 3.2 This review is being undertaken in part to ensure that these objectives are fully met. The key changes proposed are:
- (1) To change some aspects of who may register with the applicant as a member of their household.
 - (2) To change the arrangements for dealing with cases which are referred to the Housing Options team for assistance from internal and external partners. The proposal is to establish collaborative working between the relevant parties so that vulnerable households can be dealt with in a transparent and well-planned way.
 - (3) To create a smooth pathway that assists older people access the right housing for their housing and support needs

- (4) To give Under Occupiers a higher degree of priority in order to release much needed family housing;
- (5) To ensure that exceptional cases are dealt with in a transparent and equitable way;
- (6) To improve the access to Reside homes, both rented and shared ownership for local working residents on moderate incomes.

- 3.3 These proposals have been developed following an analysis of current lettings, looking at who has benefited and who has not benefited from our current Allocations Policies. Front line staff in Community Solutions have been invited to indicate how the Allocations Policy is currently working, and where it is either helping and hindering their efforts to assist their clients. Meetings have been held with staff in Care and Support to understand the difficulties that they experience in meeting the housing needs of their clients.
- 3.4 A review of the Allocations Policies of other London Boroughs has been undertaken, particularly in areas where our Policy is currently silent, or has limited guidance, such as in the allocation of Sheltered Housing.

4. Options Appraisal

- 4.1 This report sets out a range of possible changes to the current Housing Allocations Policy. The options here are (a) not to change the Policy or (b) to adopt one or more of the proposed changes. These are discussed below.

4.2 Do nothing

There is no absolute requirement to change the Allocations Policy at this time; and changing the Allocations Policy at any time does create work for the operational staff which has to be fitted into the general work programme. It is also good to have stability in the Policy, as applicants and staff do become familiar with the Policy and its operation. However, the disadvantage of not changing the Policy is that it may not deliver the Council's intended outcomes in terms of ensuring that the right people receive the benefit of council housing or Reside Housing in the way that the Council would wish.

In addition, the IT system is being updated and a new online form is being introduced, and it makes sense if the Allocations Policy is being changed, to ensure that the new IT system captures the information required for the operation of the new Policy. This option has therefore been rejected.

4.3 Consult applicants on proposed changes

There are variety of ways in which the Allocations Policy could be changed. The options for change are set out in Appendix 1. These changes are designed to ensure that the Policy more accurately reflects the way in which the Council wants to ensure that Council and Reside homes are allocated. The changes are also to make the decisions that staff make more explicit and transparent.

Allocations Policies are very important as they make decisions that change people's lives and housing opportunities. It is therefore important to refresh them from time to time to ensure that they reflect the latest legislation, regulation, case law and the local

market. For these reasons it is recommended that Cabinet adopt the proposal to consult on the range of changes set out here in Appendix 1.

5. Consultation

- 5.1 Councils are required by law to consult on the changes to housing management under the Housing Act 1996 s105. In addition, Councils must consult housing association partners affected by the Allocations Policy (as nominations to their homes are made by the Council). It is therefore proposed that there should be a 12-week consultation period on the proposed changes if Cabinet approves this; and that a final draft Allocations Policy should be brought back to Cabinet with the results of the consultation process in May 2019.
- 5.2 Consultation will consist of setting out the proposals and seeking comments on each one, in the form of an online form. In addition, applicants on the Housing Register will be contacted and invited to comment. Partners, including Registered Social Landlords and Voluntary Sector organisations will be invited to comment. The Reside Board will also be consulted.

6. Conclusion

- 6.1 These proposals are designed to update our Allocations Policy and bring it in to line with the Council's goals, priorities and approach. Once approved, it will be for Community Solutions to lead the implementation of the policy, in collaboration with other council services (e.g. Care and Support and My Place) and key partners.
- 6.2 Specifically, it is proposed that Community Solutions are commissioned to develop and agree an annual Allocations and Lettings Plan, forecasting its approach to lettings over the next year based on the latest information about supply, demand and the wider strategic approach to meeting the housing and other needs of vulnerable residents. This plan will forecast the number of lettings available each year and set out the target proportions for the different need groups (i.e. decants, homeless households in temporary accommodation, referral groups moving on from supported housing and households on the General Needs Register).
- 6.3 The intention would not be for officers in Community Solutions to be required to hit these forecast levels precisely, but rather to bring greater transparency to the allocations process, to ensure that individual decisions are taken in their wider context, and to allow for greater strategic planning about housing options and pathways for vulnerable residents.
- 6.4 In respect of Reside the Cabinet are requested to agree that all of the relevant legal documents in relation to the Council and Reside are varied to reflect the agreed changes and that the new policy is built into further transfer documents on new schemes. Once these variations are approved, the Reside Board will be responsible for implementing the Allocations Policy in respect of the properties in its portfolio.

7. Financial Implications

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

- 7.1 There are no direct financial implications arising from this report as this report is seeking approval to the housing allocations policy from those affected and relevant partners.

8. Legal Implications

Implications completed by: Martin Hall, Housing Solicitor/Team Leader

- 8.1 The allocation of housing by local housing authorities is regulated by Part 6 of the Housing Act 1996 (HA 1996). A local housing authority (LHA) must comply with the provisions of Part 6 when allocating housing accommodation (section 159(1), HA 1996). However, subject to this compliance, authorities may otherwise allocate housing in any manner they consider appropriate (section 159(7), HA 1996).
- 8.2 Section 166A (1) of the HA 1996 provides that every LHA must have an allocation scheme for determining priorities between qualifying persons. In formulating or amending its allocation scheme, a LHA must have regard to its current homelessness strategy under section 1 of the Homelessness Act 2002. An allocation scheme may be framed to give additional preference to particular descriptions of people (section 166A (5), HA 1996). However, a LHA must not allocate housing accommodation except in accordance with its allocation scheme (section 166A (1), HA 1996).
- 8.3 As a result of changes made by the LA 2011, with effect from 18 June 2012, LHAs have been able to decide who “qualifies” for an allocation. Accommodation can therefore only be allocated to someone who qualifies under those local criteria (section 160ZA (6), HA 1996). Who qualifies is largely a matter for the LHA (section 160ZA (7), HA 1996). The Secretary of State does however have the power to prescribe classes of persons who are, or are not, to be treated as qualifying persons (section 160ZA (8), HA 1996).
- 8.4 Where changes are to be made to an allocation scheme it is a requirement to consult with those affected by the changes (s105 HA 1985), including Registered Providers.

9. Other Implications

9.1 Risk Management

The key risks associated with this project are set out below:

Risk	Mitigation
There is insufficient time to implement the changes for all applicants	Plan for the re-assessment of applicants over a reasonable period; consider bringing in additional resources if required
Risk of legal challenge to the proposed changes	Obtain robust legal advice on the new draft policy before implementation

Expectations on the part of applicants are raised as part of the review; this generates additional enquiries	Ensure that communications with applicants are clear about the level of stock available, and the chances of successful applications
Changes have unforeseen consequences for some applicants, leading to complaints	Test the proposed changes on a variety of case scenarios; carry out a review of the new policy 6 months after implementation.

- 9.2 **Staffing Issues** – The work on consultation required by this report can be carried out within existing resources.
- 9.3 **Corporate Policy and Customer Impact** – A full Equalities Impact Assessment has been undertaken to the proposed changes to the Allocations Policy and is included at Appendix 4. This shows:
- 9.3.1 The proposed changes to the Allocations Policy are generally designed to improve the operation of the process of deciding and allocating homes. Currently a number of decisions are made by officers interpreting the current policy, but often using judgement which is not explicit and publicised. The changes will make the allocation of new homes more transparent and enable applicants to have a better understanding of the process and why they have been successful or not in their efforts to obtain council or affordable housing.
 - 9.3.2 The positive impact on groups with protected characteristics have been set out – particularly those that enable households with more modest incomes to access the affordable housing managed by Reside. Vulnerable households such as those with disabilities, mental health issues, or learning disabilities will benefit from a better service generated by improve co-operation between services and discussions at a Panel to ensure that the full range of options for housing are considered for older people.
 - 9.3.3 The only potential negative impact is that relating to extended families, where the proposed change to the policy is to define the household that can apply together as three immediate generations – parents, children and grandparents. Households will not be able to register their extended families, such as uncles, aunts, adult brothers and sisters or in-laws on the application. This step is being taken because of the lack of larger properties, and the fact that it is not helpful to these households to register them together for property which is not available. The proposal should ensure that such households have better information about what is available and make better choices about how to seek housing.
- 9.4 **Safeguarding Adults and Children** – The needs of any children in a household are taken into account when assessing applications. The impact on the welfare of children is assessed when developing allocations policies, and any changes to such policies. The proposals to change the arrangements for assessing Children Leaving Care will be improved by the institution of a joint Panel between Community Solutions and Children's Services. The proposals to change the arrangements for assessing Vulnerable Adults will be improved by the institution of a joint Panel between Community Solutions and Adult Social Care.

9.5 **Health Issues** – Good housing has an important impact on the health of individuals and families. Health issues are taken into account when assessing applications, and priority will be awarded where the current housing that a household lives in, has an adverse impact on their health. Other health issues are also considered such as the need for mobility housing, or adapted properties. There are dedicated staff who ensure that the needs of applicants are understood and ensure that appropriate housing is allocated to those who need it.

9.6 **Crime and Disorder Issues**

The Allocations Policy seeks to support the victims of crime and disorder through specific arrangements for victims of domestic violence and hate crime. In addition, the Council works with the Police and Probation service to ensure that ex-offenders are assisted in their rehabilitation by the provision of a small number of homes so that they can live within the community and retain family links.

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

List of appendices:

- Appendix 1: Consultation materials on the changes to the Allocations Policy
- Appendix 2: Draft Shared Ownership Policy
- Appendix 3: Current Allocations Policy
- Appendix 4: Equalities Impact Assessment

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Proposed changes**1. Access to the Housing Register: what is the current arrangement?**

Household size:

The Allocations Policy currently states that anyone who normally resides with or can be expected to reside with the applicant can be included on the application. This can lead to some extended households including people in the application which makes the application into one for a much larger home; and the Council has very few larger homes.

What are the proposed changes?

Household size:

There are circumstances which are not covered by the current wording describing a household in the Allocations Policy, where it would be helpful to have a clearer definition of who can be included in an application. These two areas are:

- children where a family has split up; and
- adult siblings or relatives in law of the same generation, such as sisters in law, or brothers in law.

We propose to define who can be included in the application as

- the immediate family (to include children and parents);
- dependent children to be included only for the parent where there is a Residence Order in place or where Child Benefit is in payment;
- adult siblings or in laws only to be included where there is a need to provide care or receive care from them.

Why are we proposing to change it?

Household size:

The Council has very little larger stock: only 222 four bed homes (1.3% of the housing stock) 9 five bed homes (0.06%) and only one six bed house; and obviously these become available very rarely. It is therefore not helpful to larger extended families to allow them to register for homes which are unlikely to become available.

We think therefore it is sensible to enable only households to register immediate family members for rehousing together, unless additional extended family members either receive, or provide care for the household.

The second change we are proposing is to make it clear that a child can only be included in an application if they live with the household more than half of the time, and with the parent who has a Residence Order, or receives Child Benefit for that child. Households where the parents have split up often share the care of children of the family, but it is not possible for the Council to provide accommodation to both parents as though the child were living with both households, due to constraints in supply. We propose therefore to include wording in the new Allocations Policy to make this clear. This change is in line with current practice in the Housing Options Team, but it is not explicit in our current Policy and could therefore be subject to challenge.

Who will it affect and how?

Household size:

There are 201 households registered for homes in households which include a person who is not an immediate family member. 63 of these are registered for four or five bed properties.

In future they will be obliged to make separate applications for housing, unless the person included in the application either provides care to the family or cannot live independently and receives care from the household.

42% of these households were of either White or White Other ethnicity; 54% were from an ethnic minority (of which the largest proportion – 25% were African). 4% declined to give their ethnicity. 54% of these households were female headed whilst 46% were male headed households.

It is proposed that this change is implemented for all new applicants, and for current applicants when their application is subject to review.

2. Referral groups: - What are the current arrangement?

There are a range of vulnerable groups supported within Adult Social Care and Children's Services, and in some cases, external agencies such as the Hestia, who run Barking & Dagenham's Women's Refuge. The main vulnerable groups are: people with an enduring mental health condition, people with learning disabilities, Children Leaving Care, survivors of Domestic Violence and certain ex-offenders

Currently, one of the workers from these services or agencies approach the Community Solutions staff, on an ad hoc basis when their client needs to move from their current housing, which might be an institution or supported housing.

The Community Solutions staff will seek to assist such cases when accommodation is available, but with each case being dealt with on its merits. Where this process does not provide a suitable option at the point the person is ready to move on, they may be obliged simply to make an application through the homelessness legislation (such as a Domestic Violence case), or remain in unsuitable accommodation, preventing the release of the supported housing to others who have need of such accommodation.

What is the proposed change?

We are proposing to develop an annual Allocations and Lettings Plan which will set an estimated number of homes to be allocated to each need group, based on forecasts of supply, demand, needs and costs. In addition, a cross-council Joint Assessment Panel (or Panels) will be established to agree which cases will be considered for rehousing and which housing option is the most appropriate. Decisions about allocations in these cases will be based on the following criteria:

- An individual or household's level of independence and ability to manage an independent tenancy
- The financial cost of different housing options to the Council

- The appropriateness of the current and proposed housing solution.

Why are we proposing to change it?

We believe that this will create a more planned pathway for moving vulnerable groups from institutions or supported housing into independent accommodation (while ensuring that decisions about the allocation of a very scarce resource are taken in a planned and contextualised way). It should help to prevent housing emergencies arising in the lives of vulnerable people and stop valuable resources of supported housing becoming “silted up” and therefore the Council being unable to assist other people with a higher level of care need. It will enable collaborative working between the different arms of the Council to share their expertise.

Who will it affect and how?

This change will affect vulnerable households who are being assisted by Adult Social Care and Children’s Services to move into independent accommodation with support. This change will also affect women who are fleeing their homes because of domestic violence. After the initial period of trauma, recovery and support from the staff at the Women’s Refuge, they will be able to plan for a move on from this emergency accommodation, either to a return home with additional protection, or to a new home where they can rebuild their lives.

3. Agreeing a more transparent process for the allocation of sheltered, extra care and adapted properties - What are the current arrangements?

Sheltered Housing:

There is a dedicated officer who assesses the Sheltered housing in the borough. Sheltered housing consists of independent flats – bedsits or one bed flats, in a group with some communal facilities such as a lounge, laundry, office and garden. There is an emergency call system, and in addition a member of the support staff will make a regular call to ensure that the residents are healthy and assist them with some tasks. They are let in line with the main Allocations Policy, which emphasises the importance of housing need in deciding who gets housed, and in what order. There is no mention of sheltered housing in the current Allocations Policy.

Extra Care Housing:

Extra Care housing is a set of flats or apartments which are rented or owned by individuals. There is communal space, including a lounge, dining room and meals service; a hairdressing area and sometimes a fitness room; and medical services such as a consulting room and space for other health services to be delivered on site. Extra Care schemes offer a greater degree of support than Sheltered Housing, in order to enable individuals to remain independent as long as possible. A Nomination Panel reviews applications that have been referred through health or social care agencies, and decisions are made on making offers to applicants based on their housing and care needs. There are Extra Care schemes in the borough, owned by Registered Housing Providers, and the Council also has a draft proposal to develop other Extra Care Housing.

Adapted housing:

There are currently around 360 households on the Housing Register who need adapted housing. A dedicated officer in Community Solutions assesses the cases so that the

Council is clear what the disability is and how it can best be met. However, only between one and two adapted properties become available every month and therefore households with a member who has a disability face long waits for appropriate housing.

The Allocations Policy currently has a short section on the process for allocating adapted housing in which it is stated that adapted properties will be let by direct offer, but it does not mention the criteria by which such lettings are made. In addition, the current Policy states that an Accessible Housing Register will be introduced in the future in order to enable disabled applicants to bid for properties. This proposal has not been taken forward. An Accessible Housing Register is a way of labelling and recording the adaptations that exist in each property suitable for people with mobility needs. It is useful in ensuring that such property is let to the people who need it.

Currently, although it is not clearly stated in the current Allocations Policy, adapted properties are let in accordance with the criteria for general needs properties (Additional Preference Band and Waiting time). However, this may be modified by the nature of the adaptation in the property and the adaptation required by a household. For example, fully wheelchair housing will be let to those with a need for such housing, rather than someone with a more moderate mobility need, even if they have a greater number of Reasonable Preference requirements or have been waiting for a longer period of time. If there is a medical emergency that requires more urgent rehousing out of the ordinary waiting time, then an offer can be made under Delegated Authority

What are the proposed changes?

Sheltered and Extra Care housing:

We are proposing to:

- Develop an Allocations and Lettings Plan which will provide an estimate of the number of sheltered and extra care properties that will become available during the course of a year;
- Establish a Joint Housing Assessment Panel between Community Solutions and Adult Social Care
- Ensure all cases of older people in housing need are discussed, with the aim of agreeing the best solution for each case.

Sheltered housing offers a community of older people living together, providing mutual support and companionship; and emergency on call services if there are any health emergencies. Extra Care, as its name implies provides on-site care at a higher level, including a meal offer. Some households need rehousing but would be happy and able to remain independent in general needs housing with some support.

Decisions about allocations in these cases will be based on the following criteria:

- An individual or household's level of independence and ability to manage an independent tenancy
- The financial cost of different housing options to the Council
- The appropriateness of the applicant's current housing and proposed new housing solution.

In considering this, the following factors will be relevant:

- Frailty
- Physical or mental health need
- Multiple health problems

- Sensory impairment
- Loneliness and isolation
- Safety and security issues
- Age

Adapted housing:

The new Allocations Policy will set out explicitly the criteria which are currently used to decide how to allocation lettings adapted properties. These are set out in the paragraph above on the current arrangements.

Why are we proposing to change it?

Sheltered and Extra Care housing:

We feel that we are not making the best use of our Sheltered and Extra Care housing stock, and their special features. By allocating sheltered housing based purely on housing need, people have moved into Sheltered Housing who have no support needs, and therefore the facilities available are not being used to their best effect. With Extra Care, the process of letting these homes has been done by Adult Social Care without input from the Community Solutions team, who just administer the decisions made by ASC. This change will produce a more transparent and collaborative process leading to better decisions on the choices available for older people in Barking and Dagenham.

Adapted homes:

For adapted properties, the arrangements for letting adapted homes will become more transparent, and households will be able to better understand how their application is dealt with.

Who will it affect and how?

Sheltered and adapted homes:

This will affect older people who want to move to a more supportive form of housing. Currently priority is given to those who have a housing need, or who are returning a larger home to the Council.

Households and individuals who need to move for health and social care reasons, such as mobility problems, or who are suffering from social isolation will benefit from the change. The Council will also benefit from a more effective use of the support provided by Sheltered and Extra Care accommodation.

Adapted homes:

These changes will affect households who have a member with a mobility need. They will be able to see more clearly how their application is dealt with.

4 Under occupiers - What are the current arrangement?

Currently households who are under occupying their homes do not appear in the Allocations Policy list of priority bands. The Allocations Policy does state that households who are under occupying their home may be made a direct offer of housing, as it is in the Council's interest to free up larger homes for other households on the Housing Register.

In addition, a household who is under occupying their home, and who is being considered for an offer of a smaller home, may, at the discretion of a Council officer, have any rent arrears disregarded, unlike other applicants who are tenants.

What is the proposed change?

We propose to increase the priority given to households who are under occupying their homes, by including them in the highest band of priorities (so that they can bid for a home if they choose to do so) and to ensure that they will be successful, alongside tenants who are moving because their homes is being demolished.

We will also use the opportunity of the Allocations Policy to draw attention to other ways in which under occupiers can move (such as the GLA's Seaside and Country Homes scheme).

We also propose to set a target of the number of under occupiers we will aim to move each year, as part of our Allocations and Lettings Plan (see above).

Why are we proposing to change it?

Households who are under occupying their homes and have one or two spare bedrooms may well be attached to their home, and reluctant to move. This is understandable. However, at the same time, we have 5,477 households on the Housing Register who need housing, and leaving under occupiers in the larger homes, is not the best and most efficient way of using social housing. If we can give additional priority to households who are under occupying and find ways of helping them move to more suitable smaller accommodation, we may be able to help both parties at the same time – those in housing need, and those who are living in homes which are too big for them.

Who will it affect and how?

There are currently 159 households on our Housing Register who have expressed a need for smaller accommodation, including 1 household in a 5-bed property, who only needs a two-bed property. These are the people who have registered for a move – which means that they are interested in moving, although they are likely to be particular about what they are willing to move to. If the household is under pensionable age, and in receipt of benefit, their benefit will be reduced to reflect the size of accommodation that they need ("the Bedroom Tax"). However, the majority of under occupiers are older people.

Current beds	Need		
	1 bed	2 beds	Total
2	78		78
3	51	27	78
4	2		2
5		1	1
Total	131	28	159

80% of those who are registered as under occupiers are White, or White other (including Irish) whilst 13% are from an ethnic minority. 9% declined to say what their ethnicity was. 62% were female headed households, and 38% were male headed households.

Apart from those who have registered for a move, there are a greater number of under occupiers in social housing who have not registered for a move. Recent housing research suggests that there is considerable under occupation in the social housing sector and scope for additional pro-active work in this area.

5 Clarifying the process for senior management discretion in exceptional and emergency cases - What are the current arrangements?

There are occasionally cases which require a decision to be made outside the current Allocation Policy arrangements. The main examples of these are Management Transfers (where a household must be moved because of violence or threats of violence that has occurred— such as harassment) and Succession cases (where someone who is not entitled to succeed to a tenancy has a powerful compassionate reason to remain in the home or at least be rehoused). There are other exceptional cases which cannot be forecast. Decisions of these kind need to be made by an officer using appropriate policy criteria and appropriate delegated authority. Occasionally it is helpful to discuss cases between the manager of the property (My Place) and the manager of the people issues (Community Solutions).

Management Transfers:

There is a current Management Transfer Policy in operation which was adopted by Cabinet 9th March 2016. This enables households where there is a threat to life and limb to be rehoused urgently. There are conditions which include:

- Officers to investigate the threats
- The move must also be in the Council's interest
- The applicant must move into temporary accommodation
- The applicant can bid for a property, but if they are not successful in 6 months, then one direct offer can be made

Succession cases:

When a tenant dies, and there is an occupant remaining in the property, a decision must be made about whether they are entitled to remain in the property. Currently, a spouse who was living with the tenant is entitled to succeed to the tenancy, if there has been no previous succession. A partner who has been living with the tenant at least 12 months at the time of death can also succeed to the tenancy. Whether or not another member of the family can succeed to the tenancy depends upon

- The date the tenancy started
- Whether there has been a previous succession

Whether the property is the right size for the person remaining in the property

For all tenancies created after 1st April 2012, there is no right to succeed to the tenancy for family members other than the spouse or partner. There is a Succession Policy, adopted 9th March 2016, which enables the Council to allow a person who is not entitled to succeed to the tenancy (such as a family member who has been living with the tenant for at least 12 months at the time of death) to succeed to the tenancy, where they would otherwise be homeless and become the responsibility of the Council under the homelessness legislation. This is not permitted where the property has been adapted, and there is no longer anyone living in the property who needs that adaptation

What is the proposed change?

Management Transfers:

The proposed change is that Management Transfer cases should be approved by the Director of Community Solutions in consultation with the Director of My Place, under delegated authority only in exceptional circumstances, and where necessary referred to a newly formed Assessment Panel, made up of representatives of Community Solutions and My Place. Decisions should be made in line within existing policy.

One offer of similar accommodation should be made, in line with the household's assessed needs, and if the offer is not accepted, then Management Transfer status will be removed.

Succession cases:

The Policy will remain the same, but discretionary succession cases will be approved by the Directors of My Place and Community Solutions with delegated authority and occasionally referred to a new Assessment Panel dealing with Management Transfers and other exceptional cases if there are exceptional circumstances which need to be discussed.

Why are we proposing to change it?

It is helpful occasionally to discuss solutions to difficult cases between the parties affected (the organisation managing the property, My Place and the organisation managing the people's situation, Community Solutions) to ensure that all aspects of the case are considered.

It is also helpful to ensure that all discretionary cases are recorded, and decisions made in an open and transparent way. The delegated authority will enable urgent cases to be dealt with appropriately and the Joint Panel (between My Place and Community Solutions) will provide an opportunity to discuss both the property and people implications of each discretionary case.

Who will it affect and how?

Management Transfers:

This will affect households who have been the victim of hate crime such as racial harassment. Where the Council has assessed the case as one which needs urgent rehousing, the case will be discussed by a Joint Panel of My Place and Community Solutions to ensure that the best resolution of the case is agreed. There were 13 cases in 2016/17 of this kind of situation.

Succession cases:

People who live in a Council property, where the tenant has died will be affected by this; but the Policy will not change; it is just being administered and decided in an open and transparent way.

6 Improving access for local people to Reside homes: - What are the current arrangements?

Rented Homes:

The Allocations Policy for Reside homes is included as part of the Council's overall Allocations Policy, and it is proposed that this arrangement will continue. Reside hold properties let at 50% of market rents, 65% of Market rents and 80% of market rents. The properties let at 50% of market rents are let in accordance with the main Allocations Policy and there is no minimum income threshold. However, the properties let at 65% or 80% of market rents have a separate policy which states that:

- There is a maximum household income of £66,000 pa for a one or two bed property and £80,000 for a three or four bed property
- There is a minimum income requirement which states that an applicant should not be spending more than 35% of their gross income on housing costs
- Income is defined as earned income, Child Benefit and Child Tax Credit but no other benefits
- Reside will carry out credit checks on the applicant(s)
- Applicants will be required to produce passports, evidence of immigration status, 3 months' pay checks, 3 months bank statements, 3 years' proof of residence
- Applicants are required to pay one months' rent as deposit and one months' rent in advance

Where applicants have passed all these tests, then priority is given to applicants living in the borough, then after that applicants working in the borough, and after that applicants living anywhere in London.

Shared Ownership homes:

The Council has built a number of Shared Ownership units, which are properties available applicants on a part buy, part rent basis. They are designed to offer low cost home ownership and enable households to get on the housing ladder, if they are unable to afford outright ownership. Some of these homes are owned by the Council (in the HRA), and some are in the ownership of our Local Housing Company, Reside. Currently they are sold on a first come, first served basis. Given the expansion of the programme of Shared Ownership stock, it is important to have a more explicit policy to ensure that local households benefit from this programme of development.

What is the proposed change?

Rented homes:

We are proposing to change the minimum income test in the following ways for Reside properties at the Intermediate rent levels (currently let at between 65% and 80%):

- To include in-work benefit entitlement (e.g. Local Housing Allowance and Working Tax Credit, to be subsumed in time into Universal Credit) as part of the household income
- To include Personal Independence Payments (PIP) as part of the household income (for working households)
- To set the minimum 'affordability threshold' at 40% of household income
- To include earned income as household income where the applicant or partners is working at least 16 hours at least the minimum wage

- To allow applicants who have been paying more in rent than the rent on the Reside home they wish to access for more than 12 months without falling into arrears
- Require Reside to maintain an active register of local working households that would like to access a Reside home (both rented and shared ownership)

Shared Ownership homes:

We are proposing to adopt an explicit policy which will give priority to local residents first, so that if properties are available to sell on a shared ownership basis, the first priority will be for local residents to buy them; and after that people working in the local area, or who have another connection, such as a relative living in the Borough.

It is important that shared ownership properties are sold and not left vacant, so the Policy will ensure that if there is no applicant with a local connection ready to buy the property, then properties will be advertised more widely for sale, so that they are all occupied and used. However, they will not be available for people who are already home owners; and they will only available to people who need somewhere to live.

A copy of the draft Shared Ownership Policy is attached as Appendix 2.

Why are we proposing to change it?

Rented homes:

Reside Homes are let at less than full market rents and are designed to assist working households in Barking and Dagenham facing high rents in the Private Rented Sector.

In order to be able to let more of the Reside Homes to Barking and Dagenham residents, we need to alter some aspects of the income threshold test to reflect the reality of what households are having to pay in the local market, while also being mindful of the vital importance of high rent collection levels for Reside to deliver its income return to the Council.

Shared Ownership:

There is no current written policy setting out how the Council wishes to allocate shared ownership homes, either those owned within the HRA or those owned and managed by Reside. The proposed Policy will fill this gap and ensure that properties built by the Borough, and with Borough resources are available first to local people.

Who will it affect and how?

Rented homes:

This change will enable more working households in the borough, including those on the Housing Register or living in temporary accommodation to access homes let by Reside at 65% or 80% of market rents. We know that there are 1,557 (about 28%) working households on the Housing Register; but we don't know how much they earn, as we do not record or verify their income at this stage.

It will also enable households who are currently successfully paying more than 40% of their income on their rent, to apply for Reside homes which may improve their financial position and give them more disposable income.

Shared Ownership homes:

The proposed Policy will encourage local people on moderate incomes to get their first step on the housing ladder. Shares of 25% initially will be available, in order to ensure that households with relatively modest incomes are able to buy.

The Policy will provide a more open and transparent way of enabling these homes to be sold, rather than selling them to the first comers.

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1. PURPOSE

- 1.1 Barking and Dagenham recognizes the importance of ensuring that there are housing opportunities available to local people on a range of incomes who have difficulty in meeting their needs in the open housing market. Ensuring that there is a supply of housing at a range of price points is integral to this vision. Barking and Dagenham therefore has a housing development programme which is designed to deliver a housing supply of good quality homes that will meet the needs of households on the range of incomes that local people can afford. This will include housing built in a range of tenures and at a range of prices. Low cost home ownership provides an opportunity for households on median incomes to access home ownership at a lower level of income, than is required to buy on the open market.
- 1.2 Although Shared Ownership and other equity products only form 1% of the housing stock in Barking and Dagenham at the last Census, there are plans which will see an increase in the numbers of low-cost home ownership products of various kinds in the building programmes led by Be First, the Council's Regeneration and Development company. It is important that local residents and workers of Barking & Dagenham benefit from the opportunities that these developments present; and this policy sets out how we expect these homes to be marketed and allocated.

2 What is Low Cost Home Ownership?

- 2.2 The main Low-Cost Ownership products covered by this Policy are:
- Shared Ownership: Applicants purchase a property on a leasehold basis from the local authority or a housing association, paying between 25 and 75% of the property value, and pay the Housing Association or Local authority a rent on the remaining unsold property value. The applicant is responsible for 100% of the maintenance and is liable to pay service charges if the property is a flat. Purchasers can buy additional shares in a way known as "staircasing", if their financial circumstances enable them to do so.
 - Shared Equity/Loan: Applicants purchase the property outright with a conventional mortgage but with the assistance of a further loan, typically 20% from a government body, which is also secured against the title of the property. Interest is not typically charged on the loan for an initial period. There are no regular capital payments required on the loan, but the amount repaid is based on the property value at the time of redemption, reflecting any increase or decrease in the value of the property.
- 2.3 Shared ownership leases are regulated by Homes England. It provides guidance on the appropriate lease clauses. Shared ownership leases are not regulated under the Leasehold Reform Act 1967, and therefore do not provide the right to acquire the freehold on expiry of the lease. Shared Ownership owners are legally tenants under the Housing Act 1988, and therefore subject to possession action if they fail to pay the rent element of their housing costs.

3. ACCESS TO SHARED OWNERSHIP

- 3.1 Access to Shared Ownership owned by Housing Associations in the Borough is currently through waiting lists held by individual Housing Associations. The Greater London Authority (GLA) has headline eligibility criteria and individual boroughs are able to define eligibility more tightly through their planning agreements. The GLA also sets a headline priority order for Intermediate Housing and individual boroughs are able to set their own local priorities. It is proposed that Barking and Dagenham adopt the same eligibility criteria as the GLA. Applicants for Shared Ownership in Barking and Dagenham must comply with these criteria.
- 3.2 The headline eligibility criteria are that applicants must:
- have a gross income of no more than £90,000 per annum when eligible to purchase Shared Ownership
 - Be unable to purchase a suitable home to meet the housing needs on the open market
 - Not already own a home or that current home will have been sold before purchasing a shared ownership product
 - Buy the largest possible share that they are assessed as being able to afford.
 - Provide a minimum 5% deposit.
- 3.3 The headline priority order set by the GLA is as follows:
- 1 Housing Associations and council tenants, and armed forces personnel
 - 2 Local priorities (which may vary from development to development)
 - 3 Other eligible buyers.
- The GLA priorities therefore do not conflict with local priorities. There is explicit recognition in the GLA criteria that local authorities will want to include their own priorities in any arrangement for allocating shared ownership purchases.
- 3.4 The affordability requirement for low cost home ownership is that the three cost elements (mortgage costs on the percentage share purchased, rent charged on the unsold equity and service charges) should not exceed 45% of the net income received by a household. To achieve this, providers will need to consider offering the lowest percentage share (normally 25%); the lowest possible percentage on the unsold equity and keeping service charges low by the design and management of any scheme. Households on incomes around £30,000 will only be able to afford smaller shares, with households on incomes over £40,000 may be able to purchase larger shares. Priority should be given to households on the lowest possible incomes able to afford shared ownership. All shared ownership providers in the borough will be expected to market their units in accordance with the priorities set out in this document.
- 3.5 These additional criteria must be met:
- Applications can be from single or joint applicants. The financial eligibility of joint applicants will only take into account the applicant's income who are taking out the mortgage. If there is a joint application where only one applicant is taking out the mortgage this will be considered only on that person's financial situation.
 - The applicant must be a British or EU/EEA citizen or have indefinite leave to remain in the UK.

- Applicants should be unable to purchase outright a home of a suitable size and location for their household needs on the open market
- The applicant(s) are able to satisfy the status requirements of a mortgage lender authorities under the Financial Services and Markets Act 2000
- The applicant(s) must obtain a mortgage to purchase the maximum available share.
- The applicant must have adequate financial resources to afford the initial costs of purchase through savings or access to funds
- The applicant(s) must be at least 18 years if age and have a bank or building society account
- The applicant must be a first-time buyer, with some exceptions. Exceptions will be considered on a case by case basis.
- All applicants will be required to vacate their existing property at the point of sale and tenants may be required to show evidence of this from their landlord.

3.6 Accommodation size: Homes will be offered that are suitable for the applicant's household's needs. Depending upon demand, properties will be offered with a maximum of one bedroom in excess of current household need as shown in the table below:

Household size	Property type
Single person	One- or two-bedroom property
Childless couple	One- or two-bedroom property
Single/couple with children	Two- or three-bedroom property
Single/couple with two or more children	Two- or three-bedroom property or larger

3.7 The Council has developed a priority matrix in order to ensure that local residents are prioritised over non-Barking & Dagenham residents; and non-residents working in the borough are prioritised over those working elsewhere in recognition of the contribution that workers make to the borough. These are set out in more detail in the table below.

1 st	Barking and Dagenham social housing tenants (including tenants in temporary accommodation who have been accepted by Barking and Dagenham and military personnel who have served within the last five years.)	If there are two applicants or more with the same priority, then the order will be the earliest date that the applicant registered for that priority.
2 nd	Barking and Dagenham resident affected by a regeneration scheme – either a tenant or a leaseholder.	If there are two applicants or more with the same priority, then the order will be the earliest date that the applicant registered for that priority.
3 rd	Barking & Dagenham resident	If there are two applicants or more with the same priority, then the order will be the earliest date that the applicant registered for that priority.
4 th	Any other person working in Barking & Dagenham	If there are two applicants or more with the same priority, then the order will be the earliest date that the applicant registered for that priority.

5 th	Resident in any other London Borough	If there are two applicants or more with the same priority, then the order will be the earliest date that the applicant registered for that priority.
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Affordability is defined as the household spending no more than 45% of their net income on housing costs.

If properties have been marketed for six months, and not all units have been set aside for applicants in this priority order, then the homes can be marketed on the open market for any willing purchaser.



London Borough of Barking and Dagenham Housing Allocation Policy

Choice Homes Scheme

Implementation 9 November 2015

Revised 26 November 2015

Introduction

Previously almost anyone could apply to live in social housing, whether they needed it or not. As social housing is in great demand, priority is rightly given to those most in need. Many applicants have no realistic prospect of ever receiving a social home. The previous arrangements encouraged false expectations and large waiting lists. Authorities are still obliged to ensure that social homes go to the most vulnerable in society and those who need it most.

This document sets out the London Borough of Barking and Dagenham's revised Allocation's Policy which will be applied to all housing applications currently registered and all new housing applications received on or after the 9 November 2015.

The scheme (Housing Register) and social housing allocations are administered by the Choice Homes Team which is part of the Housing Advice Service.

The Localism Act 2011

The Act introduced new amendments to the Housing Act 1996 (as amended). The Act sets out powers and flexibilities that local housing authorities may exercise when allocating social homes.

Consultation

Prior to adopting any major changes to the Allocation Policy a local authority must consult with Private Registered Providers (social landlords), residents and stakeholders. Barking and Dagenham has carried out extensive consultation with residents, stakeholders and Private Registered Providers in the development of this new Policy.

Aims

The changes in the Policy retain the principles of recognising those in housing need whilst fairly balancing the aspirations of local residents and supporting community cohesion. The Choice Homes Policy is consistent with the Council's Housing Strategy, the Tenant's Strategy and Corporate Strategies.

This Policy sets out the way housing is allocated via the Choice Homes Scheme.

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Choice Homes Scheme (Housing Register)

1.0 Who can apply?

- 1.1 The Council will provide housing advice and assistance to anyone aged 16 or over who approaches the Housing Advice Service and provide support to enable them to access housing solutions which best meet their needs.
- 1.2 An applicant will only be allowed to join the Housing Register if he/she meets both the eligibility criteria and the qualifying persons criteria unless they fall into one of the exceptions categories which are listed at 4.0 of the this document.

2.0 Eligibility

- 2.1 The eligibility criteria are set by the Secretary of State, which focuses on the immigration status of the applicant.
- 2.2 The following classes of people subject to immigration control are eligible:
 - Class A: Those granted Refugee status
 - Class B: Those granted exceptional leave to remain which is not subject to restrictions or recourse to public funds
 - Class C: Those with settled status (indefinite leave to remain, residence)
 - Class D: A person who has humanitarian protection granted under the immigration rules.
- 2.3 Eligibility is determined with regard to the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006. Regulation 4 of these regulations states:
- 2.4 (1) A person who is not subject to immigration control is to be treated as a person from abroad who is ineligible for an allocation of housing accommodation under Part 6 of the 1996 Act if—
 - (a) subject to paragraph (2), he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland;
 - (b) his only right to reside in the United Kingdom—
 - (i) is derived from his status as a jobseeker or the family member of a jobseeker; or
 - (ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations; or
 - (iii) is a derivative right to reside to which he is entitled under regulation 15A(1) of the EEA Regulations, but only in a case where

the right exists under that regulation because the applicant satisfies the criteria in regulation 15A(4A) of those Regulations; or
(iv) is derived from Article 20 of the Treaty on the Functioning of the European Union, in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen; or

(c) his only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland—

(i) is a right equivalent to one of those mentioned in sub-paragraphs (b)(i),(ii) or (iii) which is derived from the Treaty on the Functioning of the European Union; or

(ii) is derived from Article 20 of the Treaty on the Functioning of the European Union, in a case where the right to reside—

(a) in the Republic of Ireland arises because an Irish citizen, or

(b) in the Channel Islands or the Isle of Man arises because a British citizen also entitled to reside there would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen.

2.5 (2) The following are not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation pursuant to paragraph (1)(a)—

(a) a worker;

(b) a self-employed person;

(c) a person who is treated as a worker for the purpose of the definition of “qualified person” in regulation 6(1) of the EEA Regulations pursuant to . . .

(ii) regulation 5 of the Accession Regulations 2013 (right of residence of an accession State national subject to worker authorisation);

(d) a person who is the family member of a person specified in sub-paragraphs (a)–(c);

(e) a person with a right to reside permanently in the United Kingdom by virtue of regulation 15(c), (d) or (e) of the EEA Regulations; and

(g) a person who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.

3.0 Qualifying Persons Criteria

3.1 To qualify to join the scheme (Housing Register) applicants **must** :

- Be 18 years old and over
 - Have been resident in the Borough continuously for the last 3 years
 - Continue to reside in the Borough and
 - Fall into one of the reasonable preference categories
-

4.0 Exceptions to the Qualifying Persons Criteria

- 4.1 The following groups will qualify to join the scheme (Housing Register) but do not need to meet the three year residential qualification and / or fall into one of the reasonable preference categories
- 4.2 Existing London Borough of Barking and Dagenham (LBBD) tenants and Private Registered Provider (PRP) tenants living within the Borough who under-occupy their accommodation.
- 4.3 LBBD tenants whose accommodation is subject to the Council's ongoing regeneration programme (decants).
- 4.4 Applicants who we are satisfied are subjected to serious domestic violence or hate crime and as a consequence are unable to remain in their home and have sought respite with either family, friends or in a refuge.
- 4.5 Applicants referred under Special Scheme criteria.
- 4.6 Applicants who we are satisfied under reasonable preference categories would be assessed as Additional Preference.
- 4.7 Applicants where London Borough of Barking and Dagenham (LBBD) have accepted a main homelessness duty and that duty is ongoing in accordance with the Housing Act 1996, Part 7, as amended.
- 4.8 Police referrals received from and accepted in accordance with the Multi Agency Public Protection Panel and National Witness Mobility Scheme
- 4.9 Members of the armed forces or reserve forces who are required to leave the Armed Forces within the next six months or have left within the last five years at the point of application.
- 4.10 Bereaved spouses of the Armed Forces leaving services accommodation following the death of their spouse or partner
- 4.11 Civil partners of members of the Armed Forces leaving services accommodation following the death of their partner

- 4.12 Tenants or Assured Tenants of another local authority in England who fall within The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.
- — —

5.0 Exceptions explained

- 5.1 Existing London Borough of Barking and Dagenham (LBBB) tenants and Private Registered Provider (PRP) tenants living within the Borough who are under-occupying their accommodation as it is in the Council's interest and PRP interest to free up larger properties for re-allocation.
- 5.2 **LBBB** tenants do not need to meet the residential qualification to join the scheme nor do they need to fall into one of the reasonable preference categories if their accommodation is included in the Council's ongoing regeneration programme. This is to ensure the successful delivery of the regeneration programme.
- 5.3 **Applicants who are subjected to serious domestic violence or hate crime**
- 5.4 These applicants do not need to meet the residential qualification or fall into one of the reasonable preference categories if the Council is satisfied that domestic violence or hate crime is of a serious nature and this would include cases where there have been representations from the police, Multi Agency Risk Assessment Conference and other agencies that indicate that it is unsafe for the person to remain in their home.
- 5.5 **Applicants referred under Special Scheme criteria**
- 5.6 The Council works in partnership with a number of agencies which include Adults and Children's social services. The Special Scheme applications that are referred by partner agencies for move on from supported/ residential accommodation do not need to meet the residential qualification or to fall within the reasonable preference categories. When the Choice Homes Team are satisfied that an applicant referred under the special scheme arrangement is ready for independent living, the application will be awarded a level of priority that is equivalent to Additional Preference and the applicant will be considered for a direct offer of accommodation
- 5.7 **Applicants living in the borough whose applications would be assessed as Additional Preference**
- 5.8 Applicants who do not meet the residential qualification but their housing application is assessed with an award of 'additional preference' will be able to bid their interest in the scheme, or made a direct offer of accommodation.

- 5.9 **Applicants where the London Borough of Barking and Dagenham (LBBD) have accepted a main homelessness duty and the duty is ongoing in accordance with the Housing Act 1996 Part 7, as amended.**
- 5.10 Applicants where the LBBD have accepted a main homelessness duty do not have to meet the residential qualification but will fall into at least one of the reasonable preference categories and will be able to bid their interest in the scheme with the appropriate level of priority. The Council can also make a direct offer of accommodation should they choose to do so. An example when a direct offer may be made is when it is in the Authority's interest to do so.
- 5.11 **Police referrals received from and accepted in accordance with the Multi Agency Public Protection Panel (MAPPP) or National Witness Mobility Scheme (NWMS)**
- 5.12 **MAPPP** is a multi disciplinary Panel which can recommend re-housing for individuals whereby it is in the public's interest. These cases do not need to meet the residential qualification or fall into one of the reasonable preference categories. These applicants will be awarded a level of priority equivalent to 'Additional Preference' and the applicant will be made a direct offer of accommodation.
- 5.13 **NWMS** is a scheme whereby the Police can make referrals to the Local Authority and recommend re housing of an applicant. If the referral is accepted the applicant will be awarded the equivalent level of priority as 'Additional Preference' and made a direct offer of accommodation
- 5.14 **Members of the armed forces or reserve forces**
- 5.15 The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012/1869 require that a person can be a qualifying person irrespective of the fact that they may not have a local connection if they are a person who:
- (a) is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the Housing Act 1996 Act, as amended;
- (b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
- (i) the spouse or civil partner has served in the regular forces; and
- (ii) their death was attributable (wholly or partly) to that service; or

(c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

5.16 Qualification criteria for Right to Move

5.17 Local authorities must not disqualify social tenants seeking to transfer from another local authority district in England who:

- have reasonable preference under s.166 (3) (e) because of a need to move to the local authority's district to avoid hardship, **and**
- needs to move because the tenant works in the district, or
- needs to move to take up an offer of work

5.18 Local authorities must be satisfied that the tenant needs, rather than wishes, to move for work related reasons.

5.19 Factors that may be taken into consideration when determining whether a tenant needs to move to be closer to work or to take up a job offer will include:

- the distance and / or time taken to travel between work and home
- the availability and affordability of transport, taking into account level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

5.20 The above list of factors is not exhaustive.

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6.0 Non-qualifying Persons Criteria

6.1 Where there is a housing application from an eligible and qualifying person, who resides with a person who is ineligible, the ineligible person will not be included on the application, nor will their circumstances be taken into account for the purposes of satisfying the qualification criteria.

6.2 People who own a property will not qualify to join the scheme unless there are exceptional circumstances. There will be an assessment on a case by case basis which will look at (not exclusive to), any medical factors, financial resources and personal circumstances.

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7.0 Unacceptable behaviour – suitability to be a tenant

- 7.1 The Council can exclude applicants from joining the scheme or reduce the priority if their behaviour or that of a member of their household is, or has been considered unacceptable within the last three years at the point of application. The Council considers that unacceptable behaviour within the last three years is sufficiently recent to demonstrate a risk of such behaviour recurring. The following are examples (not exhaustive) that the Council may consider to be unacceptable:
- 7.2 Where an applicant or a member of their household has demonstrated serious antisocial behaviour within our community
- 7.3 Where an applicant or a member of their household has been convicted of serious anti social behaviour outside our community
- 7.4 Where an applicant persistently fails to pay rent or associated charges
- 7.5 Where an applicant fraudulently obtains a tenancy
- 7.6 Where an applicant has been found to have sublet their property without authorisation
- 7.7 Where an applicant has contrived to worsen their housing circumstances in an attempt to increase levels of priority to their application
- 7.8 Where an applicant has been evicted for causing damage to their previous accommodation or used the property for a purpose incompatible with the terms and conditions of the tenancy.

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8.0 If we decide that an applicant cannot join the scheme

- 8.1 If, following our assessment of an application, we determine that the applicant is not entitled to join the scheme we will write to the applicant to inform them that they cannot join the scheme and give the reasons why. We will advise the applicant of their right to request a review of this decision and the review process.

9.0 How can an applicant apply?

- 9.1 To join the scheme an applicant must complete a Choice Homes application form.
- 9.2 These forms are available on line to download;
<http://www.lbbd.gov.uk/Housing/HousingAdvice/Pages/Applyingforcouncilhousing.aspx> or can be obtained from the following offices.

Dagenham Library

1 Church Elm Lane
Dagenham
RM10 9QS

Housing Advice Service

John Smith House
Bevan Avenue
Barking
IG11 9LL

- 9.3 Application forms can be sent out by post by calling 020 8215 3000.
- 9.4 Once an application form has been completed it should be returned to one of the offices above or posted to **Housing Advice Service, PO Box 48, Dagenham, RM10 7DE.**
- 9.5 If an applicant has difficulty filling in the application form and requires assistance please contact the Choice Homes Team on 020 8724 8325 and a home visit may be arranged.
- 9.6 The Council is looking to introduce on line registration in the near future.

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10.0 Who can be included on the application?

- 10.1 Anyone who is eligible and normally resides with the applicant as a member of his/her family or might be expected to reside with the applicant can be included on the application.
- 10.2 Each application will be assessed on its own merits. It is a decision for the local housing authority to determine who is included on an application as part of a household.

11.0 Duty of applicants to be truthful:

- 11.1 On submission of a housing application it becomes legally binding that the applicant has provided information that is true to his/her knowledge. If the Council is satisfied that the application and the associated documents provided by the applicant contains false or misleading information the Council reserves the right to refuse the application or reduce the priority of that application. The Council may also take legal action which could lead to a large fine.
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12.0 How your application will be assessed if you are eligible and qualify to apply

12.1 Size of accommodation

- 12.2 We will determine which size of accommodation you require. This assessment is based on the Bedroom Standard as detailed below and will be assessed on a case-by-case basis by checking the household composition against the Bedroom Standard. The Bedroom Standard specifies the number of bedrooms required by pairing up members of the household. In addition to the applicant/s a separate bedroom will be required for each of the following:

- Adult aged 21 or over
- Married or Cohabiting Couple
- Child or pair of children under 10 regardless of sex
- Child or pair of children of same sex aged under 21
- Any unpaired child; for example, if there are three children in the household, one of the children would be considered as an unpaired child.

- 12.3 Whilst the above criteria will be used when determining assessed bedroom size the Council recognises that there may be extenuating circumstances that require the consideration of an additional bedroom. In such circumstances the Council will consult with relevant agencies to consider whether it is appropriate to allocate a separate bedroom based on medical or welfare grounds. An example would be two children of the same sex where one child has a diagnosed medical condition that requires them to have their own bedroom.

- 12.4 Larger families will be assessed in accordance with their housing need. However, there is a limited supply of four bedroom and larger properties. There are specialist advisors who work with severely overcrowded households to give advice on housing options and how to mitigate severe overcrowding.

12.5 Pregnancies

12.6 If an applicant or member of the household is pregnant, the pregnancy will not influence the assessment in relation to the size of the accommodation. Only when the child is born will there be a need to a re-assessment of the housing application to determine if there is a change in the assessed housing need.

12.7 Siblings

12.8 A single applicant who wishes to include a younger sibling where we are satisfied that it is reasonable to reside together, will be expected to share a bedroom until one of them reaches the age of 21, unless they are of opposite sex.

12.9 Access to children

12.10 If applicant/s have access to child/ren the access will not influence the assessment in relation to the size of the accommodation.

13.0 How priority is assessed

13.1 Reasonable Preference Categories - Statutory

13.2 Having assessed the applicant's bedroom size requirements we will then consider the level of housing need that the application should be awarded based upon the current accommodation available and the applicant's personal circumstances. Authorities are legally required to give reasonable preference to the following categories of people who are considered to be in housing need;

- People who are homeless (within the meaning of Housing Act 1996, Part 7, as amended).
- People who are owed a housing duty in accordance with homelessness legislation by any local authority, until such time as those duties are discharged;
- People who are living in insanitary or overcrowded housing or living in unsatisfactory housing conditions; (** see *footnote below*)
- People who need to move on medical or welfare grounds (including any grounds relating to a disability).
- People who need to move to a particular area in the district of the Authority to avoid hardship.

13.3 ** this reasonable preference will be awarded to applicant/s that lack a bedroom/s in line with the bedroom standard and also to applicant/s who are sharing facilities with un-associated persons where by the assessment concludes that the living arrangements are not through personal choice.

13.4 Reasonable Preferences – Non Statutory

13.5 The Authority is allowed to provide for additional factors to meet local priorities when determining which applicants are to be given a reasonable preference under a Scheme. In addition to the statutory reasonable preference categories, the London Borough of Barking and Dagenham's allocation scheme will also award a non statutory reasonable preference (local priority) to:

14.0 Persons in Employment

14.1 An applicant who falls into one of the statutory reasonable preference categories and is working.

14.2 To qualify for the non statutory employment reasonable preference, it has to be accepted by the Council that the main applicant and /or partner;

- Are in temporary or permanent employment (contracted)
- In full time employment
- Working 16 hours or more
- Are self employed 16 hours or more

14.3 The Council has to be satisfied that the employment is permanent or temporary, genuine and ongoing. Wage slips/ accountancy details will need to be provided and any other documentation as appropriate such as employment contract.

14.4 If an applicant is awarded an employment non statutory reasonable preference and their employment status changes, as long as there is a realistic prospect of re-employment, the non statutory reasonable preference will remain however this status will be reviewed periodically to ensure that the genuine prospect remains.

14.5 If an application is awarded a reasonable preference (statutory) and a non-statutory reasonable preference, this will mean that the applicant has more priority than an applicant who qualifies for one reasonable preference.

- 14.6 If an applicant does not fall into one of the reasonable preference (statutory) categories but is working they will not qualify to join the scheme and will be directed to the relevant Council section to be considered for affordable housing products.

15.0 Cumulative Reasonable Preference

- 15.1 If an application is awarded two reasonable preferences or more (statutory or non-statutory), this will mean that the applicant has more priority than an applicant who qualifies for one reasonable preference.

16.0 Additional Preference

- 16.1 The Council may give an applicant additional preference if their circumstances fall within the reasonable preference categories and there is an urgent housing need which makes it virtually impossible for the applicant to remain in their present home, for example for the following reasons (not exhaustive);

- Victims of domestic violence;
- Victims of hate crime
- Victims of racial or sexual harassment;
- Witnesses of crimes or victims of crime who would be at risk of intimidation
- Violence or threats of violence that are likely to be carried out if they stayed in their current home;
- Those who have an urgent medical or social reason.

- 16.2 If an applicant is awarded Additional Preference, this will mean that they have more priority than someone who qualifies for one Reasonable Preference or Cumulative Reasonable Preference.

17.0 Members of Armed Forces or Reserve Forces

- 17.1 Those who are about to leave as a serving member of the Armed or Reserve Forces or have been a serving member within the last five years will be awarded a level of priority which is equivalent to 'Additional Preference' and considered for a direct offer of accommodation.

18.0 Restricted persons

- 18.1 Applicants should not be given reasonable preference if they would only qualify for reasonable preference by taking into account a ‘restricted person’ within the meaning of Housing Act 1996 Part 7 (s.166A(4)). A restricted person is a person subject to immigration control who is not eligible for homelessness assistance because he or she does not have leave to enter or remain in the UK or has leave which is subject to a ‘no recourse to public funds’ condition.

19.0 Band Date (waiting time)

- 19.1 The band date is determined at the time the housing application is registered. If however the applicant experiences a material change in circumstance that would increase the bedroom requirement or increase the level of priority awarded to the application, the band date will change to the date when the Council is notified of the material change or when the new housing need arose.

20.0 Changes in circumstances

- 20.1 Once the application for housing has been accepted, it is the applicant’s responsibility to keep the Council informed of all changes in their circumstances which relate to the household and the housing application. Offers of accommodation are based on the suitability of a property for the household and it is important that this information is kept up to date.
- 20.2 The Council proposes to introduce an on-line application form. When this is introduced, applicants will be required to update their circumstances on line. Prior to the implementation of on-line registration, changes in circumstances are to be notified to the Choice Homes Team in writing.
- 20.3 Changes in circumstances which must be reported include;
- Change of address, including e-mail address and phone number
 - Any change in the household composition, e.g. births, deaths, person (s) wishing to join / withdraw from the housing application
 - Any change in household living arrangements
 - Change in medical conditions aggravated by current accommodation
 - Change in income and or employment status
 - Change in financial resources sufficient to consider alternative housing solutions to that of a social tenancy, i.e. shared ownership, affordable housing products
 - Any change in your immigration status in the United Kingdom
 - Change of name

- 20.4 If as a result of your change in circumstances it is determined that the applicant no longer falls into one of the ‘statutory’ reasonable preference categories, the application will be closed (unless the application falls into one of the exception categories).
- 20.5 If as a result of your change in circumstances it is determined that the applicant no longer resides in LBBD, the application will be closed (unless the application falls into one of the exception categories).

21.0 Council Decants

- 21.1 The Council is in process of a major regeneration programme. To facilitate the timely delivery of this programme the Council will award “Decant Status” to those households whose properties are located within the regeneration areas. Decant status is the highest level of priority that can be awarded to an application. These applications will be eligible to place bids of interest on advertised properties that meet their assessed needs.
- 21.2 Should a Decant applicant not be successful through the bidding scheme within six months of the programme end date the Council may make a direct offer of accommodation.
- 21.3 Applicants awarded Decant status will have a higher priority than those applicants with Additional Preference, Cumulative Preference and Reasonable Preference.

22.0 Reduction of priority awarded to a housing application

- 22.1 There are occasions when the Council may reduce the level of priority awarded to an application.
- 22.2 Examples of when this may occur are detailed below;
 - If the applicant had made a successful bid of interest and is in rent arrears or has rent arrears outstanding from a former property.
 - If the applicant had made a successful bid of interest and the applicant or a member of their household is/was a perpetrator of unacceptable behaviour
 - If the applicant had made a successful bid of interest however the Council has issued a notice of seeking possession (which is still valid), or is in the process of recovering their property through litigation.

23.0 Discharge of homelessness duty into the private rented sector

- 23.1 The Localism Act 2011 allows local authorities to discharge their main homelessness duty into the private rented sector. The tenancy offered is a fixed term tenancy within the meaning of Part 1 of the Housing Act 1988 (assured shorthold tenancy) for a period of at least 12 months.
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24.0 Casework

- 24.1 In order to establish an applicant is eligible and qualifies to join the scheme (Housing Register) and to determine the level of priority to be awarded to the application it may be necessary to conduct a home visit. In addition it may be necessary to discuss an applicant's circumstances with other professionals and it will be necessary for the applicant to provide relevant documentation in support of their application.
- 24.2 If an applicant fails to provide the requested documentation which is necessary to establish their eligibility and qualification to join the scheme, and / or relevant documentation reasonably requested to assess an applicant's level of priority, the Council will be unable to progress with the assessment of the application and this may subsequently lead to the application being closed.
- 24.3 Further home visits and verification checks may be needed if there are changes to an applicant's circumstances or if the Council has not conducted a home visit within the last 6 months of a successful bid.

25.0 Registration Letter

- 25.1 When the Council is satisfied that an applicant is eligible and qualifies to join the scheme (Housing Register) a registration letter will be issued. The letter will outline the number of bedrooms that the applicant is entitled to, the level of priority that the application has been awarded and the band date

26.0 Advertising

- 26.1 The Council will advertise available properties on the Choice Homes website. The advertising cycle runs each week from midnight Thursday until midnight Monday. Any variation to this will be advertised in advance. In some cases the council will make direct offers and these properties will not be advertised.
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27.0 How to bid

- 27.1 Applicants can bid their interest for properties that are of the appropriate size in accordance with their assessed housing need. There are several ways to bid it can be done by;

Telephoning the bidding hotline on **0845 650 4125**

Website: www.ellcchoicehomes.org.uk

Text: **07781 486 526**

Mobile site: ellcchoicehomes.org.uk

If an applicant has any difficulty in bidding the Choice Homes Team can be contacted on: **020 8724 8325**

- 27.2 Applicants will be allowed to bid for one property, per cycle, that is advertised. Bids of interest must be submitted before midnight on the Monday. When a bid is placed on a property the system will inform the applicant what their position is in the queue is at that time.
- 27.3 Throughout the bidding cycle the queue position may fluctuate subject to the other bids that are being placed. Applicants are able to withdraw a bid of interest and bid for a different property.

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28.0 Short Listing Criteria

- 28.1 The short-listing of applicants for properties which have been advertised commences a day after the bidding cycle has closed. Choice Homes Officers are responsible for the process. The bidding system produces a computer generated shortlist for each property. All applicants who have placed a bid for a property will appear on this shortlist in order of their priority. Where applicants have the same level of priority their band date (waiting time) is the factor which determines their place in the queue for that property. If the level of priority and the band date (waiting time) is the same, the determining factor will default to which application was registered first.
- 28.2 The Choice Homes Officer will go through the list for each property starting with the applicant who has finished in first position. They will;
- 28.3 Check the computer records to confirm that the property is suitable for the needs of the applicants; with emphasis on any special needs.

- 28.4 Check that there has been no change in circumstances since the application was submitted. If there is a change in circumstance that affects the assessment of the application and would render the property in which the bid was placed ‘unsuitable’, the bid of interest will be skipped and the applicant will be notified as to the reasons why, in writing.
- 28.5 Check to confirm that a visit has been carried out within six months of the successful bid. If a visit has not been completed within the last 6 months, a visit will be carried out within 2 days of the successful bid. If this visit determines a material change in circumstance which affects the assessment of the application the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.
- 28.6 If the applicant is not available within 2 days, the Choice Homes Team will consider the next person in the queue in order to ensure efficiency and fairness to the other applicants.
- 28.7 Check that applicants from abroad are still eligible for an allocation of social housing at the point of the successful bid. If no longer eligible the bid of interest will be skipped and the applicant will be notified as to the reasons why, in writing.
- 28.8 Check rent accounts and tenancy records where possible. If there are issues relating to current or former rent arrears or anti-social behaviour this may result in the applicant’s level of priority being reduced, bid of interest being skipped and the applicant will be notified of the reasons why, in writing.
- 28.9 Consider exercising discretion should the applicant in rent arrears be a social rent under occupier and may allow the bid of interest to proceed.
- 28.10 Carry out a composite assessment of needs and financial assessment should the applicant who has placed a bid of interest be an owner occupier. Should it be decided that the applicant is deemed to have sufficient financial resources to obtain a suitable housing solution using their own resources, the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.
- 28.11 Check the financial circumstances of an applicant and if it is considered that the applicant is deemed to have sufficient financial resources to obtain a suitable housing solution the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.

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29.0 Shortlist to determine queue position for a property

- 29.1 If an applicant within the decant group bids for a property they will always finish above those applicants within the additional preference group, the cumulative preference group and the reasonable preference group.
- 29.2 If two applicants within the decant group bid for the same property, the decant tenant with the earliest tenancy date will be in the highest queue position.
- 29.3 If no decant tenants bid for the property, applicants that are within the additional preference group that have expressed an interest in the property will then be ranked in date order (band date) of when they were awarded the additional preference. The applicant with the earliest band date will be in the highest queue position.
- 29.4 If no applicants with an award of additional preference bid an interest in the property, applicants with cumulative preference will then be ranked in accordance with the number of preferences and in date order (band date) of when they were awarded cumulative preference. The applicant with the earliest band date will be in the highest queue position.
- 29.5 If no applicants with an award of cumulative preference bid an interest in the property, applicants with reasonable preference will then be ranked in date order (band date) of when they were awarded the reasonable preference. The applicant with the earliest band date will be in the highest queue position.
- 29.6 The table below demonstrates the above explanation on how a queue position for a property is determined;

Priority	Groups of applicant/s	Factor to determine waiting time
1st	Decants	Tenancy start date
2nd	Additional Preference	Date this level of housing need arose (band date)
3rd	Cumulative Preference	Date this level of housing need arose (band date)
4th	Reasonable Preference	Date this level of housing need arose (band date)

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30.0 Suspensions

30.1 Applications will be suspended in the following circumstances;

- If there has been a material change in an applicant's circumstances which needs to be verified.
- When an applicant has successfully bid for a property and is awaiting a viewing
- If a Mutual Exchange is pending
- If there is a Right to Buy application in process
- If there is outstanding documentation that has been requested
- If placed in temporary accommodation pending a decision

30.2 Refusal of 3 reasonable offers of accommodation (excluding applicants where a homeless duty is owed)

- When an applicant has refused 3 reasonable offers of accommodation, the Council will exercise the right to suspend the application for a period of six months.

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31.0 Multiple viewings

31.1 In order to minimise the length of time that a Council home is empty multiple viewings are arranged to facilitate a letting at the earliest opportunity.

31.2 Depending on the type of property advertised 2 or 3 applicants will be invited to view. There may be occasions when more applicants will be invited to view. If the property is managed by a Private Registered Provider (Housing Association) they, as the Landlord, will determine the number of applicants that view the property and will also contact the applicants directly to arrange the viewing.

32.0 Viewing Procedures for LBBD

32.1 All successful applicants will be notified before the viewing date of the location of the property and the time of the viewing. They will be advised that they must take proof of identification to the viewing. All applicants that have been short-listed for a property will have their application suspended temporarily until we know the result of the viewing. This will mean that they may not be able to bid in the next cycle.

- 32.2 Viewings are normally carried out on the Monday following the closing of the bidding cycle. There may be occasions when the viewing is not able to be carried out on the scheduled day and an alternative date will be arranged. The applicant will be notified if there are any changes to the viewing arrangements.
- 32.3 An officer of the Council will attend the viewing and although all invited applicants may get an opportunity to view the property, the opportunity to accept the offer of the property will be made 'strictly' in shortlisted order. The officer will explain the implications of refusal of accommodation.
- 32.4 If LBBD owes a main homelessness duty to an applicant that is refusing a property the applicant will be encouraged to accept the offer and move into the property. The applicant can then request a review of the suitability of the accommodation. If the applicant refuses the property (without reasonable grounds) they will be advised that the Council will cease/discharge its homelessness duty and they will be required to vacate any temporary accommodation that has been provided.

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33.0 Direct Offers

33.1 Adapted properties

- 33.2 The Council will continue to make direct offers to those applicants requiring an adapted property. In the future the Council will introduce an Accessible Housing Register where by adapted properties will be advertised and categorised according to the adaptations within the property. This will mean that in the future those applicants who require an adapted property will be able to exercise their choice when placing bids of interest on adapted properties that meet their individual needs.

33.3 Sheltered Housing

- 33.4 The Council will continue to make direct offers of accommodation to those applicants requiring sheltered housing. There will, however, be a full review of sheltered housing services in the near future.

33.5 Under-occupiers

It is in the Council's best interest to free up larger properties for re-allocation. The Council will continue to make direct offers to those applicants who are under-occupying their council accommodation.

33.6 Sensitive Lets

- 33.7 In very limited circumstances, the Council may determine that a property will be subject to a sensitive let. This will be achieved through allocating the property on a direct offer basis.

34.0 Affordable Housing Allocation

- 34.1 Council Houses and flats with rent levels at 50% market value will be advertised inviting interest from those applicants who are eligible and qualify to join the scheme (housing register). These properties will be allocated in accordance with the Council's Housing Allocations Policy.
- 34.2 The Council's new build programme has a proportion of homes to be let above social rent levels; these are known as Affordable Rental Properties. To be eligible for affordable Council rental properties applicants must be in employment and have sufficient household income to afford the rent payments. The affordability assessment will be determined on a scheme by scheme basis and be subject to rental valuations.
- 34.3 The following cascade of priorities has been set for letting Affordable Council Homes to working households with rents above social rent levels.
- Tenants of the Council and Private Registered Providers (Housing Association) living in the borough.
 - Housing Register Applicants
 - Residents of the Borough.
 - People in employment in the Borough but who are not resident
 - People in employment from outside the Borough.
- 34.4 A separate registration scheme is being set up for the administration of Affordable Housing Allocation, and properties will be allocated in order of the cascade of priorities above and within each group on a first come first served basis. Properties will be marketed in good time for each development to enable the lettings in a timely manner.

35.0 Flexible Tenancies

- 35.1 Social Landlords are now able to grant tenancies for a fixed length of time, known as flexible tenancies. Utilising flexible tenancies allows local authorities to

manage social homes more effectively and fairly, and deliver better results for local communities. Flexible tenancies must be for a minimum of 2 years.

- 35.2 The London Borough of Barking and Dagenham do not intend to move away from non flexible tenancies. However there will be instances when a flexible tenancy will be allocated;
 - 35.3 For example;
 - To applicants who meet the eligibility and qualifying criteria but have limited leave to remain in the U.K.
 - To applicants who are seeking family sized accommodation to foster children. In the event the tenant ceases to foster children, the flexible tenancy would not be renewed, and the council would offer alternative accommodation that would meet the revised assessed housing need of the household.
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36.0 Notification and Reviews

- 36.1 **Notification**
- 36.2 If the Local Authority decides that an applicant is ineligible to join the scheme due to their immigration status, the applicant must be notified in writing and be given clear grounds for the decision.
- 36.3 If the Local Authority decides that an applicant does not qualify to join the scheme because they do not satisfy the residence and / or qualification criteria the applicant must be notified in writing and be given clear grounds for the decision.
- 36.4 **Reviews**
- 36.5 An applicant has the right to request a review of a decision in relation to the assessment of their application and any such decision when considering whether to allocate housing.
- 36.6 An applicant will be notified of receipt of their request for a review in writing.
- 36.7 The applicant must request a review within 21 days of being notified of the decision.
- 36.8 The request for a review should be directed to the Choice Homes Team, Housing Advice Service, PO Box 48, Dagenham, RM10 7DE

- 36.9 The review will be completed within 56 days of the request unless there is an agreement between both parties to extend this period. The applicant will be notified in writing of the outcome of the review and the basis of how the decision was made.
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Equality Impact Assessment

Name of service or policy	Review of the Allocations Policy
Lead Officer Contact Details	Sue Witherspoon 0208 227 3428 Sue.witherspoon@lbbd.gov.uk

Why is this service or policy development/review needed?
<p>The Allocations Policy is one of the most important housing policies that the Council has, as it decides who is going to receive the benefit of a new Council home, or in the case of the Affordable Housing Register, the benefit of a Reside property.</p> <p>The Borough Manifesto states that “We will remember that every resident has the right to rent, to move and invest in their home.” The Allocations Policy has a part to play in seeking to ensure that there is mobility in the Council’s owned housing stock, and that local residents benefit from the housing initiatives (such as the Local Housing Company, Reside) that the Council develops.</p> <p>The Council’s Equality and Diversity Strategy sets out the aim of providing Fair and Open Service Delivery; and the changes proposed to the Allocations Policy are aimed at ensuring that residents know what to expect from the services provided by Community Solutions and My Place; and that the housing allocations policy supports the aim of ensuring that no one is left behind.</p> <p>It is good practice to review from time to time the impact of the Allocations Policy to make sure that the Council’s intentions are being met by the Allocations Policy as it is working out in practice. This Review in particular is driven by some unintended consequences of the existing policy. These include:</p> <ul style="list-style-type: none"> • The way in which the Reside Allocations Policy operates has caused working households on modest incomes to be excluded from the Affordable Housing Register (the Waiting List for Reside properties) • The way in which vulnerable households’ housing needs are assessed is too unplanned and unpredictable, and can lead to both high costs to the Council, and uncertain housing situations for applicants • The way in which older people access appropriate accommodation needs improvement, so that there is better collaboration between Adult Social Care and Community Solutions and that older people benefit from the widest possible range of housing options; • The Allocations Policy needs to be more explicit in the way in which some situations are dealt with, such as the children of separated families and extended families, so that applicants are clear what they are entitled to, and how the Council will treat their case. • There needs to be specific Allocations Policy for the way in which applicants access Shared Ownership properties so that the Council’s resources in developing these homes are directed to benefit local people living and working in Barking & Dagenham above others

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Why is this service or policy development/review needed?

- Greater priority is given to households who are under occupying their homes, so that the Council can make better use of the scarce resource of family sized homes.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?

Look at what you know? What does your research tell you?

Consider:

- National & local data sets
- Complaints
- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.

There are a range of changes proposed to the Allocations Policy that will have different impacts on different groups of people. The basic demographic data about groups affected is set out below followed by an analysis of the impact of the different changes on those groups, and others for whom we have less data.

Demographics

In 2016 the population of Barking & Dagenham was 207,000 and this is forecast to grow to 224,000 by 2021 and 240,000 by 2026. (GLA Central forecasts).

Age structure

The main changes in age structure projected for Barking & Dagenham by ONS are a three-percentage point (pp) decline in the proportion of children and a two pp decline in the proportion of young adults (15-34), offset by increases in older age groups.

ONS project a four pp increase in those aged 65 and over between 2016 and 2041 from 9% to 13%. This is a significant change, leading to an increase in the number of people aged 75 or more of between 6,500 between 2016 and 2041. For the 85+ age group who are most likely to make serious demands on care and related services, The GLA forecast that between 2016 and 2041 there will be an increase of 1,700.

Disability

The Census 2011 indicates that around 16% of the population is estimated to have some form of limiting long-term health problem or disability (LLHPD), and 26% of households have at least one member with a LLHPD (7% have two or more). Six percent of residents' health is described as 'bad' or 'very bad'. These figures are similar to neighbouring authorities, and marginally worse than London averages.

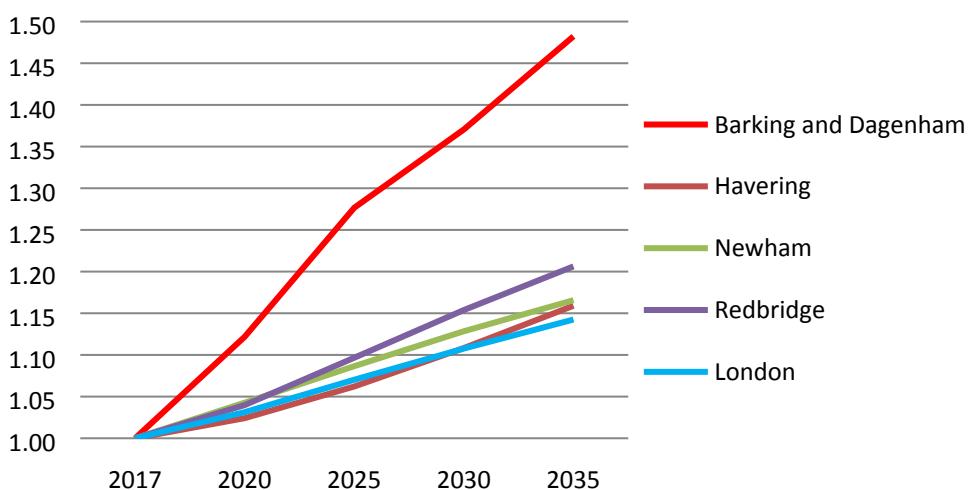
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Data from 2014 shows that the proportion of women with a disability free life at 65 is 33.3% in Barking and Dagenham, compared with 64.7% in Sutton (best performing London Authority) and the same figures for men are that 42% men have an expectancy of life with a disability with a disability in Barking and Dagenham, whilst in Sutton the proportion of men with a life expectancy with a disability at 65 is only 28%.

The GLA household estimates from 2015 show that the proportion of the working population with a disability in Barking and Dagenham, is 17.2% compared with 16.1% across London as a whole.

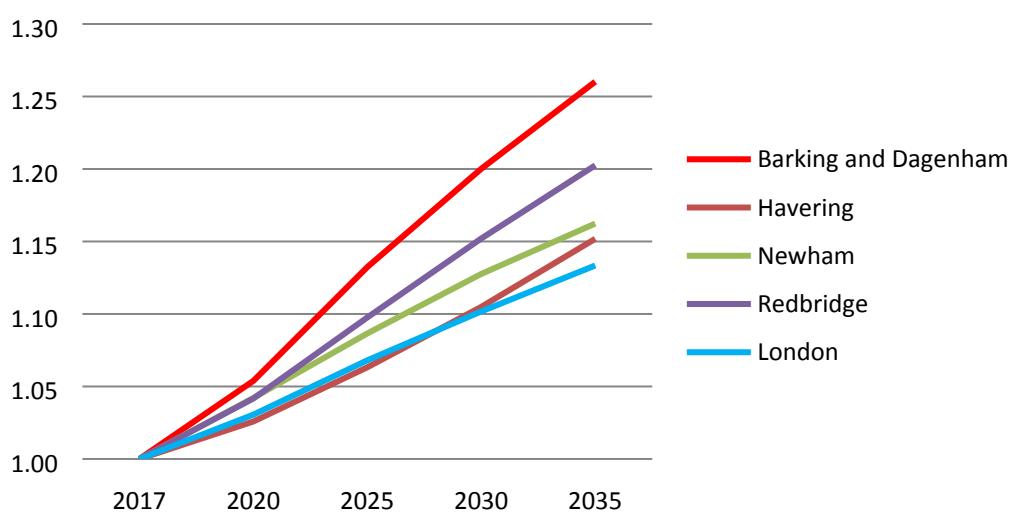
Learning difficulties

For younger people, people with learning difficulties, the profile contrasts strongly with that for older people: because of the relatively young demographic in Barking and Dagenham compared to neighbours (and the London average) the rate of increase for all the factors is faster and sharper than elsewhere. This is especially noticeable for the rate of increase of younger people with learning disabilities:



Mental Health

The anticipated rate of increase in numbers of people with an enduring mental health condition is similar:



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Ethnicity

The ethnic make-up of the borough has changed since the 2001 Census. The proportion of the population who are White British has decreased from 81% in 2001 to 49% in 2011. This is projected to continue to decrease to 38% in 2017.

The representation of other ethnic groups has increased:

- The Black African population has increased from 4% in 2001 to 15% in 2011, and is estimated at 17% in 2017.
- The 'Other White' category has also increased (from 3% in 2001 to 8% in 2011, to an estimated 11% in 2017), which is likely to relate to increased migration from eastern Europe.
- There has been an increase in those of Indian, Pakistani and Bangladeshi ethnicity; together these groups accounted for 5% of the population in 2001, 12% in 2011 and are estimated to make up 17% of the population in 2017. Although the estimated proportions of these three groups in 2017 are similar (5.3% Indian, 5.5% Pakistani and 5.8% Bangladeshi), this represents a much larger increase for the Bangladeshi community since 2001, where these proportions were 2.2%, 1.9% and 0.4% respectively.
- 2015 estimates show that 37.8% of the population of Barking & Dagenham was born abroad, compared with 36.6% across London overall
- The same GLA estimates show that 49.5% of the population of Barking & Dagenham is from a Black and Minority Ethnic Group, compared with 42.5% across London as a whole.

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	X			The proposals have a range of impacts on the local community which are set out below.	
Age	X			The proposal to establish a joint collaborative panel between Community Solutions and Adult Social Care to discuss the best rehousing options for older people will have a beneficial impact on the older age group of the community.	Terms of Reference for the Panel will be agreed between the parties. Community Solutions, Adult Social Care and My Place will work together to ensure a smooth and effective pathway for older people needing a different housing solution.
Disability	X			The method by which adapted homes are being allocated is not changing; there will just be a more explicit explanation of the	The proposals improve the transparency of the process and will improve the understanding of applicants in how homes are allocated.

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			<p>process in the new Policy.</p> <p>The proposals to establish a collaborative panel between Community Solutions and Adult Social Care will benefit vulnerable households, especially those containing someone with a long term enduring mental health need, people with learning disabilities, and other vulnerable groups.</p>	
Gender reassignment		X	We do not collect data on gender re-assignment who are applicants and therefore cannot assess the impact of any changes,	N/A
Marriage and civil partnership		X	The proposals will have no impact on households with different marital or partnership status.	N/A
Pregnancy and maternity		X	There are no proposals that will have any impact on households which contain a pregnant woman, and the changes	N/A
Race (including Gypsies, Roma and Travellers)	X	X	<p>The proposed changes in access to Reside properties show that more households on lower incomes will be able to access these properties. The Family Resources Survey main facts and figures show that over the period studied, just under one-third of households in the UK had a weekly income of below £400 (before tax and National Insurance was deducted), and just over one-third had a weekly income of £800 or more</p> <p>Black households were most likely out of all ethnic groups to have a weekly income of less than £400, and Indian households were most likely to have a weekly income of £1000 or more. However, it does not appear that there is an</p>	There will continue to be regular ethnic monitoring of all lettings, including social housing and affordable housing and any adverse impacts reported.

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			<p>adverse imbalance in BME households accessing Reside properties. From the first phase of lettings, it can be seen that 76% of lettings went to a household from a BME background and 22% went to households with a White background. 2% declined to state their ethnicity.</p> <p>The proposal to more closely define the household who may register with an applicant is likely to have a differential impact on BME households. The statistics from the Housing Register show that 201 households on the register will be affected by this proposal, of which 25% are from an African background. However, the impact is more notional than real, as larger households are unlikely to be housed as a result of the scarcity of such properties. The important change is that households will be informed on the consequences of registering members of a large household together and the likelihood of the waiting time.</p>																
Religion or belief	X		There are no proposals that will have any impact on households of any particular faith	N/A															
Gender	X		<p>The proposal to enable more households to access Reside Homes on lower incomes will be of indirect benefit to women, as female headed households tend to have a lower level of income than male headed households. In London 55% of low paid jobs are held by women, and more women are likely to be in part time work. These</p>	<table border="1"> <caption>Data from 'Low-paid jobs in London (thousands)' chart</caption> <thead> <tr> <th>Category</th> <th>2011</th> <th>2012</th> </tr> </thead> <tbody> <tr> <td>Men, full-time</td> <td>~130</td> <td>~200</td> </tr> <tr> <td>Women, full-time</td> <td>~90</td> <td>~180</td> </tr> <tr> <td>Men, part-time</td> <td>~100</td> <td>~140</td> </tr> <tr> <td>Women, part-time</td> <td>~160</td> <td>~220</td> </tr> </tbody> </table>	Category	2011	2012	Men, full-time	~130	~200	Women, full-time	~90	~180	Men, part-time	~100	~140	Women, part-time	~160	~220
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			proposals will therefore benefit women and those on lower incomes. The proposal to improve the arrangements for older people are also likely to be of benefit to women, as they are more highly represented amongst the older population over the age of 70.	
Sexual orientation	X		There are no proposals that will change the way in which people who are lesbian, gay, or bisexual are treated.	Civil partnerships are already recognised within the Allocations Policy; there are no proposals to change this.
Any community issues identified for this location?				This Policy applies Borough wide and is not location specific.

2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

The Allocations Policy proposed changes have been developed by consulting internal partners including:

- Adult Social Care
- Children's Services
- Community Solutions
- My Place
- Lead Member for Regeneration and Social Housing

This report is proposing that extensive consultation should take place over 12 weeks as follows:

- Consultation with current applicants and residents in temporary accommodation
- Consultation with Housing Association partners
- Consultation with Voluntary sector partners
- Consultation with representative groups representing those with disabilities, learning difficulties, people with a history of mental illness and Children leaving care

The consultation will take the form of a leaflet and questionnaire which will be present on the Council's website, and sent out to relevant groups

Tenants will be consulted through their newsletter and neighbourhood forums

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Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

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3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented?

These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.

Action	By when?	By who?
There will be regular collection of data on who benefits from the allocations of homes made to households on the Social Housing Register and the Affordable Housing Register. This information is available for interrogation but is not reported to any particular body.	Every application is required to record standard monitoring information	Community Solutions
There will be a review of the operation of the Allocations Policy six months after implementation	October – Nov 2019	Inclusive Growth

4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the wider community.

Take some time to précis your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact
The proposed changes to the Allocations Policy are generally designed to improve the operation of the process of deciding and allocating homes. Currently a number of decisions are made by officers interpreting the current policy, but often using judgement which is not explicit and publicised. The changes will make the allocation of new homes more transparent and enable applicants to have a better understanding of the process and why they have been successful or not in their efforts to obtain council or affordable housing.
The positive impact on groups with protected characteristics have been set out – particularly those that enable households with more modest incomes to access the affordable housing managed by Reside. Vulnerable households such as those with disabilities, mental health issues, or learning disabilities will benefit from a better service generated by improved co-operation between services and discussions at a Panel to ensure that the full range of options for housing are considered for older people.
The only potential negative impact is that relating to extended families, where the proposed change to the policy is to define the household that can apply together as three immediate generations – parents, children and grandparents. Households will not be able to register their extended families, such as uncles, aunts, adult brothers and sisters or in-laws on the

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application. This step is being taken because of the lack of larger properties, and the fact that it is not helpful to these households to register them together for property which is not available. The proposal should ensure that such households have better information about what is available and make better choices about how to seek housing.

5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Graeme Cooke	Director of Inclusive Growth	

CABINET**22 January 2019****Title:** Update on the Reinvigoration of Barking and Dagenham Reside**Report of the Cabinet Member for Regeneration and Social Housing**

Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Graeme Cooke, Director of Inclusive Growth	Contact Details: Tel: 0208 227 3735 E-mail: graeme.cooke@lbbd.gov.uk

Accountable Strategic Leadership Director: Graeme Cooke, Director of Inclusive Growth**Summary**

By Minute 79 (23 January 2018), the Cabinet agreed to a number of measures which were intended to refresh the governance arrangements of Reside and to develop the brand as a professional social purpose municipal landlord. This update paper sets out the work undertaken over the past year to achieve this, including:

- Strengthening the governance of Reside by reviewing the company structure and recruiting a new independent Chair and Board;
- Putting in place a Shareholder Agreement (Appendix A) which sets out the legal basis for the relationship between the Council and Reside, including key elements of the policy framework within which Reside operates.

Over the next five years the Reside portfolio is expected to increase by approximately 3,000 properties. It is therefore imperative that work continues to ensure that the relationship between the Council and Reside is clarified in order to enable Reside to act as the Council's partner in delivering affordable homes in the borough. This includes ongoing work on the governance of Reside such as a medium-term Business Plan for the company (which will come back to the Cabinet in the first half of 2019) and the setting out of a governance manual.

Finally, in line with the grant funding sought from the GLA this report also seeks in principle Cabinet approval to consider the most effective mechanisms for setting up a Registered Provider arm as part of Reside in order to access alternative funds to increase housing delivery (and extend the options and opportunities available to the company).

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the Shareholder Agreement between the Council and Barking and Dagenham Reside Regeneration Limited, as set out at Appendix A to the report;

- (ii) Approve in principle the creation of a new Reside Registered Provider company/entity;
- (iii) Delegate authority to the Director of Inclusive Growth, in consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Member for Finance, Performance and Core Services, to prepare an options appraisal and business case for the most effective mechanism or form of Registered Provider(s) to deliver the Council's objectives of increasing the supply of, access to and affordability of housing in the Borough;
- (iv) Agree that further work be undertaken, on the emergence of a preferred option and approval of a business case, to register any company/entity as Registered Provider(s) with the Regulator of Social Housing, and
- (v) Delegate authority to the Director of Law and Governance to prepare and execute any relevant articles of association, partnership agreements, loans or and any other relevant legal documents on behalf of the Council to implement the creation and registration of new Reside Registered Provider(s).

Reason(s)

The rationale for these proposals is in line with the Council's ambitions to improve access to affordable housing and encourage strong and resilient communities. The London Borough of Barking and Dagenham has great regeneration potential particularly in relation to housing provision. Through the Investment and Acquisition Strategy and the bid submitted to the GLA, the Council will be enabling the creation of significant numbers of new affordable homes to meet local housing need as well as providing a sustainable portfolio of assets. Reside is a key vehicle for the management and marketing of the Council's non-HRA properties.

1. Introduction and Background

- 1.1 At its meeting in January 2018 the Cabinet agreed an approach to reinvigorate the Reside brand in order to develop the strategic management of the Reside stock, and to ensure that the required investment returns were delivered.
- 1.2 The Reside portfolio currently consists of over 800 homes of which 80% are let to working households at intermediate rents and 20% to households on the Housing Register (at Council Comparative Rents). Over the next five years there is an opportunity to increase this by a further 3,000. The future increase in the portfolio will be dependent of the performance of Be First and the decisions of the Investment Panel. It should also be noted that by submitting a bid to the GLA for funding under the Mayor of London's Building Council Homes for Londoners fund, additional external requirements will be placed on future developments.
- 1.3 This report, therefore, updates the Cabinet as to the work undertaken since the January 2018 report and sets out a future direction of travel for Members to consider and agree.

2. Proposal and Issues

- 2.1 This report follows the structure of the agreed recommendations of the January 2018 report and both updates and raises new issues which the Cabinet will need to consider. The work completed to date includes:
- Review and implementation of changes to the Reside Structure and Articles;
 - Creation of a Shareholder Agreement between the Council and Reside (Appendix A);
 - Recruitment of a new Board and a Managing Director.

More detail on each of these pieces of work is set out within the report.

- 2.2 Work which is in progress, or which needs to be approved by Cabinet, includes:

- Appraising options and preparing a business case for the creation of a Registered Provider and the associated requirements within the Reside structure
- Drafting a commissioning mandate for Reside, setting out the outcomes that the Council is seeking from Reside (under the Shareholder Agreement)
- Supporting Reside to prepare a medium-term business plan, setting out how it will achieve its strategic objectives
- Clarifying the role of Reside in the development process, alongside the Council and Be First

2.3 Reside Structure

- 2.3.1 Although the January 2018 Cabinet report allowed for the possibility of creating a new Reside Management Company, investigation identified that there is an existing Reside company which is a member of the Reside Limited Liability Partnerships, which holds no properties and can be used as the group management company. It is proposed that the Reside Board and any staff will sit in this existing company (Barking and Dagenham Reside Regeneration Limited) and will be funded through the surplus on the stock holding vehicles. As this is an existing structure it does not impact on the tax efficiency of the existing vehicles.
- 2.3.2 In conjunction with the structural review, an internal legal review was carried out in relation to the existing articles of this and other Reside companies and limited liability partnerships (LLPs) to ensure that they are consistent with the Council's requirements as a shareholder, through a new shareholder's agreement between Reside Regeneration Ltd and the Council.
- 2.3.3 No changes were required to the articles for the LLPs, but slight changes have been required to the articles of Reside Regeneration Ltd. The changes arise from the fact that when the company was set up, the Shareholder Panel did not exist and the articles refer to the Council as a holding company, while no minimum number of directors was stipulated. The changes proposed are to rectify this and to set the minimum number of directors at five and the quorum at three. In terms of Council approval, these housekeeping changes to the articles were delegated in the January report to the Director of Law and Governance for final approval and the full Shareholder Agreement is presented at Appendix A for the Cabinet's approval.

- 2.3.4 Within the group structure (shown at Appendix B) there is a Limited Liability Partnership (LLP) where the ownership is split with a charity (Barking and Dagenham Renew). This structure was set up in order to utilise capital receipts to finance new affordable housing through an entity which is not controlled by LBBD and will remain in place as part of the new structure.
- 2.3.5 It should also be noted that the 477 properties at Willian Street Quarter and Eastern End Thames View (WSQ and EETV) which were financed through a debenture with an external funder are not part of this structure. The covenants which LBBD entered into as part of this funding agreement are such that the addition of this vehicle into a holding company would present a risk in terms of the way in which an external party could exercise control over the other vehicles in the Reside group.

2.4 Shareholder Agreement

- 2.4.1 To date no Shareholder Agreement has existed between any of the Reside vehicles and the Council. The debenture which the Council agreed in relation to WSQ and EETV cannot be included in the new Shareholder Agreement as a detailed suite of legal documents already exist between the Council and the funder in relation to the management and treatment of these properties. Effectively the Reside function in respect of these properties is tightly controlled through the debenture and cannot be changed without the agreement of the funders.
- 2.4.2 The form of the Shareholder Agreement for the new Reside structure follows that used for other Council companies such as Be First. The draft agreement attached as Appendix A is based on the following principles, that Council members will be satisfied that Reside:
- complies with all the shareholder's requirements as set out in the consents
 - delivers the Council's strategic objectives
 - acts in accordance with the Council's specified performance standards
 - operates effectively and efficiently in the delivery of its business
- 2.4.3 In essence the Shareholder Agreement restricts the changes in strategic and operational management which Reside can undertake without the approval of the Council. The key restrictions relate to the ability of the company to take on additional debt, make changes to the Rent Policy in relation to the rent increases applied, and board and staff payments and dismissal, all of which need Council approval.
- 2.4.4 It should be noted that the allocations policy is not covered in the Shareholder Agreement. This is because each of the legal arrangements for the special purpose vehicles contains a tenancy policy which covers the allocations policy on the respective properties. As these form part of the transfer/sale documents they do not need to be replicated in the Shareholder Agreement.
- 2.4.5 Elsewhere on the Cabinet's agenda, the Housing Allocations Policy paper deals with proposed changes to the way in which residents are assessed for and allocated Reside properties.
- 2.4.6 In respect of tenure mix, this is set as part of the funding arrangements, if there was a requirement to change the tenure mix once the schemes are transferred to Reside

this would require changes to the financial arrangements and would be dealt with through the loan agreements and leases and not the Shareholder Agreement.

- 2.4.7 In order to be clear as to where any decisions are made the table below sets out the policy process:

Decision	Description	Control
Rent Policy	This sets out the policy by which future rent increases will be made	Changes in Rent Policy must be agreed through the Shareholder Agreement
Debt Arrangements	Reside's ability to increase its debt levels	Changes in debt and refinancing must be agreed through the Shareholder Agreement
Staff and Board	Payments to staff and board members and any potential dismissal	Any changes in either the remuneration policy of Reside or the dismissal of senior board or staff members must be agreed through the Shareholder Agreement
Allocations Policy	The way in which Reside properties are let	This is part of all of the legal transfer arrangements for all individual developments (and stipulates that Reside must abide by the Council's published allocations policy)
Service Provision	Who Reside uses to provide the services to residents	Management agreements are in place for existing schemes and the Shareholder Agreement sets out the expectation for these to continue with reviews being brought back for discussion with the Council

- 2.4.8 In conjunction with the Shareholder Agreement, a commissioning mandate is being drafted to set out the outcomes that the Council is seeking from Reside, consistent with the shareholder agreement and the company's strategic objectives. This will create the framework for Reside to then prepare a medium-term business plan with the Council. The business plan will translate strategic objectives and outcomes in the Borough Manifesto and Corporate Plan into specifications for delivery by Reside. It is expected that a Reside Business Plan will be ready for agreement by the Council in first half of 2019 and will contain a Medium Term Financial Strategy (MTFS) as well as a response to the Council's objectives.

- 2.4.9 Under the terms of the delegation agreed in January 2018 at Cabinet, any necessary amendments to the Shareholder Agreement and the final form of the Commissioning Mandate will be agreed by the Director of Law and Governance.

2.5 **Recruitment**

- 2.5.1 A successful recruitment process has taken place to appoint a new independent Chair of Reside and three new independent non-executive directors. been undertaken and an offer of appointment made to the proposed Chair for the revised Reside brand which has been accepted with the new Chair taking over at the AGM.

- 2.5.2 The recruitment of a Managing Director to drive the business forward is in progress, with a postholder expected to be in place by April 2019.
- 2.5.3 A draft forward plan for Reside has been created in conjunction with the new Chair. This plan incorporates the creation of a Business Plan for Reside and the creation of a MTFS. Due to the way in which Reside was structured the original board were provided with annual cashflows for each entity, rather than an overall financial plan for Reside which made it harder to manage the company on a proactive, long term basis.
- 2.5.4 The work to create this financial plan has already started and will become imperative if it is agreed to create a registered provider arm due to the requirements of the regulator. Although the creation of a paid board and staff will lead to additional costs, this will be offset by the existing costs, both staff and other costs, which are already committed, but which are not currently shown as a cost to Reside and remain on the Council's accounts.

2.6 **Registered Provider Status**

- 2.6.1 Previous discussions in respect of Reside raised the possibility of a Registered Provider (RP) arm being created within the new Reside structure, especially in line with the Mayor of London grant opportunity Building Council Homes for Londoners fund.
- 2.6.2 At the end of September 2018 a bid of £29.3m was made to support the building of 293 new Council Comparative Rent (CCR) homes. Of this bid LBBD was awarded a total of £25.338m. However, in order to secure the grant, the funded properties have to be held by a Registered Provider.
- 2.6.3 The schemes which the bid was comprised of are not expected to be completed until after April 2020 which gives the Council a short space of time to consider whether to create a Reside registered provider entity and whether that entity must be a not-for profit entity or whether more than one entity is, in fact, required for different schemes depending on funding sources and financial viability. The creation of an RP will take the minimum of a year to complete and the decision to do so would require the approval of Cabinet as it will be a new company within the structure.
- 2.6.4 Cabinet is therefore requested to agree to the creation of a Registered Provider arm in principle as part of the Reside structure. This would allow officers to consider the detailed options and business case for the form of RP, bringing a decision for final approval back to Cabinet. Cabinet is also requested to delegate authority to the Director of Law and Governance to prepare and execute articles of association or partnership agreements and any relevant legal agreements or documents on behalf of the Council to implement the creation of new Reside Registered Provider/s in line with the GLA bid and the Council's strategic objectives to increase supply of housing.

2.7 **Reside Partnership with Be First**

- 2.7.1 As part of the project to reinvigorate Reside, greater clarity is needed in its relationship with other Council services and entities. Although the way in which

Reside has been set up means that they have to take the properties which have been built by Be First unless they are not financially viable, there are no formal mechanisms for Reside to be involved in the development process. At present the Council commissions Be First to build and then finances Reside to take over the stock through either loans or leases.

- 2.7.2 Given that the new Reside Board will be independent of the Council, it is proposed that the relationship with Be First and the Council is worked up as part of the Reside Business Plan for agreement with the Council. The ongoing relationship can then be managed through both commissioning mandates and reciprocal consultation on each other's business plans as they are reviewed annually.

3. Options Appraisal

- 3.1 The alternative option would be to continue with the current management arrangements, with staff capacity for Reside provided by Council staff. However, with the growth in the number of properties within the portfolio, this is not a sustainable approach. Furthermore, it gives rise to state aid risks. To fully realise the potential of Reside and deliver the required improvement in the commissioning and contract management a more formally constituted management company is required.
- 3.2 In respect of the creation of any registered provider, the properties which formed the bid to the GLA could be put into the Council's HRA given that this is also a registered provider. However, this would not be in line with the strategy to build affordable homes through the Reside model and would mean that the Reside portfolio would not grow until after all of these properties were completed, ie until after 2022 which would in the short term undermine the impetus behind board creation and recruitment.

4. Consultation

- 4.1 Officers from Inclusive Growth have produced this report and included findings and feedback from officers across the Council and Members. The report has been discussed at officer level in line with the agreed governance arrangements.

5. Financial Implications

Implications completed by: Sandra Gray, Commercial Accountant

- 5.1 At the time of the original cabinet report in January 2017 it was proposed that any staffing and board costs would be kept to a minimum and that they would eventually become self-financing. Since this time a new independent Board has been recruited and an employment offer has been made to a Managing Director. Although some costs have been recharged to Reside in the past, this does not reflect the actual costs the Council incurs, therefore the additional cost to the General Fund will be in the region of an additional £150,000 per annum until the management costs of the structure can be built in to each of the pipeline investment schemes, making the overall structure self-financing.
- 5.2 IT set up costs will also need to be incurred, to enable B&D Reside Regeneration Ltd to have its own Oracle entity. Estimated one-off costs are £50,000.

- 5.3 The pipeline of properties agreed as part of the Investment Strategy in September 2017 has not changed, only the proposed method of funding, with the use of borrowing and capital receipts being reduced as it is replaced by grant. As part of the grant conditions these properties have to be held by a non-profit registered provider (which could include the Council's HRA, although that would make them subject to Right to Buy).
- 5.4 Now that a Registered Provider is required in order to meet the GLA grant conditions it is likely that management costs will increase in order to meet the additional regulatory requirements of the regulator. Additional resources will also be required in order to ensure that any new or existing entity can achieve registration before the properties being built with grant are completed.
- 5.5 The proposed placement of the existing pipeline schemes in a registered provider will have an impact on the Council's assumed £5.125m return from the investment strategy. This would arise as the surplus from each scheme would not flow back to the Council as it currently does from the properties held in the existing Reside Limited Liability Partnerships. All of the schemes are currently being reworked to revise the cashflow assumptions based on both the grant and the type of vehicle holding the properties. The outcome of this work will be reported back to Cabinet.
- 5.6 As with the previous Cabinet report, if more recruitment takes place and there are existing staff who may qualify for TUPE to Reside, consideration needs to be given to Pension matters and approval sought from the Pension Panel before admission to the LB Barking and Dagenham fund.

6. Legal Implications

Implications completed by: Suzan Yildiz, Deputy Head of Legal (Commercial)

- 6.1 The report provides an update on progress to date on a review of the Reside management arrangements and retention of board members, which was approved by Cabinet in January 2018 and sets out the direction of travel towards creating Registered Provider arm of Reside. The latter is in principle considered appropriate to enable the schemes to benefit from existing and future funding streams from the GLA. The implications below set out the relevant considerations towards this and the work that needs to be done to facilitate the creation of a registered provider.
- 6.2 The "general power of competence" under Section 1 of the Localism Act 2011, which gives the local authority the power "...to do anything that individuals generally may do" would enable the creation and operation of companies such as Reside or a new Registered Provider. The power is not limited either by the need to evidence a benefit accruing to the local authority's area, or in geographical scope. However, existing and future restrictions contained in the legislation continue to apply.

Revisions to Reside's Governance

- 6.3 Whilst Reside differs from the Council's other wholly owned companies, in that it has been extant and operational for some years, for reasons of simplicity, transparency and sound management, revisions made to the governance arrangements through a new Shareholder Agreement and revisions to the articles of

Reside designed to broadly conform with the arrangements for other wholly owned companies such as Be First. The suite of contractual and governance documents including the Shareholder Agreement regulate the relationship between the Reside Group and the Council and seek to ensure that the group's strategic direction and activities accord with the Council's corporate objectives for growth and regeneration. The report at paragraph 2.4.7 details how and where these controls will be exercised. The Shareholder Agreement accompanying this report will be both part of Reside's governance arrangements and a legally binding contract between the Council and Reside, which the company and its subsidiaries are obliged to follow. As a governance document, it ensures there is no ambiguity about decision making and objectives and provides additional checks and balances on the use of public funds. It is also likely to provide evidence of the Reside company being Teckal compliant, i.e. an entity primarily controlled by and fulfilling at least 80% of functions for the Council, which is relevant for procurement purposes. It enables Reside to commission work from the Council and its other wholly owned companies such as Be First.

- 6.4 The Commissioning Mandate sets out the vision and operational parameters for Reside outlining expected key success factors and outcomes to ensure the Reside group of companies are aligned with the Council's objectives.

Registered Provider Proposals

- 6.5 The report also seeks in principle approval for the creation of a Registered Provider arm within the Reside structure, which is deemed appropriate to facilitate the pipeline of development, access to funding streams and the preparation of a new Reside Business Plan to optimise the housing offer in the borough.
- 6.6 The Housing and Regeneration Act 2008 (HRA 2008) established the regulator of social housing (i.e. Homes England since January 2018) and the statutory framework which enables the regulator to register and regulate providers of social housing, known as registered providers. There are various types of registered provider including for profit, non-profit or charitable entities. Registration is voluntary for new entrants to the social housing sector. However, it is compulsory for those entities which have access to financial assistance from Homes England or the GLA. Section 31 of the HRA 2008 requires that when Homes England and GLA provide financial grants they must impose conditions that a registered provider is the landlord of the accommodation when it is let. Hence, in so far as any of the schemes delivered by the Council benefit from such financial assistance, the accommodation needs to be let/managed through the HRA or a registered provider, although there is no requirement that the registered provider should exist at the time of applications.
- 6.7 Whilst the report seeks approval in principle to pursue a registered provider, the options around the form of that provider and the business case supporting it need to be further developed. This work is significant as the type of entity the Council settles upon, will influence the eligibility criteria and registration requirements under Section 112, HRA 2008 and the regulatory standards the new registered provider will need to comply with. These include requirements around financial viability, governance, management and (for non-profit entities) having as an object the provision of social housing. It is, therefore, recommended to carry out further work on the options, business case and the type of entity required to meet the Council's objectives

before approval of a preferred option and ultimately registration with Homes England. Work towards options, business case and registration can progress to some extent in tandem. Hence, subject to a final preferred option for the registered provider, a delegation is included for the Director of Law and Governance to undertake the necessary steps to prepare, execute or amend relevant legal agreements or documents on behalf of the Council to implement the creation of the new Reside Registered Provider. But it is unlikely that the Director of Law can or would exercise these delegations without a clear way forward on the options and business case which set out the financial case and form of RP to suit the Council's socio-economic, regeneration and housing objectives, as well as Reside's future business plan.

- 6.8 The proposals for a registered provider are also impacted by the Regulation of Social Housing (Influence of Local Authorities) (England) Regs 2017, which are designed to limit the level of local authority influence over private registered providers such that their board membership does not exceed 24% of local authority nominated officers. The only exception to application of the Regulations is for entities which are wholly owned/controlled by the local authority and a non-profit organisation as defined by the Housing and Regeneration Act 2008. Such arrangements are possible to achieve, but further work is required to carry out financial viability / options appraisal for the best form of vehicle to meet the Council's requirements circumstances. Authorities such as Westminster Council, for example, have taken steps to re-constitute the boards and governance arrangements of their affordable housing provider entities to ensure they fall outside the Regulations.
- 6.9 Furthermore, it should be noted that whilst a range of powers including the Local Government Act 2003 enable the Council to provide financial assistance to Reside and development projects, this is subject to the Reside group being compliant with Treasury guidance and State Aid rules. Further financial work needs to be done, in tandem with the proposals for a registered provider and the preparation of a Reside business plan, to ensure that Reside delivers the Council's objectives but operates at arm's length and without access to state aid. At the time of this report insufficient information is available to consider those issues fully. Hence, a future Cabinet report addressing these issues will be imperative.

7. Other Implications

- 7.1 **Risk Management** – A risk management section will be included in the Business Plan.
- 7.2 **Contractual Issues** – These have been addressed in the body of the report
- 7.3 **Staffing Issues** – None at this stage but, subject to further activities, TUPE may be a relevant issue for which any affected staff will be consulted.
- 7.4 **Corporate Policy and Customer Impact** – Providing good customer services to Reside Tenants is a key theme of the Business Plan, but no specific changes are being recommended at this stage.

7.5 **Property / Asset Issues** – Reside is a holding and management property company. Key issues are addressed in the Business Plan and any decisions will be taken following the Council's governance arrangements.

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

List of appendices:

- **Appendix A:** Draft Shareholder Agreement
- **Appendix B:** Reside Group Structure

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APPENDIX A

Dated

2018

London Borough of Barking and Dagenham

and

Barking and Dagenham Reside Regeneration Ltd

Shareholder's Agreement

Contents

1. Interpretation
2. Business of the Company
3. Company obligations
4. Shareholder obligations
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Schedules

1. Matters requiring Shareholder Consent

This deed is dated

2018

Parties

PARTIES

(1) The **London Borough of Barking and Dagenham** having its principal place of business at Barking Town Hall, Town Hall Square, 1 Clock house Avenue, Barking, London, England, IG11 7LU (the **Shareholder**);

(2) **Barking and Dagenham Reside Regeneration LTD** incorporated and registered in England and Wales with company number 09512728 whose registered office is at Town Hall, Town Hall Square, 1 Clock house Avenue, Barking, London, England, IG11 7LU—(The **Company**)

BACKGROUND

(A) Barking and Dagenham Reside Regeneration Ltd (**Company**) is a private company limited by shares incorporated and registered in England and Wales with company number 09512728 the Company has an issued share capital divided into 1 ordinary shares of £1 each, all of which are fully paid and are registered in the name of and are beneficially owned by the Shareholder.

(B) The Company has been established for assisting the Shareholder achieve the development and management of affordable housing in the borough.

(C) The parties have agreed to enter into this agreement as a deed for the purpose of regulating the exercise of their rights in relation to the Company and for the purpose of making certain commitments as set out in this agreement.

AGREED TERMS

1. INTERPRETATION

1.1 The following definitions shall apply in this agreement.

Act: the Companies Act 2006.

Adequate Procedures: adequate procedures, as referred to in section 7(2) of the Bribery Act 2010 and any guidance issued by the Secretary of State under section 9 of the Bribery Act 2010.

Articles: the articles of association of the Company.

Associated Person: in relation to the Company, a person (including an employee, agent or subsidiary) who performs services for or on behalf of the Company.

Board: the board of directors from time to time of the Company and the expression **Board of Directors** shall be construed accordingly

Business: has the meaning given in Clause 2.1.

Business Day: a day other than a Saturday, Sunday or public holiday in England when banks in London are open for business.

Business Plan: means a business plan for the Company which is yet to be approved by the Shareholders and any subsequent business plan agreed by the Board of Directors in accordance with clause 2 and applicable from time to time.

Cabinet: means the executive of the Council within the meaning of the Local Government Act 2000;

Director: means any director for the time being of the Company;

Directors' Meeting: means a meeting of the Board of Directors;

Environmental Information Regulations: means the Environmental Information Regulations 2004;

FOIA: means the Freedom of Information Act 2000;

Financial Year: each accounting reference period of the Company determined from time to time in accordance with Chapter 3 of Part 15 of the Act.

Group: the Company, any subsidiary or any holding company from time to time of the Company and any subsidiary from time to time of a holding company of the Company and each company in the Group is a **Group Company**; and the expression **Group Members** shall be construed accordingly

Request for Information: has the meaning set out in the FOIA or any apparent request for information made under the FOIA or the Environmental Information Regulations;

Resolution: means in relation to the Company any of:

- (a) a Special Resolution (having the meaning given in section 283 of the Companies Act 2006); or
- (b) an Ordinary Resolution (having the meaning given in section 282 of the Companies Act 2006);

Shareholder: means the Council and/or any person to whom they may properly transfer any Shares in accordance with this Agreement and the Articles;

Shareholder Consent: means the prior written consent of the Shareholder which may be evidenced either (i) by way of letter addressed to the Company from Cabinet or from another delegated authority of the Shareholder as may be determined by the Shareholder from time to time or (ii) in an approved Business Plan;

Subsidiary Undertaking means a subsidiary undertaking as defined in section 1162 of the Companies Act 2006.

- 1.2** Clause and Schedule headings shall not affect the interpretation of this agreement.
- 1.3** References to clauses and Schedules are to clauses of and Schedules to this agreement and references to paragraphs and Parts are to paragraphs and Parts of the relevant Schedule.
- 1.4** The Schedules form part of this agreement and shall have effect as if set out in full in the body of this agreement. Any reference to this agreement includes the Schedules.
- 1.5** A reference to **this agreement** or to any other agreement or document referred to in this agreement is a reference to this agreement or such other agreement or document as varied, superseded or novated (in each case, other than in breach of the provisions of this agreement or the provisions of the agreement or document in question, as appropriate) from time to time.
- 1.6** Unless the context otherwise requires, words in the singular shall include the plural and, in the plural, shall include the singular.
- 1.7** Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.8** A **person** includes a natural person, corporate or unincorporated body (whether having a separate legal personality).
- 1.9** A reference to a **party** means an original party to this agreement their, successors and permitted assigns.
- 1.10** A reference to a **company** shall include any company, corporation or other body corporate, wherever and however incorporated or established.
- 1.11** A reference to a **holding company** or a **subsidiary** means a holding company or a subsidiary (as the case may be) as defined in *section 1159* of the Act and for the purposes only of the membership requirement contained in sections 1159(1)(b) and (c), a company shall be treated as a member of another company even if its shares in that other company are registered in the name of:
- (a) another person (or its nominee), by way of security or in connection with the taking of security; or
 - (b) its nominee.
- 1.12** A reference to **writing** or **written** includes faxes but no other electronic form [unless otherwise expressly provided in this agreement].
- 1.13** Any words following the terms **including**, **include**, **in particular** or **for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.14** Where the context permits, **other** and **otherwise** are illustrative and shall not limit the sense of the words preceding them.
- 1.15** A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time provided that, as between the parties, no such amendment, extension or

re-enactment made after the date of this agreement shall apply for the purposes of this agreement to the extent that it would impose any new or extended obligation, liability or restriction on, or otherwise adversely affect the rights of, any party.

1.16 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.

1.17 Any obligation on a party not to do something includes an obligation not to allow that thing to be done.

1.18 Unless otherwise provided in this agreement all, covenants, undertakings, warranties and other obligations given or entered into by more than one party in this agreement are given or entered severally.

1.19 Unless the context otherwise requires, words and expressions defined in the Articles shall have the same meaning when used in this agreement.

2. BUSINESS OF THE COMPANY

2.1 The business of the Company shall be:

(a) Maximise proportion of social rent homes and affordable tenures, ensure speed and certainty of delivery, maintain design sustainability (code level 4) quality and space standards; Ensure local accountability and developing capacity within the community and Maximise a long-term return to the Council and community.

(b) to assist the Shareholder in achieving its regeneration objectives;

(c) to operate as a commercial company and deliver the maximum achievable maintainable profit available for distribution to the Shareholder.

subject to variation from time to time in accordance with the provisions of this agreement (the **Business**).

2.2 The first Business Plan shall be produced by the Company for the Shareholders approval before the 31st March 2019. Any subsequent Business plans shall be circulate by the Company no later than the 31st December before the commencement of the triennial review and invite the Shareholder to provide comments on the proposed Business Plan or to provide Shareholder's consent. The Shareholder will use reasonable endeavours to provide a response by the end of the following February. Subject to the receipt of Shareholder's consent, before the end of each Financial Year the Directors shall (in accordance with this Agreement) consider and, if Appropriate, adopt an updated and revised Business Plan. No adoption, variation or replacement of any Business Plan shall take effect unless such adoption, variation or replacement has received Shareholder's consent.

2.3 Each Business Plan shall be substantially in the format of the first Business Plan and shall be for at least a three-year period.

2.4 Notwithstanding any other provision of this clause 2, following the requisite approval by the Directors of a new proposed Business Plan or an amended or updated and revised Business Plan, such draft Business Plan shall become, or such amended or updated Business Plan shall become, the Business Plan for the relevant Accounting Periods. For any period when a proposed Business Plan presented under clause 2.3 has not been approved and adopted by the Directors in accordance with this Agreement the relevant

existing Business Plan shall continue to be the Business Plan of the Company.

2.5 The Company shall not remunerate its Directors other than in accordance with the Remuneration Policy.

3. COMPANY OBLIGATIONS

3.1 The Company shall not, and shall procure that no Group Company shall, take any of the actions set out in Schedule 1 without Shareholder Consent.

3.2 With the exception of those matters requiring Shareholder's consent pursuant to clause 3.1, the management of the Company shall be vested in the Directors. The Directors shall be responsible for the day to day management of the Business within the terms of the Business Plan and this agreement and perform such duties as may be delegated to him by the Directors.

3.3 Without prejudice to the generality of the foregoing, the Directors will determine the general policies of the Company and the way the Business is to be carried out, subject to the Business Plan, to those matters requiring Shareholder's consent pursuant to clause 3.1 and to any other express provisions of this Agreement. In but without limitation to the generality of the foregoing, the Directors will shall exercise all voting rights and other powers of control available to them in relation to the Company to procure (in so far as they are able in the exercise of such rights and power) that, at all times during the term of this Agreement, the Company shall:

(a) carry on and conduct its business and affairs in a proper and efficient manner, for its own benefit and in accordance with the Business Plan and with good business practices, and

(b) transact all its business on arm's length terms.

3.4 The Company shall not carry out any activity which would render the holding of Shares by the Shareholder's unlawful provided that where a proposed change of law would render such shareholding unlawful the Shareholder will use its reasonable endeavours to take such steps as are necessary to allow it to continue lawfully to hold its Shares.

3.5 The Company will if it requires any approval, consent or licence for the carrying on of its Business in the manner in which it is from time to time carried on or proposed to be carried on, obtain and maintain the same in full force and effect.

3.6 The Company shall permit any Director to discuss the affairs, finances and accounts of the Company and its subsidiaries with the Shareholder's designated officers and executives at any time. All books, records, accounts and documents relating to the business and the affairs of the Company shall be open to the inspection of any such person, who shall be entitled to make any copies thereof as he or she deems appropriate to keep the Shareholder properly informed about the business and affairs of the Company or to protect its interests as Shareholder. Any information secured as a consequence of such discussions and examinations shall be kept confidential by the requesting Shareholder and its designated officers and executives in accordance with the terms of clause 13.

3.7 The Company agrees with the Shareholder that it will maintain effective and appropriate control systems in relation to the financial, accounting and record-keeping functions of the Company and will generally keep the Shareholder informed of the progress of the Company's business and affairs and in particular will procure that the Shareholder is given such information and such access to the officers, employees and premises of the Company as it may reasonably require for the purposes of enabling it to monitor its investment in the Company.

3.8 The Company agrees to collaborate with any Shareholders wholly owned companies where it is in commercial interest of Company to do so.

3.9 The Company shall not breach nor cause the Shareholder to be in breach of the Local Authorities (Companies) Order 1995.

4. SHAREHOLDER OBLIGATIONS

The Shareholder shall (so far as is lawfully possible in the exercise of his rights and powers as a shareholder of the Company) use its reasonable endeavours to carry out the actions set out in Schedule 1.

5. DIVIDEND POLICY

5.1 Subject to Clause 5.2, and unless the Shareholders agree otherwise in relation to any Financial Year:

(a) the Company shall and the Shareholder shall use reasonable endeavours to procure that the Company shall distribute by way of dividend such sums as agreed between the parties which constitute the profit of the Company in relation to each Financial Year, but after making all necessary, reasonable and prudent provisions and reserves for taxation, for the repayment of borrowings by the Company (if any), as shown in the audited accounts for that year; and

(B) the Company shall procure, and the Shareholder shall use reasonable endeavours to procure that each subsidiary of the Company shall declare and pay sufficient and timely dividends to ensure the Company's compliance with clause 5.1(a) in each Financial Year.

5.2 The parties agree that the Company shall not declare, pay or make any dividend or other distribution:

(a) without Shareholder Consent;

(b) which is or would be prohibited by the Act; and

(c) until all loans made to the Company by the Shareholder have been repaid in full.

5.3 A distribution under this clause in relation to any financial year of the Company shall be made within six months of the day to which the audited accounts of the Company for that year are made up.

6. MATTERS REQUIRING SHAREHOLDERS CONSENT

The Shareholder shall take all such steps and do all such acts and things as may be necessary or desirable, including without limitation , exercising all voting and other rights an powers of control available to it in relation to the Company or any Subsidiary Undertaking , so as to procure (insofar as it is able to do so by the exercise of those rights and powers) that at all times during the term of this agreement not action shall be taken or Resolution passed by the Company or any Subsidiary Undertaking in respect of any of the matters as set out in Schedule 1 except with the prior written consent of the Shareholder .

7. FINANCE FOR THE COMPANY

7.1 If the Company requires funds, the Company may request funding from the Shareholder **provided that** the Shareholder shall not be obliged to put up the finance concerned.

7.2 If the Company requires further funds, the Company may, subject to clause 5 as set in Schedule 1, endeavour to obtain such finance from a third party lender on the best terms which could reasonably be expected to be obtained in the open market **provided that** the Council shall not be obliged to provide any guarantee or security in respect of any indebtedness of the Company

8. PRODUCTION OF ACCOUNTS

8.1 The Company shall instruct its auditors to prepare and audit a balance sheet of the Company including Group Member, as at the Annual Accounts Date each year and a consolidated profit and loss account of the Company, for the 12 month financial period ending on the Annual Accounts Date each year to be presented to the Shareholder within [3] calendar months after the end of the period to which such accounts relate. The balance sheet and profit and loss account will be accompanied by a report in such format and covering such issues as may reasonably be requested by the Shareholder.

8.2 The Company will provide to the Shareholder full details of any actual or prospective material change in the Business or the financial position or affairs of the Company, as soon as such details are available.

8.3 All accounts referred to in this clause shall be prepared in pounds sterling and in accordance with applicable law and generally accepted accounting standards, principles and practices in the United Kingdom.

9. ANTI-CORRUPTION

9.1 Each party undertakes that:

(a) it has not and will not, in relation to the Company or Group Company will, in the course of the operation of its business, engage in any activity, practice or conduct which would constitute an offence under sections 1, 2 or 6 of the Bribery Act 2010;

(b) in the case of the Company, it and each other Group Company has and will maintain in place, or will procure that the Company **or** each Group Company has and will maintain in place, Adequate Procedures designed to prevent any Associated Person from undertaking any conduct that would give rise to an offence under section 7 of the Bribery Act 2010; and

(c) from time to time, at the reasonable request of another party, he will confirm in writing that he has complied with his undertakings under Clause 9.1(a) and Clause 9.1(b) and will provide any information reasonably requested by such other party in support of such compliance.

9.2 Breach of any of the undertakings in this clause shall be deemed to be a material breach of the agreement.

9.3 The undertakings in Clause 9.1 are given by each party to each other party and, in the case of

Clause 9.1(a) and Clause 9.1(c) only, to the Company and apply to actions carried out by each Shareholder in any capacity and whether directly or indirectly, on the Shareholder's own behalf, on behalf of any other person or jointly with any other person.

10. DIRECTORS

10.1 The Board of Directors shall consist of 5 Directors.

10.2 The Board of Directors shall, appoint the chair of the Company as nominated by the Shareholder. If the chair is unable to attend any Directors' Meeting, then the Directors will appoint another Director to act as chair at such meeting. For the avoidance of doubt, the chair shall have a casting vote.

10.3 A Directors' Meeting shall be held no less than once in every three calendar months.

10.4 The Shareholder shall have the right to appoint and maintain in office one natural person as a director (without voting rights of the Company) and to remove any director including the appointed person and, upon his removal, to appoint another person to act as a director in his place.

10.5 An appointment or removal in accordance with Clause 10.4 shall be made by giving notice in writing to the Company and, in the case of removal of a director, to the director being removed. The appointment or removal takes effect on the date on which the notice is received by the Company or, if a later date is given in the notice, on that date.

10.6 The Shareholder removing a director under this Clause 10 shall indemnify and keep indemnified the Company against any claim connected with the director's removal from office.

10.7 The Company shall at the reasonable request of the Shareholder meet with the Shareholder to discuss the Board of Directors operation and performance of the Company.

11. TERMINATION

11.1 Subject to Clause 11.2, this agreement shall terminate:

(a) when a Resolution is passed by the shareholders or creditors of the Company, or an order is made by a court or other competent body or person instituting a process that shall lead to the Company being wound up and its assets being distributed among the Company's shareholders, creditors or other contributors; or

(b) the appointment of a receiver, administrator or administrative receiver over the whole or any part of the assets of the Company or the making of any arrangement with the creditors of the Company for the affairs, business and property of the Company to be managed by a supervisor; or

11.2 On termination of this agreement, the following clauses shall continue in force: Clause 1 ;Clause 8 ,Clause 11; Clause 13,Clause 14;Clause 15;Clause 16;Clause 17;Clause 18;Clause 19;Clause 20;Clause 24

11.3 Termination of this agreement shall not affect any rights, remedies, obligations or liabilities of any of the parties that have accrued up to the date of termination, including the right to claim damages

in respect of any breach of the agreement which existed at or before the date of termination.

11.4 Where, following an event referred to in Clause 11.1(a), the Company is to be wound up and its assets distributed, the parties shall agree a suitable basis for dealing with the interests and assets of the Company and shall endeavour to ensure that, before dissolution:

- (a) all existing contracts of the Company are performed to the extent that there are sufficient resources;
- (b) the Company shall not enter any new contractual obligations;
- (c) the Company's assets are distributed as soon as practical; and
- (d) any assets or intellectual property rights belonging to or originating from a Shareholder shall be returned to him by the Company (or any other Group Company) and all such [intellectual property rights] shall be erased from the computer systems (to the extent possible) of the Company (or any other Group Company).

12. STATUS OF THIS AGREEMENT

12.1 The Shareholder shall, to the extent that he is able to do so, exercise his voting rights and other powers of control lawfully available to him as a shareholder of the Company to procure that the provisions of this agreement are properly and promptly observed and given full force and effect according to the spirit and intention of the agreement.

12.2 If there is an inconsistency or ambiguity between any of the provisions of this agreement and the provisions of the Articles, the provisions of this agreement shall prevail as between the parties.

12.3 The Shareholder shall, when necessary, exercise his powers of voting and any other rights and powers lawfully available to him as a shareholder of the Company to amend waive or suspend a conflicting provision in the Articles to the extent necessary to permit the Company and its Business to be administered as provided in this agreement.

13. CONFIDENTIALITY

13.1 Except to the extent required by law or any legal or regulatory authority of competent jurisdiction [or except with the prior written consent of the Board (acting with Shareholder Consent):

- (a) no party shall (and the Company shall procure that no member of its Group shall) at any time during this agreement and for a period of 6 years after termination of this agreement disclose to any person (other than his professional advisers) the terms of this agreement or any trade secret or other confidential information relating to the Company (or any other Group Company) , or make any use of such information other than to the extent necessary for the purpose of exercising or performing his rights and obligations under this agreement; and
- (b) No party shall make, or permit any person to make, any public announcement, communication or circular concerning this agreement or except with the prior written consent of the Board (acting with Shareholder Consent).

13.2 Each Party acknowledges that the other Party is subject to the requirements of the FOIA And the Environmental Information Regulations, and shall facilitate the other Party's compliance with its Information disclosure requirements pursuant to and in the manner provided for in clauses 13.3 and 13.4.

13.3 If either Party (the **Recipient**) receives a Request for Information in relation to Information that the other Party is holding and which the Recipient does not hold itself, the Recipient shall refer to the other Party such Request for Information as soon as practicable and in any event within five (5) Business Days of receiving a Request for Information, and the other Party shall:

- (a) provide the Recipient with a copy of all such Information in the form that the Recipient requires as soon as practicable and in any event within 10 Business Days (or such other period as the Recipient acting reasonably may specify) of the Recipient's request; and
- (b) provide all necessary assistance as reasonably requested by the Recipient to enable the Recipient to respond to a Request for Information within the time for compliance set out in Section 10 of the FOIA or Regulation 5 of the Environmental Information Regulations.

13.4. Following notification under 13.3, and up until such time as the other Party has provided the Recipient with all the Information specified in clause 13.3, the other Party may make representations to the Recipient as to whether or not or on what basis Information requested should be disclosed, and whether further information should reasonably be provided in order to identify and locate the information requested, provided always that the Recipient shall be responsible for determining, at its absolute discretion:

- (a) whether Information is exempt from disclosure under the FOIA and the Environmental Information Regulations; and
- (b) whether Information is to be disclosed in response to a Request for Information, and in no event shall the other Party respond directly to a Request for Information unless the Request for Information is addressed to it.

13.5. The Parties acknowledge that (notwithstanding the provisions of clause 13.1) the Recipient may, acting in accordance with the Department of Constitutional Affairs' Code of Practice on the Discharge of Functions of Public Authorities under part I of the Freedom of Information Act 2000 be obliged under the FOIA or the Environmental Information Regulations to disclose Information concerning the other Party:

- (a) in certain circumstances without consulting with the other Party; or
- (b) following consultation with the other Party and having taken their views into Account

13.6 Each Party shall transfer to the other Party any Request for Information which it receives but is addressed to the other Party as soon as practicable and in any event within 3 Business Days of receiving it.

13.7 The Parties acknowledge that any lists provided which list or outline confidential Information are of indicative value only and that a Recipient may nevertheless be obliged to disclose confidential information in accordance with the clause 13.

14. ASSIGNMENT AND OTHER DEALINGS

14.1 No party shall assign, transfer, mortgage, charge, subcontract, declare a trust over or deal in any

other manner with any or all of his rights and obligations under this agreement (or any other document referred to in it) without.

14.2 Each party confirms that he is acting on his own behalf and not for the benefit of any other person.

15. ENTIRE AGREEMENT

15.1 This agreement (together with the documents referred to in it) constitutes the entire agreement between the parties and supersedes and extinguishes all previous discussions, correspondence, negotiations, drafts, agreements, promises, assurances, warranties, representations, arrangements and understandings between them, whether written or oral, relating to their subject matter.

15.2 Each party acknowledges that in entering into this agreement (and any documents referred to in it), he does not rely on, and shall have no remedies in respect of, any statement, representation, assurance or warranty (whether made innocently or negligently) that is not set out in this agreement or those documents.

15.3 Nothing in this clause shall limit or exclude any liability for fraud.

16. VARIATION AND WAIVER

16.1 No variation of this agreement shall be effective unless it is in writing and signed by or on behalf of each party for the time being.

16.2 A waiver of any right or remedy under this agreement or by law is only effective if it is given in writing and is signed by the party waiving such right or remedy. Any such waiver shall apply only to the circumstances for which it is given and shall not be deemed a waiver of any subsequent breach or default.

16.3 A failure or delay by any party to exercise any right or remedy provided under this agreement or by law shall not constitute a waiver of that or any other right or remedy, nor shall it prevent or restrict any further exercise of that or any other right or remedy.

16.4 No single or partial exercise of any right or remedy provided under this agreement or by law shall prevent or restrict the further exercise of that or any other right or remedy.

16.5 A person that waives a right or remedy provided under this agreement or by law in relation to one person or takes or fails to take any action against that person, does not affect its rights or remedies in relation to any other person.

17. COSTS AND EXPENSES

Except as expressly provided in this agreement, each party shall pay his own costs and expenses incurred in connection with the negotiation, preparation, execution and performance of this agreement (and any documents referred to in it).

18. NO PARTNERSHIP OR AGENCY

Nothing in this agreement is intended to, or shall be deemed to, establish any partnership or joint venture between the parties or constitute any party the agent of another party.

19. NOTICES

19.1 A notice given to a party under or in connection with this agreement shall be in writing and shall be delivered by hand or sent by pre-paid first-class post, recorded delivery or special delivery in each case to that party's address, or sent by fax to that party's fax number, in each case as specified in Clause 19.2 (or to such other address or fax number as that party may notify to the other party in accordance with this agreement).

19.2 The addresses for service of notices are:

(a) In the case of the Company:

address: Barking Town Hall, Town Hall Square, 1 Clockhouse Avenue, Barking London IG11 7LU

(b) In the case of a Shareholder:

address: Barking Town Hall, Town Hall Square, 1 Clockhouse Avenue, Barking London IG11 7LU

19.3 A party may change his details for service of notices as specified in Clause 19.2 by giving notice to the other parties. Any change notified pursuant to this Clause 19 shall take effect at 9.00 am on the later of the date (if any) specified in the notice as the effective date for the change or five Business Days after deemed receipt of the notice.

19.4 Delivery of a notice is deemed to have taken place (provided that all other requirements in this Clause 19 have been satisfied) if delivered by hand, at the time the notice is left at the address, or if sent by fax, at the time of transmission, or if sent by pre-paid first class post, recorded delivery or special delivery on the second Business Day after posting unless, in each case, such deemed receipt would occur outside business hours (meaning 9.00 am to 5.30 pm Monday to Friday on a day that is not a public holiday in the place of deemed receipt), in which case deemed receipt will occur at 9.00 am on the day when business next starts in the place of deemed receipt (and, for the purposes of this Clause 19, all references to time are to local time in the place of deemed receipt).

19.5 This Clause 19 does not apply to the service of any proceedings or other documents in any legal action.

20. SEVERANCE

If any provision or part-provision of this agreement is or becomes invalid, illegal or unenforceable, it shall be deemed modified to the minimum extent necessary to make it valid, legal and enforceable. If such modification is not possible, the relevant provision or part-provision shall be deemed deleted. Any modification to or deletion of a provision or part-provision under this clause shall not affect the validity

and enforceability of the rest of this agreement.

21. THIRD PARTY RIGHTS

21.1 Except as expressly provided elsewhere in this agreement, a person who is not a party to this agreement shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this agreement.

21.2 The rights of the parties to terminate, rescind or agree any variation, waiver or settlement under this agreement are not subject to the consent of any other person.

22. COUNTERPARTS

22.1 This agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all the counterparts shall together constitute the one agreement.

22.2 No counterpart shall be effective until each party has executed at least one counterpart.

23. GOVERNING LAW AND JURISDICTION

23.1 This agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

23.2 Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

This deed has been entered on the date stated at the beginning of it.

Execution page

In witness whereof, the parties have executed this Agreement as a deed.

Executed as a deed by affixing THE COMMON
SEAL of **THE MAYOR AND BURGESSES OF**
THE LONDON BOROUGH OF BARKING AND
DAGENHAM

in the presence of

Executed as a deed by)

Barking and Dagenham

Reside Regeneration Ltd)

acting by:)

a director in the presence of:
Director

Witness signature

Name

Address

Shareholder Agreement

Schedule 1

Shareholder Consent Matters – Part A (Corporate Matters)

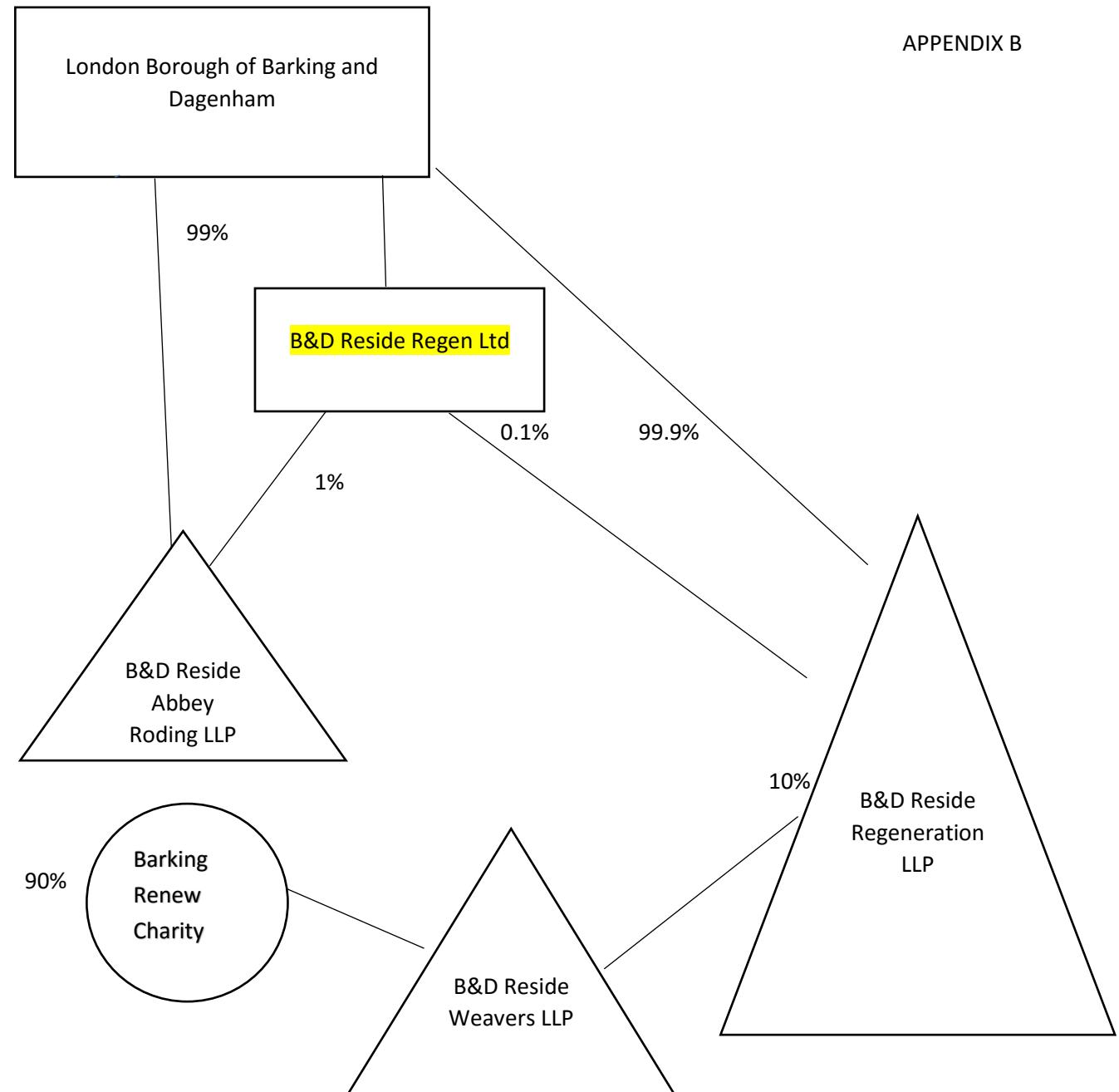
The Company shall not, unless it has Shareholder's consent:

- 1 vary in any respect its articles of association or the rights attaching to any of its shares; or
- 2 permit the registration (upon subscription or transfer) of any person as a member of the Company other than the Shareholder in accordance with the terms of this Agreement or agree any rights or restrictions attaching to any shares or memberships allocated to such new shareholders or members as applicable; or
- 3 increase or reduce the amount of its issued share capital except as provided in this Agreement, grant any option or other interest (in the form of convertible securities or in any other form) over or in its share capital, redeem or purchase any of its own shares or effect any other reorganisation of its share capital; or
- 4 issue any loan capital or enter into any commitment with any person with respect to the issue of any loan capital; or
- 5 make any borrowing [other than from its bankers in the ordinary and usual course of business; or
- 6 apply for the listing or trading of any shares or debt securities on any stock exchange or market; or
- 7 pass any resolution for its winding up or present any petition for its administration (unless it has become insolvent); or
- 8 engage in any business other than as contemplated by the Business Plan or defray any monies other than in good faith for the purposes of or in connection with the carrying on of such business; or
- 9 form any Subsidiary or acquire shares in any other company or participate in any partnership or joint venture (incorporated or not); or
- 10 close down any business operation, or dispose of or dilute its interest in any Subsidiary for the time being, or dispose of any material asset unless in each case such closure or disposal is expressly contemplated by the Business Plan; or
- 11 agree to enter or enter into any acquisition or disposal of any material assets by the Company the total of which exceeds £0.5m except unless such acquisition or disposal is expressly contemplated by the Business Plan; or
- 12 sell or dispose of any part of the business of the Company, unless such sale or disposal is expressly contemplated in the Business Plan; or
- 13 agree or approve any other material services the total value of which exceeds £50,000 per annum to be provided by the Company to a third party unless such activity is expressly contemplated by the Business Plan; or
- 14 amalgamate or merge with any other company or business undertaking; or
- 15 alter its name or registered office; or

- 16 enter into any transaction or arrangement of any nature whatsoever (including, for the avoidance of doubt, a service contract) with any of its directors or any person who is connected (within the meaning of sections 1122 and 1123 of the Corporation Tax Act 2010) to any of its directors whether or not any other person shall be party to such transaction or arrangement; or
- 17 enter into any arrangement, contract or transaction outside the normal course of its business or otherwise than on arm's length terms; or
- 18 appoint any agent (not being a sub-contractor) to conduct the whole or any part of the business of the Company, other than the appointment of an agent to conduct an area of the business of the Company; or
- 19 create or permit to be created any mortgage, charge, encumbrance or other security interest whatsoever on any material asset, shares, income or its business in whole or in part or any of its shares other than in conjunction with the Shareholder;
- 20 adopt or amend its annual Business Plan; or
- 21 change its financial year end or its auditors : or
- 22 make or permit to be made any material change in the accounting policies and principles adopted by the Company in the preparation of its audited accounts except as may be required to ensure compliance with relevant accounting standards under the Companies Act 2006 or any other generally accepted accounting principles in the United Kingdom; or
- 23 make or agree to make any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits) or grant any credit (other than in the normal course of trading) or give any guarantee (other than in the normal course of trading) or indemnity (other than in the normal course of trading); or
- 24 give any guarantee, suretyship or indemnity to secure the liability of any person or assume the obligations of any person outside the scope of its Business Plan; or
- 25 factor or assign any of its book debts; or
- 26 adopt or amend its Rent Policy; or
- 27 appoint, remove or dismiss any director or company secretary; or
- 28 adopt or amend its Remuneration Policy; or
- 29 institute, settle or compromise any material legal proceedings (other than debt recovery proceedings in the ordinary course of business or in accordance with the Debt Recovery Policy or where the value of such claim is reasonably believed by the Company to be less than £50,000) instituted or threatened against it or submit to arbitration or alternative dispute resolution any dispute if the effect of this is that its solvency may be imperilled, or it may require additional funding in order to undertake its Business Plan; or
- 30 undertake any business or action which is inconsistent with the Business Plan then in force or omitting to undertake any action which is required by that Business Plan except with the prior written consent of the Council; or
- 31 approve any matter that is reasonably likely to have an adverse effect on the reputation of the Council; or

- 32 change the nature of the business or commence any new business which is not ancillary or incidental to the business of the Company, save as expressly contemplated in the business plan; or
- 33 make any agreement with any revenue or tax authorities or make any claim, disclaimer, election or consent for tax purposes in relation to the Company or its business if the effect of this is that its solvency may be imperilled, or it may require additional funding in order to undertake its Business Plan; or
- 34 give notice of termination of any arrangements, contracts or transactions the total value of which exceeds £500,000 per annum or materially varying any such arrangements, contracts or transactions where such termination is likely to have an adverse impact on the financial status of the Company; or enter into any contract with a value in excess of £500,000; or
- 35 grant rights (by licence or otherwise) in or over any intellectual property owned or used by the Company.

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CABINET**22 January 2019****Title:** Participation in West London Alliance for Children's Care and Support Services**Report of the Cabinet Member for Social Care and Health Integration**

Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Valerie Tomlinson-Palmer – Senior Commissioner– Children's Care and Support	Contact Details: Tel: 020 8227 3549 E-mail: valerie.tomlinson-palmer@lbbd.gov.uk
Accountable Director: April Bald; Operational Director Children's Care and Support	
Accountable Strategic Leadership Director: Elaine Allegretti – Director of People and Resilience	
Summary: This report seeks the authority for The London Borough of Barking and Dagenham to join an existing commissioning partnership - the West London Alliance (WLA). The WLA is a partnership between seven local authorities across West London, including Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow, Hounslow and Hillingdon. One of the key pillars of collaboration in the alliance is the Children's Programme which is supported by a Strategic Commissioning, Procurement and Contract Management Service that delivers against scale and sub-regional objectives to deliver a more efficient and effective approach to Children's service delivery and market engagement. Joining the Partnership will enable LBBD to explore opportunities to engage in shared services and joint working to increase efficiencies, cash savings and service delivery. Savings will also be made by a reduction in administrative effort and cost for the contracting authority. in addition, the initial tendering process allows contracting authorities to identify competitive suppliers, who should offer more competitive prices based on an expected volume of business. The resulting contract/s will also give more choice and flexibility when sourcing placements for: <ul style="list-style-type: none">• Independent Fostering Agencies led by Barnet Council;• Children's Residential Homes led by Ealing Council.	
Recommendation(s) The Cabinet is recommended to:	

<p>(i) Approve the entering into of an Access Agreement with the West London Alliance (WLA) and call-off from the WLA Dynamic Purchasing Vehicle, in accordance with the Council's Contract Rules and the strategy detailed in the report; and</p> <p>(ii) Delegate authority to the Director of People and Resilience, 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 Access Agreement and all other ancillary call-off agreements upon conclusion of the procurement process when required.</p>
Reason(s)
<ul style="list-style-type: none"> • To support the Council's vision to "protect the most vulnerable, keeping adults and children healthy and safe". • To provide an appropriate, best-value service that delivers excellent outcomes for children and young people. • To help relieve budget pressures by ensuring the best value for money options are available to the Nominated Officer when seeking to place a young person.

1. Introduction and Background

- 1.1 Section 22G of the Children Act 1989 requires local authorities to secure sufficient accommodation for looked after children (LAC) that meets their needs and is within the local area wherever this is reasonably practicable. The Council has a statutory duty to ensure that there is sufficient, good quality, and safe provision for the children in its care. This provision should represent value for money and be sourced in compliance with the Public Contracts Regulations 2015 (PCR 2015), and Council's Contract Rules to ensure best value for both the children and the Council.
- 1.2 This report is requesting permission from Senior Officers for LBBD to enter into an Access Agreement with the West London Alliance (WLA) and Call-Off from the WLA Dynamic Purchasing Vehicles for the following services:
- Independent Fostering Agencies led by Barnet Council;
 - Children's Residential Homes led by Ealing Council.
- 1.3 To meet service demands, the Council has previously been reliant on securing placements through spot purchasing and individually brokered packages with providers, rather than procuring via framework arrangements. This practice is not sustainable, and it was recognised that the commissioning process needed to be reviewed with the objective of securing greater sufficiency of placements with improved value for money. The review subsequently identified opportunities for better cross-borough working, the use of digital solutions such as e-brokerage tools and improving the processes for making placements.
- 1.4 Children are placed in residential provisions for several reasons, some of which are unavoidable, but the council's preference is always to provide an alternative, more permanent and affordable placement which typically gives children and young people better outcomes, such as fostering.

- 1.5 One of the largest areas of spend for LBBD is in residential placements, where we also have difficulty with sourcing and finding quality placements. The average weekly rate for a residential placement is £3,816.77.
- 1.6 LBBD is also currently trying to reduce the number of children and young people placed with agency foster-carers through spot purchasing. The average cost of a placement with an agency foster carer is £925.28 per week
- 1.7 The Direct Purchasing Vehicle (DPV) will replace the majority of current spot purchasing arrangements. The Council will also benefit from better contractual arrangements with agencies to ensure quality and the price of these placements; where necessary; are driven down as much as possible.
- 1.8 The DPV paperwork and contracts have been through 9 boroughs (3 lead boroughs) internal governance and legal teams across West London. Redbridge have also reviewed the contracts and agreed to join.
- 1.9 A DPS is not, in the view of WLA, conducive to meeting the needs and complexity of care provision. They work very well when purchasing things such as widgets with pre-defined criteria, but not so well for care provision. So the DPV is under the PCR 2015 light touch regime and takes the best aspects of a DPS and Framework arrangements.
- 1.10 The WLA coined the term DPV (Dynamic Purchasing Vehicle) as it is dynamic and open to providers all the time, however when the providers apply they set a ceiling price (a bit like a Framework). They cannot go above this when responding to a referral but can submit a lower price. These prices are fixed for a year and they can resubmit on a yearly basis. This is different to a pure DPS when prices are more fluid.
- 1.11 Another key distinction between a DPV from a DPS is that it allows for a human element when deciding which provider to go with. This is essential because social care teams need to agree the placement that best matches the need of a young person. Decisions about young people cannot be made entirely from predefined criteria.
- 1.12 Another key feature of the DPV is that providers can be approached based on their ability to deliver the type of care required (based on criteria that they agree). This is distinct from a Framework where you would ordinarily go to everyone on the list. This is essential because you wouldn't always want to go out to the entire market. For example, if you wanted a male only home within 20 miles of Harrow you wouldn't want female only homes in Cardiff to get the referral.
- 1.13 LBBD will be able to enter into block contracts as soon as LBBD join the WLA DPV by just entering for multiple placements on the system. This is a real benefit to Local Authorities as it can significantly streamline the procurement process.
- 1.14 The challenges and issues currently faced by LA's spot purchasing are:
 - Not compliant with PCR 2015
 - Widely seen as the most inefficient model of purchasing in terms of value for money

- Limited ability to manage/shape the market with any degree of success
- Currently difficult to link “Demand” (referrals to suppliers) with “Supply” (actual placements made and current available supply) to provide intelligence on unmet needs or gaps in supply to meet demand
- Length of time and resource required to tender for block contracts
- Cost pressures to LA’s and the management of market and inflationary pressures
- Risk to Council with no contracts to hold Provider’s accountable for when there are safeguarding issues within a placement

Background of Partnership

- 1.15 The WLA is a partnership between seven local authorities across West London, including Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow, Hounslow and Hillingdon. One of the key pillars of collaboration in the alliance is the Children’s Programme, that extends to include Royal Borough of Kensington and Chelsea, Westminster and Redbridge. The Children’s Programme is supported by a Strategic Commissioning, Procurement and Contract Management Service that delivers against scale and sub-regional objectives to deliver a more efficient and effective approach to Children’s service delivery and market engagement.
- 1.16 The WLA service vision is to develop an environment where the needs of young people are met effectively by the market. The strategic commissioning approach seeks to achieve this by local authorities (LAs) collectively procuring, with a single system and consistent terms and conditions –which supports providers as well as LAs. WLA have developed an initial set of Dynamic Purchasing Vehicles (DPV) across fostering, residential care homes and will shortly extend to special educational needs placements which meet these requirements.
- 1.17 Dynamic Purchasing Vehicles (“DPV’s”) and Dynamic Purchasing Systems (“DPS”) differ from traditional framework agreements in that they allow suppliers who meet the selection criteria to join at any stage of the life cycle of the DPV which promotes continued competition. Procurement is delivered through digital platforms and electronic processes.
- 1.18 In practice, each DPV operates as a digital marketplace of pre-approved suppliers for specific categories of placements for children. The participating Councils advertise their placement requirements on the e-Brokerage system (CarePlace), which are then bid for by providers on that specific DPV. Once the bids have been assessed against the requirements, the authorised officer accepts the successful bid and issues a digital contract to secure the placement offer. The whole process is fully auditable and compliant with the PCR 2015 and the Councils Contract Rules.
- 1.19 The WLA service has the experience and capability to develop and deliver strategic commissioning projects at scale across multiple authorities. This unified position gives LAs access to fair rates. They assure this with a contract management approach, holding providers to account for quality and cost whilst understanding and combatting the barriers to meeting LA requirements.
- 1.20 This approach is underpinned by their CarePlace technology platform which provides eBrokerage and eContracting functionality, this improves the process of

making placements but also gives real time information from their DPVs'. This supports daily purchasing decisions but also collates to support provider negotiations, and market management.

- 1.21 This data from the CarePlace system fundamentally enables LAs to be intelligent customers and supports evidence-based commissioning. This facilitates effective market management and helps providers to fully meet the needs of LAs.
- 1.22 WLA have delivered significant financial cash and cost avoidance savings from their approach to the market and service delivery. In 2017/18 this equated to over £3m in benefit for West London; Their new wider approach is estimated to extend these benefits to £3.5m+ in 2018/19.

2. Proposed Procurement Strategy

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

Benefits of a Dynamic Purchasing Vehicle ("DPV")

- 2.1.1 The analysis of the available options demonstrated that a Dynamic Purchasing Vehicle ("DPV") provided significant advantages over more traditional procurement frameworks and the current spot purchasing arrangements in the following ways:

- **Value for Money** –The DPV approach creates the opportunity to make use of the combined purchasing power of multiple local authorities and an established marketplace which facilitates participation from both existing and new providers throughout the duration of the DPV. This provides greater diversity of placement provision at capped rates and demonstrates significantly better value for money through cost management and unit cost reduction compared to existing spot purchase arrangements or alternatives that require both greater investment and ongoing management as a single authority.
- **Market Management** – The WLA provides active market management across the DPVs, this includes supporting individual local authorities with negotiations and holding regular engagement events with providers operating with each category to encourage the development of local provision. The eBrokerage system and digital marketplace (CarePlace), provide significant business intelligence across each category which is used to inform and proactively identify and manage provider issues early. The digital platform also supports competition between providers as it identifies the reasons why a particular bid was not successful promoting providers to consider their future offers.
- **Procurement** - Joining the DPV would eliminate the need for a Local Authority to invest their own time and resource in developing their own contracts.
- **Quality** - All suppliers on the DPV must meet a set of qualifying criteria and then maintain them for the duration of the DPV. Placement/Brokerage Officers would also be able to see if any concerns have been raised about any provider on the DPV by other Councils.

- **Resource** – Using a e-Contracting module to automatically produce; securely send and sign-off of Individual Purchasing Agreement (IPA) negates the need for an administrator that costs in the region of £25,000.00 per year which would be required to manage several individual frameworks. In addition; the use of Careplace will assist the placements Officers (1FTE and 1 PTE) to meet the needs of the organisation more effectively. There are also efficiencies in using e-Brokerage to send packages to multiple suppliers simultaneously instead of officers having to individually call/email.
- **Contract Management** – CarePlace provides efficiencies through sub regional contract management as this will be picked up by a central team. LBBD will be able to reduce the required investment of approximately £60,000.00 per year in contract management costs which would be a necessity if these frameworks were independently procured and managed;

Benefits to LBBD

- 2.1.2 The WLA full commissioning service offer includes access to joined up commissioning across the group, using scale to influence the market at a macro level, access all existing DPVs and preferential rates for any future additions to the catalogue, contract management of providers on each DPV, as well as the full managed service technology solution and implementation.
- **Access to the suite of Dynamic Purchasing Vehicles (DPV)** Fostering, Residential Care and Independent Non-Maintained Special Educational Needs placements (SEN). This includes the ability to enter into block contracts via the DPV.
 - **Contract management service.** This includes provider contract management meetings, targeting suppliers based on agreed criteria; scale, spend, risk etc, the monitoring of regulatory inspections and safeguarding alerts, coordination of the suspension and barring process, and reporting and MI.
 - **CarePlace managed service.** The CarePlace system provides eBrokerage and eContracting functionality, and an option to activate the directory functionality. This managed service includes; license, hosting, maintenance, training, LA specific configuration, reporting, in hours help desk support and seven (7) site specific support days.
 - **Implementation and onboarding.** This would include working with LBBD to identify local provision, engage providers and encourage and support them to join the DPV. This approach to engaging providers has been successful in their onboarding to date, with 80% of provider engagements resulting in successful application to the DPV.
 - **Optional – SEN placement service.** This includes a central placement team for SEN referrals, working with LBBD to manage placements from referral, through market engagement and governance, to signed individual placement agreement.

- **Optional** – SEN fee negotiation service. This includes inflation management of off-DPV spend, through our fee management process.

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

- 2.2.1 The service pricing for a single local authority joining the arrangement is £100,000 per annum for four years. The cost of implementation will be based on the number of unique providers. The total contract value over 4 years would be £400,000. In addition; there will be a one-off fee for implementation of approximately £12,000. (This fee will be based on the number of unique providers).

	Commissioning, DPV and Contract Management					
	Breakdown	Year 1	Year 2	Year 3	Year 4	Total
Commissioning, DPV Access and Contract Management	£50, 000	£50, 000	£50, 000	£50, 000	£200, 000	
Total 4 Year Cost						£200, 000
CarePlace (datahub, eBrokerage, eContracting)	£50, 000	£50, 000	£50, 000	£50, 000	£200, 000	
Total 4 Year Cost						200, 000
Combined Total 4 Year Cost						400,000
Implementation		Price dependent on number of unique providers – c.£12,000				

- 2.2.2 The WLA offer local authorities joining together discounts, and a two LA discount would apply immediately as the London Borough of Redbridge and The London Borough of Havering are currently using the service. These discounts are outlined in the pricing schedule below and range from £7,500 to £46,500 over the 3 years. These discounts will be honoured when a new LA joins within a 12-month window. Current discount available to LBBD is £7,500 for the first year with greater savings when other Local Authorities join the Partnership

Discounting	
Contract Discount 2+ LAs	-£7,500
Contract Discount 4+ LAs	-£15,000
Contract Discount 6+ LAs	-£24,000
Contract Discount 8+ LAs	-£34,500
Contract Discount 10+ LAs	-£46,500

- 2.2.3 No commitment to expenditure by the Council will be stipulated within the WLA contract itself. Expenditure will only be incurred when referrals are made. The current expenditure for LB Barking and Dagenham is circa. £1,331,578.47 per annum for Residential accommodation and £1,630,939.52 per annum for IFA's . The total combined potential value of the contracts would, therefore, be circa. £11,850,072.00

2.3 Duration of the contract, including any options for extension

- 2.3.1 This report is seeking approval for LBBD to enter into an Access Agreement with the West London Alliance (WLA) and Call-Off from the WLA Dynamic Purchasing Vehicle for a period of four (4) years commencing on 1st February 2019 until 31st January 2023.
- 2.3.1 Either the Council or the Participant can give notification to terminate the Service Agreement any time after the initial 12 months of the contract has elapsed. The termination must be given via a written notice and can end at the next renewal point as long as a minimum of six (6) months is given. The written notice must include the effective termination date.

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

- 2.4.1 Contracts are subject to the Public Contracts Regulations 2015 however the contracts with each provider are considered a 'light touch regime contract' under current procurement legislation.
- 2.4.2 The Lead LA's have given due consideration to the PCR2015 and have ensured the principles of transparency and equal treatment of suppliers are embedded in the establishment the 3 DPV's.

2.5 Recommended procurement procedure and reasons for the recommendation

- 2.5.1 It is recommended that permission is given for LBBD to enter into an Access Agreement with the West London Alliance (WLA) and Call-Off from the WLA Dynamic Purchasing Vehicle.
- 2.5.2 The Direct Purchasing Vehicle (DPV) will replace the majority of current spot purchasing arrangements. The Council will also benefit from better contractual arrangements with agencies to ensure quality and the price of these placements; where necessary; are driven down as much as possible.
- 2.5.3 The DPV is live and seven local authorities across West London, including Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow, Hounslow and Hillingdon are currently using the system. Redbridge has also recently joined. LBBD have not been named on the OJEU notice.

2.6 The contract delivery methodology and documentation to be adopted

- 2.6.1 Service to be delivered by external providers. The WLA will be responsible for contract procurement, management and monitoring functions.
- 2.6.2 Joining the WLA and using the DPV will enable:

- **Open & easy to access.** Minimum criteria to be approved to supply – Ofsted registration, insurance and credit report. Service requirements defined at point of call off.
- **Any Local Authority.** DPVs are open to any LA nationally, to maximise the benefit of scale and investment
- **Block & individual placements.** Robust call off procedures setting out arrangements for placing individual children and calling off a block contract
- **E-Brokerage & E-Contracting.** Electronic brokering and contracting functionality within CarePlace
- **Automated Key Performance Indicators.** Responsibility on providers to report on KPIs, through an online system that automatically collates responses to be utilised as effective MI.
- **Safeguarding Alerts.** CarePlace allows for one LAs safeguarding alert to be visible to all LAs on the system.
- **Informed commissioning.** CarePlace real time data on the DPVs' journey LAs towards more informed commissioning
- **Central team.** Commissioning and contract management capability to maximise the opportunity of the DPVs for each LA and ensure compliance by providers.

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

London Borough Barking & Dagenham – DPV benefit analysis

Independent Fostering

- 2.7.1 Initial analysis has been completed on price and discounts; it is expected that the beneficial T&Cs will reduce costs to LBBD. For IFA these include 28 day notice period for providers, tighter definition of solo placements also capped at 50%, no retainer for the first week and defined mileage rates. Placement costs are agreed for the life of the placement, so no inflation rises, and the WLA also require pre-agreed costs of additional staff and education to ensure no surprises.
- 2.7.2 In addition; the WLA will ensure and be stricter on obtaining discounts for placements. For all permanent placements in excess of 9 months a 5% discount will be applied to the core fee. Also, for sibling placements a 5% discount will be applied to all children in a sibling group placed with the same agency from the commencement of the placement.
- 2.7.3 The first comparison is based on our average cost against the DPV's average ceiling price minus discounts where appropriate i.e. where LBBD have indicated a sibling placement or where a placement would attract a permanence discount, where the WLA have comparable data i.e. for those providers that overlap onto the DPV. This would indicate a saving of 1.57% which would equate to approximately c.£77k per annum assuming existing placement spend continued across a full year.

(Matched DPV) Average Cost Current	£859.27
(Matched DPV) Average DPV Cost (Inc Discounts)	£845.81
% Reduction	1.57

- 2.7.4 A number of our placements are long term and therefore are in some cases cheaper. The WLA have therefore outlined the potential opportunity to transfer LBBD's best price onto the DPV to make use of the ceiling price arrangement to ensure that we get the best of both prices. This would indicate a saving of 4.22% which would equate to c.£208k per annum assuming existing placement spend continued across a full year.

Negotiated current provision Average Cost	£822.97
% Reduction (Best prices on / off DPV)	4.22

- 2.7.5 If we further narrow down the analysis to recent placement costs, the benefit further increases as this likely illustrates the DPV's below inflation rate rises since 2013. This would indicate a saving of 6.02% which would equate to £297k per annum assuming existing placement spend continued across a full year.

2017/18 Only Average Price B&D Prices	£881.52
2017/18 Only Average DPV Prices (inc Discounts)	£828.46
% Reduction	6.02

- 2.7.6 It is also worth noting that the DPV already has 16 of LBBD's providers on their DPV (and have a further 15 at the application stage so this will increase). There are an additional 15 providers that we do not currently place with which highlights the potential to expand supply. The average price of these providers is £827 without discounts, and so if sibling and permanence discount applied the cost could reduce to £745.

Residential Care

- 2.7.7 Initial analysis has been completed on price and discounts, it is expected that the beneficial T&Cs will also reduce costs to LBBD. For Residential these include 50% cap on retainer fees, placement costs are agreed for the life of the placement, so no inflation rises, and the WLA require pre-agreed costs of additional staff and education to ensure no surprises.
- 2.7.8 For residential placements the WLA will ensure discounts are received on all permanent placements in excess of 9 months a 5% discount will be applied to the core fee.
- 2.7.9 There is not a large amount of overlap across LBBD current provision and the DPV, only 10% as it stands, The WLA will work with LBBD to bring our suppliers onto the DPV but the number illustrates an opportunity to expand the supply to LBBD in the future.
- 2.7.10 The WLA reviewed a number of our placements to establish how many would attract the permanence discount, when they applied the 3% discount on these

placements it was found that joining the DPV could save LBBD £119 on average per week.

2.7.11 In a similar analysis to the IFA DPV the WLA compared our average cost against the DPV average ceiling price minus permanence discounts where appropriate where the WLA have comparable data i.e. for those providers that overlap onto the DPV. This would indicate a saving of 3.54% which would equate to c.£270k per annum assuming existing placement spend continue across a full year.

(Matched DPV) Average Cost Current	£3,590.13
(Matched DPV) Average DPV Cost (Inc Discounts)	£3,462.90
% Reduction	3.54

2.7.12 Only one of our placements is cheaper than the ceiling rate on the DPV. We have the potential opportunity to transfer our best price onto the DPV to make use of the ceiling price arrangement to ensure LBBD get the best of both prices. This would indicate a saving of 7.15% which would equate to c.£544k per annum assuming existing placement spend continue across a full year.

Negotiated current provision Average Cost	£3,333.31
% Reduction (Best prices on / off DPV)	7.15

2.7.13 Two key categories of placement; Independent Fostering Agencies (IFAs); and Residential indicate significantly lower average weekly costs through the use of the WLA DPVs compared to the current average weekly cost of spot purchasing arrangements currently carried out by the Council. These are up to (4.22)% for IFAs and (3.54)% for Residential. The actual saving achieved depends on the individual needs of the child.

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

- 2.8.1 Suppliers will be asked to submit prices for each Lot they wish to supply as part of their application to be placed on the DPV. These will be evaluated as part of the overall evaluation.
- 2.8.2 They will also be required to provide costs for a menu of Additional Services. Placements can be enhanced with additional services which will be charged at the Contractors tendered rate.
- 2.8.3 Additional Services will be time limited, outcomes focused and reviewed regularly by the Placing Authority and Contractor with all arrangements being set out clearly in the Individual Agreement.
- 2.8.4 Call-Off procedures will be flexible to ensure that LA's are able to match the needs of children, incorporate parental preference where required and ensure placement sufficiency and best value.

2.8.5 All placement requests and responses from suppliers will be made via CarePlace. LBBD will be able to call off in 3 ways:

- Individual Placement Call-Off Procedure
- Block Placement Call-Off Procedure
- Direct Award Call-Off Procedure

2.8.6 Suppliers will be able to drop their prices at the point of responding to a referral to offer a placement to be more competitive to respond to specific needs of a child.

2.8.7 Using CarePlace will make Call offs simpler as all referrals made will be sent through CarePlace, Users will be able to utilise the enhanced Search Functionality so only relevant providers are contacted. CarePlace allows users to collate all options quickly and easily and Providers can be ranked in price order (i.e. cheapest first) or Identify best match. If two options fully meet needs of child, LBBD can choose the cheapest. Careplace will also confirm the placement with the provider and issue the IPA.

2.8.8 The key contract features are:

- Default IFA discounts of 5% for each sibling and 5% for placements of 9 months or more (i.e. 10% cumulatively). A 3% discount is also applied to all residential placements of 9 months or more.
- Increased notice periods for IFAs to 28 days as default irrespective of how long the child has been there
- Costs agreed within IPAs for residential and IFA are valid for the lifetime of the placement and there are no inflationary rises ever. Furthermore, there are no inflationary fee increases for SEN schools for at least 3 years.
- No retainers paid for the first week (IFA) or capped to 50% (Residential)
- Much tighter definition of solo fee and capped at 50% (IFA)
- Mileage – 20 miles/2 hours a day (whichever greater)
- Pre-agreed costs for additional staffing & education
- IPA structure and Contract Management approach will work to ensure that any ‘add-ons’ are time-limited; agreed in writing prior to taking place and easily reported on.

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

2.9.1 The Council continues to be committed to promoting the welfare of and protecting the most vulnerable children and young people in Barking and Dagenham. It will meet the Council’s Social Value policies and the Social Value Act 2012 by:

- **Promoting employment and economic sustainability:** tackle unemployment and facilitate the development of skills amongst providers
- **Building the capacity and sustainability of the private and voluntary sector:** enabling companies to provide the service and encourage volunteering and employment of local residents where applicable
- **Creating opportunities for SME’s and social enterprises:** Enabling the development of local businesses in the provision of this service.

2.10 Contract Management methodology to be adopted

2.10.1 For participating LA's the West London Alliance will:

- Hold regular Provider Review Meetings
- Have oversight of provider activity, compliance and performance and be a source for strategic market intelligence
- Act as mediator to support both Las and Providers
- Be available for contract advice and queries
- Undertake KPIs & monitoring (e.g. OFSTED) and placing of Safeguarding Alerts on CarePlace
- Will ensure that all issues of concern are escalated, and decisions made about suspension/barring
- Ensure non-compliant organisations are suspended/barred - Suspended providers will be unable to receive referrals via the DPV
- Undertake Quality Assurance and spot checks
- Mediate complaints/disputes
- Provide Feedback & qualitative information

3. Options Appraisal

3.1 Option 1: Do nothing

Current agreements with providers have varying quality standards and pricing which together with the administration of spot purchasing governance and documentation has resulted in an inefficient process that does not deliver proven value for money. If we do nothing this will continue to add pressure to service budgets and provide an inconsistent service to our young people.

3.2 Option 2: Procure as a single borough service

Going out to market on our own would not offer the same opportunities for economies of scale (thereby maximising value for money) that joining the WLA will offer.

3.3 Option 3: (Preferred Option) Join the West London Alliance

For the reasons set out in this report; for LBBD to enter into an Access Agreement with the West London Alliance (WLA) and Call-Off from the WLA Dynamic Purchasing Vehicles for the following services:

- Independent Fostering Agencies led by Barnet Council;
- Children's Residential Homes led by Ealing Council.

4. Waiver

4.1 Not Applicable

5. Consultation

5.1 The proposals in this report were endorsed by the Council's Procurement Board on 19 November 2018.

6. Corporate Procurement

Implications completed by: Euan Beales, Head of Procurement

- 6.1 The process outlined in the report is to access the market through a DPS, which is flexible in a volatile market, in addition the DPS allows for new providers to be added, which ensures volumes should be maintained to provide the requirements to the Council.
- 6.2 The evaluation ratios are acceptable for this type of service and should deliver against the Council's priorities for ensuring a quality service for a representative cost.
- 6.3 The process for competition will be conducted by the West London Alliance (WLA) and as such their terms and conditions will be used, and the direct supplier contract management will also be performed by the WLA.
- 6.4 I do not see any reason why the recommendations in this report should not be approved

7. Financial Implications

Implications completed by: Olufunke Adediran, Group Accountant

- 7.1 This report seeks approval for LBBD to enter into partnership with 7 other boroughs under the West London Alliance (WLA) to procure Independent Foster care and children's residential homes. It is expected that this arrangement whilst increasing efficiencies and delivering cash savings, will give LBBD access to a wider range of quality placements.
- 7.2 The cost of the 4-year contract which is expected to commence in February 2019 is £100,000 per annum with an implementation cost of £12,000 in year 1. There is a possibility that LBBD will be offered a discount of £7,500 in the first year based on another LA joining within a 12-month window.
- 7.3 The LBBD average cost of a residential placement and an agency foster carer is £3,816.77 and £925.88 per week respectively. The 2018/19 annual budget on these two placement types is £6.355m and current outturn projections reflects an overspend of £2.167m.
- 7.4 The proposal will see a replacement to the current spot purchasing arrangements with the dynamic purchasing vehicle, with the benefits of tapping into the cash savings and cost avoidance the WLA will deliver due to economies of scale. The providers prices will also be fixed for a year as against the fluid prices of the current arrangement. Overall it is anticipated that the partnership would generate savings which would go towards reducing projected overspends against the existing budget envelope.

8. Legal Implications

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

- 8.1 This report is seeking approval to enter into an access agreement with the West London Alliance to access the Dynamic Purchasing System (DPS) set up and also call off from the said DPS.
- 8.2 Contract Rule 16.1 encourages the notion that Officers of the Council should actively seek opportunities to collaborate and procure jointly with other bodies where this is likely to be of benefit to the Council.
- 8.3 It is anticipated that the proposed joint procurement exercise will be led by the London Borough of Barnet in relation to Independent Fostering Agencies and the London Borough of Ealing in relation to Children's Residential Homes with support from LBBD in terms of preparation of common specifications and contract documents.
- 8.4 The requirements for competitive tendering, as contained within the Council's Contracts Rules, are met as Rule 5.1 (b) advises that it is not necessary for officers to embark upon a separate procurement exercise where a procurement is made by another local authority acting for the Council, providing the Public Contracts Regulations 2015 (the Regulations) and standing orders of the lead authority have been followed.
- 8.5 This report states that the DPS will be set up as a DPV by adopting a more flexible approach under the Light Touch Regime (LTR) within the regulations. The LTR allows contracting authorities to determine the procedures that are to be applied in connection with the award of contracts under the regime and may take into account the specificities of the services in question. The procedures must however be at least sufficient to ensure compliance with the principles of transparency and equal treatment of operators.
- 8.6 This report states that, in compliance with the Regulations, the system is to run as a completely electronic process and, once awarded, will remain open to any contractor who satisfies the selection criteria throughout the duration of the contract.
- 8.7 When calling off from the DPS the Council must ensure that it follows the procedure as set out in the contract documents.
- 8.8 Contract Rule 28.7 of the Council's Contract Rules requires that all procurements of contracts above £500,000 in value must be submitted to Cabinet for approval. In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award the contracts following the procurement process with the approval of Corporate Finance.
- 8.9 The Responsible Directorate and report author are requested to keep the Law and Governance Team fully advised on the progress of this procurement who will be available to assist and advise throughout the process.

9. Other Implications

- 9.1 **Risk and Risk Management** - The West London Alliance Contract Management Team will periodically review the Call-Off process to ensure that all partners (Contracting Bodies and Providers) are adhering to the agreed processes.

Each of the DPVs will be overseen by a Commissioning Board, and it will have oversight of any key risks/issues that are identified. The West London Alliance will work closely with key stakeholders (i.e. suppliers, sector representative bodies and care leavers) to ensure any potential issues are swiftly identified and can be resolved.

- 9.2 **TUPE, other staffing and trade union implications** – Joining the WLA and the use of Careplace will assist the placements Officers (1FTE and 1 PTE) to meet the needs of the organisation more effectively. There are also efficiencies in using e-Brokerage to send packages to multiple suppliers simultaneously instead of officers having to individually call/email.

- 9.3 **Corporate Policy and Equality Impact** - The service will impact on LAC. The service will contribute towards reduced levels of placement disruption for those children in care.

Wellbeing of children in the borough: and ensuring that potentially vulnerable children and young people are safely housed and supported based on their needs, is a fundamental responsibility for the Council, staff and Members. Indeed, this is a responsibility for all Members as corporate parents.

The services will enable children and young people to be safeguarded while being housed and allows them to experience services within the community in a safe way, thereby, contributing to positive life chances, educational and social development.

- 9.4 **Safeguarding Adults and Children** - Referrals will be made by the Placements Team via CarePlace. The Team manager will work closely with the WLA throughout the contract life to ensure close communications and sharing of relevant information.

- 9.5 **Health Issues** - The wellbeing of children in the borough is a fundamental responsibility of the council and this service which will contribute to positive health outcomes for the children and young people.

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

List of appendices: None

CABINET**22 January 2018**

Title: Private Rented Property Licensing (PRPL) Scheme 2019 - 2024

Report of the Cabinet Member for Enforcement and Community Safety
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Open Report	For Decision
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Wards Affected: All	Key Decision: Yes
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Report Author: Gary Jones, Head of Regulatory Services	Contact Details: Email: gary.jones@LBBD.gov.uk Tel: 0208 227 5743
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Accountable Strategic Leadership Director: Fiona Taylor, Director of Law and Governance
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Summary:

The current private rented property selective and additional HMO licensing Scheme has been in place since September 2014 and is operational for a period of 5 years. The scheme has been successful in reducing anti-social behaviour related to privately let accommodation - the ground on which the Council adopted the scheme in 2014. The existing scheme therefore ceases in August 2019 and this report seeks approval to extend the selective licensing scheme when it comes to an end.

Over the last 5 years the private rented sector has been the fastest growing accommodation sector in the borough and provides more accommodation than social housing. During this period the borough has experienced one of the highest levels of migration change in England and remains one of the most deprived boroughs in the country.

The combination of these factors means that the private rented sector is becoming an increasingly important source of income for the local economy and an increasingly important part of the local community, accommodating an increasing number of economically vulnerable individuals and families. The only statutory scheme that regulates the management and occupation of all properties let in the private sector is discretionary licensing, under the Housing Act 2004.

This report also presents the outcomes of the consultation and gives an overview of the feedback from a variety of stakeholders including landlords, residents, MPs, ward councillors, and emergency services.

The paper also sets out options and recommendations that have taken into account the views of our stakeholders and the evidence collated in relation to the criteria set by Ministry of Housing, Communities and Local Government (MHCLG).

Recommendation(s):

The Cabinet is recommended to:

- (i) Agree the licensing designation and proposal for a five-year Borough-wide scheme for submission to the Secretary of State for approval by the Ministry of Housing, Communities and Local Government (MHCLG);
- (ii) Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Enforcement and Community Safety, to determine any mitigation options should the proposed scheme be declined by MHCLG; and
- (iii) Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Enforcement and Community Safety, to determine the fees and charges to be applied for 2019/20.

Reason(s)

Adopting a 5-year discretionary licensing scheme is therefore vital to the Council's ambition that no one should be "left behind" by the changes in our borough, enabling the Council to use all of the powers at its disposal to ensure that accommodation let in the private rented sector is of a good standard, well maintained and well managed.

1. Introduction and Background

- 1.1. The Housing Act 2004 enables local authorities to introduce a discretionary licensing scheme for all properties that are privately let within the borough designation.
- 1.2. In 2014, the Council adopted a borough-wide, 5-year discretionary licensing scheme to address high levels of anti-social behaviour (ASB) across the borough. The scheme came into effect on the 1st September 2014 and is operational until the 31st August 2019.
- 1.3. The scheme has made a positive impact, reducing anti-social behaviour (ASB) in privately rented properties, while anti-social behaviour related to other tenures have remained the same. Analysis carried out by the Council's Insight Hub has identified that there has been a significant reduction in the proportion of anti-social behaviour reports related to privately rented properties, compared to other types of tenure in the financial years 2015/16 and 2016/17. Reported incidents of ASB linked to privately rented accommodation decreased from 8.8% in 2014/15 to 8% in 2016/17.
- 1.4. The current scheme has also allowed the Council to address some of the other issues affecting the sector: to tackle some of the criminality within the PRS; and to improve housing conditions and overall management of privately rented homes across the borough.
- 1.5. Barking and Dagenham's private rented sector has seen significant growth since the turn of the century. Compared with owner occupied and social housing, it has experienced the greatest increase in size. In 2001 the private rented sector accounted for 5.2% of the borough's housing tenure, with owner occupier accommodation making up 55.3% and social housing 37%. By 2017, private sector

housing accounted for 27% of the borough's housing tenure – and increase of almost 22% since 2001 - with owner-occupied accommodation dropping to 47.9% and social housing to 24.8%.

- 1.6. The significant growth of the private rented sector market requires careful regulation, to ensure that homes are safe and in good condition. The Council cannot afford to ignore the challenges that the sector's growth presents; and the proposal to extend the selective licensing scheme will ensure that the Council can safeguard and continue the progress work that has already been made.
- 1.7. Legislation now requires councils to make an application to the Secretary of State if they are to consider a discretionary licensing scheme that affects more than 20% of the borough's geographical area or privately rented stock, or both. The Housing Act 2004 prescribes six key pre-conditions to designating the borough as subject to selective licensing:
 - Low housing demand
 - A significant and persistent problem caused by anti-social behaviour
 - Poor property conditions
 - High levels of migration
 - High deprivation
 - High levels of crime
- 1.8. The Council's Insight Hub has used available data and considered proposals according to the challenges faced by each of the borough's wards; and has categorised the challenges under the conditions for making an application to the Secretary of State. All of the wards across the borough satisfy the conditions related to migration and deprivation. In addition, at least one of the remaining three criteria of ASB, Housing conditions, and Crime are met in each ward.
- 1.9. Accordingly, the available evidence supports a borough wide scheme. 27.5% of property tenure in the borough is now privately rented accommodation. The ward with the lowest amount of privately rented accommodation is Heath at 20.4%; and the highest is Abbey at 54.9%.
- 1.10. This is significantly higher than the national average (20.5%) and exceeds the MHCLG benchmark of 20.3%. Before considering whether to designate an area for selective licensing, under the grounds of migration, deprivation, property condition and crime, the local authority must demonstrate that the area has a high proportion of privately rented properties. The Government's view is that if the number of privately rented properties in each area is more than 20.3%, the area can be considered as having a high proportion of privately rented properties. In 2014, it was estimated that the borough had in excess of 17,000 privately rented properties. By 2017 it had 20,115; and the estimated number of such properties is set to rise to 25,000 by 2022 if the current growth trend continues.
- 1.11. **Anti-Social Behaviour** – In 2014 the Council adopted the current Discretionary Licensing Scheme because of the need to reduce anti-social behaviour linked to privately rented accommodation. The report looks at two different measurements of anti-social behaviour levels in our borough. The first measure is anti-social behaviour related to specific properties where there is identified ASB and the second looks at areas and how each area differs in terms of ASB reports.

- 1.12. The report provides evidence that levels of recorded anti-social behaviour are significantly higher in privately rented accommodation compared with other tenures. It is important to note that whilst the number of recorded incidents of ASB is higher in privately rented accommodation, compared with other tenures, there has been a reduction in the number of incidents, year on year, since the scheme came into force. Most noticeably, the private rented sector has seen the biggest reduction in such incidents. The reduction in owner-occupied properties was only 0.2%, compared with a 0.8% reduction in reports concerning the private rented sector between 2014/15 and 2016/17, notwithstanding the continued and significant growth in the private rented sector during this period.
- 1.13. **Deprivation** - Based on the evidence set out in the submission the borough satisfies the statutory conditions for a selective licensing designation on the grounds of deprivation. Using the 2015 Index of Multiple Deprivation, LBBD is one of the most deprived boroughs in the country, with a significant correlation between deprivation and privately rented properties, and every ward in the borough having significant higher rates of deprivation than the average for England. The average rate for England is 19.5%. The ward with the lowest level of deprivation in Barking and Dagenham is Longbridge at 20.87%; and the highest is Heath at 39.6%
- 1.14. **Migration** – Migration is one of the principal causes of population change in the borough. In fact, in recent years, the borough has experienced one of the most significant migration flows in both London and England. In 2016, more than 16,800 new residents arrived in the borough. In 2015 and 2016, 45% of internal migrants and 65% of international migrants moved into privately rented accommodation. For social rented property this was only 4% and 12.7% respectively; and for owner-occupied property, 28.8% and 38.6% respectively.
- 1.15. **Housing Conditions** – Council analysis highlights that the percentage of non-decent private sector housing in the borough was 37.9%, compared with 35.3% for England; and 20.4% of all properties in the borough, and 22.3% of private rented properties, had Category 1 hazards, within the meaning of the Housing Health and Safety rating System for which Part 1 of the 2004 Act provides. At current stock estimates, this would represent over 4,400 privately rented properties.
- 1.16. The Supporting Evidence in Appendix 1 provides a comprehensive breakdown on the statistics and analysis used to determine the categories in which the Council will be making its application to the Secretary of State.
- 1.17. Having considered other options, as highlighted in Appendix 1 and 2, and the growing challenges the borough faces in relation to both migration and deprivation, it is considered that a borough-wide selective licensing scheme is the most effective way to enable the Council to regulate the letting of privately rented accommodation, ensuring that both the management and condition of all such accommodation meet a minimum standard, are continually improved, and that no one is left behind.
- 1.18. Houses in multiple occupation are required to be licensed under Part 2 of the Housing Act 2004 and the above proposals do not require Secretary of State approval for Statutory HMOs.

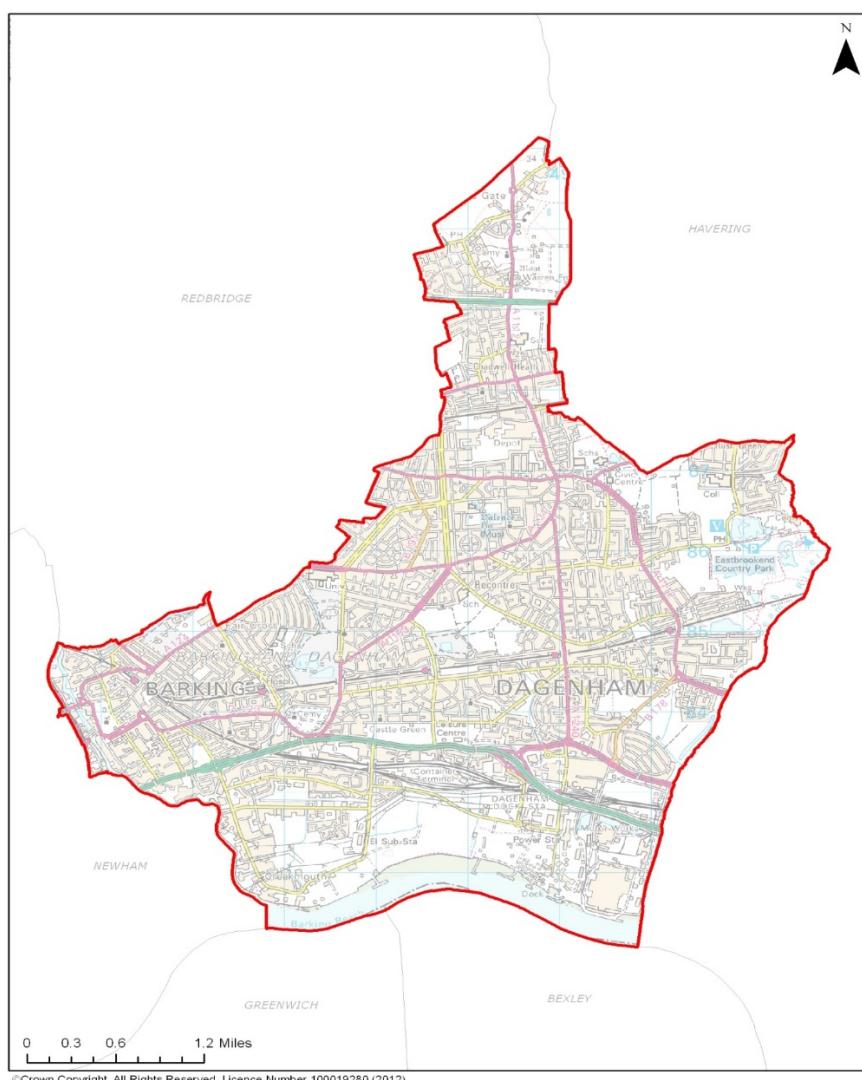
2. Consultation

- 2.1 The Council is required under the Housing Act 2004 to take reasonable steps to consult persons who are likely to be affected by the proposed designation, and to consider any representation made in accordance with the consultation.
- 2.2 The Council adopted a comprehensive approach to consulting key stakeholders, including landlords, tenants, managing agents, neighbouring boroughs, and emergency services. It carried out a three-phase consultation that included two reviews during 2017/18 and a formal consultation commencing in October and running for twelve weeks up to the 14th December 2018.
- 2.3 The total number of responses to the consultation was 1017.
- 2.4 The two initial consultation phases were specifically designed to build a picture of the current scheme, identifying opinions about it and key areas to inform the future scheme design. Examples of the results include:
- 66% of tenants and 60% of borough residents believe continuing the scheme in 2019 will have a positive impact,
 - tenants and residents believe it has a particularly important impact on ASB, property conditions and overcrowding,
 - a common complaint in the current scheme review was that it treated good landlords the same as bad landlords,
 - 88% of respondents agreed that landlords providing a bad service should be penalised, and
 - 82% of respondents agreed that landlords with a history of providing bad services should be charged a higher rate.
- 2.5 **Summary of consultation**
- 2.6 36.09% of respondents were landlords, 34.7% were tenants in the private rented sector. The remaining respondents were owner-occupiers, letting agents or those living in social landlord accommodation.
- 2.7 55% of respondents strongly agreed or agreed that the current scheme has been effective in improving the overall condition and management of private rented accommodation.
- 2.8 61% agreed or strongly agreed with the proposal to continue with a selective licensing scheme.
- 2.9 59% agreed that the scheme should be borough-wide.
- 2.10 The key criticism of the current scheme related to the fees applied to a licence. The main challenge from landlords was that the Council does not provide enough support when they have problematic tenants. 83.5% felt that landlords who provide a good service should not be charged as much as landlords who provide poorly maintained accommodation or who failed to provide a good service to their tenants.
- 2.11 The full consultation results are attached in Appendix 2. (PRPL Consultation – Final Results)

- 2.12 The consultation responses highlights that the Council has a range of enforcement powers to regulate the private sector. However as set out in the report, the private rented sector makes a significant contribution to the local economy. Discretionary licensing is the only scheme which enables the Council to regulate the management and occupation of all properties let in the private sector, ensuring that those moving to the borough are not financially exploited and accommodation is of a decent standard.
- 2.13 Responses from representative bodies also highlighted that the license fee is being charged back to tenants, thereby pushing up rents. The licence fee is currently set at £506, as a one-off payment until the expiry of the current 5-year licensing scheme in August 2019. Our evidence however is that rental provides in Barking and Dagenham have risen at a far greater rate since the current scheme came into effect in September 2014. A two-bedroomed flat has increased in rent by 15% from £1,000 – 1,150 per calendar month, and a three-bedroomed flat has risen by 23% from £1,300 - £1,600 per calendar month.

3. Proposal and Designation

- 3.1 The map below illustrates the geographical coverage of the proposed designation depicted by a red boundary line. This designation will cover the entirety of the borough including all 17 wards.



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4. Fee structure Borough Wide Selective Licensing

- 4.1 At the end of November 2017, the Council undertook work to confirm the true cost of operating the scheme. This review was repeated in May 2018 and a fee structure was agreed.

	Part A Payment	Part B Payment	Combined Licensing Fee
Selective Licence (Houses with one family or two people who are not related)	£470	£430	£900

- 4.2 The above fee structure has been devised in order to comply with Supreme Court judgement in *Hemming* and the High Court's more recent decision in *Gaskin*. Splitting the fee in this way will mean that the Council is compliant with the requirements of statute and case law.
- 4.3 The Part A payment above has been calculated taking into account only the Council's costs of processing an application.
- 4.4 The Part B payment, by contrast, which will be levied only if a licence application is successful, includes a contribution towards the Council's costs of carrying out functions under Part 3 of the Housing Act 2004 and its costs in carrying out its functions under Chapter 1 Part 4 in relation to Part 3 houses (single family dwellings), in so far as they are not recoverable under or by virtue of any provision of that Chapter.
- 4.5 In response to the feedback from landlords, the Council is proposing that a landlord who is considered a fit and proper person, has held a current licence with LBBD for a minimum of two years and has not been subject to any enforcement or legal action including conviction, caution or civil penalty, will be eligible for a 50% reduction in the Part B fee only. It is anticipated on current statistics that 80% of landlords will be eligible for this discount.
- 4.6 Privately rented accommodation which falls outside of selective licensing and is considered a House in Multiple Occupation is defined under a different section of the Housing Act 2004. The definition of a House in Multiple Occupation attracts a fee of £1,200 for a 5-year licence. There are approximately 500 known HMO's in the borough which fall under this definition which are already licensed and would fall outside of Selective Licensing.

4.7 Benchmarking: Local Authorities

- 4.7.1 The Council has carried out a benchmarking exercise with local authorities and the below gives an overview of their fees and charges in respect of Selective Licensing:

Local Authority	Selective Licensing Fee
Redbridge	£500 (50% discount before 1 st Jan 19)
Havering	No Selective (but £900 for Additional HMO)
Newham	£750
Tower Hamlets	£520

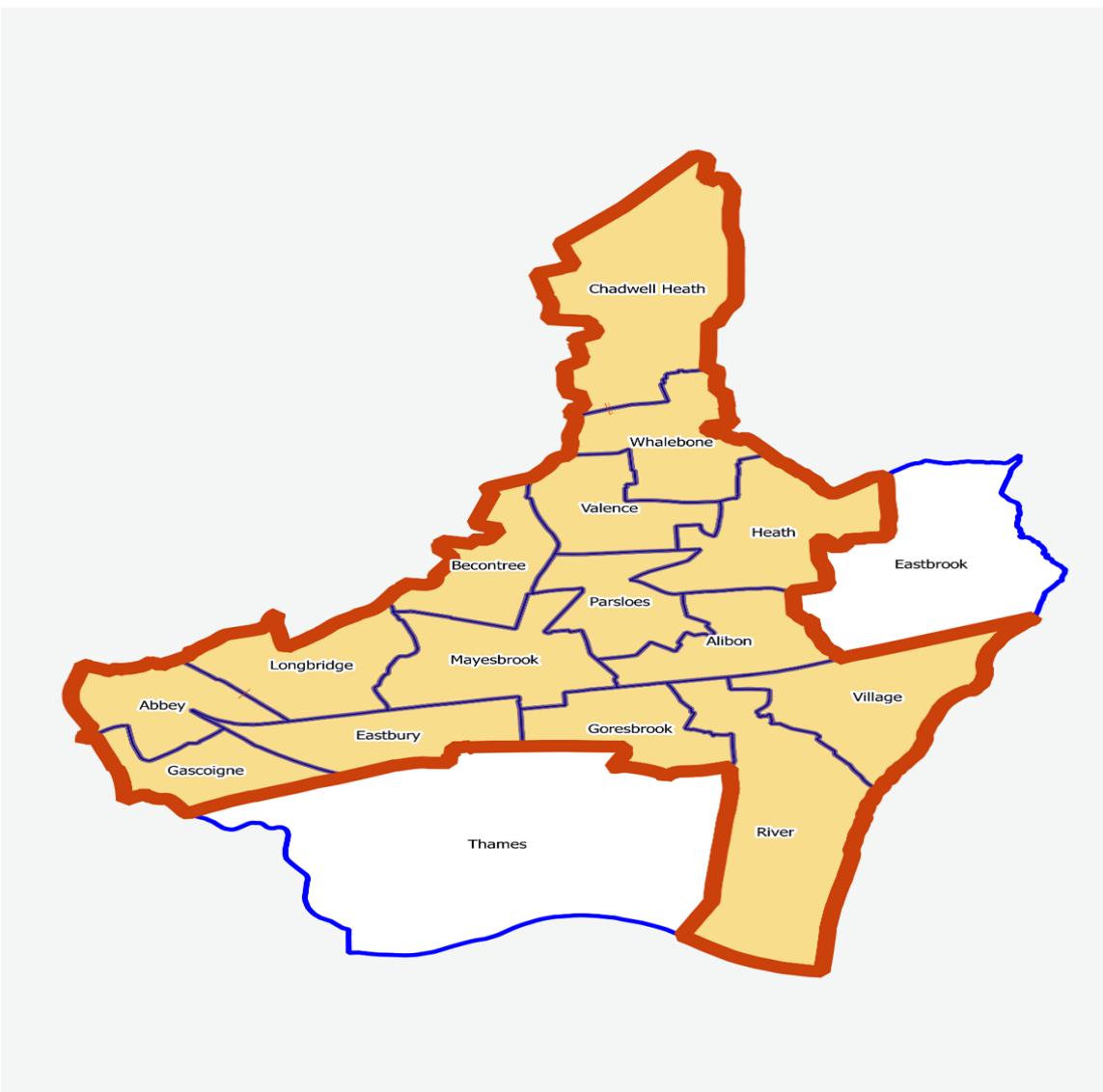
5. Consideration of risks and next steps

- 5.1 Based on the detailed evidence compiled, the expert advice used in the compilation of the submission, the support from the consultation responses and Counsel's advice, which demonstrates that the evidence meets the criteria set out by MHCLG, the recommendation is that the Council should apply for Secretary of State confirmation for a borough-wide scheme on the grounds of deprivation and migration.
- 5.2 The Council is aware that, at this time, MHCLG has not yet confirmed a borough-wide scheme for any local authority in England. Should MHCLG refuse the submission the Council would consider the following next steps.
- 5.3 The Council has taken expert legal advice from Counsel to ensure that its submission meets the legal test set out by MHCLG in their criteria. This advice confirms that the Council's proposals are compliant. Should the Secretary of State refuse the submission the Council could consider the most appropriate legal steps based on the grounds of refusal.

6. Applying for a discretionary licensing scheme for 15 wards

- 6.1 The Council could consider implementing a scheme made up of 15 wards across the borough, excluding Eastbrook and Thames. Eastbrook has the lowest percentage of privately rented accommodation in the borough at 20.4%, only 0.1% higher than the MHCLG benchmark. Whilst Thames Ward currently has a high proportion of privately rented property, the area is undergoing significant regeneration over the next decade. There is an argument, though not necessarily a cogent one, that Thames Ward could be excluded from the scheme on this basis.
- 6.2 While the exclusion of any ward from the proposed licensing scheme would jeopardise the objectives of both the scheme and the Council and is not the Council's preferred option, it would be open for consideration in the event that MHCLG confirmation for a borough-wide scheme is not forthcoming. The Council's view would be that a limited regulation would be better than no regulation at all.

Designation



- 6.3 The proposed designation boundary is depicted in red excluding Eastbrook and Thames.

Implementation of a discretionary Licensing Scheme covering 20% of the Borough –

- 6.4 Under the current General Approval, local authorities can, without HMCLG confirmation, implement a selective licensing scheme that would not cover more than 20% of the geographical area and would not affect more than 20% of privately rented homes in the local authority area, provided they consult for the minimum, prescribed period of 10 weeks.
- 6.5 In the event that confirmation is not forthcoming, therefore, the authority could consider designating up to 20% of the borough as subject to selective licensing. In that case, the available evidence would suggest that all or parts of Abbey, River, Alibon, Becontree, Parsloes, Whalebone and Chadwell Heath would fall under this designation.

6.6 If the Council were to consider this as an option, then only landlords within these designated areas would be required to make a licence application. Again, the limitation of the scheme would very probably jeopardise the objectives of both the scheme itself and the Council. The Council's view would be that a limited regulation would be better than no regulation at all.

7. Financial Implications

Implication completed by: Geetha Blood, Group Accountant, Housing and Environment

- 7.1 The above proposal and recommendation set out the grounds for the implementation of a discretionary licensing scheme based on the current profile of licences and proposed fee charges.
- 7.2 Any new scheme will have to be cost-neutral and have no direct impact on the financial position of the Council, either in terms of administrating the scheme or enforcement action carried out by Council services.

8. Legal Implications

Implication completed by: Adam Rulewski, Barrister, Litigation and Prosecutions

- 8.1 The main legal implications are referred to in the body of this report. The key legal implications are:
 - That in proposing a scheme, the Local Authority must satisfy the tests set out in s.80 Housing Act 2004, and within the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 (SI 2015/977). The report demonstrates that the tests have been made out.
 - The Local Authority is under a duty to consult about the scheme. The Local Authority has carried out that statutory consultation, in accordance with the statutory requirements and the case law as identified in the case of *R (Croydon Property Forum Ltd) v Croydon LBC*.
 - In setting the fee structure, the Local Authority must take account of the decision in the *Gaskin* case. The proposed fee structure complies with these requirements.

9. Other Issues

- 9.1 **Staffing Issues** – this paper includes the staffing requirements for the introduction of a new discretionary licensing scheme. The current structure will need to be reviewed depending on the size of any new scheme.
- 9.2 **Health Issues** – Improving the management and condition of housing accommodation is a key feature in the overall health and well-being of residents in the borough. A focus on addressing non-compliant landlords who provide inadequate accommodation is a key feature in the introduction of any new scheme.

9.4 **Property / Asset Issues** – The Council has carried out an Equality Impact Assessment (EQIA) in relation to the submission. This is attached as Appendix 3.

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

List of Appendices

- **Appendix 1:** Submission and Supporting Evidence
- **Appendix 2:** PRPL Consultation – Final Results
- **Appendix 3:** Equality Impact Assessment

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APPENDIX 1

LONDON BOROUGH OF BARKING AND DAGENHAM

EXTENSION OF PRPL – SUPPORTING EVIDENCE

SEPT 2018

FOREWORD

One Borough, One Community; London's Growth Opportunity

In 2014, we adopted a 5-year, borough-wide discretionary licensing scheme - the Private Rented Property Licensing ('PRPL') scheme – to run concurrently with a statutory scheme for the mandatory licensing of houses in multiple occupation ('HMOs'), enacted by Part 2 of the Housing Act 2004 ('the 2004 Act').

The scheme, which includes both additional licensing (i.e. the licensing of HMOs not subject to mandatory licensing) and selective licensing (i.e. the licensing of other privately rented accommodation), began in September 2014 and is due to end in August 2019.

Its principal objective was to regulate and improve the management and condition of accommodation in the borough's private rented sector and address, in particular, high levels of anti-social behaviour (ASB).

Since 2014, it has enabled us to inspect the borough's privately rented stock, to improve the management and standard of its accommodation and to reduce levels of ASB at or associated with privately rented properties.

It has also enabled us, however, to identify issues that continue to affect the sector adversely and ways in which the sector can be improved for the benefit of the local community. For example:

Growth and tenure change - In 2014, we adopted a 5-year, borough-wide discretionary licensing scheme - the Private Rented Property Licensing ('PRPL') scheme – to run concurrently with a statutory scheme for the mandatory licensing of houses in multiple occupation ('HMOs'), enacted by Part 2 of the Housing Act 2004 ('the 2004 Act').

The scheme, which includes both additional licensing (i.e. the licensing of HMOs not subject to mandatory licensing) and selective licensing (i.e. the licensing of other privately rented accommodation), began in September 2014 and is due to end in August 2019.

Its principal objective was to regulate and improve the management and condition of accommodation in the borough's private rented sector and address, in particular, high levels of anti-social behaviour (ASB).

Since 2014, it has enabled us to inspect the borough's privately rented stock, to improve the management and standard of its accommodation and to reduce levels of ASB at or associated with privately rented properties.

- It is increasingly important, therefore, that the sector is managed and regulated effectively.
- **Migration** - Barking and Dagenham has benefited from the arrival of a number of new residents, described within as “migrants”. Migrants includes UK citizens who are new to the borough, and international persons. The inflow, arrival and entry of new population into an area is described within this document as an “influx”. Our evidence demonstrates that many new arrivals to the borough seek accommodation in private rental housing. Therefore it is vital that this sector provides good quality accommodation, which is maintained well, not overcrowded, and people are not financially exploited.
- **Deprivation** - Barking & Dagenham is one of the most deprived boroughs in the country and there is a significant correlation between that deprivation and the occupation of its privately rented properties.
- **Crime** - The wards in our borough with the highest crime rates are also those with the highest proportion of privately rented properties. This is increasingly the case, especially where burglary, criminal damage and arson are concerned.
- **‘New’ ASB** - ASB including behaviour not targeted by the current licensing scheme - remains prevalent in the private rented sector. This includes for example fly-tipping, noise nuisance and eyesore gardens.

We firmly believe that a discretionary licensing scheme is the most effective way to deal with these problems, enabling us to regulate the letting and occupation of privately rented accommodation in the borough, to cooperate effectively with landlords and tenants alike and to continue property compliance visits, all with a view to improving further the management and condition of privately rented accommodation in the borough.

Since August 2017, we have therefore been consulting with key stakeholders about re-designating the borough as subject to a discretionary licensing scheme when the current scheme expires at the end of August 2019. A summary of Stages 1 and 2 of our consultation exercise appears in Appendix 2 to this report.

This report outlines, therefore, our rationale for a new selective licensing scheme beginning at the end of August 2019. We will outline the rationale for a new additional licensing scheme separately.

The report is a key part of Stage 3 of our consultation exercise, which runs for 12 weeks, and will explain the statutory and strategic context of our proposed new scheme, the statutory pre-conditions to designating an area as subject to selective

licensing and why we are satisfied that they are met. It will also explain why a selective licensing scheme, combined with other measures, is the most effective way to tackle the various problems (above) that continue to blight our community; and how the proposed scheme will operate.

Improving the quality of accommodation offered by the private rented sector is a cornerstone of our long-term strategy to maximise opportunity and quality of life in our local community. We hope, therefore, that you will take time to read this report, to understand its objectives and to participate constructively in this consultation exercise. Together, we are sure, we can continue the progress of the last four years towards a better and more sustainable community.

We look forward to hearing from you.



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1. Introduction

- 1.1.** Our current selective licensing scheme, requiring the licensing of properties in the private rented sector, will expire in August 2019. Over the last four years, the scheme has benefitted our local community, by enabling us to inspect, regulate and improve the management of privately rented accommodation and reduce levels of anti-social behaviour in the borough. It has also enabled us to identify further issues in the borough – poor housing conditions, high migration levels, deprivation and high crime levels – which require regulation; and while levels have reduced in the last four years, anti-social behaviour remains a borough-wide problem.
- 1.2.** We are therefore consulting about the re-designation of our borough as subject to selective licensing. This report is a key part of our consultation exercise. It summarises our proposal for a new selective licensing scheme, similar in many respects to the current scheme, and explains why we are satisfied that the conditions for a new designation are met.
- 1.3.** We have therefore summarised below, in Section 2, the legal framework of selective licensing and the statutory conditions for a designation. Section 3 explains our long-term vision for the borough and how a new selective licensing scheme would be consistent with our strategic objectives. In section 4 we have explained in detail how the principal conditions for a selective licensing scheme on grounds of anti-social behaviour, housing conditions, migration, deprivation and crime are satisfied, before summarising in Section 5 why a new licensing scheme, rather than alternative measures, is necessary. Section 6 summarises our proposal for a new scheme, outlining key features and consequences for service users.
- 1.4.** We have also included various appendices with this report, not least a ward by ward analysis of the problems affecting our borough and copies of our proposed licence application form and conditions.
- 1.5.** We hope that you will find the information in the report helpful and that you will help us to shape our proposed scheme by participating in this consultation exercise. We are confident that selective licensing can help us to improve the social and economic conditions in our borough and look forward to your input.

2. Legislative context

Licensing under the Housing Act 2004

- 2.1.** The Housing Act 2004 enacts three schemes for the licensing of privately rented accommodation, one mandatory and two discretionary.

Mandatory HMO licensing

- 2.2.** Local housing authorities ('LHAs') are obliged to operate a scheme requiring those managing or having control of houses in multiple occupation ('HMOs') in their area to obtain a licence authorising their occupation. Broadly the scheme, under Part 2 of the 2004 Act, applies to HMOs with three or more storeys, occupied by five or more persons in two or more households. On 1st October 2018, the scheme will be extended however to cover all HMOs occupied by five or more persons in two or more households, however many storeys they have.

Additional HMO Licensing

- 2.3.** Part 2 of the 2004 Act also enables LHAs, at their discretion, to operate a scheme requiring those managing or having control of HMOs that are not covered by mandatory HMO licensing to obtain a licence authorising their occupation. To do so, they must be satisfied that a significant proportion of the HMOs in their area are being managed sufficiently ineffectively as to give rise to one or more particular problems, either for those occupying the HMOs or for members of the public. An additional licensing scheme may run for up to five years. We adopted such a scheme in 2014.

Selective Licensing

- 2.4.** Under Part 3 of the 2004 Act, LHAs may also run a scheme requiring those managing or in control of other privately rented accommodation, falling outside the scope of mandatory or additional licensing, to obtain a licence authorising its occupation. To do so, they must be satisfied that certain, prescribed conditions (below) are satisfied. Like schemes for the additional licensing of HMOs under Part 2 of the 2004 Act, a selective licensing scheme may run for up to five years. We adopted such a scheme in 2014.

Designating an area as subject to selective licensing

- 2.5. Section 80 of the Housing Act 2004 enables LHAs to designate the whole or part of their area as subject to selective licensing if they are satisfied that certain, prescribed conditions are satisfied; and they have both taken reasonable steps to consult persons likely to be affected by the designation and considered any representations made in accordance with the consultation and not withdrawn.
- 2.6. Section 80 of the 2004 Act prescribes two of six possible pre-conditions. They are known as general conditions. In summary, they are that:
- the area is or is likely to become an area of **low housing demand** and a designation, combined with other measures, will contribute to the improvement of the area's social or economic conditions; and that
 - the area is experiencing a significant and persistent problem caused by **anti-social behaviour**, which some or all private landlords are failing to tackle appropriately, and that a licensing designation, combined with other measures, will lead to a reduction or elimination of the problem.
- 2.7. The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 ('the 2015 Order') prescribes a further four possible pre-conditions. They are known as additional conditions. In summary that are that:
- following a review of **housing conditions**, the council considers that it would be appropriate to inspect a significant number of properties in the private rented sector for Category 1 or 2 hazards and intends to do so; and that a designation, combined with other measures, will contribute to an improvement in general housing conditions in the area;
 - the area has recently experienced or is experiencing an **influx of migrants**, who occupy a significant number of properties in the private rented sector; and a designation, combined with other measures, will contribute to the preservation or improvement of the social or economic conditions in the area and ensuring that properties in the private rented sector are properly managed and, in particular, that overcrowding is prevented;
 - the area is suffering from a high level of **deprivation**, affecting a significant number of occupiers in the private rented sector; and a

designation, combined with other measures, will contribute to a reduction in the level of deprivation in the area; and

- the area suffers from high levels of **crime** affecting those living in the private rented sector or other households and businesses in the area; and a designation, combined with other measures, will contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.
- 2.8.** In order to designate an area as subject to selective licensing on one or more of the additional conditions above, LHAs must also be satisfied that:
- the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area; and
 - the properties referred to above are occupied under either assured tenancies or licences to occupy.
- 2.9.** We are satisfied that one of the 2004 Act's general conditions, concerning anti-social behaviour, is satisfied; and that all but one of the additional conditions prescribed by the 2015 Order are satisfied. In the sections that follow, therefore, this report will focus on five of the six possible statutory pre-conditions, but not low housing demand.
- 2.10.** By section 81 of the 2004 Act, LHAs are required to ensure that any exercise of their power to designate an area as subject to selective licensing is consistent with their overall housing strategy. They must also seek to adopt a co-ordinated approach to dealing with homelessness, empty properties and anti-social behaviour.
- 2.11.** Further, LHAs must not make a designation under section 80 of the 2004 Act unless they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective or objectives that the designation is intended to achieve; and they consider that making the designation will significantly assist them to achieve the objective or objectives, whether or not they take any other course of action as well.
- 2.12.** A designation cannot come into force unless it has been confirmed by the Secretary of State, or it falls within a description of designations for which the Secretary of State has given general approval.

- 2.13.** Subject to two conditions, by the *Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015*, the Secretary of State has given general approval for all proposed selective licensing designations. The two conditions are, in summary, that:
- the LHA must have consulted those likely to be affected by the designation for not less than 10 weeks; and
 - the designation, either itself or in combination with other selective licensing designations, does not cover more than 20.3% of the LHA's geographical area, or more than 20.3% of the privately rented homes in the LHA's area.
- 2.14.** As our proposed selective licensing designation would cover more than 20.3% of the borough, we will be asking the Secretary of State to confirm it if, following this consultation exercise, we choose to proceed with it.
- 2.15.** The Government has provided guidance for LHAs who propose to introduce a scheme of selective licensing in their area. The guidance is found in *Selective licensing in the private rented sector: A guide for local authorities* (March 2015) ('the 2015 Guidance'), which provides a helpful summary of the law concerning selective licensing. We have had regard to the guidance when considering whether our borough should continue to operate a selective licensing scheme and have referred to the guidance in the report below.

3. Strategic context

- 3.1.** The Borough Manifesto – Barking & Dagenham Together – is the Council's corporate plan and outlines our long-term vision for the borough. Shaped by our ambition to inspire pride in the local community, social responsibility and a borough-wide sense of opportunity, it includes commitments to help residents achieve independent, healthy, safe and fulfilling lives; to make Barking and Dagenham a place with sufficient, accessible and varied housing and generally to make the borough a place of which residents are proud; and where they want to live, work, study and stay.
- 3.2.** These commitments run accordingly through our strategies for housing and health and wellbeing.

- 3.3.** The Housing Strategy 2012/17, for example, sought to improve residents' quality of life by creating thriving, sustainable communities and addressing the needs of all residents, whether owner-occupiers or those renting in the private or social housing sectors.
- 3.4.** It prioritized strategies to tackle homelessness and, importantly, to create a vibrant and accessible housing market, with a responsive and high-quality private rented sector.
- 3.5.** The latter has become particularly important since the turn of the century. It has flourished in the last seventeen years especially, growing from 3,500 homes in 2001 to 17,000 in 2014, when our current licensing scheme began. By 2017 it had grown again to 20,115 homes and, if current growth continues, it will have grown to approximately 25,000 properties by 2022.
- 3.6.** The private rented sector is, therefore, a key provider of housing in the borough, providing accommodation for the homeless, for the young and for middle-income households alike. Its quality and sustainability are, in short, fundamental to our long-term vision and objectives.
- 3.7.** The new Housing Strategy 2018/23, now being prepared, has regard to the Government's 2017 Housing White Paper '*Fixing our Broken Housing Market*' and to the Mayor of London's Draft Housing Strategy.
- 3.8.** It recognizes that the private rented sector will play an important role in the borough's long-term aim for inclusive growth.
- 3.9.** It aims to integrate, therefore, our response to unlawful evictions, harassment, overcrowding, homelessness, empty homes and housing standards; to respond effectively to the opportunities and challenges of new supply, institutional investment and Build to Rent; to drive up standards in the local letting agent market; to improve the quality of accommodation by, for example, retro-fitting thermal insulation in private rented sector properties; and to reach the point where 12% of all households rent in an institutional private rented sector – all with a view to professionalizing and improving the quality of the local housing market.
- 3.10.** The extension of selective licensing in the borough, about which this report is concerned, is therefore an important means of achieving these objectives.

- 3.11. By regulating the management, use and occupation of accommodation in the private rented sector, we will be able to work closely with landlords to ensure that they obtain the support needed to let and manage their properties effectively. We can ensure that all those who manage private sector accommodation are fit to do so; that the business model of so-called rogue landlords is disrupted; that our residents have tenancy agreements that are fit for purpose; that their accommodation satisfies minimum health and safety requirements; and that the private rented sector helps us to create a sustainable community for the benefit of all.
- 3.12. A selective licensing scheme is not only consistent with our housing strategy, therefore, and our approach to homelessness, empty properties and anti-social behaviour, it is important to the success of all of them.

4. Satisfying the conditions for a selective licensing designation

Introduction

- 4.1. We summarised the legislation that enables us to operate a selective licensing scheme at the beginning of this report. To do so, local housing authorities ('LHAs') must be satisfied, in particular, that one or more of six statutory conditions – two general and four additional – is met.
- 4.2. We are satisfied that five of the six – i.e. those concerning anti-social behaviour, housing conditions, migration, deprivation and crime – are met. We are also satisfied that the pre-requisites to each of the additional conditions are met, i.e. that the area has a high proportion of properties in the private rented sector, occupied either under assured tenancies or licences to occupy. In this section of the report, we explain why that is so.
- 4.3. The section begins, in *This is the borough*, by setting out background information about our borough and its private rented sector, putting our reasons for re-designating the borough as subject to selective licensing in their proper context.

- 4.4.** Appendix 1 to this report also provides an accessible, at-a-glance summary of the information provided in this section, describing each of the borough's wards and the social problems currently affecting them. For information we have included a summary of our data collection methodology at Appendix 3.

This is the borough

Demographics

- 4.5.** In 2001, the population of our borough was 164,000, of which over 81% was white British. The south west corner of the borough was the only area with a significant black, Asian, and multi-ethnic background (BAME) population.
- 4.6.** The population total remained at a similar level until the middle of the decade, at which point the area began to experience a rapid change, both in the number and composition of its residents. This turned out to be one of the most intense changes for any local authority area, whether in London or the rest of the United Kingdom.
- 4.7.** By 2011, the borough's population had increased by 13.4% to 186,000. The white British population had decreased to just 49% of the borough total. The Asian community had spread outwards from the south west corner, along the western side of the borough in particular, in many cases extending communities from the neighbouring London Borough of Redbridge.
- 4.8.** The Bangladeshi community had also increased significantly in and around Longbridge Ward in the south-west. The 2011 census showed an increase of over 1000% from 2001, rising from 673 to 7,701.
- 4.9.** Likewise, the black African population had increased significantly across the whole borough, though concentrated mainly in the south and west.
- 4.10.** Since the extension of the European Union, the borough has experienced a rapid and borough-wide increase in the number of residents from eastern European countries, of which the Lithuanian population forms the largest group.

- 4.11. This change has continued since 2011 and, most recently, has been dominated by the movement of Romanian and Bulgarian nationals into the borough.

NINo registrations from Lithuania, Romania, and Bulgaria since April 2011

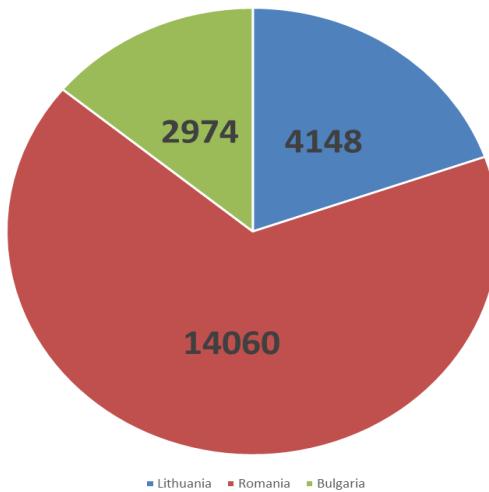


Figure 1: National Insurance number registrations from Lithuania, Romania, and Bulgaria since April 2011

The effect of population increase and churn

- 4.12. Barking and Dagenham has benefited from the arrival of a number of new residents, described within as “migrants”. Migrants includes UK citizens who are new to the borough, and international persons. The inflow, arrival and entry of new population into an area is described within this document as an “influx”. Our evidence demonstrates that many new arrivals to the borough seek accommodation in private rental housing. Therefore it is vital that this sector provides good quality accommodation, which is maintained well, not overcrowded, and people are not financially exploited.
- 4.13. While migration from other areas in the UK ('internal migration') was the principal cause of population churn in the borough between 2007 and 2017, migration from overseas ('international migration') has been the most significant cause of population growth, as international migrants have been - and still are - more inclined to remain in the borough.
- 4.14. The churn of the borough's population has, however, also had a profound effect on population characteristics. The latest ONS mid-year

estimates indicate a population churn of 15.7% between 2016 and 2017 alone.

- 4.15.** One of the principal causes of population churn in our borough is the lack of affordable, privately rented accommodation in central London. Following enactment of the Welfare Reform and Work Act in 2016, privately rented accommodation in central London has become increasingly unaffordable, forcing migration outwards. Residents have tended to move from eastern, inner London boroughs, particularly the London Boroughs of Newham and Redbridge, to Barking and Dagenham, to such an extent that our population now reflects the recent characteristics of these inner London boroughs.
- 4.16.** The white British population has also continued to decline, as many former, white British residents have moved east into Essex.
- 4.17.** The age structure of the borough's population has changed significantly since 2001 because of these changes, from an ageing to a much younger population. According to the Office of National Statistics (ONS) 2017 mid-year estimates, the borough now has the largest proportion of 0-19-year olds in the country, totalling 67,000 residents and 32% of the total population.
- 4.18.** Further, due to both migration and high birth rates, it is projected that the borough's population will increase to 220,000 by 2020. National statistics forecast that it will be 275,000 by 2037.

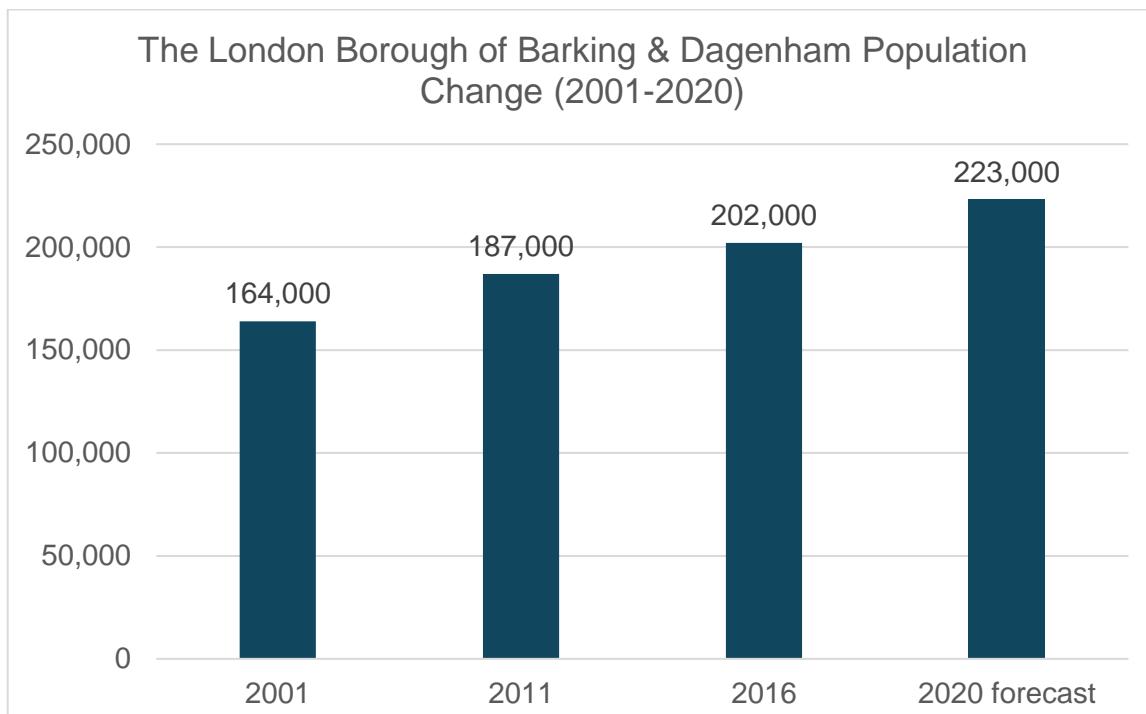


Figure 2: Population in the London borough of Barking & Dagenham between 2001-2020

Growth of the private rented sector

- 4.19.** The increase in the borough's population is mirrored by the rapid growth of its private rented sector. Proportionally, our borough has experienced the second largest increase in the size of the sector in England and Wales.
- 4.20.** In 1981, privately renting households made up just 2.6% of the borough's population. By 2017 this figure had risen more than tenfold to 27.7%. It shows no sign of peaking.
- 4.21.** Table 1 below shows how the sector has increased in size between 1981 and 2017

Year	All occupied households	Owner Occupied	Social Landlord	Private Rented	Other
1981	55746	31.3%	65.4%	2.6%	0.7%
1991	58072	51.8%	44.2%	2.9%	1.1%

2001	67273	55.3%	37.0%	5.2%	2.5%
2011	69681	46.4%	33.7%	17.7%	2.2%
2017	73874	47.9%	24.8%	27.7%	0.0%

Table 1: Proportion of properties by tenure between 1981 and 2017 (source: 1981-2011 Census)

- 4.22.** Figure 3 below shows this change in a line graph, in which the significant decline in the social housing sector and continuing growth of the private rented sector is evident.

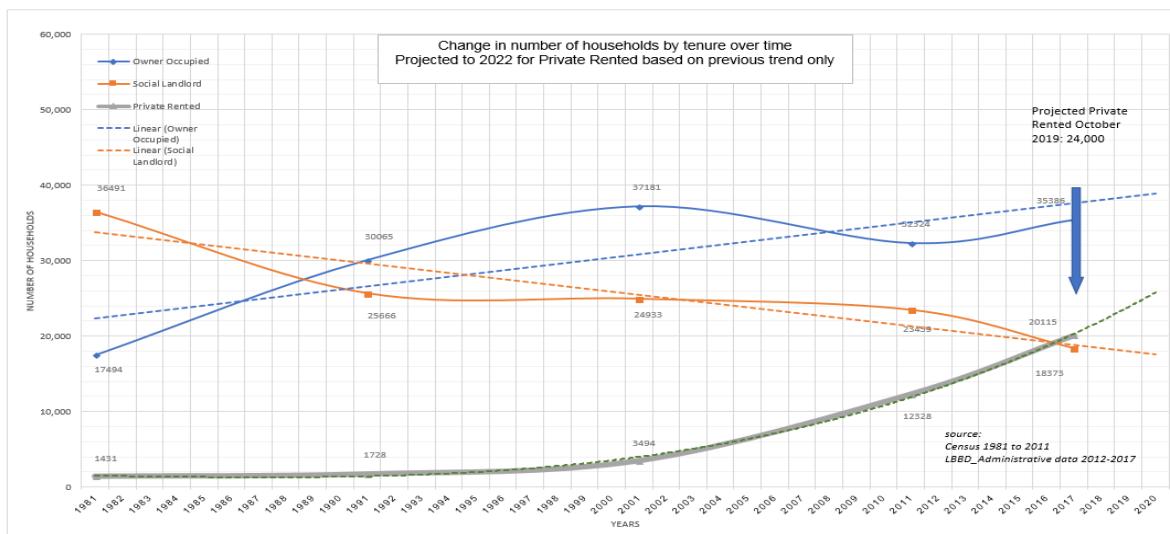


Figure 3: Tenure change since 1981 - 2017

- 4.23.** The speed of this change in our borough is also illustrated in Figure 4, below, in which the growth of our private rented sector is compared with that in neighbouring boroughs. In all boroughs the sector grew exponentially from 2001 onwards, but our borough witnessed the largest proportional increase in the number of privately rented properties. While we had the smallest proportion in 1981, we had one of the largest by 2017.

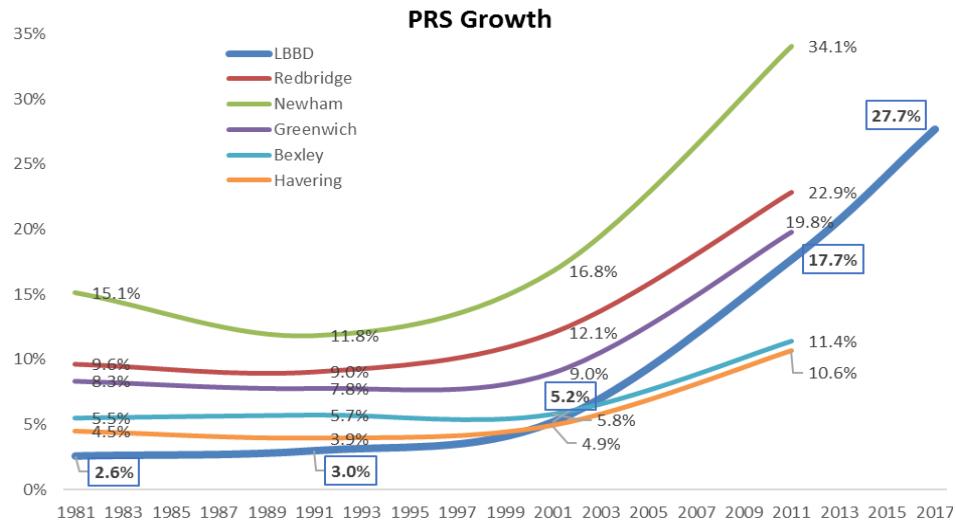


Figure 4: Proportion of private rented stock in the borough and neighbouring local authorities

- 4.24.** Our projection for mid-year 2019 is that the borough will have at least 24,000 privately rented properties. This figure is based only on properties that we know are likely to be private rented and is likely to be conservative.

Our private rented sector: ward by ward

- 4.25.** The make-up of the borough's housing stock varies considerably from ward to ward.
- 4.26.** It is markedly different in wards with large council estates, where properties are still let predominantly as social housing.
- 4.27.** The growth of our private rented sector has, however, been marked in all wards and has recently been greatest in wards, which had the lowest proportion of privately rented stock in 2017.
- 4.28.** The chart below shows the amount of privately rented accommodation in each of our seventeen wards. It accounts for more than 20.3% of the rented accommodation in all wards: the lowest being 20.4% in Eastbrook to more than 50% in Abbey Ward.

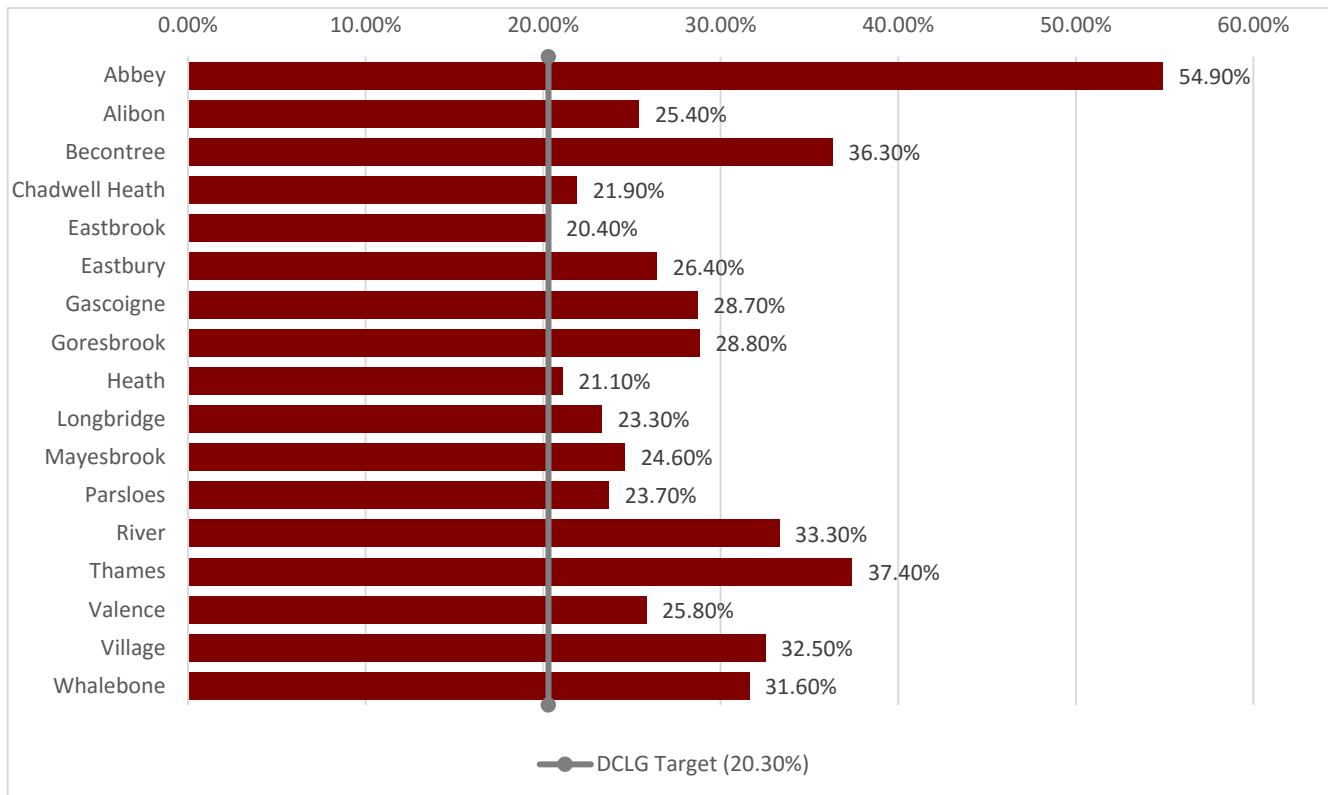


Figure 5: Chart summarises rented stock distribution across all wards

- 4.29.** It is apparent, therefore, that each ward in our borough has a high proportion of privately rented accommodation in relation to the total amount of accommodation. In that regard, the DCLG's 2015 Guidance provides that:

"Nationally the private rented sector currently makes up 19% of the total housing stock in England. The actual number of privately rented properties in a given area may be more or less than this, and if it is more than 19%, the area can be considered as having a high proportion of privately rented properties. 19% is the figure as of March 2014. This figure will vary from time to time, so local authorities are strongly advised to consult the latest available English Housing Survey when considering whether an area has a high proportion of privately rented properties."

- 4.30.** The latest available English Housing Survey reports that the private rented sector now makes up 20% of the housing stock in England.

Properties let on assured tenancies or licences

- 4.31. One of our licensing conditions is that applicants must have - and provide their tenants with - a valid tenancy agreement. This ensures that the borough's privately rented properties are let responsibly, pursuant to agreements regulated by the Housing Act 1988, and that both landlords and tenants alike are aware of their rights and obligations. This enables us to tackle landlords, who might otherwise take advantage of tenants and vulnerable individuals.
- 4.32. While there are inevitably properties in the private rented sector that we have not yet inspected, tenancies of them will, by operation of section 19A of the Housing Act 1988, generally be assured shorthold tenancies – a species of assured tenancy; and if the properties are not held under a tenancy, they will instead be held under the terms of a licence agreement.
- 4.33. We are confident, therefore, that properties in our private rented sector are held under either assured tenancy agreements or licence agreements.

Anti-social behaviour

- 4.34. One of the statutory conditions for designating an area as subject to selective licensing is, in summary, that the area is experiencing a significant and persistent problem caused by anti-social behaviour; that some or all of the private sector landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take; and that a licensing scheme will, when combined with other measures taken by us, lead to a reduction in or the elimination of the problem.
- 4.35. In that regard, the 2015 Guidance provides as follows:
 16. *In deciding whether an area suffers from anti-social behaviour, it is recommended that local housing authorities consider whether private sector landlords in the designated area are not effectively managing their properties so as to combat incidences of anti-social behaviour caused by their tenants or people visiting their properties and in particular the area*

suffers from anti-social behaviour as a result of this failure or because that failure significantly contributes to that problem.

17. In considering whether the area is suffering from anti-social behaviour which a landlord should address regard must be had as to whether the behaviour is being conducted within the curtilage of the rented property or in its' immediate vicinity and includes acts of (but not limited to):

- *intimidation and harassment of tenants or neighbours;*
- *noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;*
- *animal related problems;*
- *vehicle related nuisance;*
- *anti-social drinking or prostitution;*
- *illegal drug taking or dealing;*
- *graffiti and fly posting;*
- *and litter and waste within the curtilage of the property.*

4.36. We are satisfied that this condition is met.

4.37. The following section analyses the frequency and likelihood of reported ASB in the social rented, owner-occupied and private rented sectors. It also identifies recent patterns of ASB in the private rented sector and, in order to assess the impact of our current licensing scheme on levels of reported ASB, compares ASB reported in the year the scheme was introduced - 2014/15 - with that reported in the most recent year for which data is available - 2016/17.

Summary

4.38. Reported ASB is associated much more with properties in the private rented sector than it is with those in the social housing or owner-occupied sectors.

4.39. Multiple reports of ASB are more likely to be associated with properties in the private rented sector than they are with properties in the other sectors.

4.40. Between 2015 and 2017, there was a significant fall in the proportion of ASB reports associated with properties in the private rented sector. This did not occur in either the social housing or owner-occupied

sectors and suggests that licensing is having a positive impact on levels of ASB in the private rented sector and the borough.

Summary of ASB across all wards

- 4.41.** We have used two different measurements of ASB levels in our borough: first, reports of ASB directly associated with a specific property; and secondly, all reports of ASB, including those not associated with a property. The first measure enables a detailed analysis of ASB at a property level, while the second enables an assessment of the impact of ASB in a given area.
- 4.42.** Figure 6 below summarises Police recorded ASB related offences for 2017 by ward. The median rate for the borough is also shown. There is a clear positive correlation between ASB incidents and proportion of private rented properties for many of our wards.

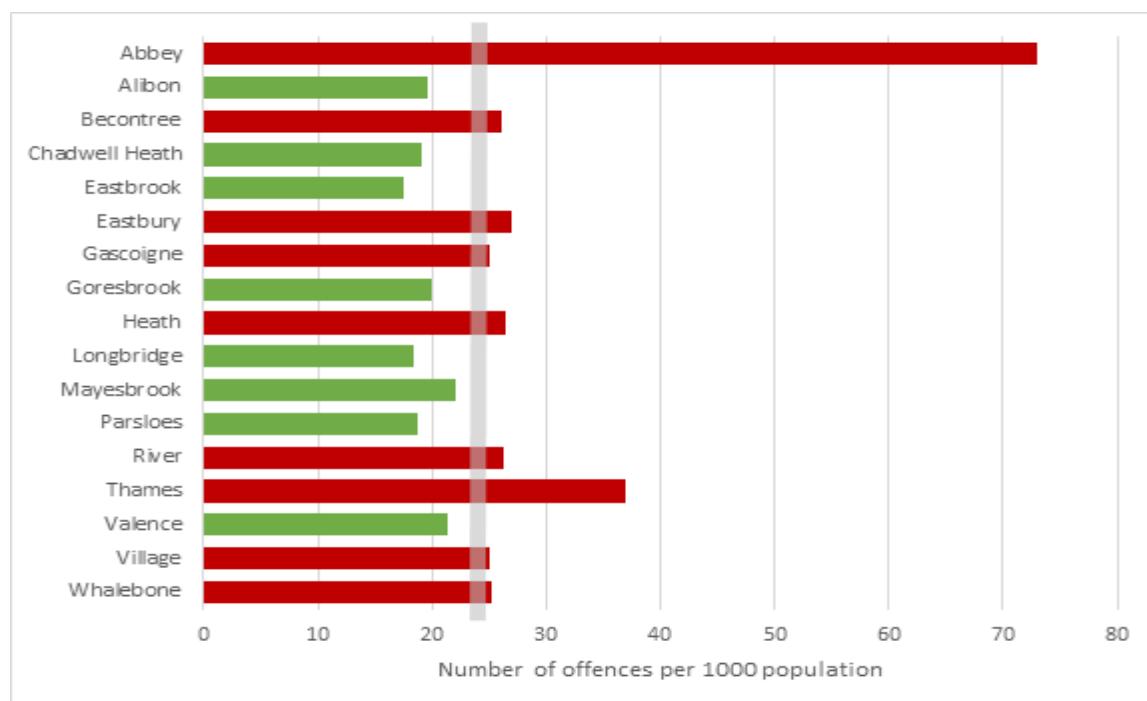


Figure 6: Levels of ASB across all wards

The area is suffering from high levels of anti-social behavior (ASB)

- 4.43.** Police records indicate that, in the period between 1st April 2013 and 31st March 2018, there were 27,432 ASB incidents in the borough. This is equivalent to an average annual rate of 27.1 incidents per 1000 people.
- 4.44.** As Figure 7 below illustrates, while reports of ASB have decreased in number over the past five years, by the end of March 2018, our borough still had higher rates of police-recorded ASB than any of our neighbouring London boroughs.

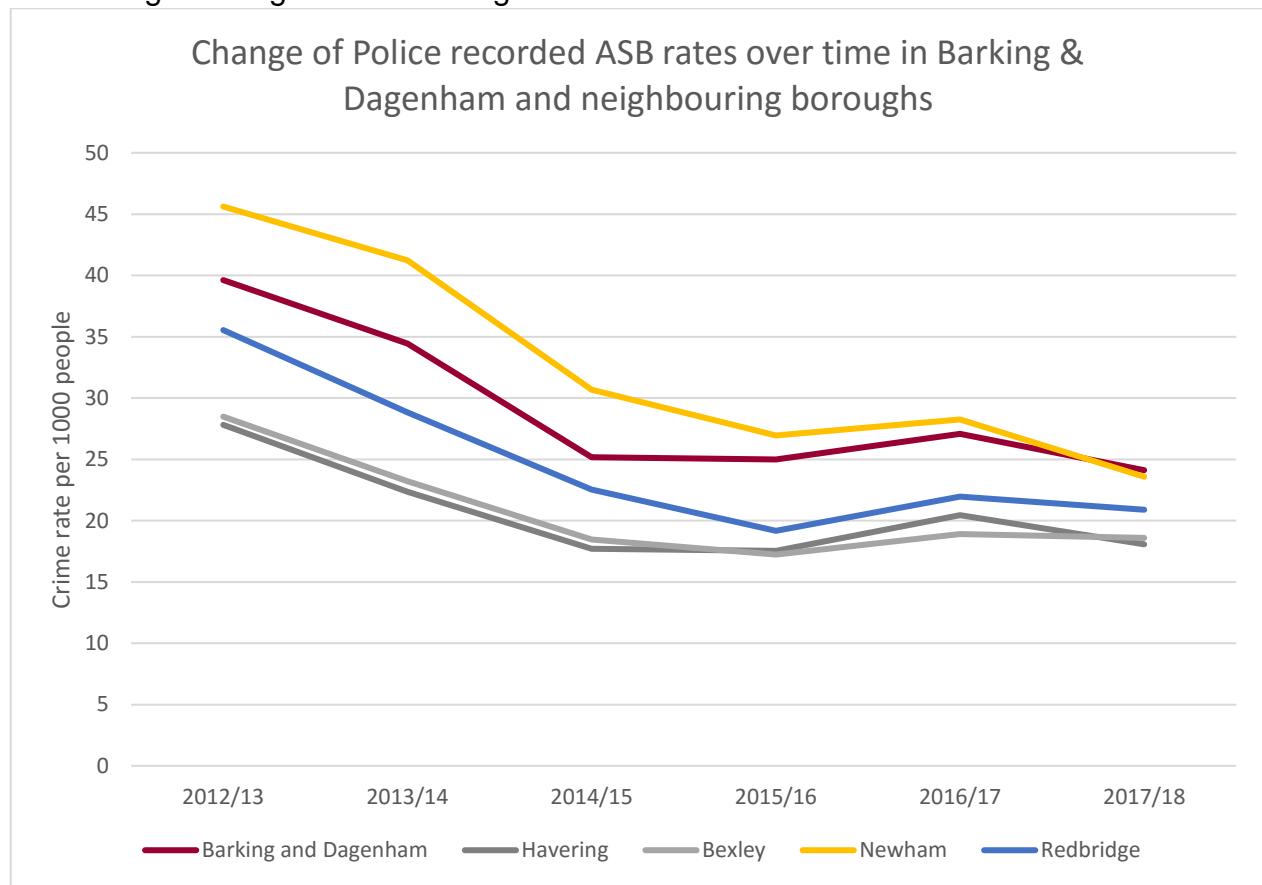


Figure 7: Police recorded ASB rates of the London Borough of Barking & Dagenham and neighbouring wards

ASB affects those living in the private rented sector

- 4.45.** ASB affects residents in the private sector significantly. Table 2 below shows the percentage of properties in each of our housing sectors that experienced at least 1 incident of ASB over the four-year period of our study. It shows a clear difference between the proportion of properties associated with reported ASB in the social housing, private rented and owner-occupied sectors; and that the proportion of properties

associated with ASB in the private rented sector exceeds the borough average by a significant margin - 23% compared with 18%.

Tenure	% of properties with one or more reports between 2013 and 2017	Average % of properties with one or more reports per year
Social Rented	20%	7%
Owner Occupied	15%	5%
Private Rented	23%	8%
Borough	18%	6%

Table 2: Percentage of properties by tenure type exhibiting ASB

- 4.46.** Table 3 below also illustrates that privately rented properties are more likely to be the subject of multiple ASB reports. Of the properties in respect of which at least one report was made, 42.5% of privately rented properties were associated with multiple reports. This compared, over the four-year period of the study, with 38% for the social housing sector and 29.5% for owner-occupied accommodation.

Tenure	1 incident	2 incidents	3 to 10 incidents	>10 incidents	Total
Owner Occupied	70.5%	16.4%	12.3%	0.8%	100%
Private rented	58.5%	18.6%	20.5%	2.4%	100%
Social rented	62.0%	18.3%	16.7%	3.0%	100%

Table 3: Private Rented Properties and ASB Reports

- 4.47. It is likely that the higher turnover of tenants in privately rented properties has contributed to this difference; and that different, unrelated individuals were responsible for the ASB associated with given properties.
- 4.48. As a consequence, it is likely that, comparatively, ASB in the private rented sector places more pressure on our enforcement services. The social rented and owner-occupier sectors, where tenant-turnover is much lower, are less likely to do so.

Some or all private sector landlords are failing to take appropriate action

- 4.49. We are aware that many landlords who let accommodation in the private rented sector take their responsibilities seriously and aim to manage their properties professionally. We are also confident that our current licensing scheme has encouraged or enabled many landlords to manage their properties and their tenants' behavior more effectively. It is clear, however, that some landlords are failing appropriately manage their properties meaning they are unable to suitably take action to tackle anti-social behavior at or associated with their properties. The statistics alone suggest that this is the case as set out in paragraph 4.45. It is re-enforced by the evidence that we have gathered through our licensing inspections and Section 215 notices issued. Between the beginning of the scheme the council has issued over 1700 Section 251 or related notices.
- 4.50. The types of anti-social behaviour which led to these inspections included, noise nuisance, fly tipping, vehicle related nuisance and in severe cases privately rented properties which are used as brothels or cannabis factories. The fact that the council has adopted and widely publicised the discretionary licensing scheme, has meant that local citizens have the ability to report these types of anti-social behaviour, which the knowledge that the council has the powers to take action using the licensing scheme.

A designation would lead to a reduction in levels of anti-social behaviour

4.51. We compared the level of reported ASB in 2014/2015, when the current scheme began, with its level in the financial year 2016/17, and reviewed the proportion of properties in each sector that had received one or more ASB-related reports. We found that:

- Reports of ASB were far more likely to be associated with properties in the private rented sector than with those in either the social housing or owner-occupied sectors.
- The percentage of social housing and owner-occupied properties associated with reports of ASB in 2014/2015 and 2016/2017 remained constant, at 6.4% and 5% respectively. There was a significant decrease, however, in the percentage of privately rented properties associated with ASB reports, from 8.8% to 8.0%. This is shown in Figure 8 below.

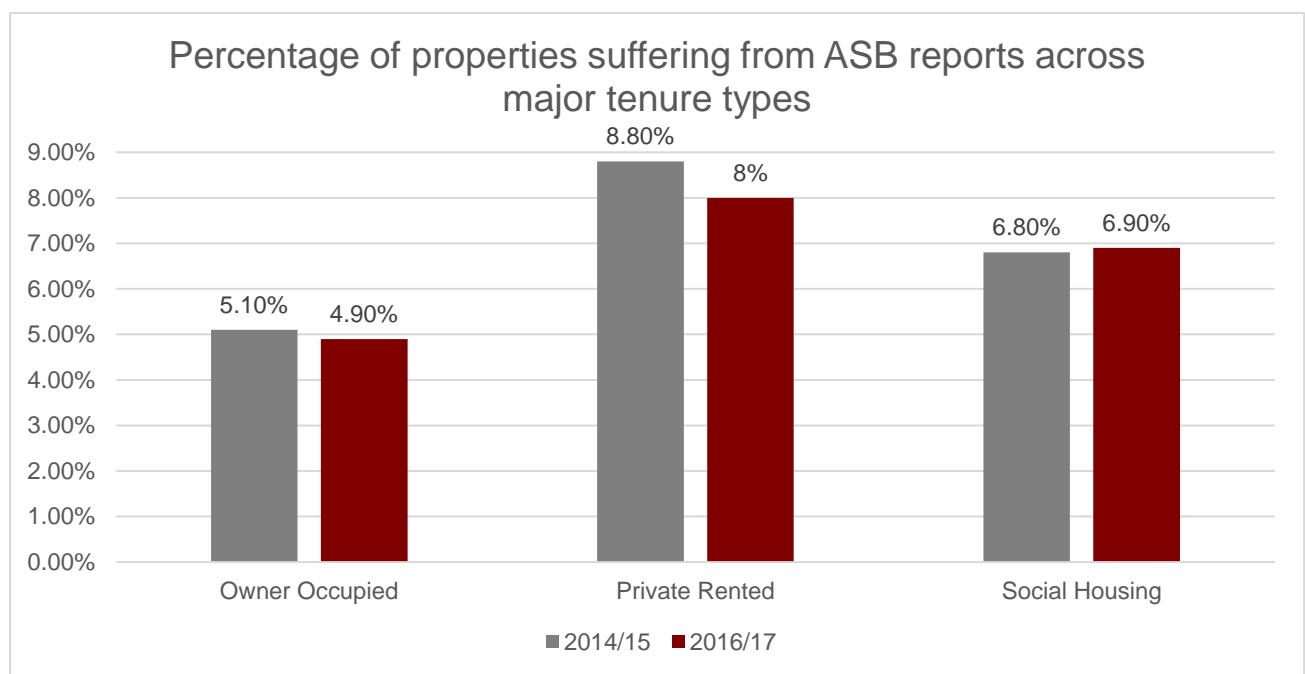


Figure 8: Percentage of properties suffering from ASB reports across tenure type

4.52. This trend was evident in the majority of the borough's wards. As Figure 9 below illustrates, the percentage of privately rented properties associated with ASB reports reduced in twelve of the borough's seventeen wards.



Figure 9: Percentage of private rented properties with ASB reports between 2015 and 2017

- 4.53.** The fact that reports of ASB associated with privately rented properties dropped significantly in number during the course of the current licensing scheme and that reports concerning properties in other sectors remained constant is significant.
- 4.54.** It demonstrates, on balance, that the current licensing scheme and enforcement action we have taken is likely to have helped to reduce ASB in the private rented sector; and that, combined with other measures, a renewal of the current licensing scheme would probably help its on-going reduction in future.
- 4.55.** Further, since the introduction of our current licensing scheme in 2014, we have become aware of additional and different types of ASB, that the current scheme was not intended to address. As well as the most disruptive elements of ASB in our community, such as drug dealing and noise nuisance, lower-level ASB such as fly tipping and eye-sore gardens has become a real problem. We are confident that tailored licence conditions, requiring landlords for example to dispose of waste by using our regular waste disposal facilities, will help to reduce this kind of ASB.

Housing conditions

- 4.56.** One of the additional conditions enabling the introduction of a selective licensing scheme is, broadly, that the borough has poor housing conditions, which require inspection and regulation. We are satisfied that the statutory conditions for a selective licensing designation on grounds of housing conditions are met. In that regard, the Government's 2015 Guidance provides as follows:

20. Local housing authorities can address poor property conditions through their powers in Part 1 of the Act, which are extensive. As mentioned below a local housing authority should not use its Part 3 powers (selective licensing) where it is appropriate to tackle small numbers of properties which are in disrepair directly and immediately under Part 1. There may, however, be circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. In that case, as part of wider strategy to tackle housing conditions, the local housing authority may consider it appropriate to make a selective licensing scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration.
 21. It is recommended that local housing authorities consider the following factors to help determine whether there are poor property conditions in their area: The age and visual appearance of properties in the area and that a high proportion of those properties are in the private rented sector; Whether following a review of housing conditions under section 3(1) of the Act¹⁶, the authority considers a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards. In this context “significant” means more than a small number, although it does not have to be a majority of the private rented stock in the sector. It would not be appropriate to make a scheme if only a few individual properties needed attention.
- 4.57.** In 2009, A comprehensive stock condition survey of housing conditions in our borough was undertaken on our behalf by Capital Project Consultancy Ltd, pursuant to section 3(1) of the Housing Act 2004. The survey revealed, among other findings, that:
- the percentage of non-decent private sector housing in our borough was 37.9%, compared with 35.3% for England; and
 - 20.4% of all properties in our borough, and 22.3% of private rented properties, had Category 1 hazards, within the meaning of the Housing Health and Safety rating System for which Part 1 of the 2004 Act provides. At current stock estimates, this would represent over 4,400 private rented properties.

- 4.58.** The findings of the survey are perhaps not surprising. Properties in our private sector are significantly older on average than those in England generally, most specifically inter-war. The 2009 survey estimated that of all the borough's private stock, including owner-occupied accommodation, 63% was built between 1919 and 1944, compared with 18% for England. This was largely the result of the building of the Becontree Estate.
- 4.59.** Also, largely because of this development, the borough has a significantly higher percentage of terraced housing in the private rented sector, at 68% compared with 29% for England.
- 4.60.** In light of the above, following the introduction of our current licensing scheme, we took the decision to visit every private rented property in the borough, to build a thorough picture of our stock. This was funded by a combination of Government investment and income generated from issuing licences to landlords.
- 4.61.** We were committed to ensuring we carry out compliance inspections on all proposed licensed properties to ensure they were compliant with the licensing conditions, and to satisfy that the property was of a good standard prior to issuing a final licence. Any property that was of concern, had disrepair, or where there were concerns over the management of the property, this was dealt with under Part 1 of the Housing Act 2004 or through the conditions of the licence.
- 4.62.** Since the scheme commenced, we have received 15,929 license applications and inspected more than 10,700 of the properties to which they relate. While the majority of them (82.3%) were compliant at first inspection,

 - a significant number (15.2%) were only rendered compliant with our support or by means of informal or formal enforcement action;
 - a smaller but still significant number (2%, representing 214 of the properties we have inspected) remain non-compliant; and
 - we have rejected 0.5% of the applications we have received because of non-compliance, representing 54 of the properties that we have inspected).
- 4.63.** Figure 10 below shows the spread of decisions according to compliance since the beginning of the scheme.

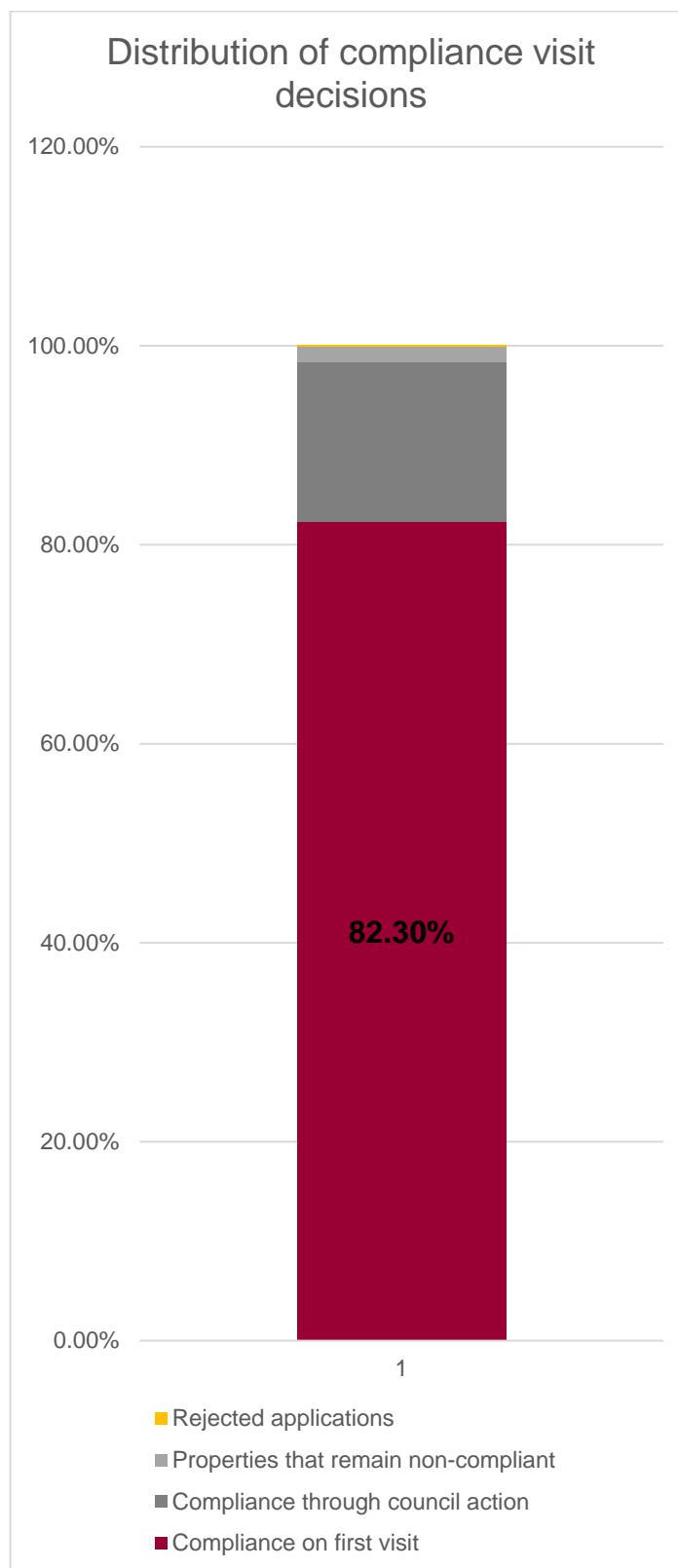


Figure 10: Distribution of compliance visit decisions since introduction of scheme

- 4.64.** It is unknown whether the private rented properties that we have not yet inspected are compliant, but we would expect the range of non-compliant properties to be between 17% and 22%, based on previous inspections and estimates from the most recent house condition survey.
- 4.65.** In addition, there are an estimated 7,000 to 10,000 privately rented properties in the borough, for which no license application has yet been made. It is likely that a significant proportion of these properties will not be compliant; and one of our key priorities is to identify these properties. We conservatively estimate that between 17% and 22% of these properties will be non-compliant, though we in fact expect the percentage to be much higher.
- 4.66.** The consequence of the above is that, following a review of housing conditions in our borough, and despite the endeavours of the last four years, it would still be appropriate to inspect a significant number of properties in our private rented sector for Category 1 or 2 hazards; and we intend to do so.
- 4.67.** We are confident that, by inspecting the properties for which licence applications are made and requiring all such properties to comply with minimum health and safety conditions – e.g. the installation of smoke and carbon monoxide alarms – we can use a new selective licensing scheme, alongside enforcement action under Part 1 of the 2004 Act, to improve general housing conditions in our area.

Migration

- 4.68.** We are also satisfied that our borough satisfies the statutory conditions for a selective licensing designation on grounds of migration. In that regard, the 2015 Guidance provides as follows:
- 24. Migration refers to the movement of people from one area to another. It includes migration within a country and is not restricted to migration from overseas. A selective licensing designation can be made, as part of wider strategy, to preserve or improve the economic conditions of the area to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions.*

25. *In considering whether an area is experiencing, or has experienced, high levels of migration: the local housing authority will want to consider whether the area has experienced a relatively large increase in the size of the population over a relatively short period of time. In assessing this, the local housing authority should consider whether net migration into the designated area has increased the population of the area. We suggest a population increase of around 15% or more over a 12-month period would be indicative that the area has or is experiencing a high level of migration into it.*
26. *The designated area must contain a high proportion of privately rented properties with a significant number of migrants to the area occupying them. In assessing whether the area is experiencing or has experienced significant migration the local housing authority will want to have regard to such information it holds on households in the area; any significant increase in the call for, or in the provision of, local authority services in the area; any increase in local authority or police intervention in the area and any changes to the socio- economic character of the area.*
- 4.69.** Over the past decade the borough has experienced an increasing churn of its population due to migration. This is key for this borough as the nature of the churn has very quickly changed the characteristics of the population which has brought with it tensions as well as benefits. The borough also experiences large churn between its wards, and together with movement to and from the borough there is a very high level of population movement. Much of this movement is concentrated in the private rented sector and some of the constant population fluidity are therefore felt most keenly here.
- 4.70.** This section describes the influx and migration changes in the borough, its impact on the area's social and economic conditions and how a selective licensing scheme will contribute to an improvement in these conditions.

Changes and influx of migration

- 4.71.** Migration is one of the principal causes of population change in the borough. In fact, in recent years, the borough has experienced one of the most significant migration flows in both London and England. In 2016, more than 16,800 new residents arrived in the borough, up more than 3000 on the total for 2007, as the table below illustrates.

YEAR	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Inward migration	13789	14397	14786	15106	14000	14452	14626	16354	16270	16812

Table 4: total inward migration for the borough by year

- 4.72.** As Figure 11 below shows, the borough has experienced positive net migration since 2007, with particularly high peaks in 2009 and 2010 and an upward trajectory, year on year, since 2012. This is principally a consequence of international, rather than internal, migration.
- 4.73.** In general, net internal migration has been negative, i.e. more internal migrants have left the borough than have moved into the borough. The general pattern is a movement from inner London boroughs into Barking and Dagenham and a movement out of the borough to neighbouring boroughs and further into Essex in particular.
- 4.74.** At the same time, however, international migration has continued to increase year on year, off-setting and subsuming the negative trend in internal migration. This is significant for the borough because we have found that:

- 65% of international migrants move into the private rented sector;
- international migrants are more likely to occupy overcrowded, privately rented accommodation; and

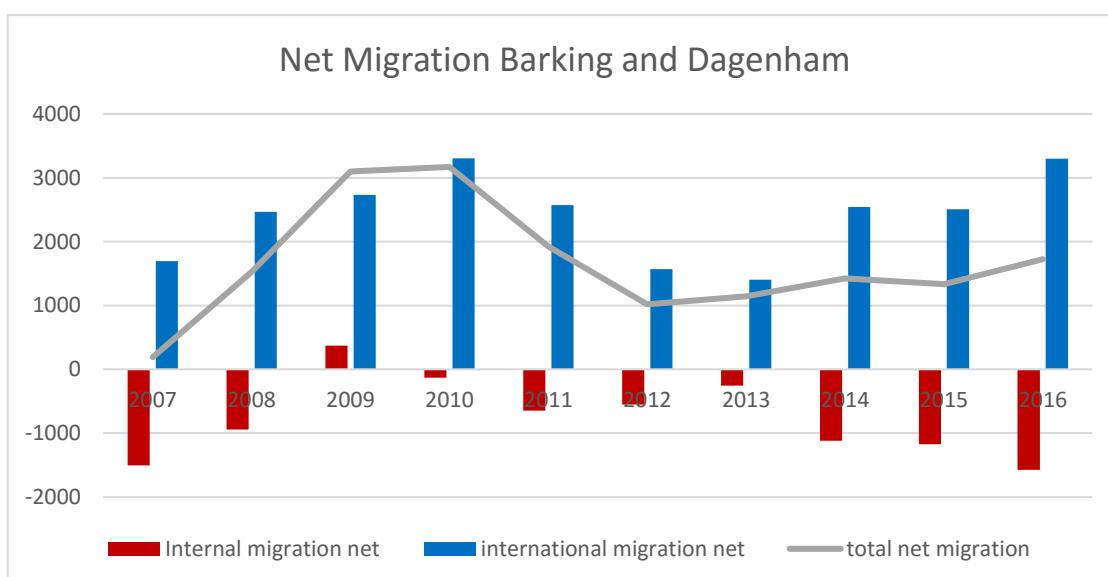


Figure 11: Graph showing the net internal and international migration in the borough over time

A significant number of privately rented properties are occupied by migrants

- 4.75. Recent migrants are significantly more likely to move into private rented accommodation than any other tenure. In 2015 and 2016, 45% of internal migrants and 65% of international migrants moved into private rented accommodation. For social rented property this was 4% and 12.7% and for owner occupied property this was 28.8% and 38.6% respectively.
- 4.76. This supports our view that a significant number of privately rented properties in the borough is occupied by migrants; and that international migrants are far more likely to live in the private rented sector than in either social housing or owner-occupied accommodation.
- 4.77. This is shown in Figures 12 and 13 below. International migrants are more than twice as likely to live in the private rented sector than in owner-occupied accommodation; and about thirteen times more likely to do so than in social or affordable housing.
- 4.78. Further, internal migrants are three times more likely than international migrants to gain access to the social housing sector, since this tenure type is generally more accessible to UK subjects. Nonetheless, they are approximately four times more likely to occupy privately rented accommodation than social housing; and more likely to do so than owner-occupied accommodation.

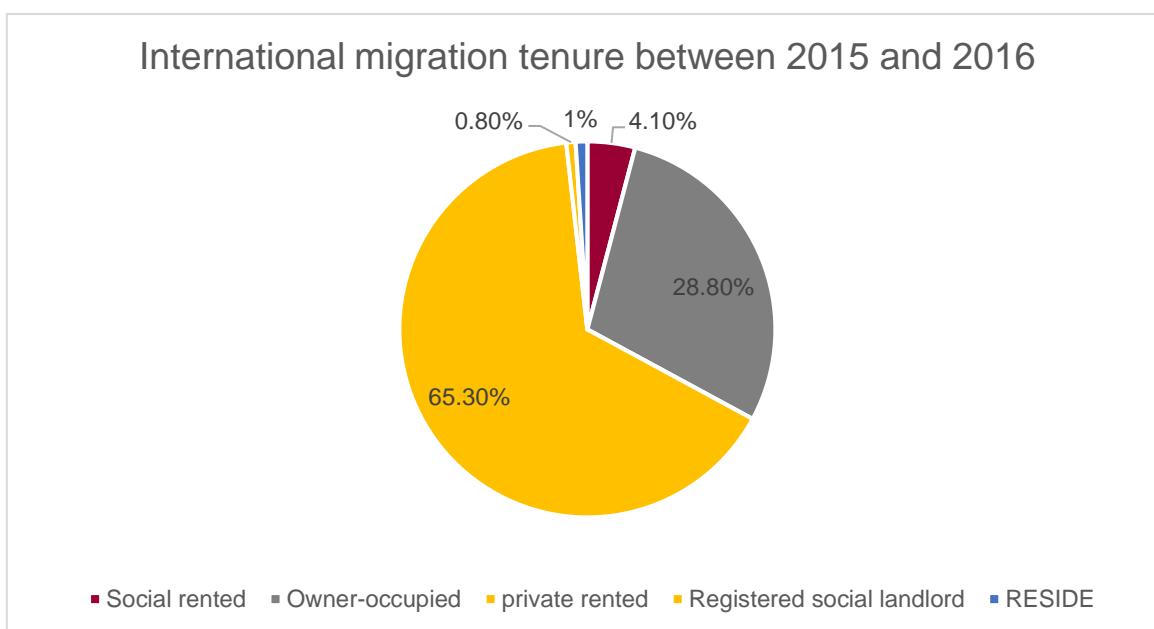


Figure 12: Proportions of tenure type by new international migrants between 2015 and 2016

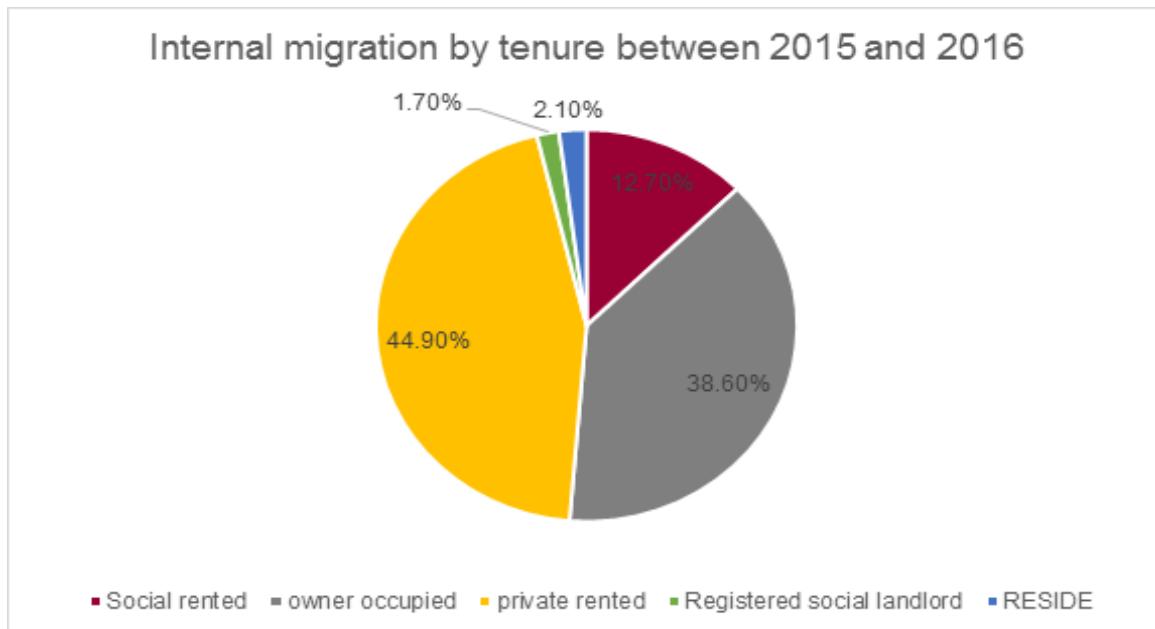


Figure 13: Proportions of tenure type by new internal migrants between 2015 and 2016

Migration has an impact on social and economic conditions as well as property management

- 4.79. Migration has had an increasingly significant impact on the social and economic conditions in our borough.
- 4.80. Cheap, overcrowded and expensive accommodation means that people move on quickly. Where the council has identified properties where there is a regular change of occupancy, there is a direct correlation with increased fly-tipping and anti-social behaviour. 27% of such properties were associated with complaints.
- 4.81. Those who depend on the PRS tend to be more socially and economically vulnerable and are often themselves housing benefit claimants. As a result, migrants regularly find themselves exposed to rogue landlords and poor housing conditions. Internal figures suggest that there has been an increase in the number of cases of prosecutions for non-compliance against landlords from 11% to 31% between the second quarter of 2014 and the third quarter of 2017. This situation is often intensified due to the lack of knowledge of migrant communities

about how to improve their situation, language barriers and, in certain cases, the fear of coming forward to engage with services.

- 4.82.** The new scheme through continued compliance inspections, will allow the council to manage the impact of rogue landlords through proactively identifying and addressing the issue of private rented housing and rogue landlords while supporting vulnerable tenants through a wrap-around package including extra services. The scheme will enable us to have a greater understanding of our borough and our communities through improved data collection and research, which will in turn inform a more proactive approach to delivery, meaning we can tackle rogue landlords.

Recent migrants are more likely than average to live in poor quality, privately rented accommodation

- 4.83.** We inspect all properties that are subject to our current licensing scheme. During inspections, our officers record defects with a property and, according to their seriousness, determine whether a property complies with the scheme's licensing conditions. Some properties require further inspection to enforce compliance with the conditions; and all such inspections are recorded so that the quality of the borough's privately rented accommodation can be monitored closely.
- 4.84.** There are several potential reasons why international migrants may be more likely to live in properties deemed to be less well maintained and or overcrowded. These include: international migrants are often in low paid, and or insecure work; depending on immigration status, which can take a long time to resolve, some international migrants may not have the 'right to rent', the 'right to work', and or be legally prevented from having a UK bank account; and unfamiliarity with the legal rights of tenants and responsibilities of landlords can be further exacerbated by language barriers. Together these factors mean that international migrants are more vulnerable to moving into poor quality accommodation, overcrowding, and being financially exploited.
- 4.85.** Since the scheme began in 2014 we have found that, at first inspection, properties occupied by one or more *new* migrants were more likely to be non compliant with licensing conditions than others.

The most significant factors related to disrepair and overcrowding. Further, 30.5% of such property imigrantes were initially non-compliant compared with 27.4% of properties occupied by one or more migrants.

Recent migrants are more likely than average to live in overcrowded accommodation

- 4.86.** The 2011 Census shows that the London Borough of Barking and Dagenham has one of the highest overall household occupancy rates in the UK. Further, as Table 5 below illustrates, privately rented properties have the highest persons-per-household rate of any tenure.

	Private rented	Social rented	Owner-occupied	Borough
Persons per household (2017)	2.9	2.6	2.8	2.8

Table 5: Average persons per household (2017 analysis)

Selective licensing will contribute to the preservation and improvement of the borough's social and economic conditions and ensuring that properties in the private rented sector are properly managed and not overcrowded

- 4.87.** A thriving private rented sector is of real importance to the preservation and improvement of social and economic conditions in our borough. As it grows and our reliance on its accommodation increases, so the private rented sector becomes increasingly important to the creation and maintenance of a sustainable local community.
- 4.88.** Inevitably, the increase and churn of the local population, caused by high levels of migration, challenges the stability and cohesion of the local community and provides opportunity for so-called rogue landlords to exploit those who may be vulnerable because of internal or, more particularly, international migration.
- 4.89.** Coupled with other measures, such as inspections and action under Part 1 of the 2004 Act to enforce and improve housing conditions, selective licensing will help us to regulate the sector to ensure that,

whatever the size or flow of the borough's population, its accommodation is managed effectively and occupied appropriately.

- 4.90. By way of example, by requiring those managing or in control of private sector accommodation to apply for and obtain a licence, we will be able to ensure that – like the majority of landlords in our borough – they are all fit to let out their properties. By requiring all such persons to comply with licence conditions, we can ensure that their accommodation satisfies minimum health and safety requirements, is inspected regularly and is not over-occupied. By requiring them to let their accommodation on assured shorthold tenancies, we can also ensure that tenants have a minimum of statutory protection; and that both landlords and tenants alike are aware of their rights and obligations.
- 4.91. In short, selective licensing provides us with many of the tools we need to ensure that the private rented sector contributes to the sustainable and vibrant community envisaged in the Borough Manifesto.

Deprivation

- 4.92. We are satisfied that our borough satisfies the statutory conditions for a selective licensing designation on grounds of deprivation. In that regard, the 2015 Guidance provides that:
 29. *A local housing authority may make a designation if the area is experiencing a high level of deprivation. It must, however, be clear that by making the scheme it will, together with other measures as part of a wider strategy, improve housing conditions in the private rented sector in that area.*
 30. *In deciding whether to make a designation because the local authority considers the area suffers from a high level of deprivation we recommend that the local housing authority considers the following factors when compared to other similar neighbourhoods in the local authority area or within the region:*
 - *the employment status of adults*
 - *the average income of households;*
 - *the health of households;*
 - *the availability and ease of access to education, training and other*

- services for households;*
- housing conditions;*
- the physical environment;*
- levels of crime.*

31. *Although it is a matter for the local housing authority to determine, whether having regard to the above factors, the area is one that is suffering from a high level of deprivation, the local housing authority may only make a designation if a high proportion of housing in the area is in the private rented sector.*
- 4.93.** In order to assess the impact of deprivation in our borough, we have referred to the 2015 Index of Multiple Deprivation (IMD) and used datasets to identify areas in the borough, where large numbers of privately rented properties are linked to high levels of deprivation. We have also demonstrated below how a new licensing designation would help to address the effects of deprivation in our borough.

Index of Multiple Deprivation summary

- 4.94.** Our borough is one of the most deprived boroughs in the country. Compared with 326 other local authority districts, the borough has the 12th highest IMD score in England and ranks among the most deprived areas in numerous of the IMD's key areas.
- 4.95.** In summary:
- The IMD ranks our borough as the 3rd most deprived borough in London and, compared with the 31 other London boroughs and the City, has:
 - the second highest income deprivation score;
 - the highest employment deprivation score;
 - the highest education, skills and training deprivation score;
 - the fifth highest housing deprivation score; and
 - the fourth highest crime deprivation score.
 - Nationally, the borough also has:
 - the seventh highest income deprivation score;
 - the fifth highest housing deprivation score; and
 - the fourth highest crime deprivation score.

- Every ward in the borough has a higher score than the average for England for:
 - IMD;
 - income deprivation;
 - employment (except for Longbridge ward);
 - health, deprivation, and disability;
 - barriers to housing and services; and
 - crime.
- Every ward in the borough has a higher score than the London average for:
 - IMD (except for Longbridge ward);
 - income deprivation (except for Longbridge ward);
 - employment (except for Longbridge ward);
 - health, deprivation, and disability;
 - education, skills, and training;
 - barriers to housing and services; and
 - crime (except for Eastbrook ward).
- By December 2017, our borough had the second highest rate of Job Seekers Allowance claimants in London. In that regard:
 - every ward in the borough except Whalebone exceeded the rate for England;
 - every ward in the borough except Longbridge exceeded the rate for London.
- In 2016, our borough had the lowest median household income in London.
- Every ward in the borough had a lower median household income than those in outer London.
- The proportion of households with a household income below £30,000 exceeded 50% in every ward except for Longbridge.

Deprivation across all wards

- 4.96.** Figure 14 below summarises the level of deprivation in all wards of our borough. It illustrates that, in every ward, the level of deprivation is substantially higher than the England average of 19.5% (MHCLG 2015 criteria); and in some cases, is twice as high.

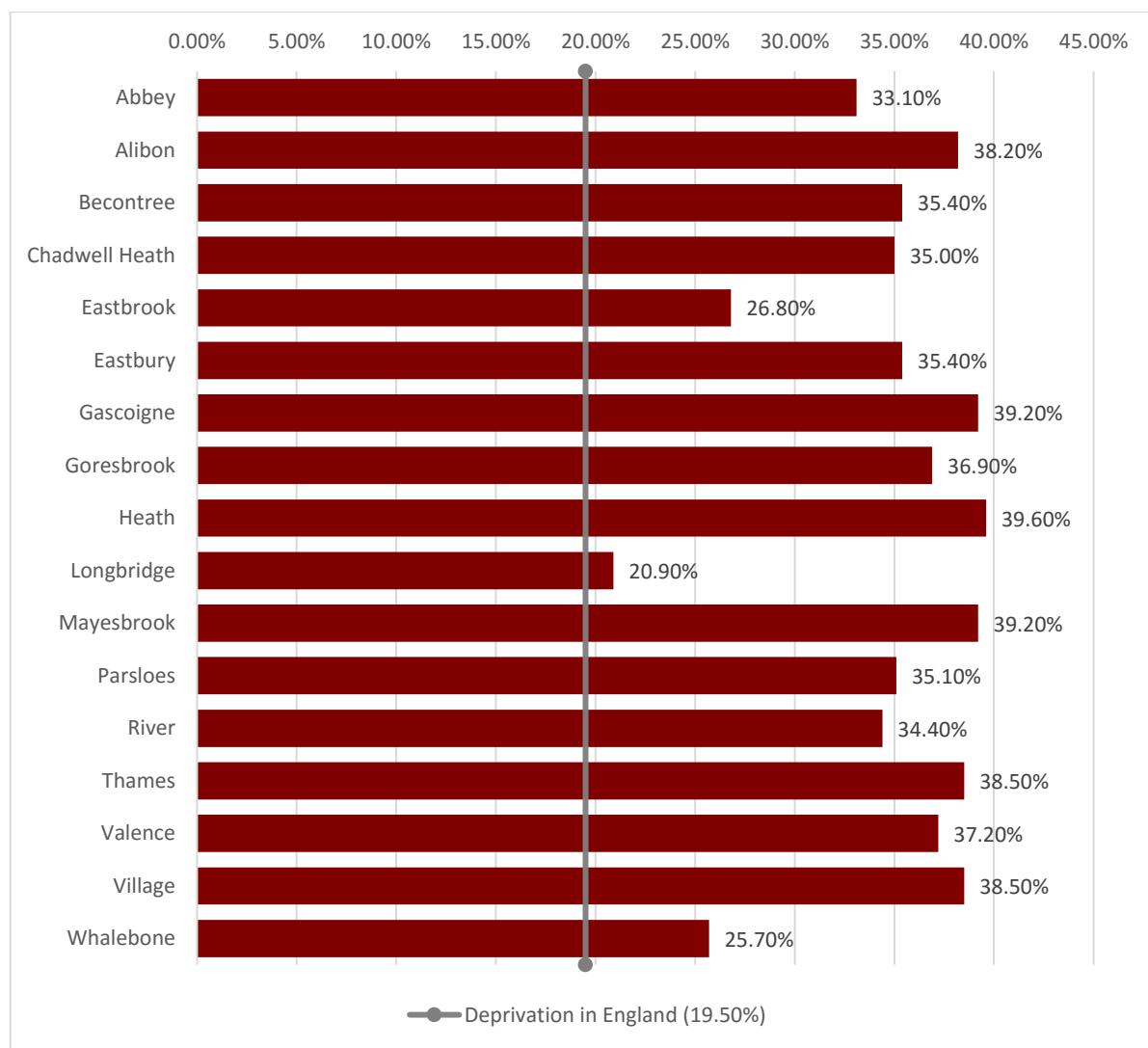


Figure 14: Levels of deprivation in all wards compared to average deprivation in England

- 4.97.** Even comparing the score for each ward with the London average, our borough is still extremely deprived, with scores exceeding the London average in all but one ward – Longbridge. This can be seen in Table 6 below.

Wards	Average for London (23.4)	Difference (+/-)
Abbey	33.085	9.728
Alibon	38.236	14.879
Becontree	35.369	12.012
Chadwell Heath	35.026	11.669
Eastbrook	26.798	3.441
Eastbury	35.363	12.006
Gascoigne	39.224	15.867
Goresbrook	36.9	13.543
Heath	39.596	16.239
Longbridge	20.874	-2.483
Mayesbrook	39.171	15.814
Parsloes	35.077	11.72
River	34.426	11.069
Thames	38.535	15.178
Valence	37.224	13.867
Village	38.512	15.155
Whalebone	25.747	2.39
Borough average	34.635	

Table 6: Levels of deprivation in all wards compared to average deprivation in London

Deprivation of all kinds

Income deprivation

- 4.98. The borough has the seventh highest score for income deprivation out of 326 local authorities in England.
- 4.99. It has the second highest score in London.
- 4.100. Every ward in the borough has a higher income deprivation score than the score for England.

- 4.101.**Neighbourhoods in Chadwell Heath, Eastbury, Gascoigne, Heath, Thames and Village are in the 10% most deprived neighbourhoods in the country
- 4.102.**All neighbourhoods in Alibon, Goresbrook, Mayesbrook and Valence wards are in the 20% most deprived neighbourhoods in the country.

Employment deprivation

- 4.103.**The borough has the forty-fifth highest score for employment deprivation out of 326 local authorities in England.
- 4.104.**It has the highest score in London.
- 4.105.**Neighbourhoods in Eastbury, Gascoigne and Heath wards are in the 10% most deprived neighbourhoods in the country
- 4.106.**All neighbourhoods in Alibon, Mayesbrook, Parsloes and Valence wards are in the 30% most deprived neighbourhoods in the country.

Health, Deprivation, and Disability

- 4.107.**The borough has the fourth highest score in London for health, deprivation and disability.
- 4.108.**Every ward in the borough has a higher score for health deprivation and disability than those for both England and London
- 4.109.**Every neighbourhood in Alibon, Gascoigne, Mayesbrook and Valence wards is in the 40% most deprived neighbourhoods in the country.

Education, Skills and Training

- 4.110.**The borough has the highest score in London for education, skills and training deprivation.
- 4.111.**Every ward in the borough has a higher score than that for London.
- 4.112.**Every neighbourhood in Alibon and Mayesbrook wards is in the 30% most deprived neighbourhoods in the country.

Barriers to Housing and Services

4.113.The borough has the fifth highest score for deprivation caused by barriers to housing and services out of 326 local authorities in England.

4.114.It also has the fifth highest score in London.

4.115.Every ward in the borough has a higher score than those for both England and London.

4.116.Every neighbourhood in Abbey and Thames wards are in the 10% most deprived in the country.

Living Environment

4.117.The borough has the sixteenth highest score for living environment deprivation out of 326 local authorities in England.

4.118.It has the twentieth highest score in London.

4.119.Every ward except Eastbrook and Longbridge has a higher deprivation score than that for England.

4.120.Every ward except Abbey has a higher score than that for London.

4.121.All the neighbourhoods in Abbey, Eastbury, Gascoigne, Goresbrook and River are in the 40% most deprived neighbourhoods in the country.

Crime

4.122.The borough has the fourth highest score for crime deprivation out of 326 local authorities in England.

4.123.It has the fourth highest score in London.

4.124.Every ward in the borough has a higher crime deprivation score than that for England.

4.125.All the neighbourhoods in Goresbrook and Valence are in the 20% most deprived in the country.

Job Seeker's Allowance claimants

4.126.Our borough has the second highest rate of Job Seekers Allowance claimants in London.

4.127.Every ward in the borough, except for Whalebone, has a higher rate than that for England.

Household income

4.128.Our borough has the lowest median household income in London.

4.129.Every ward in the borough has a lower median household income than those in outer London.

4.130.Eleven wards have a lower median household income than the average for the borough.

4.131.The proportion of households with a household income below £30,000 exceeds 50% in every ward except for Longbridge.

Areas with a large private rented stock have high levels of deprivation

4.132.The effect of deprivation in our borough on those occupying privately rented accommodation is difficult to show directly, not least because of the confounding effect of social housing. In general, in areas where there is a relatively high proportion of social housing, there is also a greater level of deprivation. This is to be expected, but it can also mask the link between the private sector and deprivation. When the proportion of social housing and privately rented accommodation in an area is considered together, there is a very strong correlation with levels of deprivation.

4.133.To understand the link between deprivation and the private rented sector, we have selected lower super output areas in the borough, where the proportion of social housing is lower than average. In particular, we have selected all lower-layer super output areas (LSOAs) where the percentage of social housing makes up less than 25% of all stock. This limits the influence of social housing on the

analysis and its tendency to mask the link between the private rented sector and deprivation.

4.134.Figure 15 shows that there is a significant correlation between the percentage of privately rented stock in the borough and levels of deprivation. This graph shows that:

- as the proportion of privately rented stock increases, the level of deprivation also increases; and
- whilst there is variance from the expected values between individual areas (LSOAs¹), the correlation is nonetheless highly significant.

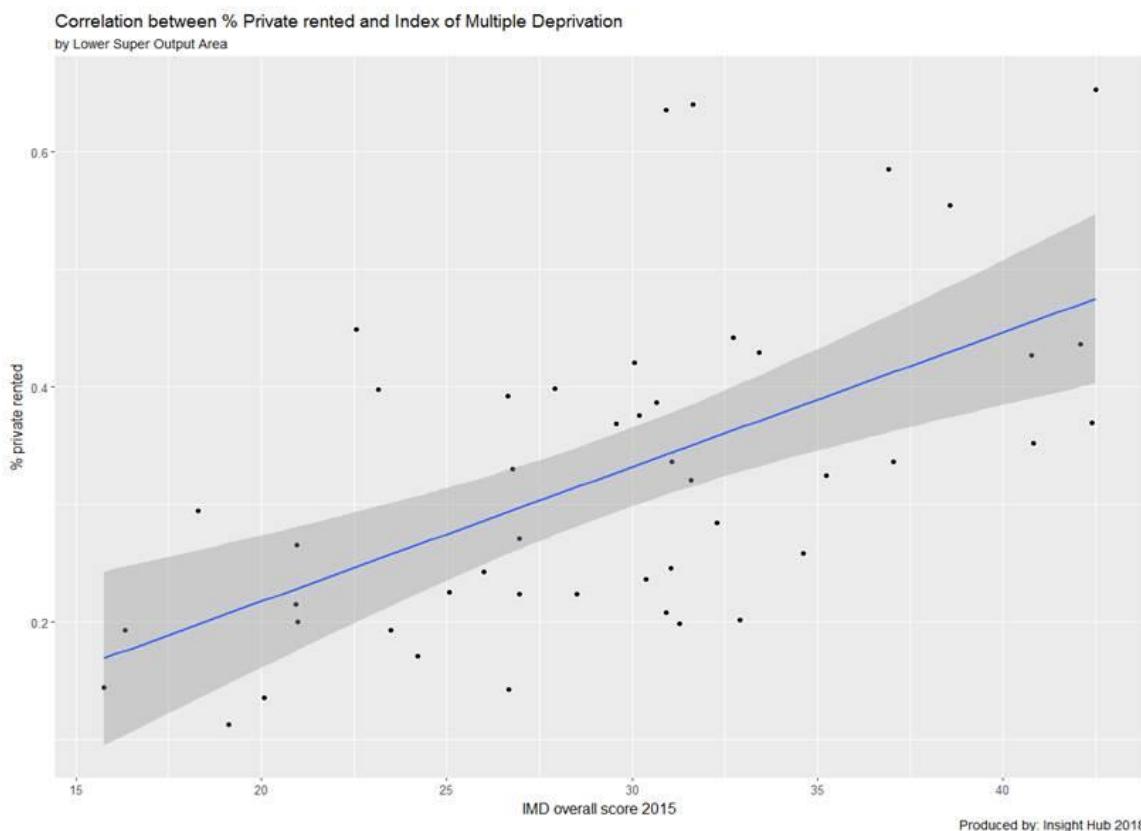


Figure 15: The relationship between the private rented sector stock and levels of deprivation

¹ Lower-layer super output areas (LSOAs) are small areas or neighbourhoods used, of which there are 32,844 in England. They are designed to be of a similar population size with an average of 1,500 residents each. There are 110 LSOA's in the London Borough of Barking and Dagenham.

A designation would lead to a reduction in deprivation

- 4.135.**It is challenging to draw a direct relationship between the borough's IMD deprivation scores and the effect that our current licensing scheme has had on reducing deprivation. This is because there has not been an IMD equivalent since 2015. However, we can use the data we have for individual areas to demonstrate that there has been a reduction in aspects of deprivation since 2014.
- 4.136.**The IMD formulates its score by analysing Income Deprivation, Employment Deprivation, Health, Deprivation & Disability, Education, Skills & Training, Barriers to Housing & Services, Living Environment, JSA, and Household Income.
- 4.137.**A key aspect of Living Environment is the quality of housing in the borough, which can be assessed under Part 1 of the Housing Act 2004. The Housing Health and Safety Rating System (HHSRS) enables the assessment of 29 different housing hazards – for example, fire, excess cold, damp and mold growth etc - and the effect that each may have on the health and safety of current or future occupants. Hazards are graded in classes from A to J, with A to C representing the most serious, Category 1 hazards and D to J less serious, Category 2 hazards.
- 4.138.**By analysing the number Category 1 and Category 2 hazards either removed or reduced by means of licensing enforcement and action taken under Part 1 of the 2004 Act, we can demonstrate the positive impact that licensing has had on the improvement of privately rented properties in the borough.
- 4.139.**In that regard, of the 28 privately rented properties found to have Category 1 or Category 2 hazards on first inspection:
- 19 (68%) have been made compliant
 - 7 remain non-compliant pending further inspections, and
 - 2 have had their licenses rejected.
- 4.140.**This would not have been achieved without the regular monitoring and enforcement activity for which licensing allows. In this way the current licensing scheme has contributed towards a reduction in deprivation since its inception in 2014.

4.141.We suspect that there are many more properties in the borough containing such hazards; and a new licensing scheme will contribute towards the continued identification of these properties and elimination of the hazards they pose to their occupants.

4.142.Further selective licensing will enable us to ensure that private sector accommodation in our borough:

- is inspected by us, to ensure its suitability for occupation;
- complies with minimum health and safety requirements – the provision of smoke and carbon monoxide alarms for example;
- is managed by responsible landlords, excluding rogue landlords who would take advantage of the growing market and its potentially vulnerable residents;
- is inspected regularly by landlords, to ensure that it is properly maintained and that tenants are complying with the terms of their tenancy agreements; and
- is not overcrowded.

4.143.In this way, among others, we are confident that selective licensing will contribute to a reduction in anti-social behaviour and crime in our borough and help to improve the management and quality of accommodation in the private rented sector. In this way, among others, it will surely contribute to a reduction in deprivation in our borough.

Crime

4.144.We are satisfied that our borough meets the conditions for a selective licensing designation on grounds of crime. In that regard, the 2015 Guidance provides that:

34. In considering whether an area suffers from a high level of crime the local housing authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months; whether the crime rate in the area is

significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.

35. *The licensing scheme must be part of a wider strategy to address crime in the designated area and can only be made if a high proportion of properties in that area are in the private rented sector. In particular the local housing authority should consider: whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein; the nature of the criminal activity, e.g. theft, burglary, arson, criminal damage, graffiti; whether some of the criminal activity is the responsibility of some people living in privately rented accommodation*

4.145.Our borough is affected by numerous, different types of crime, which affect both those living in the private rented sector and other households and businesses in the area. In that regard:

- The five wards in the borough in which privately rented properties account for more than 30% of the housing stock are also the five wards with the highest overall crime rate per 1,000 of the population.

Crime summary for all wards

4.146.Figure 16 below summarises crime levels in the borough, as recorded by the Metropolitan Police between December 2016 and November 2017. Crime in three of our seventeen wards exceeded the average crime levels for London. Significantly, Abbey ward, the borough's commercial hub, had the highest crime rate of all seventeen wards in the borough.

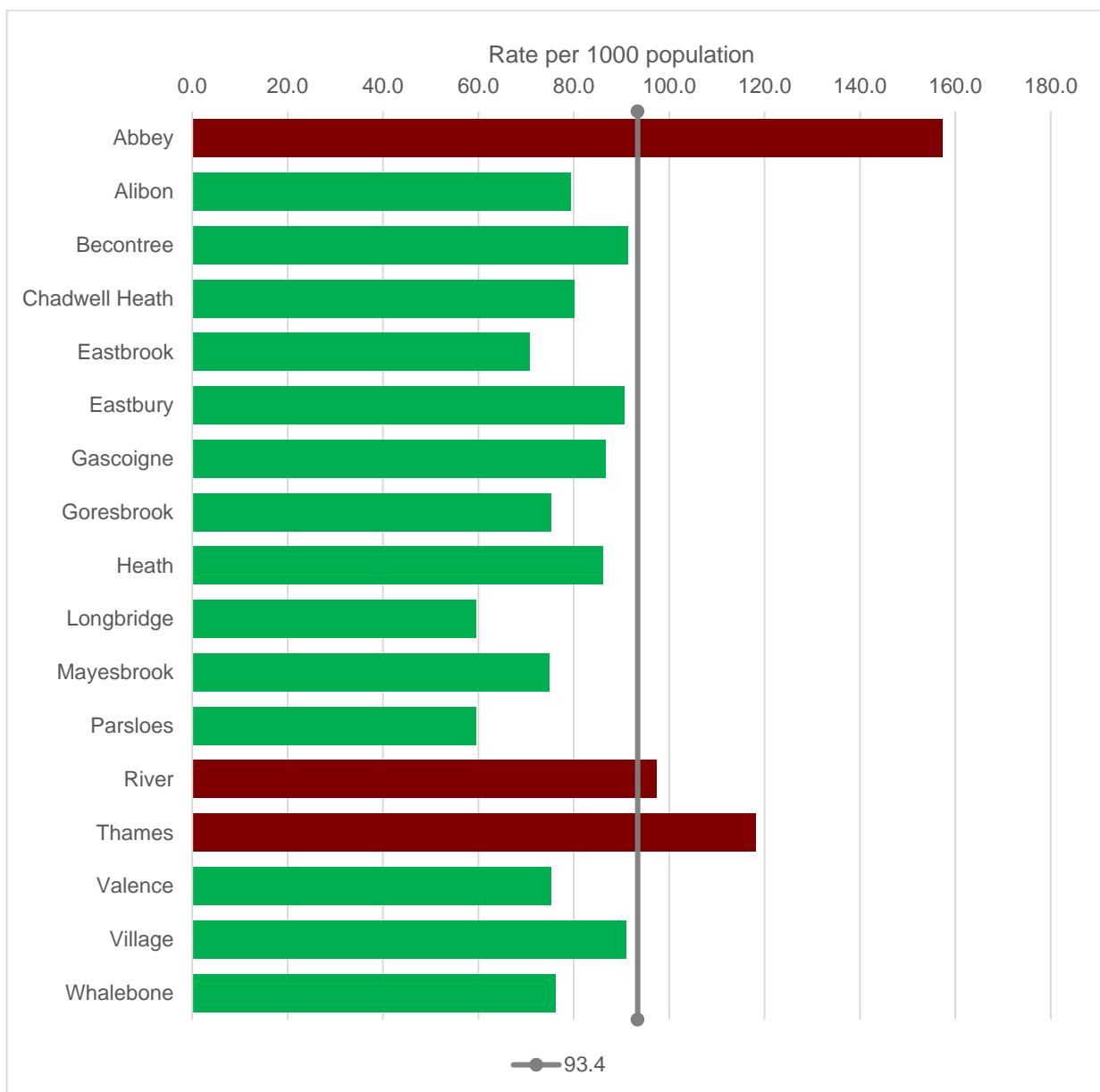


Figure 16: Total notifiable offences per thousand population (Met Police 2017)

High levels of crime, which has increased over 12 months

4.147. The table below summarises the prevalence of major crime in our borough - burglary, domestic abuse, criminal damage, drug offences, robbery, sexual offences, theft and handling, and violence against the person and theft of motor vehicles– and trends in these crimes over the 12-month period from December 2016 to November 2017.



Crime	LBBD status	Breakdown	Trend	Recent trend (12-months 2016-17)
Burglary	The burglary rate is 7.5 per 1000 people	7 wards have rates of business and community burglary that are higher than the outer London average. 8 wards have rates of residential burglary that are higher than the outer London average. 5 wards have rates of burglary in other buildings that are higher than the outer London average.	↑	Increase by 40%
Domestic Abuse	Barking and Dagenham records the highest offence rate per 1,000 population of domestic abuse of any London Borough.	All wards record rates of Domestic Abuse higher than the outer London Average		Increase of 7%

	Criminal Damage	<p>Criminal damage rates are higher than those for London, East London and outer London</p> <p>16 wards have higher rates of criminal damage to dwellings than the outer London average.</p> <p>12 wards have higher rates of criminal damage to motor vehicles than the outer London, east London and London averages.</p> <p>14 wards have higher rates of criminal damage to other buildings than the east London average.</p> <p>10 wards have higher rates of other criminal damage than the east London average.</p>		Decreased by 11%, but still higher than London, East London and outer London averages
	Drugs	<p>Drug crime rates are higher than the outer London average</p> <p>7 wards have higher rates of drug trafficking than the east London and outer London averages.</p> <p>5 wards have higher rates of drug possession than the outer London average.</p>		Decreased by 22%, but still higher than the outer London average
	Robbery	<p>Robbery rates are higher than the outer London and London averages</p> <p>7 wards have higher rates of business property robberies than the outer London average.</p> <p>14 wards have higher rates of personal property robberies than the outer London average.</p>		Increased by 51%
	Sexual offences	<p>Sexual offence rates are higher than the outer London average</p> <p>9 wards have higher rates of rape than the outer London average.</p>		Increased by 2%

		9 wards have higher rates of other sexual offences than the outer London average.		
Theft and handling	Theft and handling crime rates are higher than the outer London average	<p>8 wards have higher rates of handling stolen goods than the outer London and London averages.</p> <p>6 wards have higher rates of motor vehicle interference and tampering than the outer London, east London and London averages.</p> <p>5 wards have higher rates of other theft and handling offences than the outer London average.</p> <p>6 wards have higher rates of theft from a motor vehicle than the outer London average.</p> <p>3 wards have higher rates of theft from shops than the outer London and east London averages.</p> <p>2 wards have higher rates of theft from a person than the outer London average.</p> <p>All 17 wards have higher rates of taking of a motor vehicle than the outer London and London averages.</p> <p>8 wards have higher rates of taking a pedal cycle than the outer London average.</p>	↑	Increased by 12%

Violence against the person	Violence against the person crime rates are higher than the outer London, east London and London averages	<p>14 wards have higher rates of assault with injury than the outer London, east London and London averages.</p> <p>13 wards have higher rates of common assault than the outer London average.</p> <p>10 wards have higher rates of harassment than the outer London average.</p> <p>7 wards have higher rates of carrying an offensive weapon than the outer London average.</p> <p>10 wards have higher rates of other violence than the outer London, east London and London averages.</p> <p>11 wards have higher rates of wounding/grievous bodily harm than the outer London average.</p>	↑	Increased 1%
Theft of Motor vehicle	Barking and Dagenham records the highest levels of Theft of Motor Vehicles, amongst the 32 London Boroughs	<p>Incidents of Theft of Motor Vehicles is spread across the borough</p> <p>Thames and Becontree wards have the highest levels of Theft of Motor Vehicles</p>		Barking and Dagenham recorded the highest rate per 1000 population for theft of motor vehicles, with an increase of 29% of offences recorded in the last twelve months.

Table 7: Prevalence of major crime in Barking and Dagenham



4.148.Rates of crime in five of the seven major categories described above have increased in the 12-month period between 2016 and 2017; and while rates of the remaining two - criminal damage and drug offences – have decreased, they are nonetheless still higher than the outer London average.

4.149.It is likely that, with both major crime rates and the private rented sector growing, crime related to and affecting privately rented accommodation in our borough will also increase.

A designation will contribute to a reduction in crime

4.150. The current approach to crime reporting does not record the tenure of the property. The council and MPS does record action taken to address certain types of crime as part of the current enforcement approach for privately rented accommodation. This includes

- Cannabis factories – the council and the Police responded to 4 reports of a privately rented property operating as a cannabis factories. These were confirmed as being used as private rented accommodation and were enforced against with police support.
- Brothels – The council and Police has undertaken enforcement action on 16 brothels in the 12-month July 2017- July 2018, aimed at instigating criminal procedures against those persons keeping managing or acting or assisting in the management of these premises.
- There is a correlation between theft of motor vehicles and residential burglary. Residential properties which are easily accessible, either though poor maintenance or a lack of shared guardianship have a higher risk of being targeted, with car keys, along with cash and small electrical items being the most stolen commodity.
- Whilst Domestic abuse is consistently high across all tenures, there is significant evidence that poor housing conditions, over-crowding and short term tenures, are contributing factors in pressure in a household leading to family breakdown,

- 4.151.** The designation will allow council to support the reduction of crime within the PRS by offering support to ensure safety advice is given to tenants during inspections of licensed premises, giving home safety advice and guidance. We will ensure that we utilise the Housing Act 2004 to ensure home safety is a priority when using the Housing Health and Safety Rating System to resolve any housing defects that will give rise to entry by intruders thus preventing residential burglary.
- 4.152.** The designation will enable the council to identify properties which are poorly maintained and at a greater risk of residential burglary and, subsequently theft of motor vehicles. Working with Victim Support, the council can provide safety advice alongside physical improvements such as better quality door and window locks through the Home Safety scheme.
- 4.153.** Tackling the underlying causes of domestic abuse and intervening early, is at the heart of our approach to reduce the generational harm of domestic abuse. The council invests in a Tenancy Sustainment post as part of the current discretionary licensing scheme. To support this post, the council intend to invest in an Independent Domestic violence Advocate, specifically for the private sector housing clients, with the aim of identifying tenants where domestic abuse is prevalent and work with them and Landlords to reduce the risks, both within the family dynamic and in terms of the conditions of the property.

5. Why a new licensing scheme?

- 5.1.** We have considered carefully whether, without making a licensing designation, alternatives to a new selective licensing scheme – for example landlord accreditation or education programmes, and the use of our powers to enforce housing condition standards under Part 1 of the 2004 Act – would enable us to achieve the objectives set by the Borough Manifesto and our strategies for housing and well-being in the borough. We are firmly of the view that they would not. For example, it is very unlikely that all those managing or controlling accommodation in the private rented sector would engage with voluntary initiatives, such as landlord accreditation and education; and

while powers such as those under Part 1 of the 2004 Act would enable us to address housing conditions in the borough, they would not enable us to address the various other social problems still affecting the borough.

5.2. We are confident that a new selective licensing scheme would do so. We know that our existing licensing scheme has already enabled us to mitigate some of these problems and, by helping us to vet those intending to let out privately rented properties in our borough, to inspect their properties and insist on compliance with conditions regulating their management, use, occupation and, in some instances, condition, a new scheme would enable us to continue doing so, not least by:

- ensuring that all those who let property in the private rented sector are fit to do so;
- encouraging landlords to be more selective of prospective tenants;
- providing us with the resources to monitor ASB complaints and respond to them by visiting properties and conducting inspections;
- reducing levels of ASB and crime associated with the private rented sector;
- enabling us to continue inspecting properties, prohibiting the use of those that are dangerous or unsuitable for habitation;
- helping us to reduce the likelihood of tenant injury and ill health;
- generally improving the management and condition of properties in the private rented sector and improve the social and economic conditions in our borough.

5.3. We have also considered whether anything less than a borough-wide scheme would enable us to address these problems and, again, are firmly of the view that it would not. While the problems affecting the borough vary in severity from ward to ward, they are nonetheless borough-wide; and some, such as crime and anti-social behaviour, are more severe in every ward in the borough than they are either regionally or nationally.

5.4. The proposal about which we are consulting is therefore a proposal for a borough-wide scheme of selective licensing, which would last for a

further 5 years from the beginning of September 2019, similar in many ways to the current selective licensing scheme. We have summarised our proposal below.

- 5.5.** Barking and Dagenham currently utilises the full range of legislation available to regulate the private rented sector. We consider that there are barriers and limitations if we were to rely solely on enforcing through legislation, other than licensing, can be slow, resource intense and do not always support tenants. The volume of action required in Barking and Dagenham would be difficult to achieve outside of a licensing framework.
- 5.6.** Barking and Dagenham have considered the alternatives to licensing and these are listed below. We consider that both a selective licensing scheme would provide a framework through licensing conditions, by which landlords can operate. Licensing provides clear guidance and support and allows us to use data and intelligence to enforce against those landlords who operate illegally and do not manage properties and allow them to fall into unsafe conditions. Without a framework within licensing properties, it is felt that enforcement and regulating properties would be seriously affected across the borough.

Extension of PRPL – Supporting Evidence



Alternative Solution	Strength	Weaknesses
The use of Housing Act 2004, HHSRS and Environmental Health Legislative enforcement powers.	<p>Ability to improve housing conditions if landlords comply with enforcement notices.</p> <p>Ability to carry out works in default to remedy hazards.</p>	<p>Serving notices can be a lengthy process where a pre-informed inspection and then a statutory notice period of at least 28 days. On expiry of the notice, the council need to determine if the notice is breached before considering the most appropriate course of action.</p> <p>Works in default and prosecution of non compliant landlords are costly to the council and recovery of the debt is a lengthy process.</p> <p>In the absence of a licensing scheme, it would be difficult to meet the high demands of the service.</p> <p>Part 1 only deals with conditions, licensing deals with management use and conditions.</p>
Grants for Improvements of selective properties.	<p>Grant funding can improve property standards and improve quality of life including health benefits. They increase the value of landlord properties and this supports inward investment.</p>	<p>Barking and Dagenham have not issued any grants for a number of years (2012). Generally, there are very few Central Government funding opportunities available to Local Authorities to improve properties.</p> <p>Grant funding would have to be subsidised through Council Tax.</p> <p>Any grant funding is made on an application and voluntary basis.</p>
Improvement of Management through voluntary accreditation schemes.	<p>For those who take part, increases management standards.</p>	<p>Requires voluntary landlord engagement.</p> <p>No requirement for landlords to be proactive. These schemes have been in operation for over 10 years and there is a poor take up of the voluntary accreditation scheme locally and nationally</p>

Use of Interim and Final Management Orders under the Housing Act 2004	This allows the Local Authority to take control of the property, including collection of rent and remedying defects.	Barking and Dagenham have issued 4 Interim Management Orders. These are very resource intensive. The Council must do work to make the property safe and pay up front. Then arrange and pay for the property to be managed. Although rent can be collected the Council can't make a profit. Any profit must be paid back to the Criminal Landlord. Accounts must be published each month. In effect a Criminal Landlord gets a free management service by the Council. Given the number of properties that require action management orders not feasible or appropriate at scale.
Rely on Financial Penalties (FPs) and prosecutions for non-licensing crimes.	Provides a disincentive to keep properties in poor conditions.	No requirement for landlords to be proactive in their management. Unless this is complimented by licensing the use of financial penalties are limited to non-compliance with improvement notices. Both prosecution or an FP does not require criminal landlords to improve conditions. Resource intensive. Difficult to recover FPs from Criminal Landlords. Long wait for Courts to pay Council their costs incurred in prosecutions.

Table 8: Alternative to licensing



6. Scheme design and fees: our proposal

- 6.1.** In light of the above, we propose to designate the whole of our borough as subject to selective licensing, under Part 3 of the 2004 Act, for a period of 5 years commencing 1st September 2019.
- 6.2.** This would require all landlords, managing agents managing on your behalf, who rent privately rented properties in the borough of the London Borough of Barking and Dagenham to make an application for a selective licence.
- 6.3.** Portfolio landlords who rent more than one property within the borough would also be required to licence each of their properties unless the property is licensable as an HMO.
- 6.4.** Your application will be processed once the full application and supporting documentation is provided with the appropriate fee.
- 6.5.** We will use our database to verify the details provided and will reply on any previous managed property to carry out the fit and proper persons test. We shall also use the Greater London Authorities Rogue Landlord Database to verify if any previous enforcement action has been taken against a proposed licence holder and will consider this information when determining the license.
- 6.6.** A compliance inspection of the property will be conducted to ensure the property meets the requirements of the licence conditions.
- 6.7.** The Authority will rely on the council enforcement policy to determine the most appropriate course of action where a property is found to be non compliant with the conditions of the licence.
- 6.8.** If a property is suffering from disrepair, enforcement action may be considered under Part 1 of the Housing Act 2004.

The Authority may consider annual licensing where there are concerns over the overall management of the property.

The need for a licence

6.9. Unless, therefore:

- it is an HMO to which the mandatory or additional licensing requirements of Part 2 of the 2004 Act applies, or
- it is the subject of a temporary exemption notice under section 86 of the 2004 Act, or
- it is the subject of a management order under Chapter 1 or 2 of Part 4 of the 2004 Act,

every building (e.g. a house) or part of a building (e.g. a studio, flat or maisonette), the whole of which is occupied as a separate dwelling under one or more tenancies or licences, none of which is exempt within the meaning of section 79(3) or (4) of the 2004 Act, would require a licence to authorise its occupation.

6.10. Generally, therefore, those managing or having control of a house, flat or maisonette in the borough, which they intend to let out on a tenancy or licence, would need to apply to us for a licence.

The consequences of failing to apply for a licence

6.11. A failure to do so without reasonable excuse would be a criminal offence under section 95 of the 2004 Act and, on conviction, would be punishable by an unlimited fine. Alternatively, under section 249A of the 2004 Act, we would be able to impose a financial penalty of up to £30,000, instead of prosecuting the offence.

6.12. A failure might also result in a rent repayment order under either the 2004 or 2016 Act; and would prevent the service of a notice under section 21 of the Housing Act 1988, to bring an assured shorthold tenancy to an end on two months' notice.

6.13. This will not, we are confident, concern the majority of landlords and agents in our borough, who let and manage their properties responsibly and either have applied or would apply for a licence in a

timely manner. It will, however, enable us to ensure that other, so-called rogue landlords are held to account.

- 6.14.** All selective licences which have been granted expire no later than 31st August 2019. Therefor all current selective licence holders will have to reapply for a license under the new scheme.

The application and fee

- 6.15.** We propose to use the form of application used for our current licensing scheme, a copy of which is available at this [link](#). We have also included a copy for information at Appendix 4 to this report.

- 6.16.** Generally, the process would require landlords to provide us with relevant details about the proposed licence holder and manager, including for example personal details and information about previous, unspent convictions, and details about the licensable property. An application would not be considered valid unless it provided us with all the information required to process it.

- 6.17.** Each application would attract a fee, levied in two parts:

- the first part, levied at the point of application, would cover only the costs of processing and determining the application;
- the second part, payable only if the application were successful, would include a contribution towards the costs of carrying out our licensing functions under Part 3 of the 2004 Act and our management functions under Chapter 1 of Part 4 of the 2004 Act (management orders) in relation to Part 3 houses.

- 6.18.** Applications received without the first stage payment, above, would not constitute a valid application and would not be processed. Similarly, we would not grant a licence unless and until the second part of the fee were paid; and neither fee would be refundable.

- 6.19.** While we have a discretion under section 79 of the 2004 Act to grant just one licence to authorise the occupation of two or more dwellings in a building (e.g. studios or flats) that are under common management or control, we would not generally do so, not least because the administration and enforcement of such licences is complex and potentially problematic. Generally, therefore, we would expect an

application for every licensable dwelling - be it a studio, flat or maisonette - whether or not two or more of them in the same building are under common control or management; and application fees would be charged accordingly.

- 6.20.** In light of the responses to Stages 1 and 2 of our consultation exercises, we have tailored the fees for our proposed scheme, to differentiate between responsible, compliant landlords and others.

- 6.21.** The proposed fees and charges for selective licensing are as follows:

	Part A Payment	Part B Payment	Combined Licensing Fee
Selective Licence (Houses with one family or two people who are not related)	£470	£430	£900

Table 9: Proposed fees and charges

- 6.22.** The part A payment above has been calculated taking into account the council's costs of processing the licence application.
- 6.23.** The part B payment includes the contribution towards the cost of the council carrying out its functions under Part 3 of the Housing Act 2004 and its costs in carrying out its functions under Chapter 1 Part 4 in relation to Part 3 houses.

The above structure has been devised in order to comply with the supreme court judgement in Hemming & the High Court's decision in Gaskin.

In response to feedback from the council's informal consultation, the council consulted on whether a discount should be applied. In formal consultation, the council is considering a partial discount of the Part B fee payment for those landlords who have previously obtained a licence and have held it with Barking and Dagenham Council for a minimum of 2 years. In order to qualify for such a discount the licence holder would need to demonstrate that for the duration of the licence held, the property is compliant in respect of licencing conditions and the scheme generally.

A compliant landlord would be considered a landlord who has no history of formal enforcement action being taken against them under parts 1,2,3,4 of the Housing Act 2004.

This would include appropriate enforcement action as defined section 5, 2 of the HA2004. Landlords would also need to demonstrate that they;

1. Have not been subject a banning order,
2. Have not been convicted or penalised of any offence to include for example Civil Penalty Notices, Formal Cautions under the Housing Act 2004.

Have not been convicted or penalised for any offence under the Environmental Protection Act 1990 and the Anti Social Behaviour Crime and Police Act 2014, Protection from Eviction Act 1977 and the Protection of Harassment Act 1997.

- 6.24.** These have been calculated by taking into account all of the council's costs in administering and carrying out its licensing functions. The Council has taken account of staffing costs over the 5 year period, deducting allowances for matters not directly related to administering, managing and enforcing the scheme, and applying that as against the anticipated number of privately rented properties which will fall within the scheme. The Council has assumed that an officer will spend approximately 25% of their time processing applications, and 75% of their time managing and enforcing licensed premises.

The application process

- 6.25.** In order to grant a licence, we would first have to be satisfied that a number of important conditions were met:

- that the proposed licence holder is a fit and proper person to be the licence holder and, out of all the persons reasonably available to be the licence holder, is the most appropriate person to hold the licence;
- that no banning order under section 16 of the Housing and Planning Act 2016 is in force against a person who (a) owns an estate or interest in the licensable property or part of it and (b) is a lessor or licensor of it, or part of it;
- that the proposed manager of the licensable property is either the person having control of it or an agent or employee of the person having control of the house;
- that the proposed manager is a fit and proper person to be the manager; and
- that the proposed management arrangements for the licensable property are otherwise satisfactory.

6.26. We would not be able to allow an application and grant a licence unless we were satisfied of all the above matters. Accordingly, we would generally expect to visit each licensable property, to inspect its condition and the applicant's management arrangements, before considering granting a licence.

Licences and licence conditions

6.27. Generally, licences would be granted for a period of 5 years, though we would have discretion to grant them for a shorter period if, for example, we had concerns about the management, use, occupation or condition of the licensable property.

6.28. We would be able to revoke a licence in certain circumstances, under section 93 of the 2004 Act, for example:

- if we were satisfied that the licence holder or another person had committed a serious breach of a licence condition, or repeated breaches of a condition;
- if we no longer considered that the licence holder was a fit and proper person to hold a licence;
- if we no longer considered that the management of the property was being undertaken by persons who were fit and proper persons to do so;
- if the property ceased to be one to which Part 3 of the 2004 Act applied;
- if a licence was granted under Part 2 of the 2004 Act; and
- if we considered that, if the licence were to expire, we would not, for reasons relating to the property's structure, grant a new licence to the licence holder on similar terms.

6.29. Further, we would be obliged to revoke a licence if a banning order, under section 16 of the 2016 Act, were made against the licence holder or a person who owned an estate or interest in the property, or part of it, and was a lessor or licensor or it, or part of it.

6.30. In the event that a licence were revoked, a new application would be required and would attract a new licence fee.

- 6.31. Licences would not be transferrable. If a person wanted to become the new licence holder for a property, therefore, he or she would have to apply for a new licence and pay a new licence fee accordingly.
- 6.32. We would grant all licences subject to conditions, some of which are mandatory and are prescribed by section 90 and Schedule 4 to the 2004 Act, some of which we would include in the exercise of our discretion under section 90. We have included a copy of the proposed licence conditions at Appendix 5 to this report.
- 6.33. These conditions and their enforcement are key to the success of the role that we expect selective licensing to play in our community, generally regulating the management and condition of our privately rented stock and thereby improving the social and economic conditions of our borough.

The consequences of failing to comply with licence conditions

- 6.34. A failure to comply with a licence condition, and each such failure, without reasonable excuse, would be a criminal offence under section 95 of the 2004 Act and, on conviction, would be punishable by an unlimited fine. Alternatively, under the Housing and Planning Act 2016 ('the 2016 Act'), we would be able to impose a financial penalty of up to £30,000, instead of prosecuting the offence.

Rights of appeal and rehearing

- 6.35. Applicants dissatisfied with our decisions, for example to grant or refuse to grant, vary or revoke a licence, or to impose a financial penalty, would have the right to appeal to the Property Chamber of the First Tier Tribunal under section 94 and Schedule 5 to the 2004 Act, and to have a complete re-hearing of their case.

7. Equality impact assessment

- 7.1. In accordance with our obligations under the Equality Act 2010, we have undertaken an equality impact assessment in respect of our proposed scheme. We will do so again if, after this stage of our consultation exercise, we decide to proceed with our proposed scheme. We have included a copy of our assessment at Appendix 6 to this report.

8. Conclusion

- 8.1.** There is strong evidence to support a renewal of our borough's current selective licensing scheme. The current scheme has had a positive impact on levels of anti-social behaviour in the private rented sector; and we are confident that a new scheme will enable us to maintain the progress we have made over the last 4 years.
- 8.2.** Our community is affected by other social problems however – poor housing conditions, high levels of migration, deprivation and high crime levels in particular; and levels of anti-social behaviour remain high.
- 8.3.** We firmly believe that a new discretionary licensing scheme is the most effective way to deal with these problems, enabling us to regulate the letting and occupation of privately rented accommodation in the borough, to cooperate effectively with landlords and tenants alike and to continue property compliance visits, all with a view to improving the management and condition of privately rented accommodation in the borough and its social and economic conditions.
- 8.4.** Our consultation about a proposed new selective licensing scheme will run for 12 weeks from Friday 21st September to Saturday 15th December 2018. We hope that you will take time to read this report, to understand its objectives and to participate constructively in the exercise. Improving the quality of accommodation offered by the private rented sector is a cornerstone of our long-term strategy to maximise opportunity and quality of life in our local community. Together, we are sure, we can continue the progress of the last four years towards a better and more sustainable community.
- 8.5.** We look forward to hearing from you.

APPENDIX 1

Ward by ward analysis

Summary

This Appendix describes each ward in our borough in detail and summarises why, in each case, a selective licensing scheme would contribute to an improvement in the housing conditions of the ward.

Wards

The matrix below summarises the situation in each of the wards. You can navigate through the ward narratives by using the hyperlinks on the matrix.

WARD	PRSL (2017)	Low housing demand	ASB (Council)	Poor property condition s	Migration (total churn)	Deprivatio n	Crim e rate per 1000 (TNO)
Abbey	54.9%	n/a	15.9%	14.1%	33.2%	33.1	157.2
Alibon	25.4%	n/a	31.0%	17.5%	19.8%	38.2	79.3
Becontree	36.3%	n/a	20.1%	16.6%	23.9%	35.4	91.3
Chadwell Heath	21.9%	n/a	19.0%	15.9%	19.4%	35.0	80.1
Eastbrook	20.4%	n/a	23.4%	14.5%	17.3%	26.8	70.7
Eastbury	26.4%	n/a	30.3%	14.8%	21.9%	35.4	90.6
Gascoigne	28.7%	n/a	17.4%	16.4%	25.4%	39.2	86.7
Goresbrook	28.8%	n/a	25.6%	19.6%	19.7%	36.9	75.3

<u>Heath</u>	21.1%	n/a	25.3%	18.6%	19.2%	39.6	86.1
<u>Longbridge</u>	23.3%	n/a	24.9%	14.7%	19.0%	20.9	59.4
<u>Mayesbrook</u>	24.6%	n/a	28.9%	16.7%	20.7%	39.2	74.8
<u>Parsloes</u>	23.7%	n/a	36.1%	20.1%	20.1%	35.1	59.5
<u>River</u>	33.3%	n/a	34.4%	21.2%	22.7%	34.4	97.3
<u>Thames</u>	37.4%	n/a	18.0%	16.9%	23.8%	38.5	118.1
<u>Valence</u>	25.8%	n/a	28.8%	17.0%	20.1%	37.2	75.2
<u>Village</u>	32.5%	n/a	14.7%	20.0%	21.9%	38.5	90.9
<u>Whalebone</u>	31.6%	n/a	25.5%	18.4%	24.5%	25.7	76.1
MHCLG guidance	20.3%	n/a	n/a	n/a	15.0%	n/a	n/a
LBBDD	27.5%		18.5%	17.1%	22.2%	34.6	88.2
London	30.0%		n/a	n/a	n/a	23.4	93.4
England	20.5%		n/a	n/a	n/a	19.5	n/a
<i>England</i>							
Comparator	(English Housing Survey 2016 to 17)	LBBDD	LBBDD	MHCLG guidance	England	LBBDD	MET Police
Source	LBBDD Residents Matrix 2017/18	ASB reports Mar 13 to Mar 17	Inspection reports Mar 2013 to Mar 2017	NHS GP Register 2015 to 2016	Indices of Deprivation: MHCLG 2015	Dec 16 to Nov 2015	17

English Household Survey 2016/17

PRS properties vs all properties

% of properties initially failing inspection

Table 10: Ward matrix

Abbey

**Did you know
Abbey has...**

14,911

Residents

Highest in the borough



Abbey

4,040
under 16s



8th highest proportion
in the borough

10,118
16s to 64s



Highest proportion
in the borough

753

65 and over



Lowest proportion
in the borough

30
average age



Younger than the
borough average (33)

80
male life
expectancy



Oldest in the borough

83.6
female life
expectancy



Older than the
borough average (82.1)

46.8



Average attainment
8 score per pupil (GCSE)
Higher than the borough
average (46.2)

21.9%



open space
Lower than the
borough average (33.7%)

105.6



births per 1,000
women of childbearing age

Highest in the borough

150.4



crimes per
1,000 people

Highest in the borough

£225,500



median house
price (all types)

2nd lowest in the borough

40.4%



English not
first language

Highest proportion
in the borough

1.8%



job seekers
allowance claimants

Same as the borough average

£33,920



median household
income

Higher than the borough
average (£29,420)

11.7%



DWP benefits
claimants

Lower than the
borough average (14.7%)

84.2%



BME population

Highest proportion
in the borough

57.3%



born abroad

Highest proportion
in the borough

10.8%



Pakistan most
common birthplace

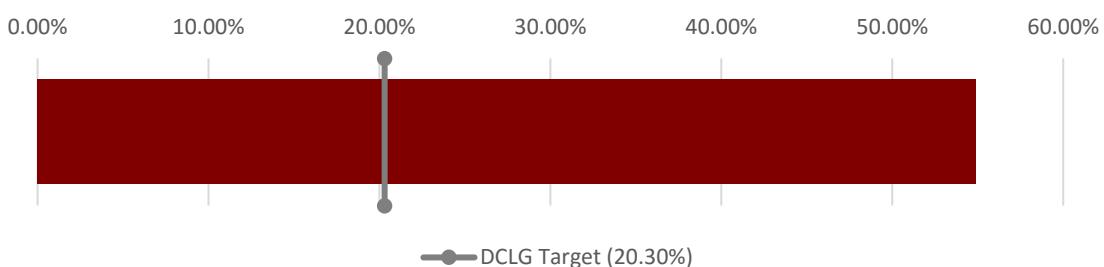
outside the UK, followed
by India and Nigeria

Private Rented Sector Licensing Criteria

Private rented sector	✓	<ul style="list-style-type: none"> • 54.9% - highest proportion of PRS in the borough • Higher than national average (20.3%) • Higher than London average (30.0%) • 37% increase in PRS since 2011 Census
Low housing demand	✗	<ul style="list-style-type: none"> • High demand for housing throughout the borough
A significant and persistent problem caused by ASB	✗	<ul style="list-style-type: none"> • Proportion of PRS properties with a report of ASB is below the average for the borough
Poor property conditions	✗	<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average
High levels of migration	✓	<ul style="list-style-type: none"> • 33% total churn in population between 2015 and 2016 • Highest concentration of PRS residents arriving in the borough between 2015 and 2016
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages • All domains other than Education, Skills and Training higher than national average • All domains higher than London average • Most deprived in borough for: barriers to housing and services and living environment
High levels of crime	✓	<ul style="list-style-type: none"> • Highest crime rate in the borough • Higher than London average • Highest rate in borough for: criminal damage, drugs, robbery, sexual offences, theft and handling, violence against the person
✓ Meets criteria		✗ Does not meet criteria

Private rented properties

Status



Summary

There are 5,402 households in Abbey (2017 estimation). These properties are distributed as:

- 2,847 private rented properties (52.7%) (54.9%)
- 1,727 owner occupied (32%)
- 828 social rented (15.3%)

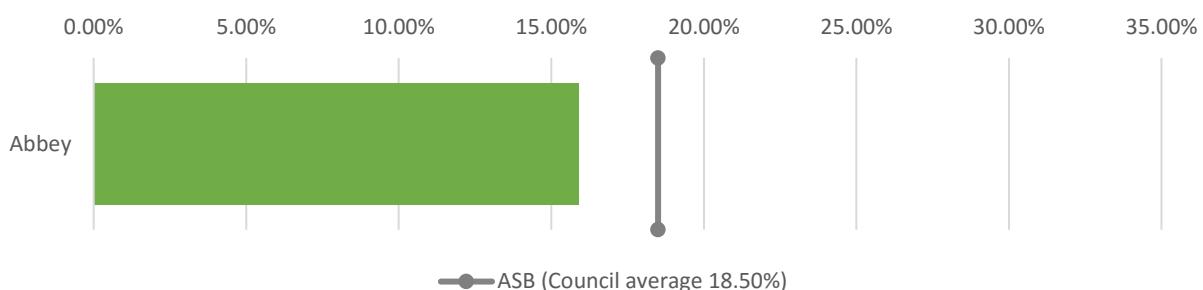
At 52.7%, Abbey has the highest proportion of private rented properties of all wards in the borough.

Trend

The population in Abbey is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 36.50%, from 38.60% to 52.70%.

Anti-social behaviour (ASB)

Status

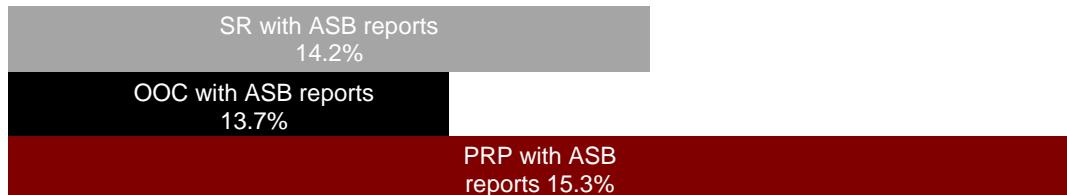


Summary

Ward Overview

- There were 3,441 ASB reports between 2013 and 2017 in Abbey, which is the equivalent of 63.9 per 100 properties.
- The most frequent types of anti-social behaviour in Abbey are noise and fly tipping.

ASB properties in PRS vs. other tenures

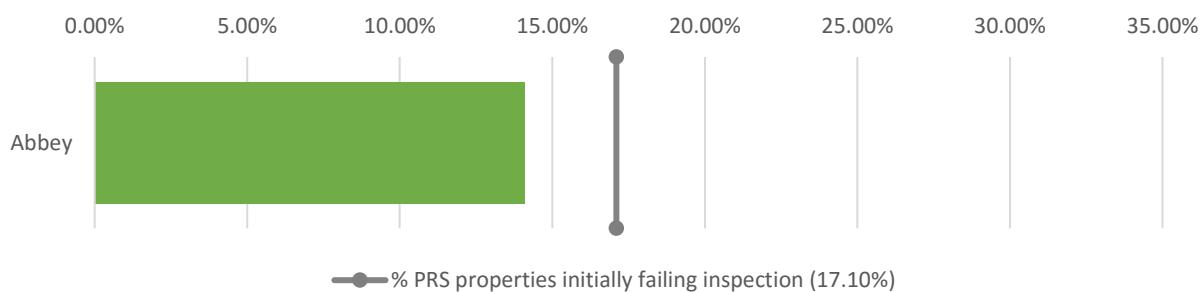


Trend

Anti-social behaviour continues to be a concern in the private rented sector in Abbey and has increased by 42.8% since 2014/15 with enforcement action ongoing.

Private rental stock conditions

Status



Summary

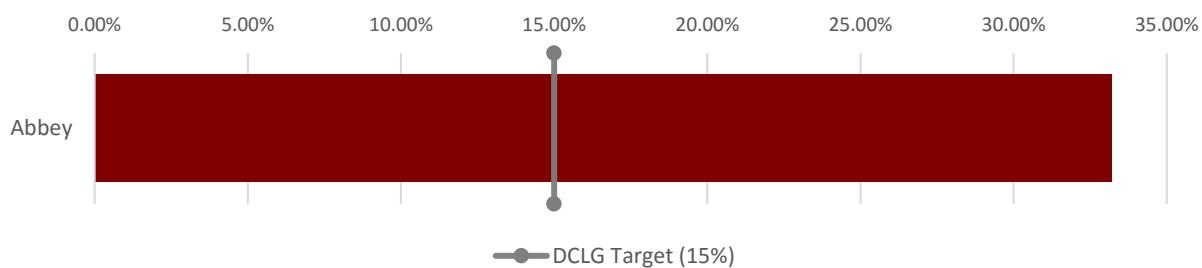
Compliance visits

- 85.7% of licensed properties were compliant on first inspection.
- 12% became compliant through informal or through enforcement action.
- 2.1% remain non-compliant or were rejected a licence, pending enforcement action.
- 0.2% were given a temporary exemption

Since the beginning of the PRPL scheme only 28 of visited properties remain non-compliant.

Migration

Status



Summary

Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Abbey is 33.2%.
- Abbey ranks first for population churn in the borough

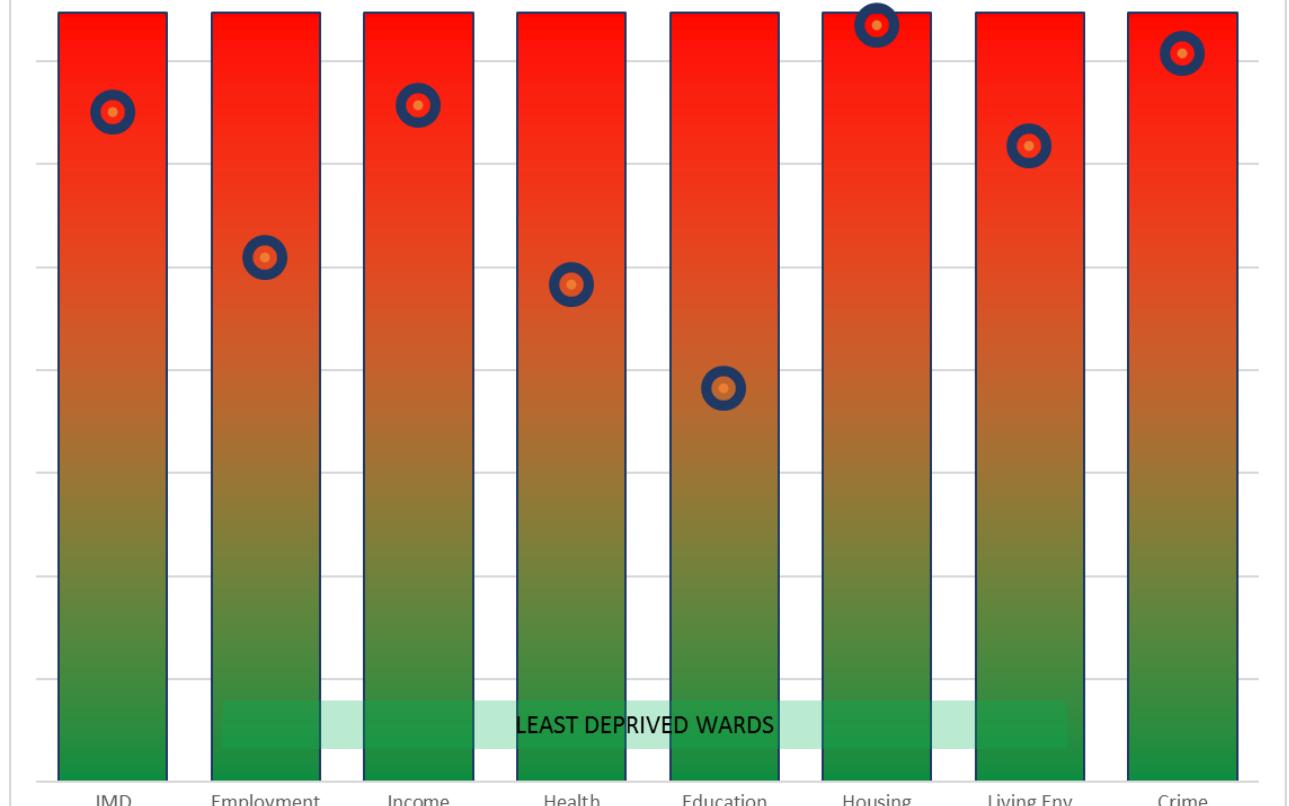
Deprivation

Status



Abbey ranked against of UK wards

MOST DEPRIVED WARDS



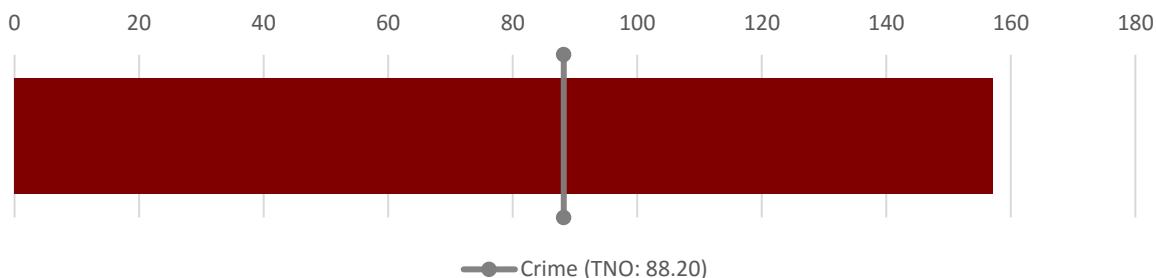
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. Abbey has the 14th highest IMD score in the borough and the greatest contributors to this are as follows:

- Crime
- Housing
- Living Environment

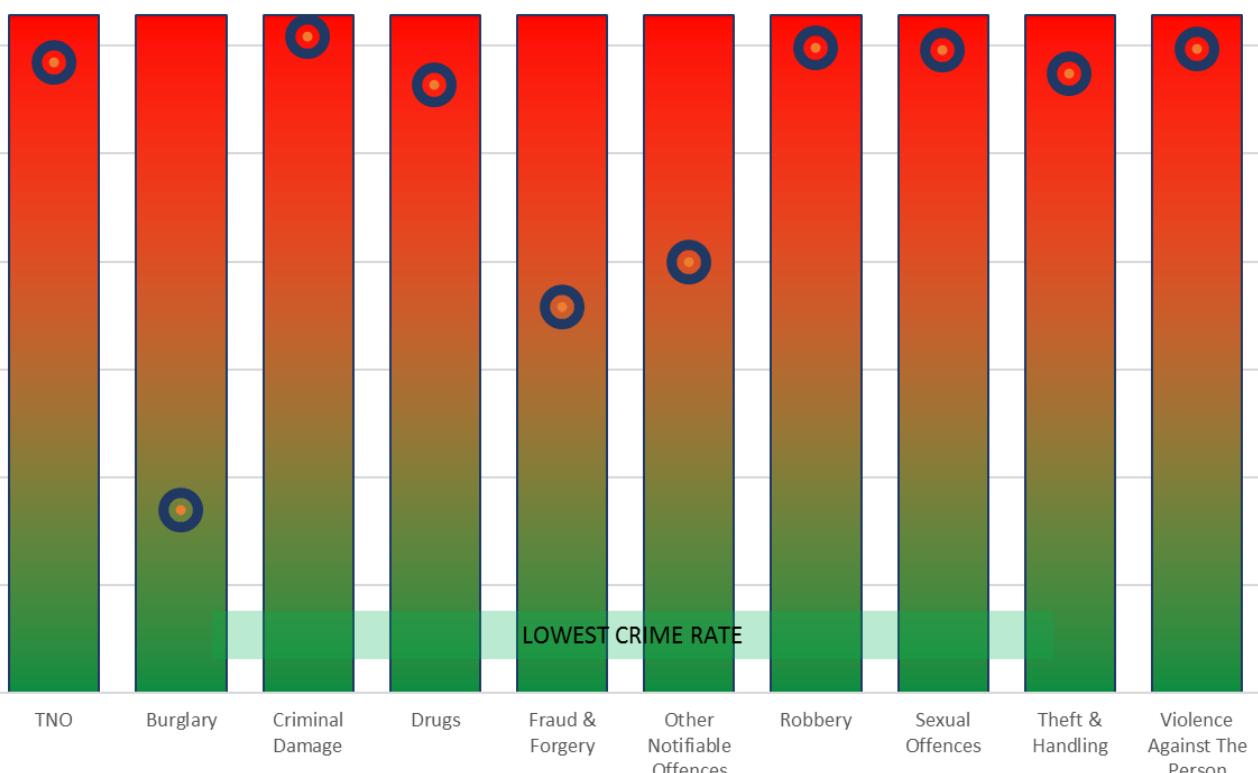
Crime

Status



Abbey ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery, and violence against the person.

Abbey has the highest crime rate in the borough with 157.2 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Criminal Damage
- Drugs
- Fraud & Forgery
- Robbery
- Sexual Offences
- Theft & Handling
- Violence Against the Person

Alibon

**Did you know
Alibon has...**

10,951

Residents

3rd lowest in the borough



Alibon

2,856
under 16s



5th lowest proportion
in the borough

7,023
16s to 64s



3rd highest proportion
in the borough

1,072
65 and over



7th lowest proportion
in the borough

34

average age



Older than the
borough average (33)

77

male life
expectancy



Younger than the
borough average (77.6)

81.4

female life
expectancy



Younger than the
borough average (82.1)

44.7

Average attainment
8 score per pupil (GCSE)



Higher than the
borough average (46.2)

20.6%

open space



Lower than the
borough average (33.7%)

77.4

births per 1,000
women of childbearing age



Lower than the borough
average (79.4)

72

crimes per
1,000 people



Lower than the
borough average (81.7)

£290,000

median house
price (all types)



Higher than the
borough average (£287,500)

13.6%

English not
first language



Lower than the borough
average (18.7%)

1.9%

job seekers
allowance claimants



Higher than the borough
average (1.8%)

£32,470

median household
income



Higher than the borough
average (£29,420)

16.8%

DWP benefits
claimants



Higher than the
borough average (14.7%)

38.7%

BME population



Lower than the borough
average (50.5%)

24.7%

born abroad



Lower than the
borough average (30.9%)

5.5%

Nigeria most
common birthplace
outside the UK, followed
by Lithuania and Ghana



Private Rented Sector Licensing Criteria

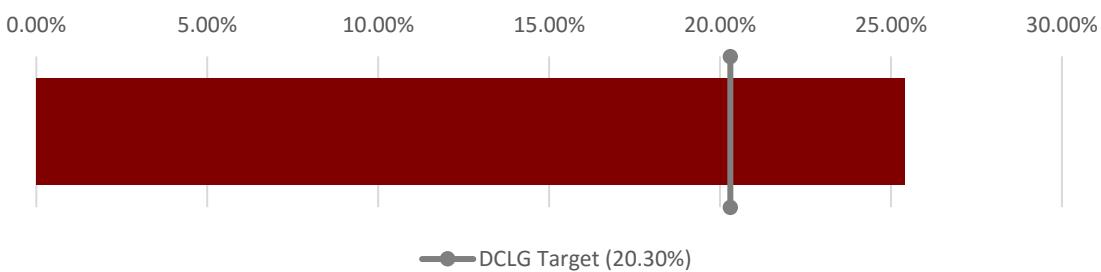
Private rented sector	✓	<ul style="list-style-type: none"> • 25.4% - higher than the national average (20.3%). • 38% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average. • 3rd highest proportion in the borough (31%).
Poor property conditions	✓	<ul style="list-style-type: none"> • 18% of properties were not compliant following a visit – higher than borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 20% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 33% of Alibon within 10% most deprived in country re crime. ○ Whole ward within 20% most deprived in country re barriers to housing and services.
High levels of crime	X	<ul style="list-style-type: none"> • Crime rate is below the borough average. • Although, some crime rates higher than borough and London averages: <ul style="list-style-type: none"> ○ Criminal damage; and ○ Sexual offences.

✓ Meets criteria

X Does not meet criteria

Private rented properties

Status



Summary

There are 4,088 households in Alibon (2017 estimation). These properties are distributed as:

- 897 private rented properties (21.9%) (25.4% in 2018)
- 2,005 owner occupied (49%)
- 1,186 social rented (29%)

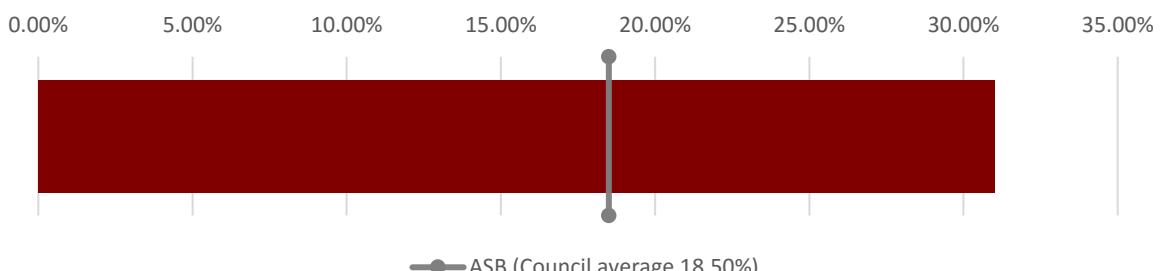
At 21.9%, Alibon has the 11th highest proportion of private rented properties in the borough.

Trend

The population in Alibon is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 38%, from 15.9% of total properties to 21.9%.

Anti-social behaviour (ASB)

Status

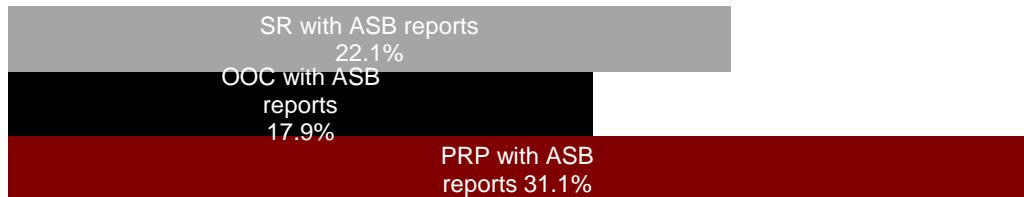


Summary

Ward overview

- There were 3,215 ASB reports between 2013 and 2017 in Alibon, which is the equivalent of 52.2 per 100 properties.
- The most frequent types of ASB in Alibon are eyesore gardens and noise.

ASB properties in PRS vs. other tenures

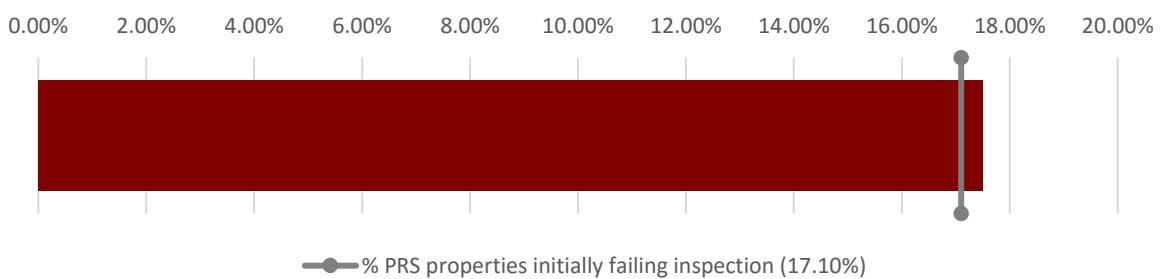


Trend

Anti-social behaviour continues to be a concern in the private rented sector in Albon and has increased by 7.4% since 2014/15 with enforcement action ongoing.

Private rental stock conditions

Status



Summary

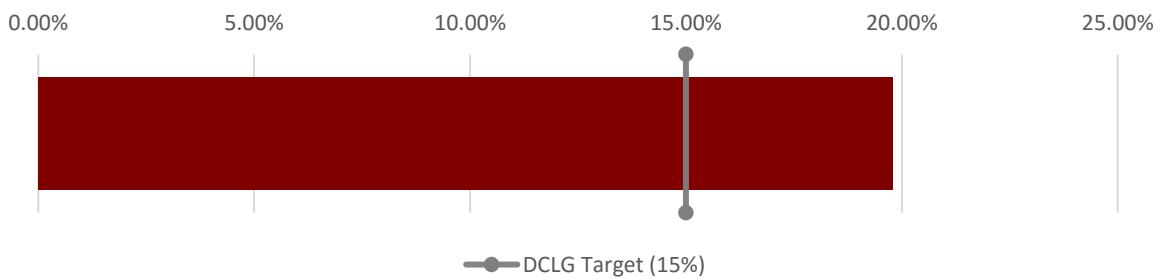
Compliance visits

- 82.5% compliant at first visit
- 14.6% that became compliant through informal or enforcement action (combined)
- 2.7% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0.2% licence rejected

Since the beginning of the PRPL scheme only 15 of properties visited remain non-compliant.

Migration

Status



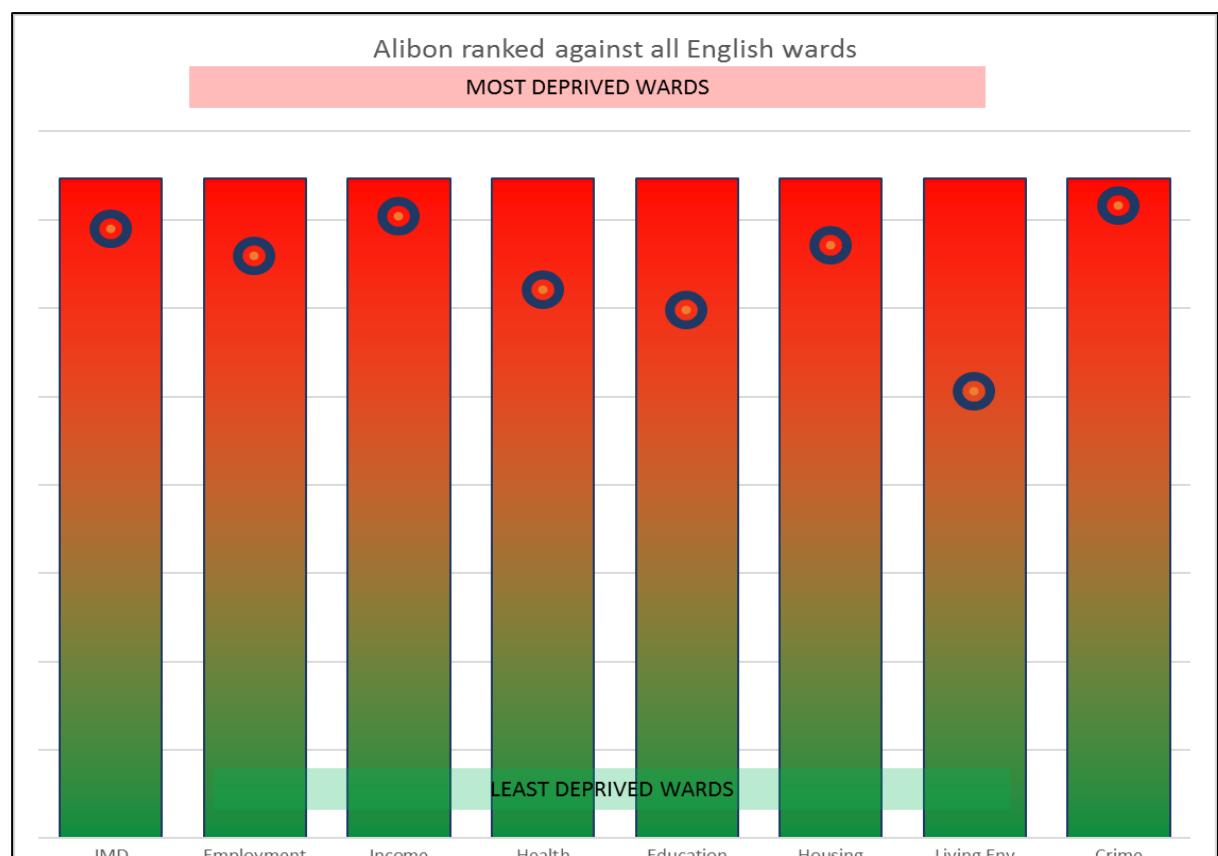
Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Alibon is 19.8%.
- Alibon ranks 12th for population churn in the borough.

Deprivation

Status



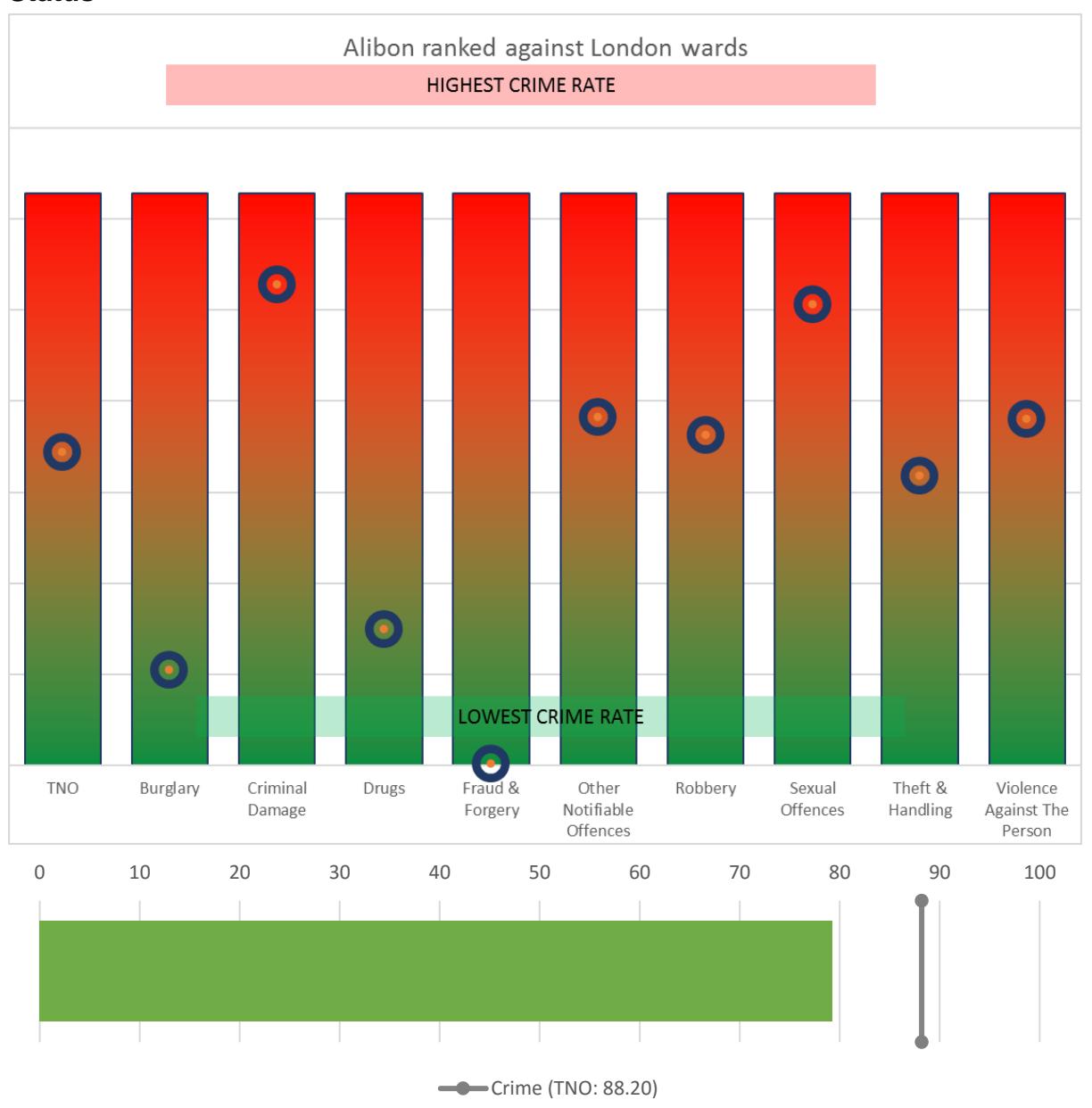
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. Alibon has the 6th highest IMD score in the borough and the greatest contributors to this are as follows:

- Crime
- Employment
- Housing

Crime

Status



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery, and violence against the person.

Alibon has the tenth highest crime rate in the borough with 79.3 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Criminal Damage
- Sexual Offences

Becontree

**Did you know
Becontree
has...**

14,278

Residents

3rd highest in the borough



4,043
under 16s



4th highest proportion
in the borough

9,090
16s to 64s



5th highest proportion
in the borough

1,145
65 and over



4th lowest proportion
in the borough

32
average age



Younger than the
borough average (33)

79
**male life
expectancy**



Older than the
borough average (77.6)

79.2
**female life
expectancy**



Younger than the
borough average (82.1)

45



Average attainment
8 score per pupil (GCSE)
Lower than the borough
average (46.2)

1.9%



open space

Lowest in the borough

85.1



**births per 1,000
women of childbearing age**
Higher than the borough
average (79.4)

83.3



**crimes per
1,000 people**
Higher than the
borough average (81.7)

£284,000



**median house
price (all types)**
Lower than the
borough average (£287,500)

18.9%



**English not
first language**
Higher than the borough
average (18.7%)

1.9%



**job seekers
allowance claimants**
Higher than the
borough average (1.8%)

£33,000



**median household
income**
Higher than the borough
average (£29,420)

14.7%



**DWP benefits
claimants**
Same as the
borough average

49.4%



BME population

Lower than the borough
average (50.5%)

30.1%



born abroad

Lower than the
borough average (30.9%)

4%



**Nigeria most
common birthplace
outside the UK, followed
by Pakistan and India**

Private Rented Sector Licensing Criteria

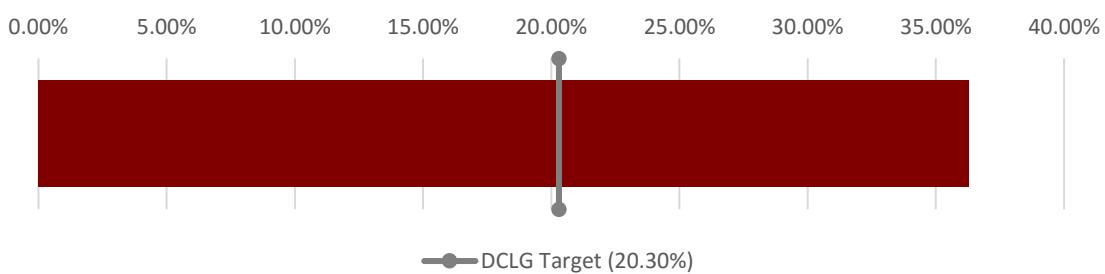
Private rented sector	✓	<ul style="list-style-type: none"> • 36.3% - higher than the national average (20.3%). • Higher than the London average (30.0%). • 66% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions	X	<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 24% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 38% of Becontree within 10% most deprived in country re crime. ○ Whole ward within 20% most deprived in country re barriers to housing and services.
High levels of crime	✓	<ul style="list-style-type: none"> • Crime rate is above the borough average. • Other crime rates higher than both borough and London averages: <ul style="list-style-type: none"> ○ Burglary; ○ Criminal Damage; ○ Fraud and forgery; ○ Other notifiable offences; ○ Robbery; and ○ Violence against the person.

✓ Meets criteria

X Does not meet criteria

Private rented properties

Status



Summary

There are 5219 households in Becontree (2017 estimation). These properties are distributed as:

- 1,741 private rented properties (33.4%) (36.3% in 2018)
- 2,440 owner occupied (46.8%)
- 1,038 social rented (19.9%)

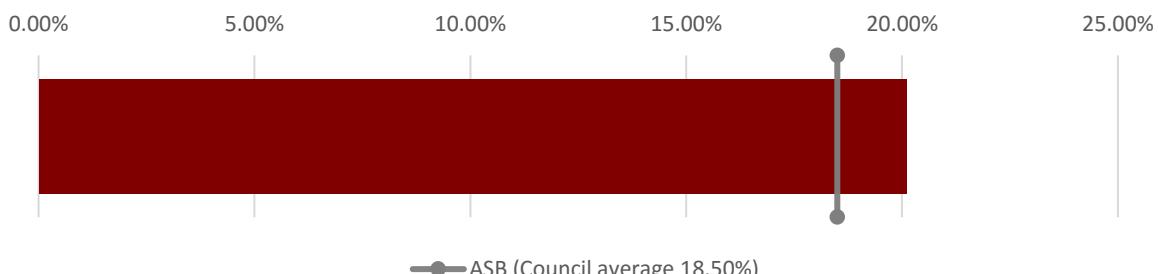
At 33.4%, Becontree has the third highest proportion of private rented properties in the borough.

Trend

The population in Becontree is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 66%, from 20.1% up to 33.4%.

Anti-social behaviour (ASB)

Status



Summary

- There have been 2459 anti-social behaviour reports over the last four years in Becontree, which is equivalent to 47.2 per 100 properties
- The most frequent types of anti-social behaviour in Becontree is noise

ASB properties in PRS vs. other tenures



Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 26.9% since 2014/15.

Private rental stock conditions

Status



Summary

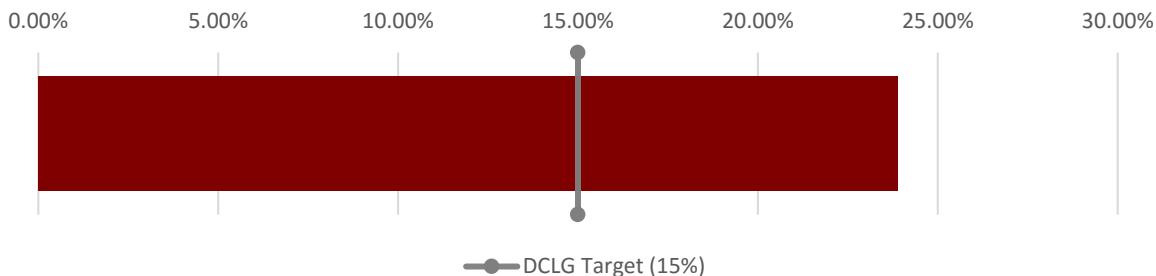
Compliance Visits:

- 83.4% compliant at first visit
- 14.3% that became compliant through informal or enforcement action (combined)
- 2.3% remain non-compliant or were rejected licences pending further action.

Since the beginning of the PRPL scheme only 19 of visited properties remain non-compliant.

Migration

Status



Summary

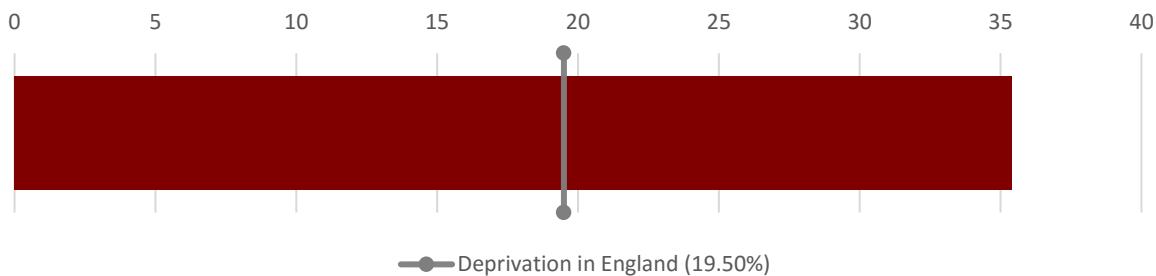
Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme

standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Becontree is 23.9%
- Becontree ranks fourth for population churn in the borough

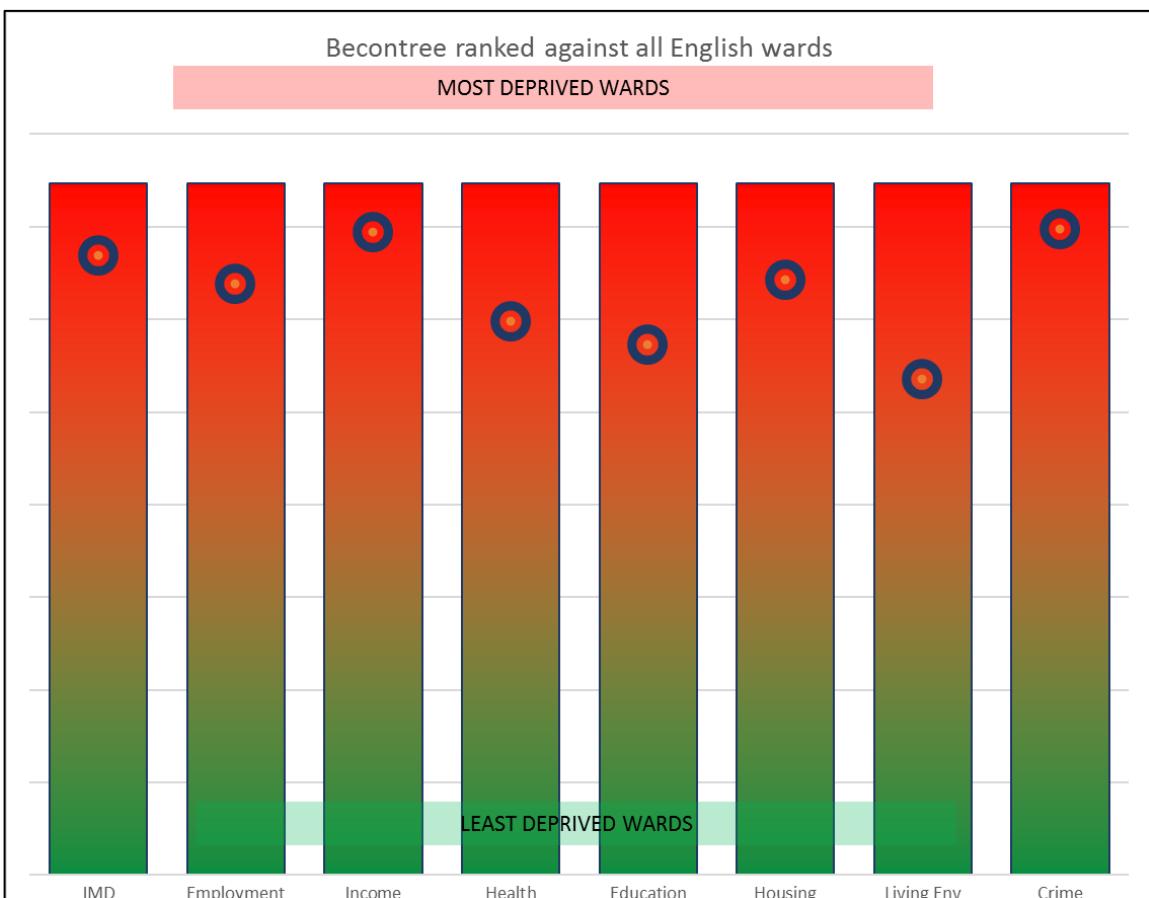
Deprivation

Status



Becontree ranked against all English wards

MOST DEPRIVED WARDS



Summary

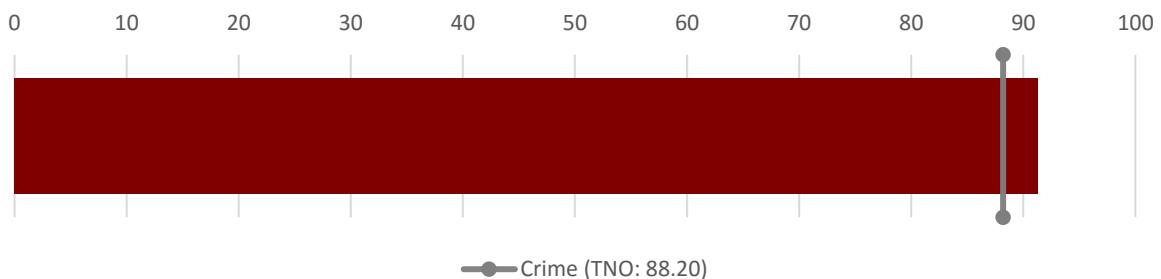
The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 9th highest IMD score in the borough and the greatest contributors to this are as follows:

- Crime

- Housing
- Income

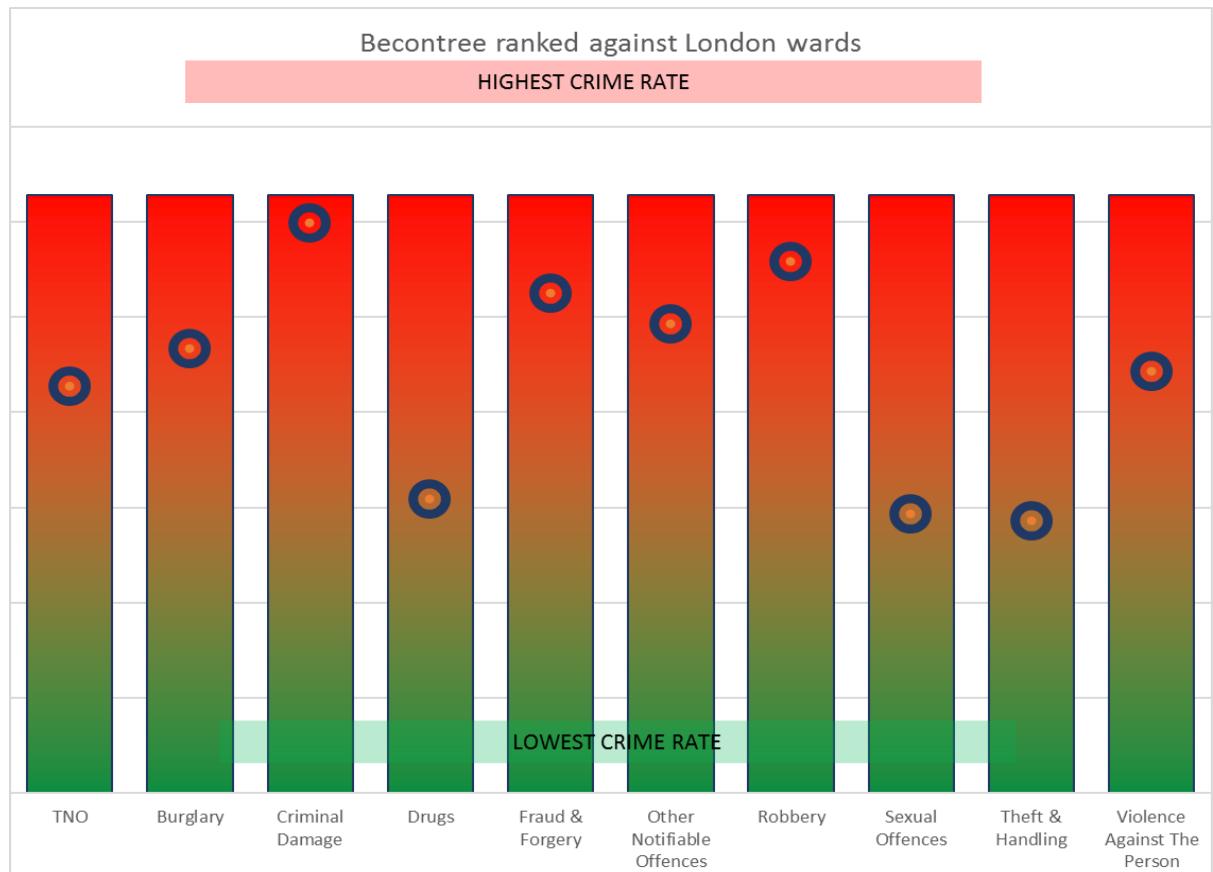
Crime

Status



Becontree ranked against London wards

HIGHEST CRIME RATE



Summary

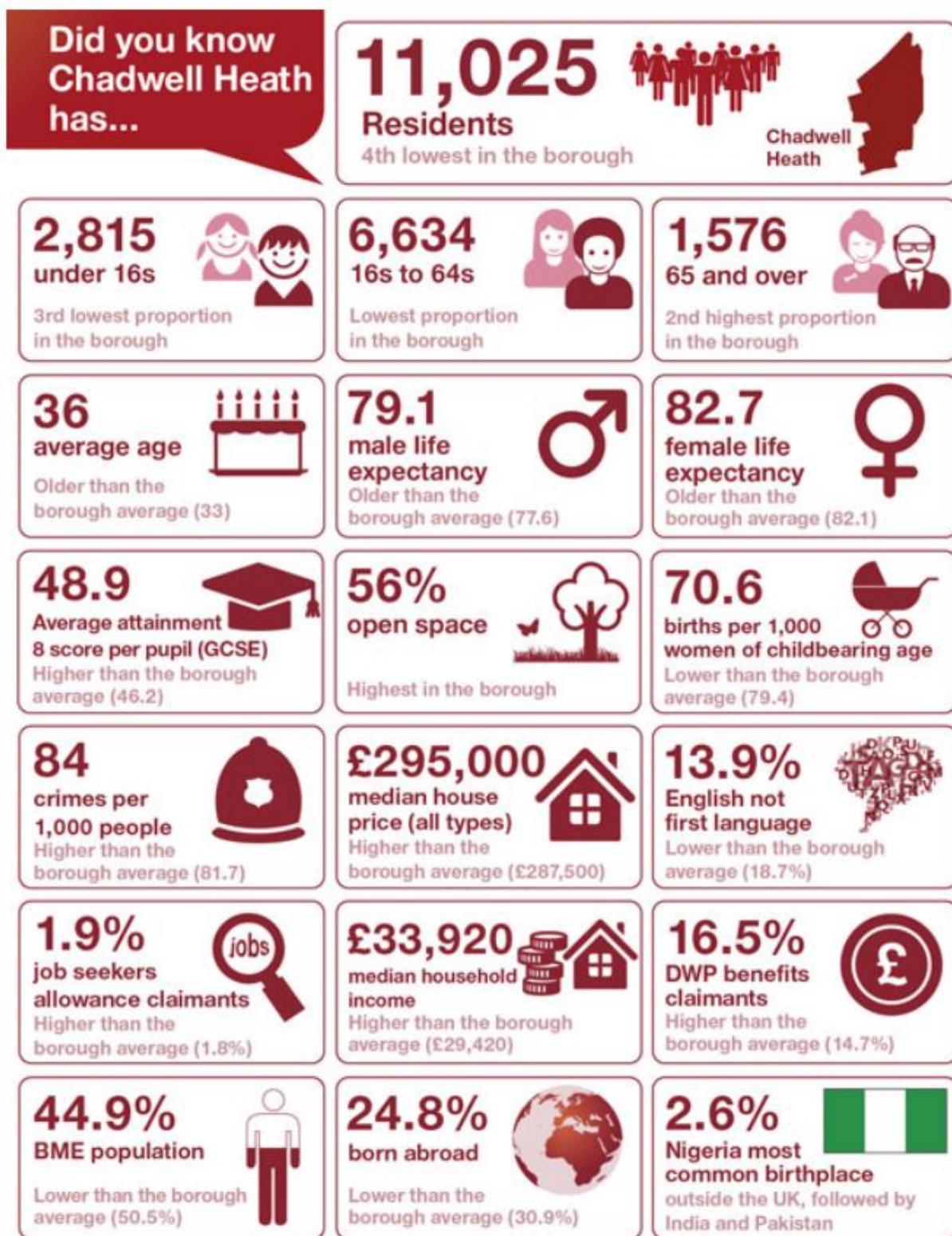
The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery, and violence against the person.

Becontree has the fourth highest crime rate in the borough with 91.3 crimes recorded per 100 of the ward's population. The greatest contributors are as follows:

- Burglary
- Criminal Damage
- Fraud & Forgery

- Robbery
- Violence Against the Person

Chadwell Heath

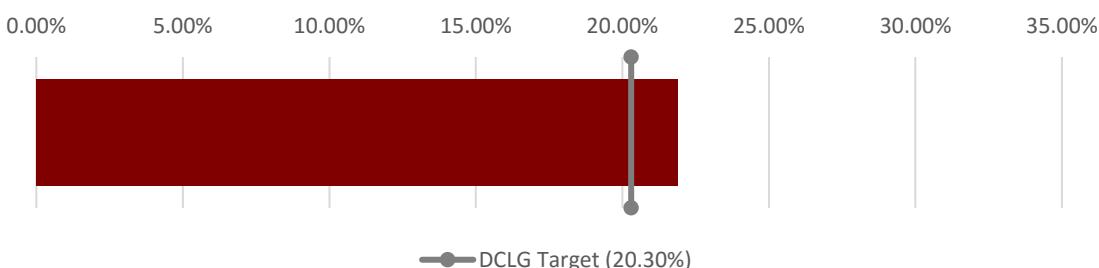


Private Rented Sector Licensing Criteria

Private rented sector	<input type="checkbox"/> <input type="checkbox"/>	<ul style="list-style-type: none"> • 21.9% - higher than the national average (20.3%). • 56% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions	X	<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 19% total churn in population between 2015 and 2016.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 33% of Chadwell Heath within 10% most income deprived in the country. ○ 17% amongst 10% most deprived re health and disability. ○ 67% amongst 10% most deprived re barriers to housing and services ○ 67% amongst 10% most deprived re crime.
High levels of crime	X	<ul style="list-style-type: none"> • Crime rate is below the borough average. <ul style="list-style-type: none"> ○ Burglary is above the borough average though.

Private rented properties

Status



Summary

There are 4,182 households in Chadwell Heath (2017 estimation). These properties are distributed as:

- 809 private rented properties (19.3%) (21.9% in 2018)
- 2,247 owner occupied (53.7%)
- 1,126 social rented (26.9%)

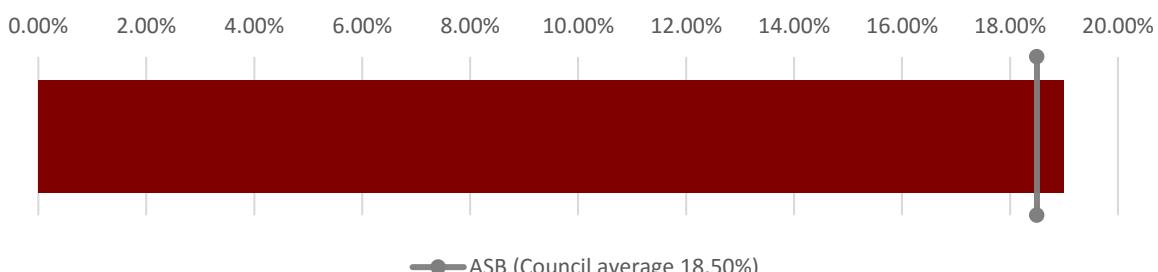
At 19.3% Chadwell Heath has the 15th highest proportion of private rented properties of all wards in the borough

Trend

The population in Chadwell Heath is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 56%, from 12.4% to 19.3%.

Anti-social behaviour (ASB)

Status



Summary

Ward Overview

- There were 2,171 ASB reports between 2013 and 2017 in Chadwell Heath, which is the equivalent of 52 per 100 properties.
- The highest types of anti-social behaviour in Chadwell Heath are noise, and eyesore gardens

ASB properties in PRS vs. other tenures



Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 33.4% since 2014/15.

Private rental stock conditions

Status



Summary

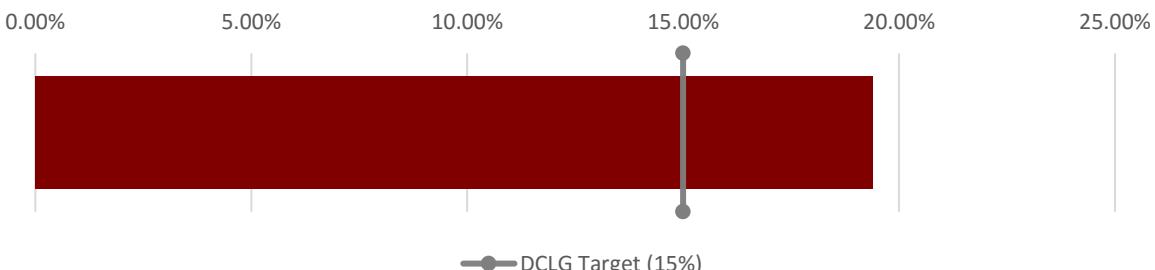
Compliance visits

- 83.9% compliant at first visit
- 13.3% that became compliant through informal or enforcement action (combined)
- 2.7% remain non-compliant or were rejected licences as of March 2018, pending further action.
- 0.2% were given a temporary exemption

Since the beginning of the PRPL scheme only 11 of visited properties remain non-compliant.

Migration

Status



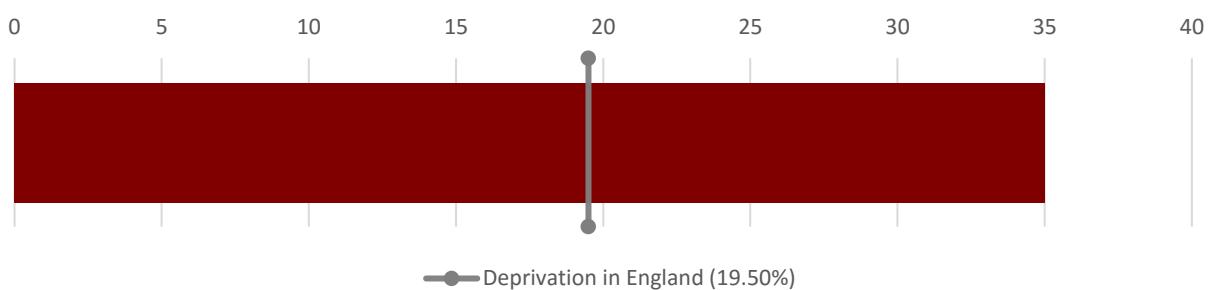
Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Chadwell Heath is 19.4%
- Chadwell Heath ranks 14th for churn in the borough

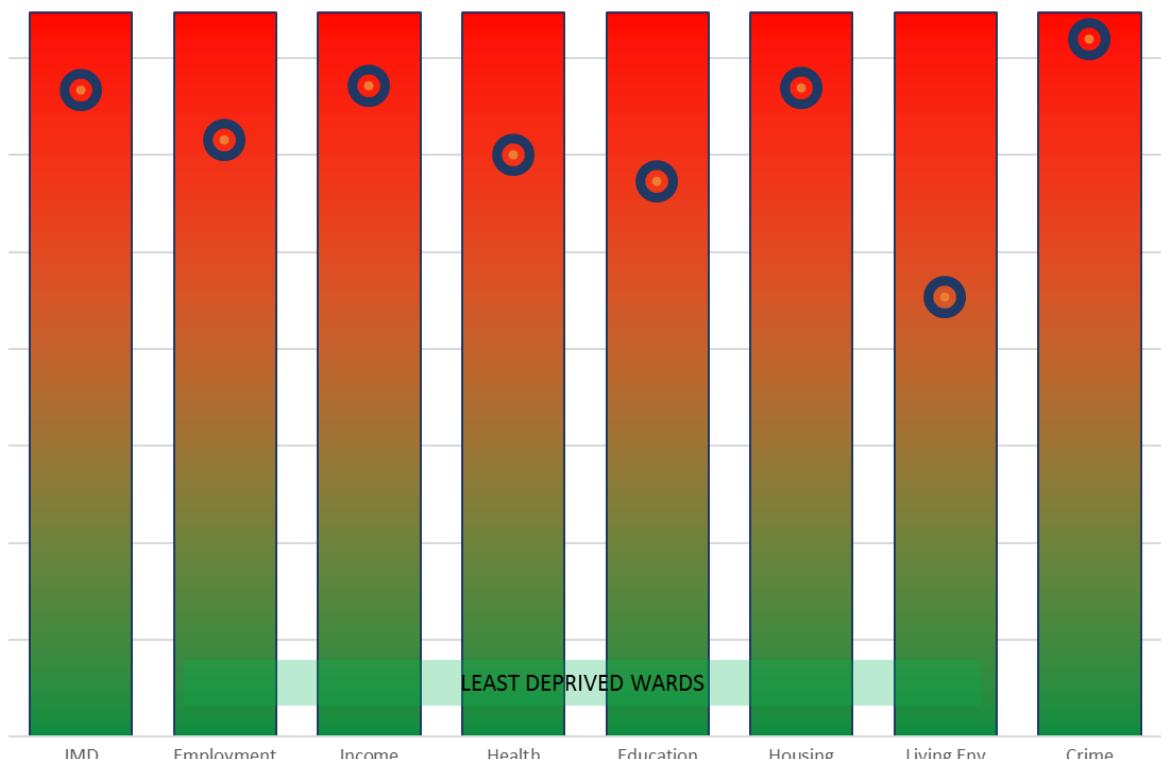
Deprivation

Status



Chadwell Heath ranked against all English wards

MOST DEPRIVED WARDS



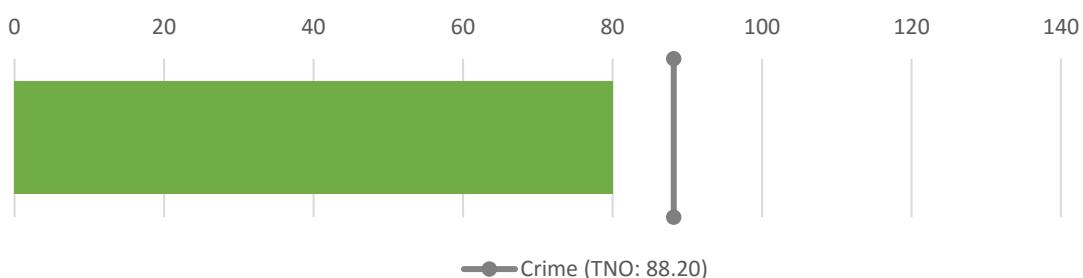
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 12th highest IMD score in the borough and the greatest contributors to this are as follows:

- Crime
- Housing
- Income

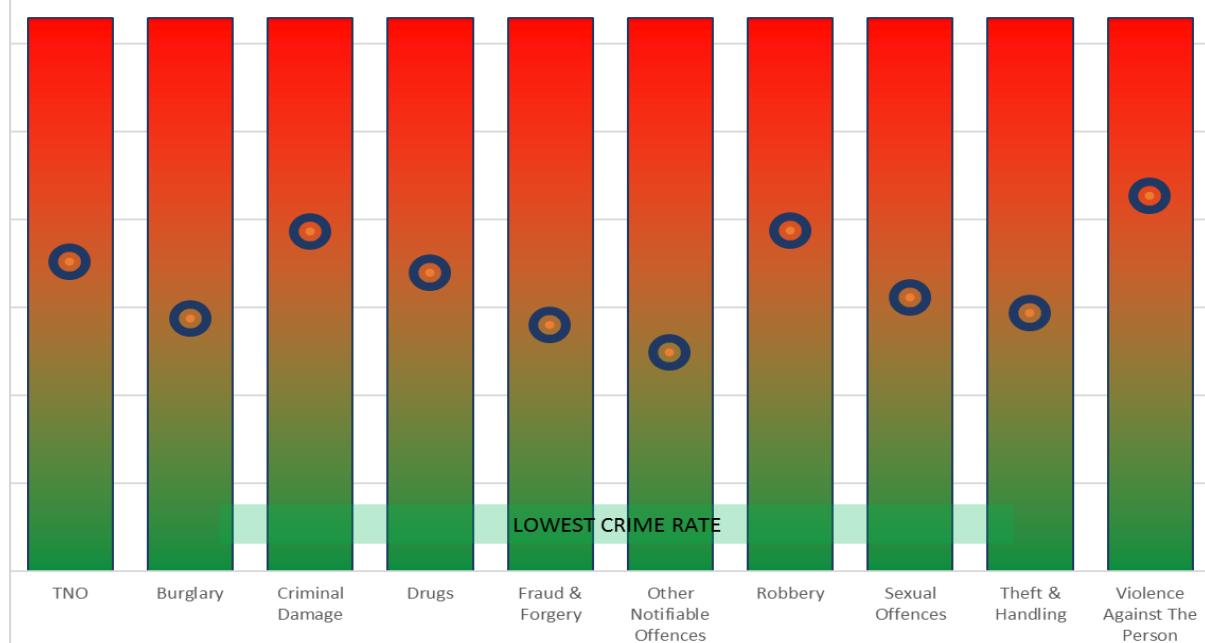
Crime

Status



Chadwell Heath ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery, and violence against the person.

Chadwell Heath has 9th highest crime rate in the borough with 80.1 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Burglary
- Theft & Handling

Eastbrook

**Did you know
Eastbrook has...**

11,337

Residents

6th lowest in the borough



2,452
under 16s



Lowest proportion
in the borough

7,186
16s to 64s



7th highest proportion
in the borough

1,699
65 and over



Highest proportion
in the borough

37
average age



Oldest in the borough

78.3
**male life
expectancy**



Older than the
borough average (77.6)

81.3
**female life
expectancy**



Younger than the
borough average (82.1)

46.2



Average attainment
8 score per pupil (GCSE)

Same as the borough average

50.4%
open space



2nd highest proportion
in the borough

71.7



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

69



crimes per
1,000 people
Lower than the
borough average (81.7)

9.7%



English not
first language
Lowest proportion
in the borough

2.1%



job seekers
allowance claimants
2nd highest proportion
in the borough

£322,500



median house
price (all types)
Higher than the
borough average (£287,500)

13.1%



DWP benefits
claimants
Lower than the
borough average (14.7%)

31%



BME population
Lowest proportion
in the borough

19%



born abroad
Lowest proportion
in the borough

3.7%



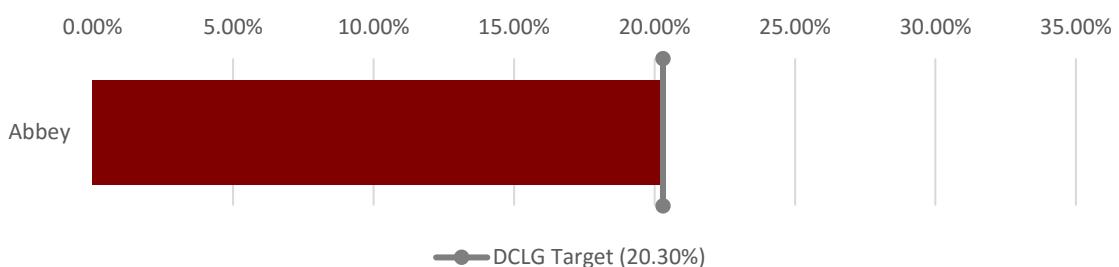
Nigeria most
common birthplace
outside the UK, followed
by Lithuania and Ireland

Private Rented Sector Licensing Criteria

Private rented sector	<input type="checkbox"/> <input type="checkbox"/>	<ul style="list-style-type: none"> • 20.4% - higher than the national average (20.3%). • 68% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions	X	<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 17% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • Six (out of 7) domains higher than national average. • Five domains higher than London average. <ul style="list-style-type: none"> ○ 29% of Eastbrook within 10% most deprived in country re barriers to housing and services. • Highest rate of job seekers allowance claimants in the borough.
High levels of crime	X	<ul style="list-style-type: none"> • Crime rate is below the borough average. • Although, some crime rates higher than borough and London averages: <ul style="list-style-type: none"> ○ Drugs; and ○ Sexual offences.

Private rented properties

Status



Summary

There are 3,973 households in Eastbrook (2017 estimation). These properties are distributed as:

- 749 private rented properties (18.9%) - (20.4% in 2018)
- 2,638 owner occupied (66.4%)
- 586 social rented (14.7%)

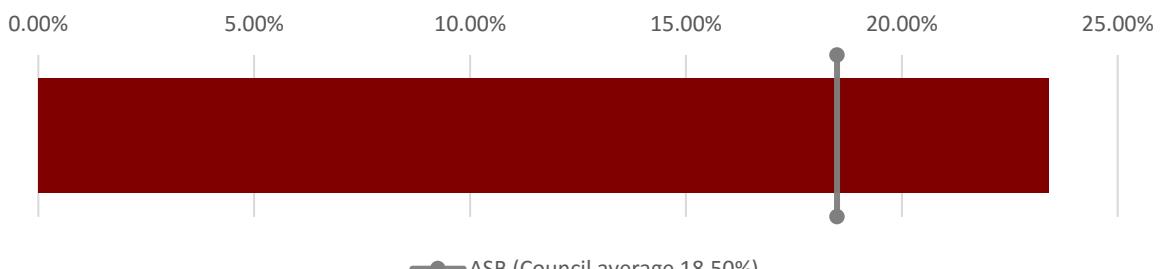
At 18.9% Eastbrook has the 16th highest proportion of private rental properties in the borough.

Trend

The population in Eastbrook is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 68.3%, from 11.2% to 18.9%.

Anti-social behaviour (ASB)

Status

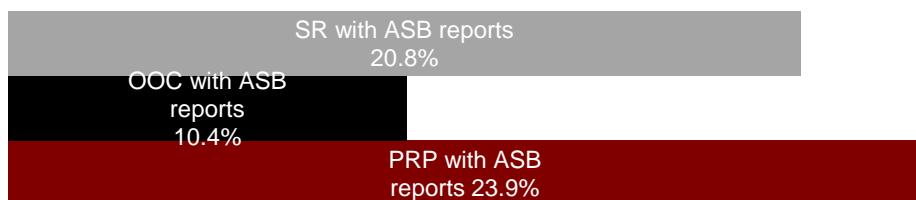


Summary

Ward overview

- There were 1,708 anti-social behaviour reports between 2013 and 2017 in Eastbrook, which is the equivalent of 43.1 per 100 properties.
- The most frequent type of anti-social behaviour in Eastbrook was noise.

ASB properties in PRS vs. other tenures



Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 23.9 % compared to 2014/15.

Private rented stock conditions

Status



Summary

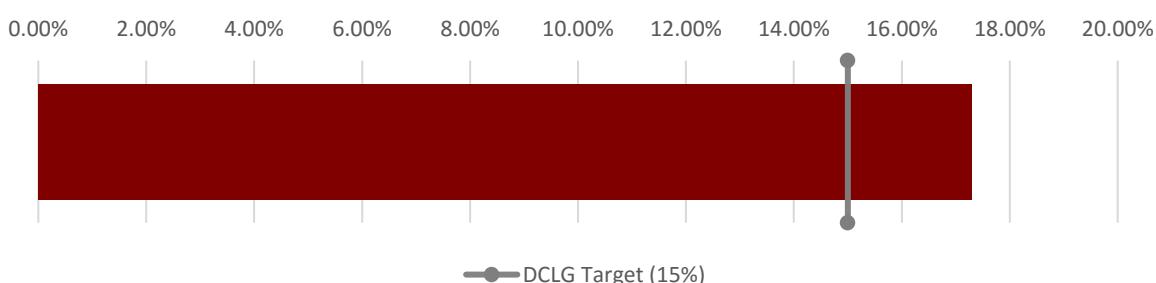
Compliance visits

- 85.5% compliant at first visit
- 13.7% that became compliant through informal or enforcement action (combined)
- 0.8% remain non-compliant or with rejected licences as of March 2018, pending further action.

Since the beginning of the PRPL scheme only 3 of visited properties remain non-compliant

Migration

Status



Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Eastbrook 17.3%
- Eastbrook ranks as bottom for population churn in the borough

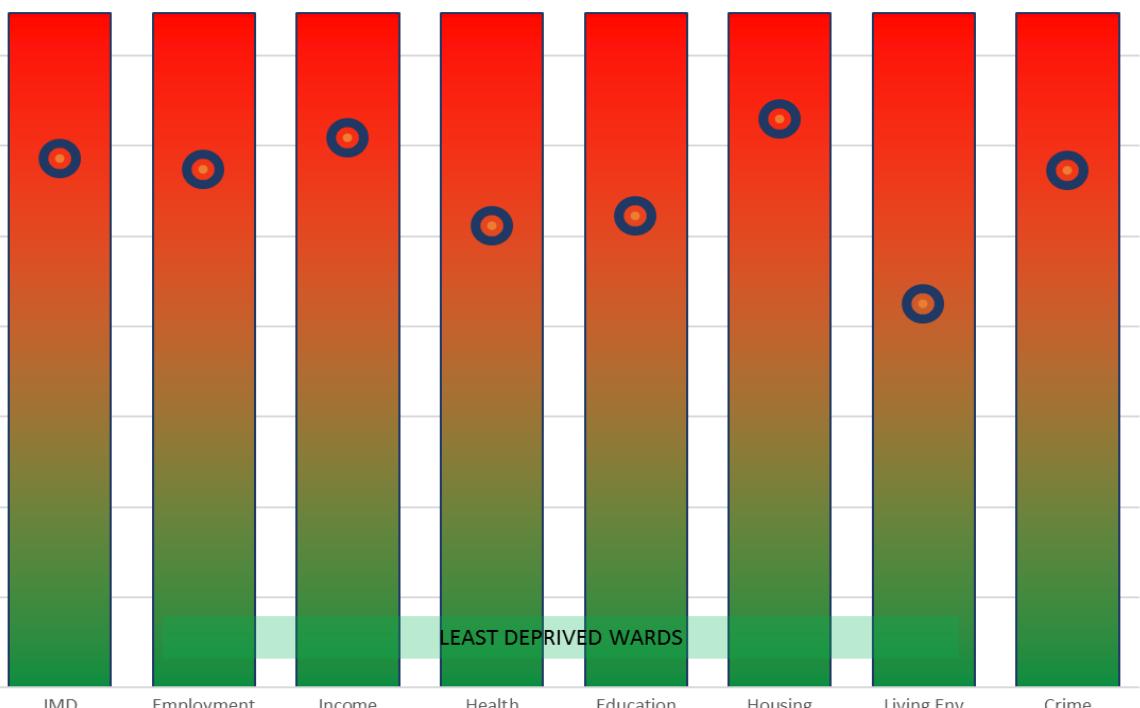
Deprivation

Status



Eastbrook ranked against all English wards

MOST DEPRIVED WARDS



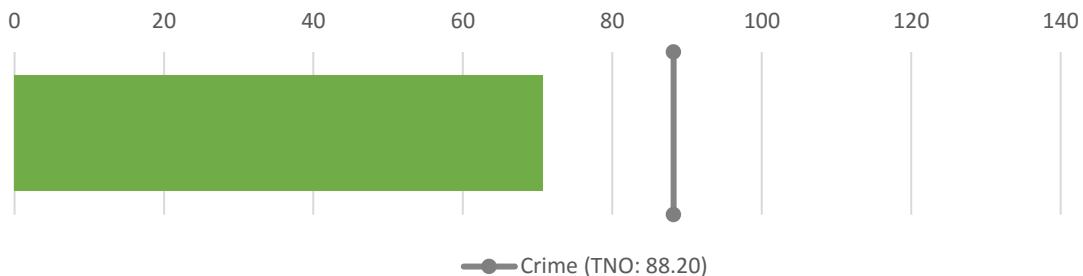
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 15th highest IMD score in the borough and the highest contributors to this are as follows:

- Income
- Housing
- Crime

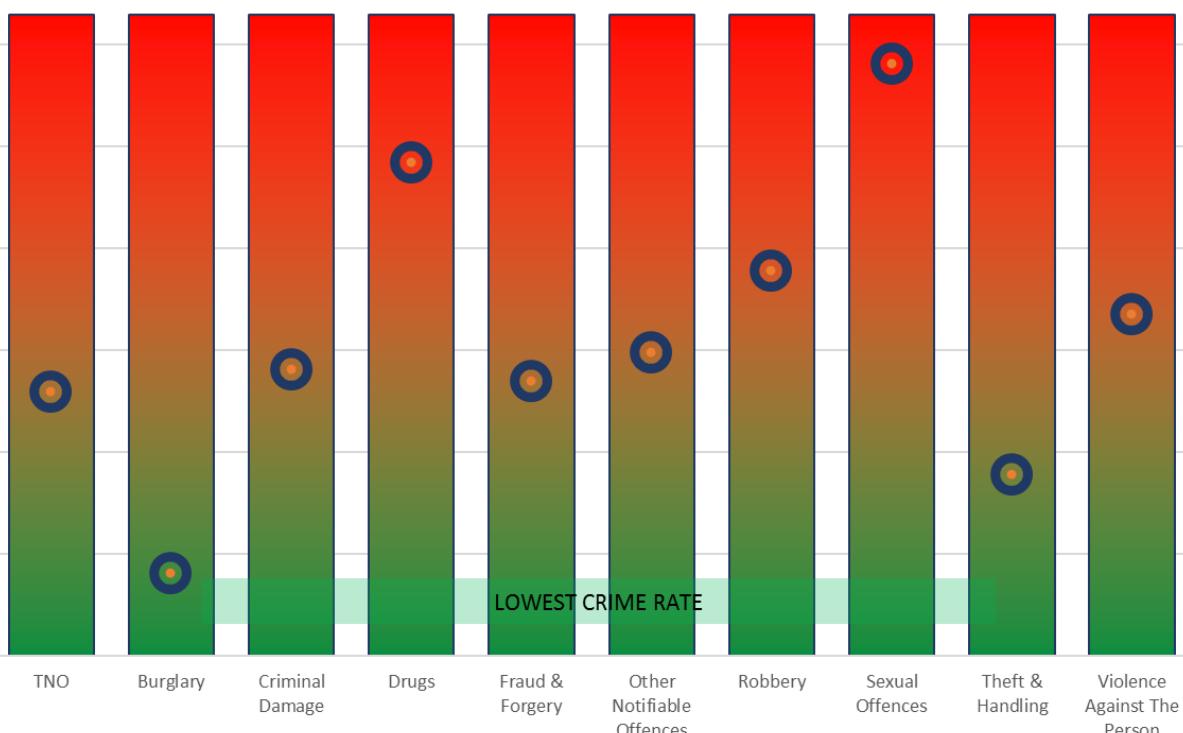
Crime

Status



Eastbrook ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery, and violence against the person.

Eastbrook has a crime rate of 707.7 per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Drugs
- Sexual offences
- Robbery

Eastbury

**Did you know
Eastbury has...**

12,695

Residents

5th highest in the borough



Eastbury

3,510
under 16s



6th highest proportion
in the borough

8,065
16s to 64s



6th highest proportion
in the borough

1,120
65 and over



5th lowest proportion
in the borough

33
average age



Same as the
borough average

78.5
male life
expectancy



Older than the
borough average (77.6)

85.6
female life
expectancy



Older than the
borough average (82.1)

46.6



Average attainment
8 score per pupil (GCSE)

Higher than the
borough average (46.2)

17.1%
open space



Lower than the
borough average (33.7%)

71.4



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

93.2



crimes per
1,000 people

Higher than the
borough average (81.7)

£283,000



median house
price (all types)

Lower than the
borough average (£287,500)

21.6%



English not
first language

Higher than the borough
average (18.7%)

1.8%



job seekers
allowance claimants

Same as the borough
average

£32,870



median household
income

Higher than the borough
average (£29,420)

13.9%



DWP benefits
claimants

Lower than the
borough average (14.7%)

52.4%



BME population

Higher than the borough
average (50.5%)

32.2%



born abroad

Higher than the
borough average (30.9%)

4.3%



Nigeria most
common birthplace

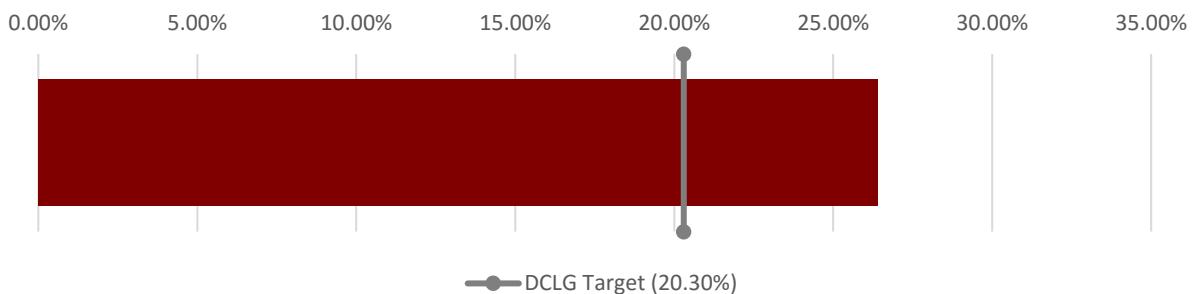
outside the UK, followed
by Pakistan and Lithuania

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 26.4% - higher than the national average (20.3%). • 33% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average. • 4th highest proportion in the borough.
Poor property conditions		<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration		<ul style="list-style-type: none"> • 22% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 14% of Eastbury within 10% most income deprived in country ○ 14% amongst 10% most employment deprived ○ 43% amongst 10% most deprived re barriers to housing and services ○ 43% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is above the borough average. • High rates of: <ul style="list-style-type: none"> ○ Burglary; ○ Other notifiable offences; and ○ Theft and handling.

Private rented properties (PRP)

Status



Summary

There are 4,329 households in Eastbury (2017 estimation). These properties are distributed as:

- 749 private rented properties (23.1%) (26.4% in 2018)
- 2,025 owner occupied (46.8%)
- 1,306 social rented (30.2%)

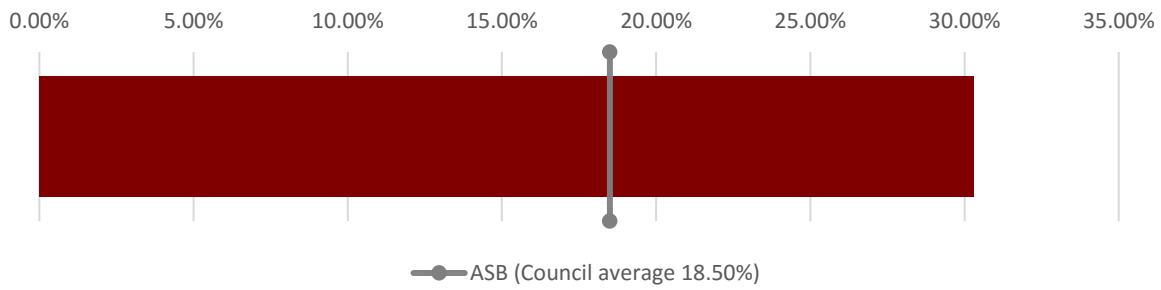
At 23.1%, Eastbury has the 9th highest proportion of private rented properties of all wards in the borough.

Trend

The population in Eastbury is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 33.3%, from 17.3% to 23.1%

Anti-social behaviour (ASB)

Status



Summary

- There were 2,381 ASB reports between 013 and 2017 in Eastbury, which is the equivalent of 55.1 per 100 properties.
- The most frequent types of anti-social behaviour are eyesore gardens and noise.

ASB properties in PRS vs. other tenures



Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 2.6% since to 2014/15.

Private rental stock conditions

Status



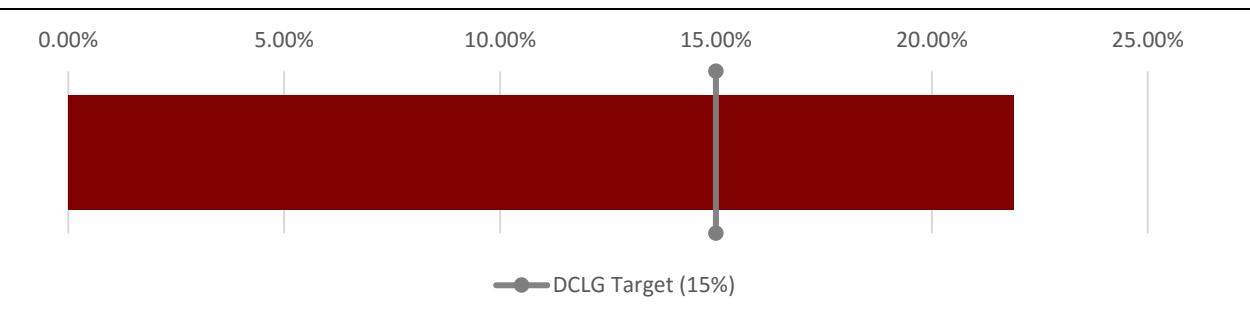
Summary

Compliance Visits:

- 85.1% compliant at first visit
- 12.6% that became compliant through informal or enforcement action (combined)
- 2.1% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0% Not licensable
- 0.2% Temporary exemption

Migration

Status

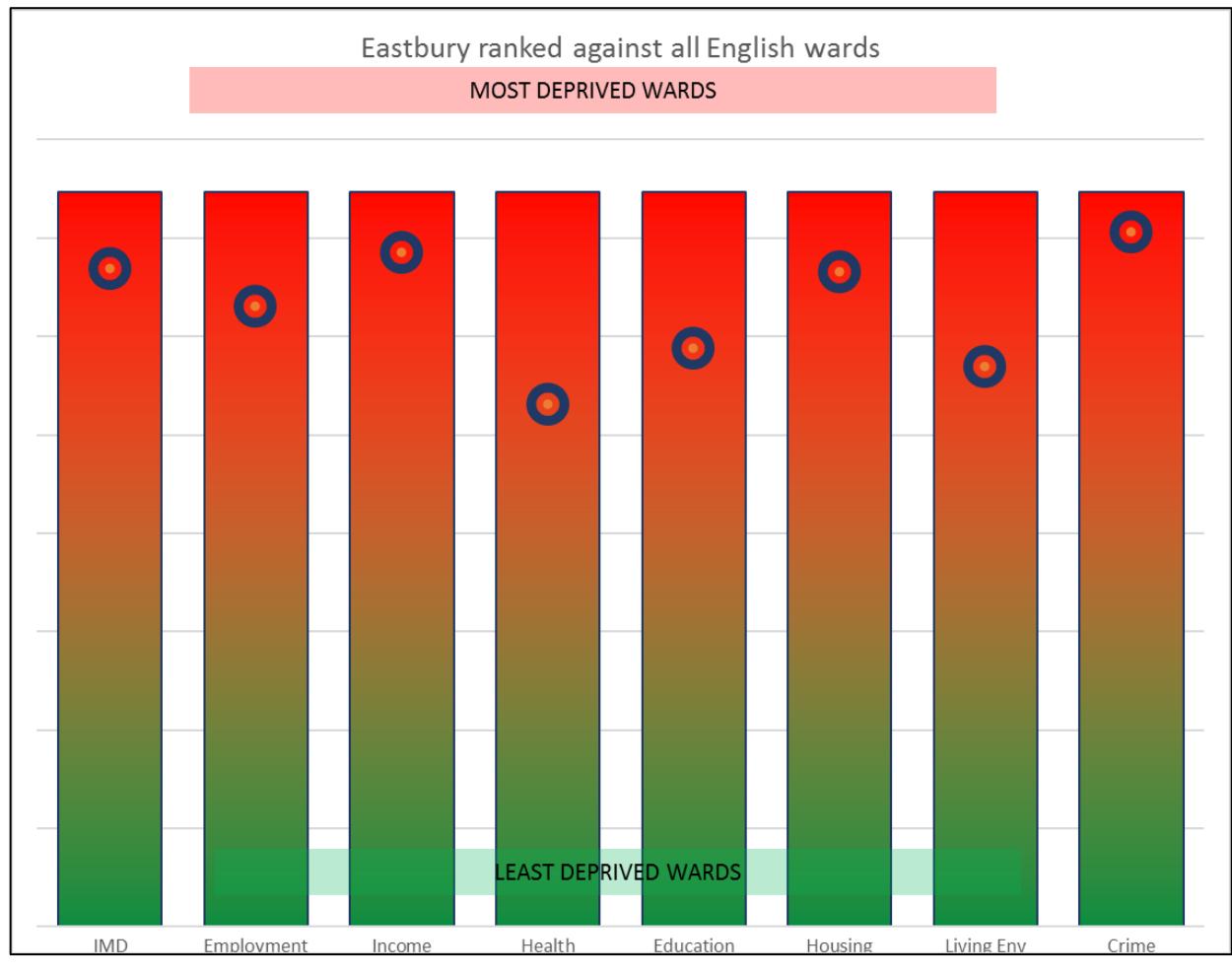


Summary

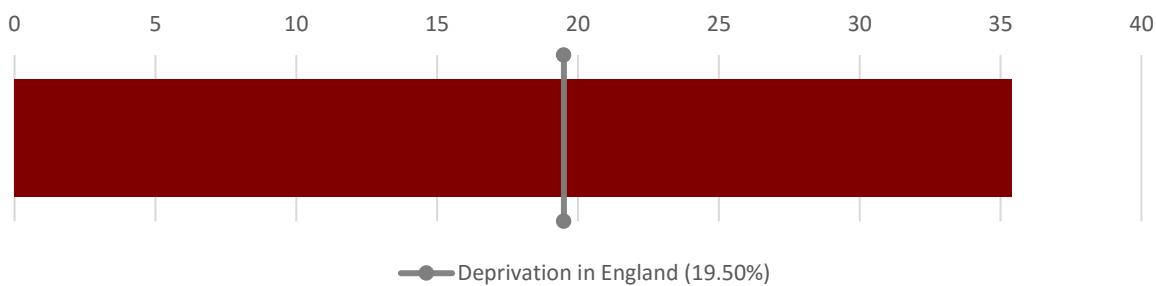
Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 21.9%
- This ward ranks 7th highest for population churn in the borough

Deprivation



Status

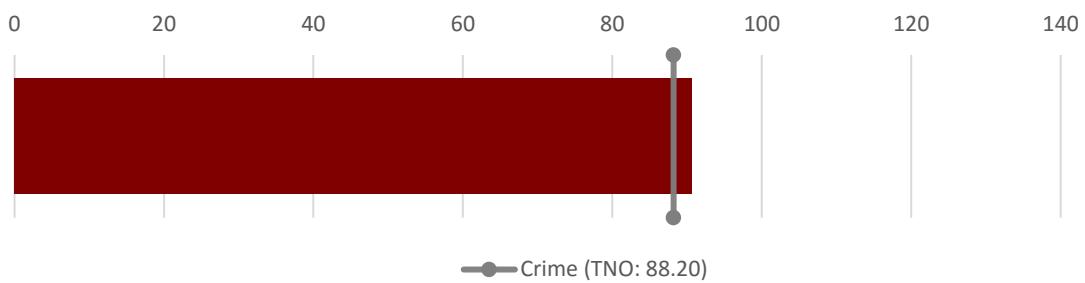


Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 10th highest IMD score in the borough and the greatest contributors to this are as follows:

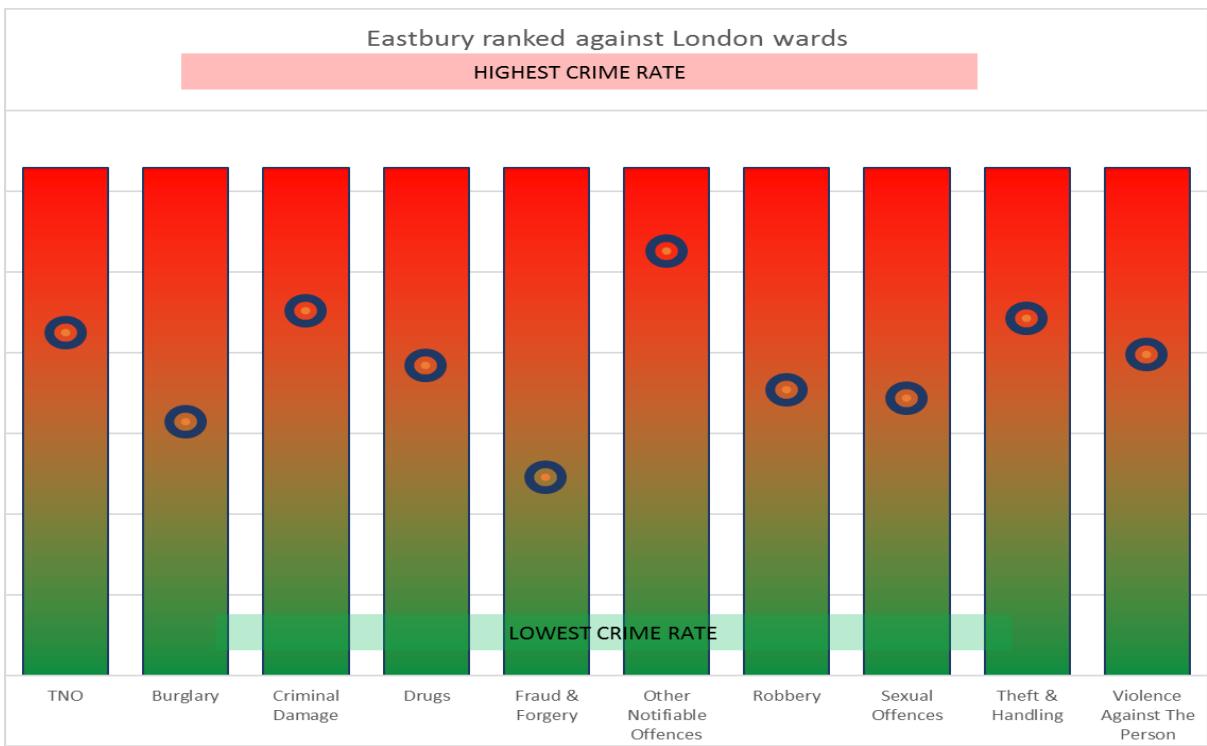
- crime
- housing
- employment

Crime



Eastbury ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

This ward has the has the 6th highest crime rate in the borough with 90.6 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Theft and handling
- Violence against the person

Gascoigne

**Did you know
Gascoigne
has...**

12,826

Residents

4th highest in the borough



4,180
under 16s



2nd highest proportion
in the borough

7,959

16s to 64s



6th lowest proportion
in the borough

687

65 and over



3rd lowest proportion
in the borough

29
average age



Younger than the
borough average (33)

76.9
male life
expectancy



Younger than the
borough average (77.6)

80.3
female life
expectancy



Younger than the
borough average (82.1)

46.1



Average attainment
8 score per pupil (GCSE)

Lower than the borough
average (46.2)

20.8%
open space



Lower than the
borough average (33.7%)

96.1



births per 1,000
women of childbearing age

Higher than the borough
average (79.4)

71.8



crimes per
1,000 people

Lower than the
borough average (81.7)

£247,000



median house
price (all types)

Lower than the
borough average (£287,500)

33.2%



English not
first language

Higher than the borough
average (18.7%)

2.2%



job seekers
allowance claimants

Highest in the borough

£29,480



median household
income

Lowest in the borough

14.2%



DWP benefits
claimants

Lower than the
borough average (14.7%)

74%



BME population

Higher than the borough
average (50.5%)

48.2%



born abroad

Higher than the
borough average (30.9%)

5.3%



Nigeria most
common birthplace

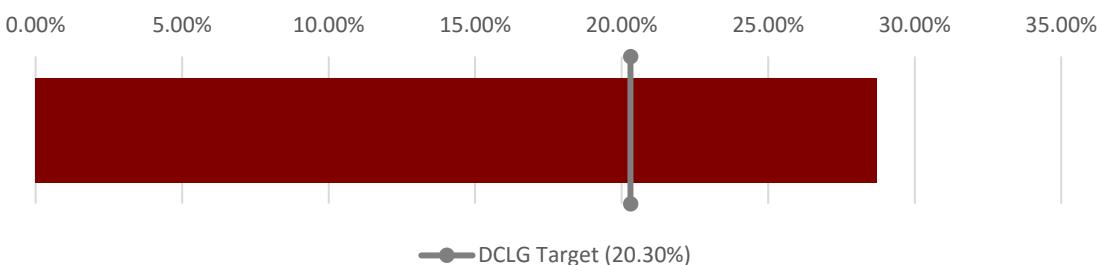
outside the UK, followed by
Other Europe and Pakistan

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 28.7% - higher than the national average (20.3%). • 54% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Lower proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration		<ul style="list-style-type: none"> • 25% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 14% of Gascoigne within 10% most deprived (overall) in the country. ○ 43% amongst 10% most income deprived. ○ 14% amongst 10% most employment deprived. ○ 86% amongst 10% most deprived re barriers to housing and services. ○ 29% amongst 10% most deprived re crime. • Lowest median household income in the borough.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is below the borough average. • High rates of: <ul style="list-style-type: none"> ○ Burglary; ○ Drugs; ○ Fraud and forgery; ○ Sexual offences; and ○ Violence against the person.

Private rented properties (PRP)

Status



Summary

There are 4782 households in Gascoigne Ward (2017 estimation). These properties are distributed as:

- 1,350 private rented properties (28.2%) (28.7% in 2018)
- 1,520 owner occupied (31.8%)
- 1,912 social rented (40.0%)
- At 28.2% Gascoigne has the 7th highest proportion of private rented properties of all wards in the borough.

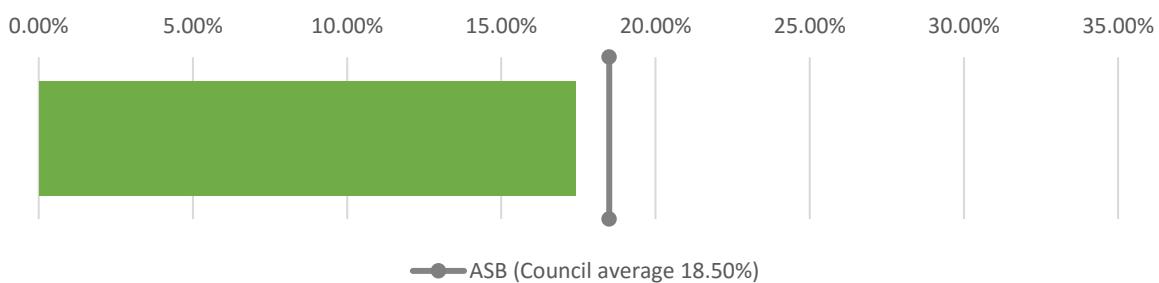
At 28.2% Gascoigne has the 7th highest proportion of private rental properties in the borough

Trend

The population in Gascoigne is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 54.3%, from 18.3% to 28.2%

Anti-social Behaviour (ASB)

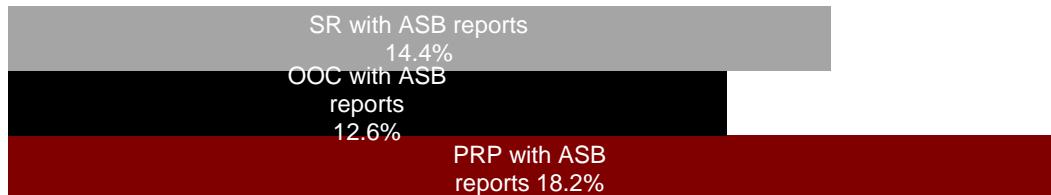
Status



Summary

Ward overview

- There were a total of 1823 ASB reports over the last 4 years in this ward, which is the equivalent of 38.9 per 100 properties.
- The most frequent type of anti-social behaviour in Gascoigne is noise

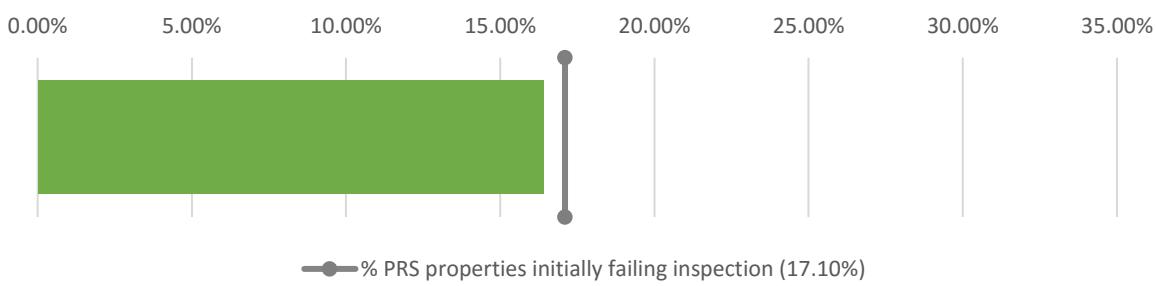


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 0.76% compared to 2014/15.

Private rental stock conditions

Status



Summary

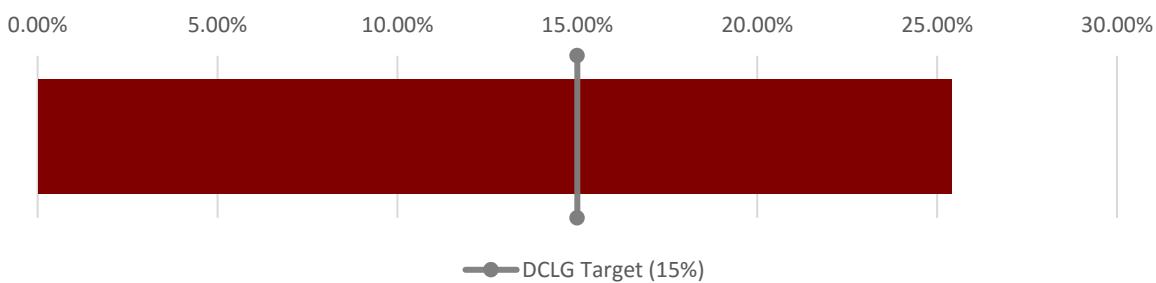
Compliance Visits

- 83.6% compliant at first visit
- 15.8% that became compliant through informal or enforcement action (combined)
- 0.6% remain non-compliant or with rejected licences as of <X date>, pending further action.
- 0% Not licensable
- 0.0% Temporary exemption

Since the beginning of the PRPL scheme only 4 of visited properties remain non-compliant.

Migration

Status



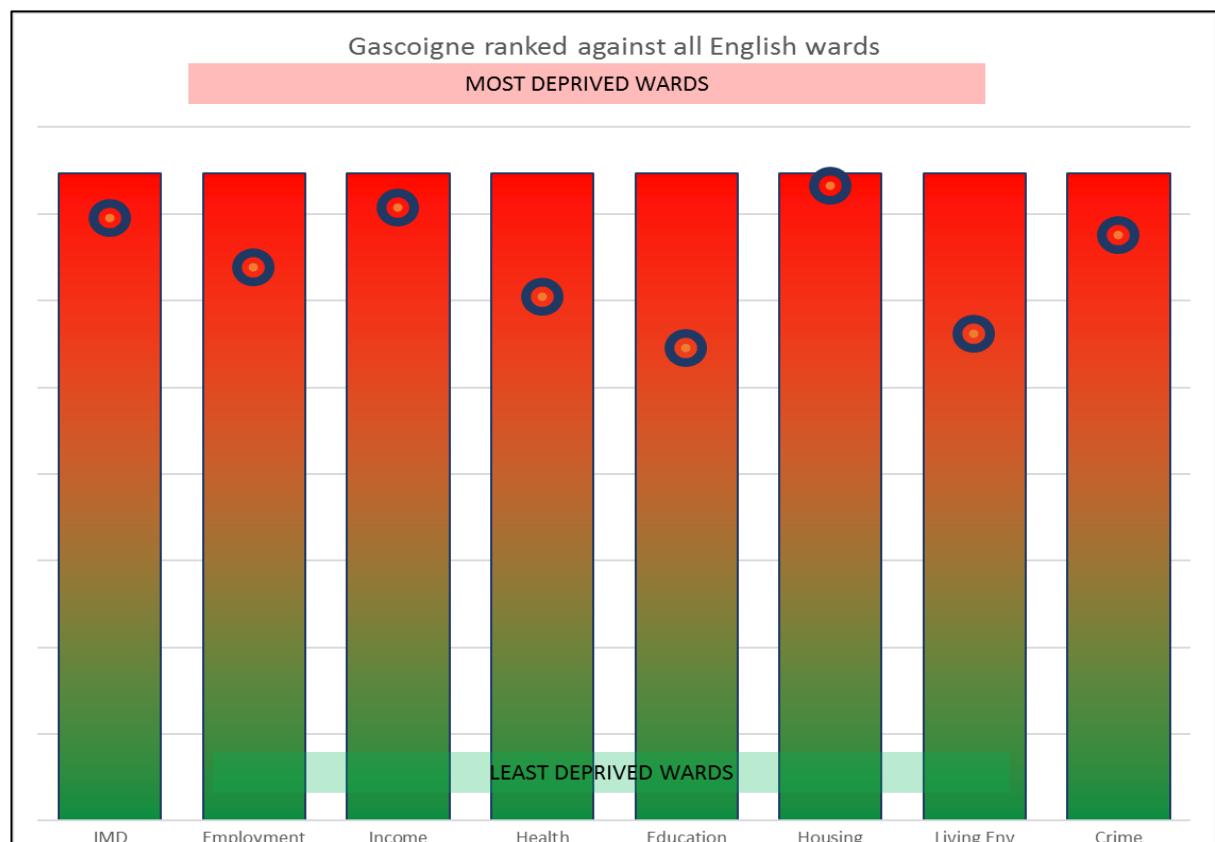
Summary

Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 25.4%
- This ward ranks 2nd highest for population churn in the borough

Deprivation

Status



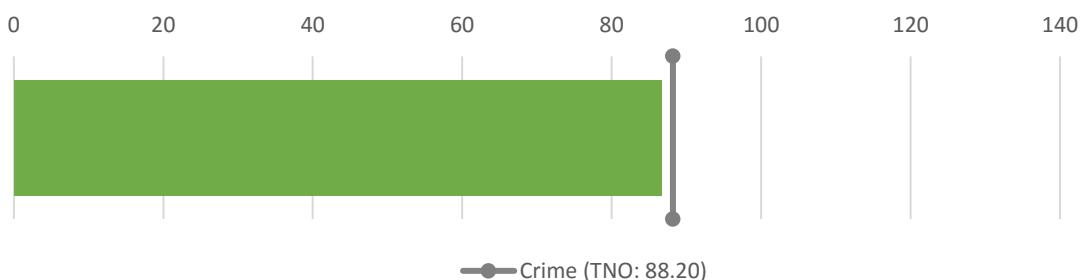
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 2nd highest IMD score in the borough and the greatest contributors to this are as follows:

- housing
- crime
- employment

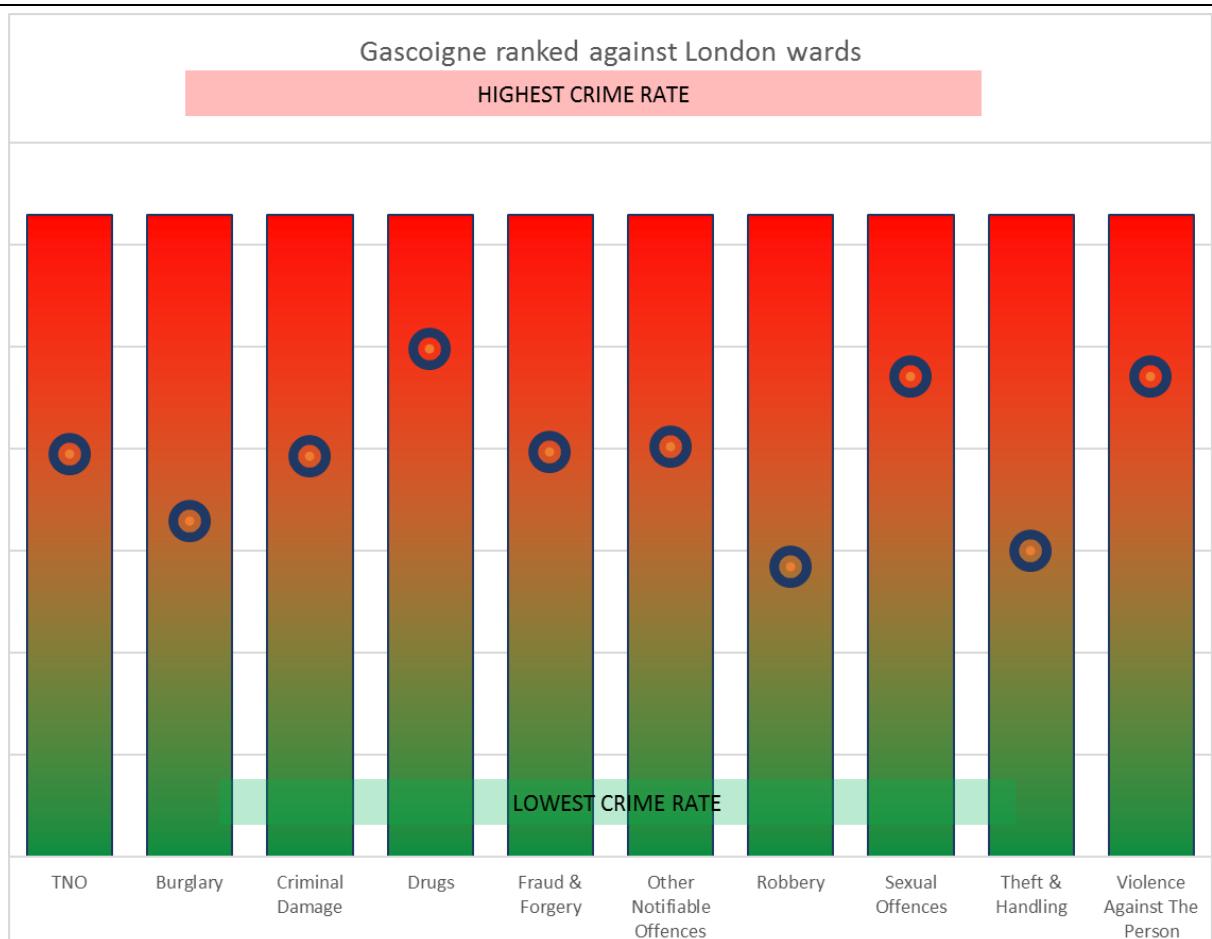
Crime

Status



Gascoigne ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

Gascoigne has the highest crime rate in the borough with 86.7 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- theft and handling
- criminal damage

Goresbrook

**Did you know
Goresbrook
has...**

12,127

Residents

7th highest in the borough



Goresbrook

3,251
under 16s



10th highest proportion
in the borough

7,603
16s to 64s



9th highest proportion
in the borough

1,273
65 and over



6th highest proportion
in the borough

34
average age



Older than the
borough average (33)

78.5
male life
expectancy



Older than the
borough average (77.6)

83.1
female life
expectancy



Older than the
borough average (82.1)

44.6



Average attainment
8 score per pupil (GCSE)

Lower than the borough
average (46.2)

14.1%



open space

Lower than the
borough average (33.7%)

77.1



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

62.4



crimes per
1,000 people

2nd lowest in the borough

£288,000



median house
price (all types)

Higher than the
borough average (£287,500)

14.2%



English not
first language

Lower than the borough
average (18.7%)

1.9%



job seekers
allowance claimants

Higher than the borough
average (1.8%)

£33,250



median household
income

Higher than the borough
average (£29,420)

15.4%



DWP benefits
claimants

Higher than the
borough average (14.7%)

42.7%



BME population

Lower than the borough
average (50.5%)

26.8%



born abroad

Lower than the
borough average (30.9%)

6.1%



Nigeria most
common birthplace

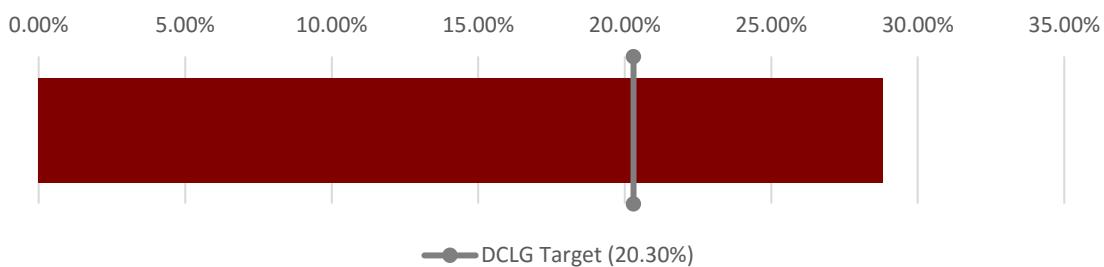
outside the UK, followed
by Lithuania and Ghana

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 28.8% - higher than the national average (20.3%). • 62% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • 20% of properties were not compliant following a visit – higher than the borough average.
High levels of migration		<ul style="list-style-type: none"> • 20% total churn in population between 2015 and 2016.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 29% of Goresbrook within 10% most deprived in country re barriers to housing and services. ○ 86% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is below the borough average. <ul style="list-style-type: none"> ○ Robbery is above the borough average.

Private rented properties (PRP)

Status



Summary

There are 4239 households in Goresbrook Ward (2017 estimation). These properties are distributed as:

- 1,088 private rented properties (25.7%) (28.8% in 2018)
- 1,954 owner occupied (46.1%)
- 1,197 social rented (28.2%)

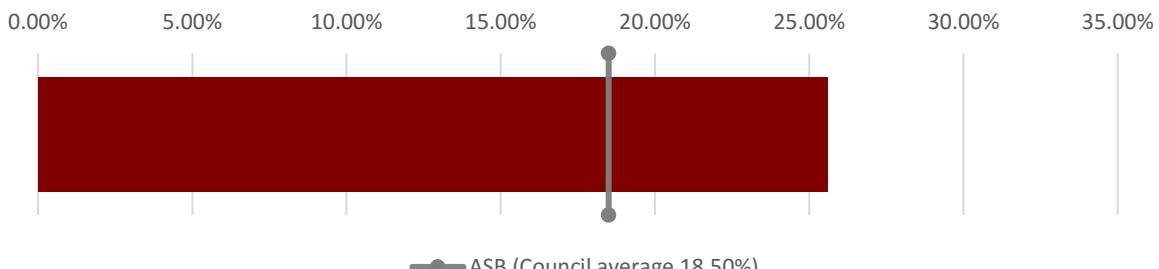
At 28.2% Goresbrook has the 8th highest proportion of private rented properties of all wards in the borough.

Trend

The population in Goresbrook is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 62.4%, from 15.8% to 25.7%

Anti-social Behaviour (ASB)

Status



Summary

- There are 1970 total number of ASB reports over the last 4 years in this ward, which is the equivalent of 46.6 per 100 properties.
- The most frequent type of anti-social behaviour in Goresbrook is noise

ASB properties in PRS vs. other tenures

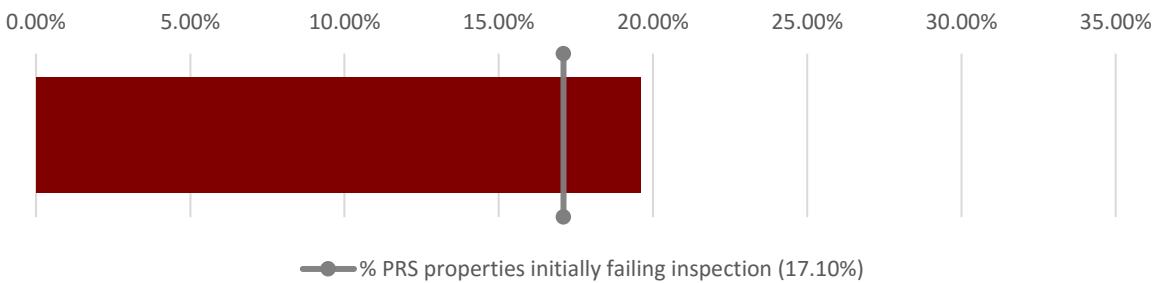


Trend

Anti-social behaviour continues to be a concern in this ward and has increased by 2.8% since 2014/15 with enforcement action ongoing.

Private rental stock conditions

Status



Summary

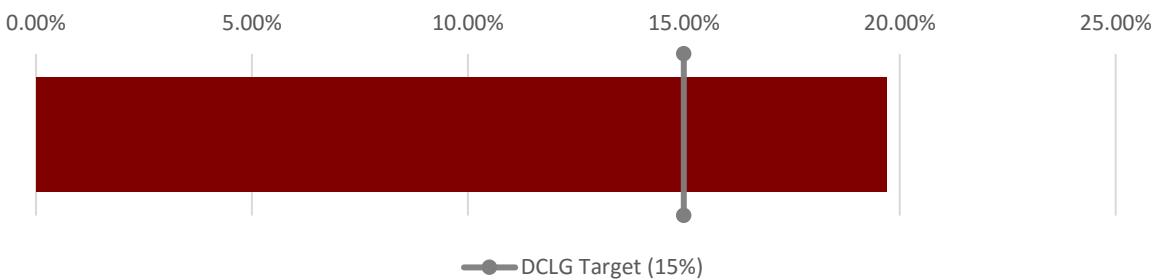
Compliance Visits:

- 80.2% compliant at first visit
- 17.4% that became compliant through informal or enforcement action (combined)
- 2.3% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0.2% Not licensable
- 0.0% Temporary exemption

Since the beginning of the PRPL scheme only 13 of visited properties remain non-compliant.

Migration

Status



Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Goresbrook in relation to the borough is 19.7%
- Goresbrook ranks 13th highest for population churn in the borough

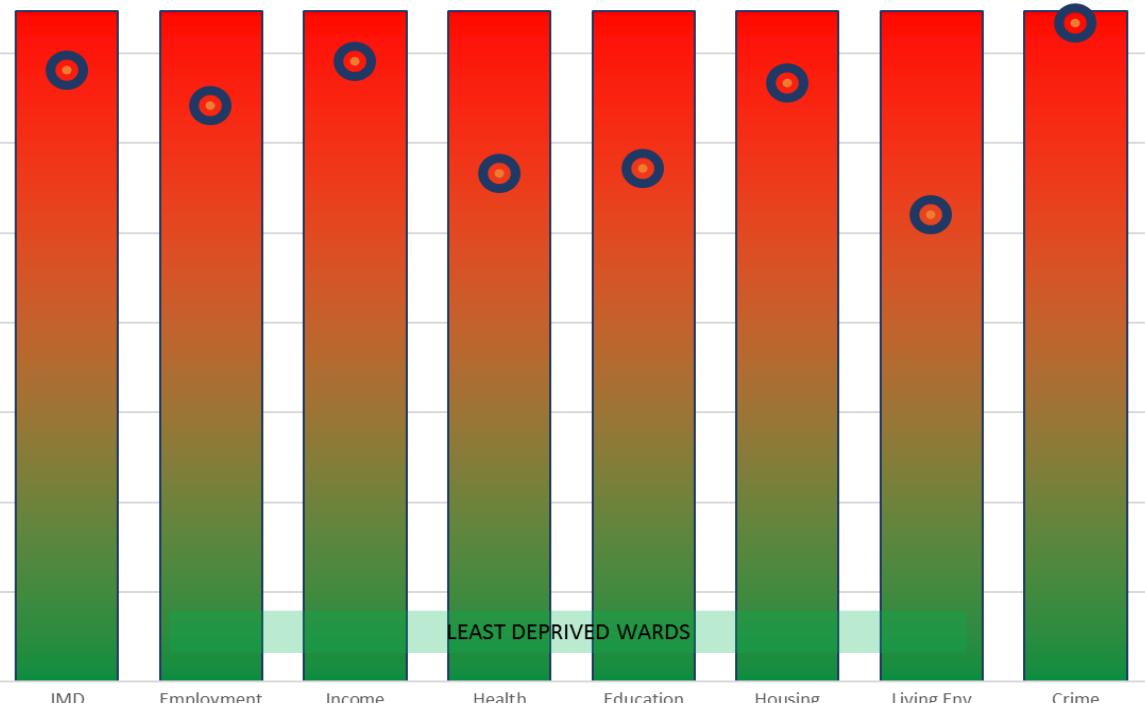
Deprivation

Status



Goresbrook ranked against all English wards

MOST DEPRIVED WARDS



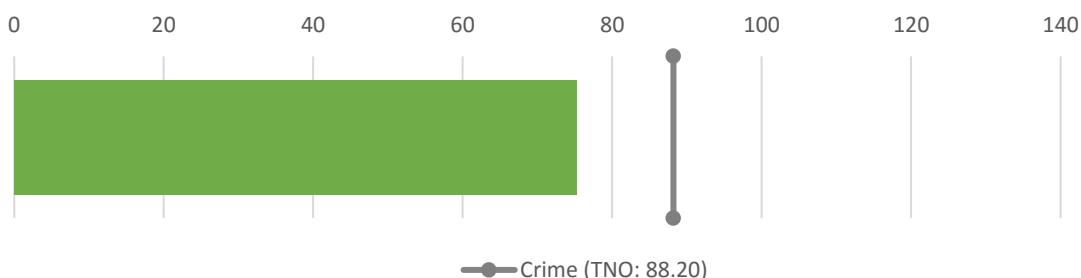
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the 8th highest IMD score in the borough and the greatest contributors to this are as follows:

- crime
- housing
- employment

Crime

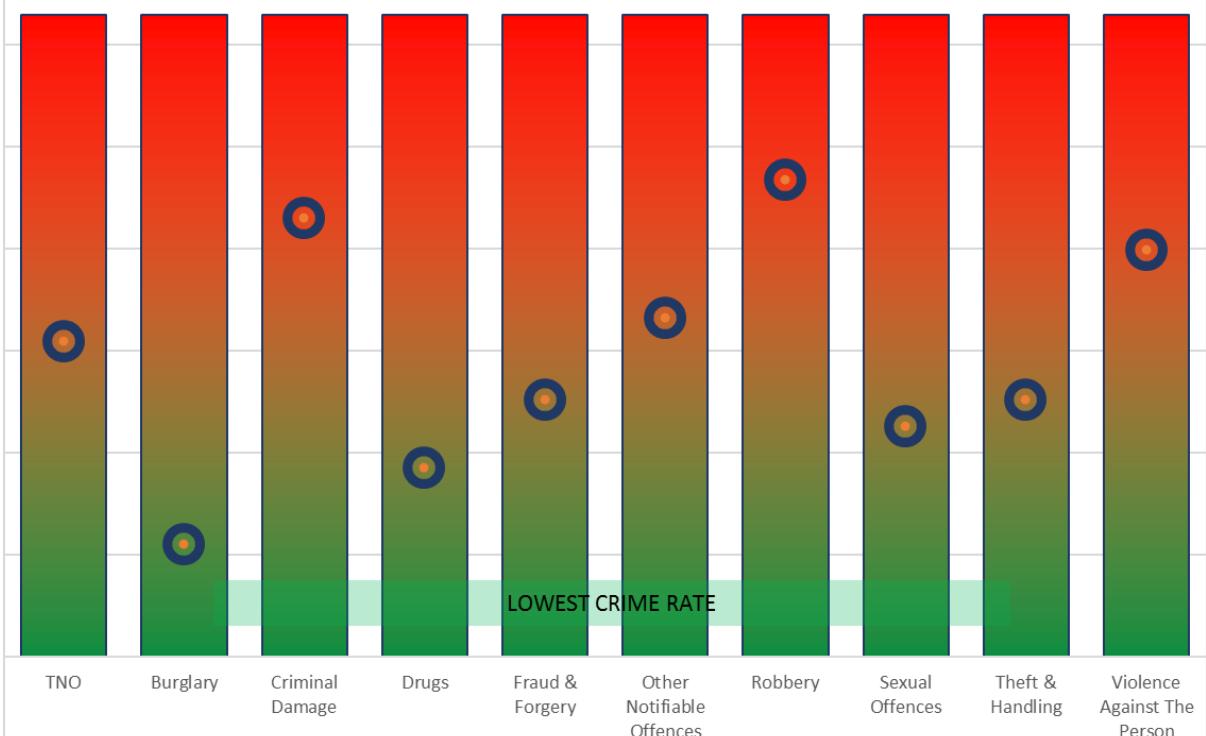
Status



Goresbrook ranked against London wards

HIGHEST CRIME RATE

LOWEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

This ward has the 12th highest crime rate in the borough with 75.3 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- violence against the person
- theft and handling

Heath

**Did you know
Heath has...**

11,634

Residents

10th highest in the borough



3,130
under 16s



9th highest proportion
in the borough

7,126
16s to 64s



3rd lowest proportion
in the borough

1,378
65 and over



3rd highest proportion
in the borough

34
average age



Older than the
borough average (33)

77.1
male life
expectancy



Younger than the
borough average (77.6)

80.6
female life
expectancy



Younger than the
borough average (82.1)

46.6



Average attainment
8 score per pupil (GCSE)

Higher than the
borough average (46.2)

36.3%
open space



Higher than the
borough average (33.7%)

71.7



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

78.9



crimes per
1,000 people

Lower than the
borough average (81.7)

£289,000
median house
price (all types)



Higher than the
borough average (£287,500)

12.5%



English not
first language

Lower than the borough
average (18.7%)

2.1%



job seekers
allowance claimants

2nd highest in the borough

£31,340



median household
income

Higher than the borough
average (£29,420)

18.3%



DWP benefits
claimants

2nd highest in the borough

39.7%



BME population

Lower than the borough
average (50.5%)

24.1%



born abroad

Lower than the
borough average (30.9%)

5.1%



Nigeria most
common birthplace

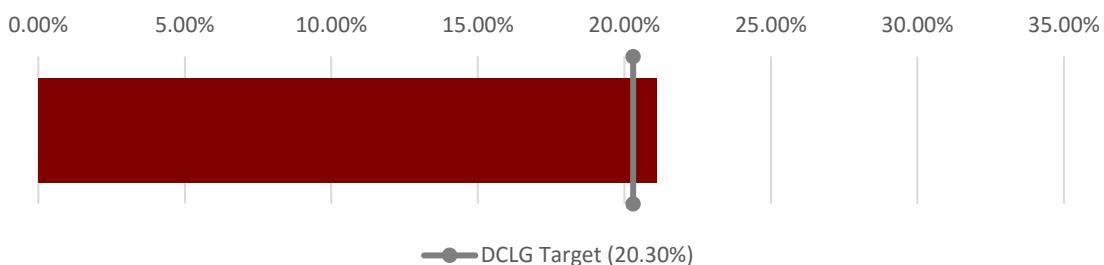
outside the UK, followed
by Lithuania and Ghana

Private Rented Sector Licensing Criteria

Private rented sector	tu	<ul style="list-style-type: none"> • 21.1% - higher than the national average (20.3%). • 65% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions	✓	<ul style="list-style-type: none"> • 19% of properties were not compliant following a visit – higher than the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 19% total churn in population between 2015 and 2016.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 17% of Heath within 10% most deprived (overall) in the country. ○ 17% amongst 10% most income deprived. ○ 17% amongst 10% most employment deprived. ○ 67% amongst 10% most deprived re barriers to housing and services. ○ 33% amongst 10% most deprived re crime.
High levels of crime	X	<ul style="list-style-type: none"> • Crime rate is below the borough average. • High rates of: <ul style="list-style-type: none"> ○ Burglary; ○ Fraud and forgery; and ○ Sexual offences.

Private rented properties

Status



Summary

There are 4,391 households in Heath (2017 estimation). These are distributed as:

- 818 private rented properties (18.6%) (21.1% in 2018)
- 1,914 owner occupied (43.6%)
- 1,659 social rented (37.8%)

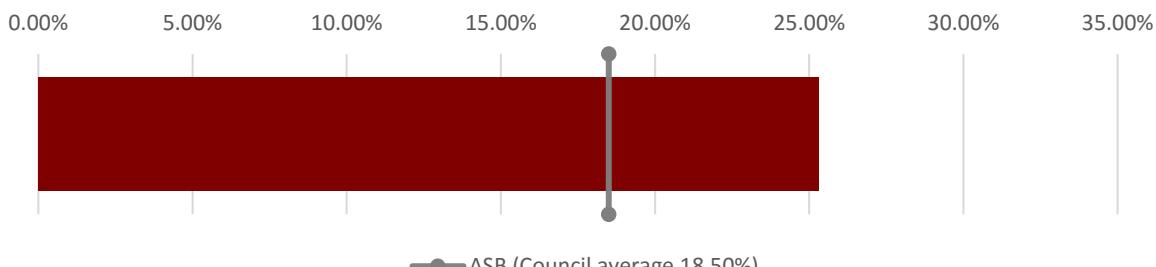
At 18.6% Heath has the 17th highest proportion of private rented properties in the borough.

Trend

The population in Heath is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 64.9%, from 11.3% to 18.6%.

Anti-social Behaviour (ASB)

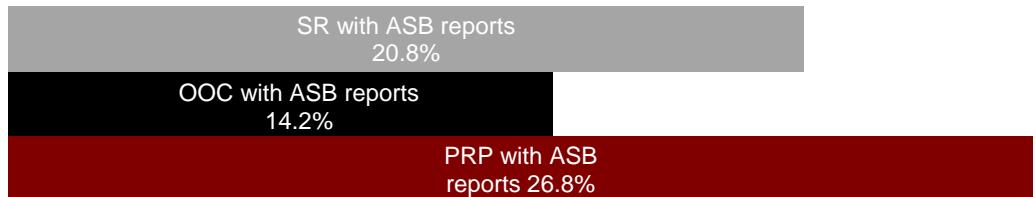
Status



Summary

- There are 2556 total number of ASB reports over the last 4 years in this ward, which is the equivalent of 58.4 per 100 properties.
- The most frequent form of anti-social behaviour in Heath is noise

ASB properties in PRS vs. other tenures

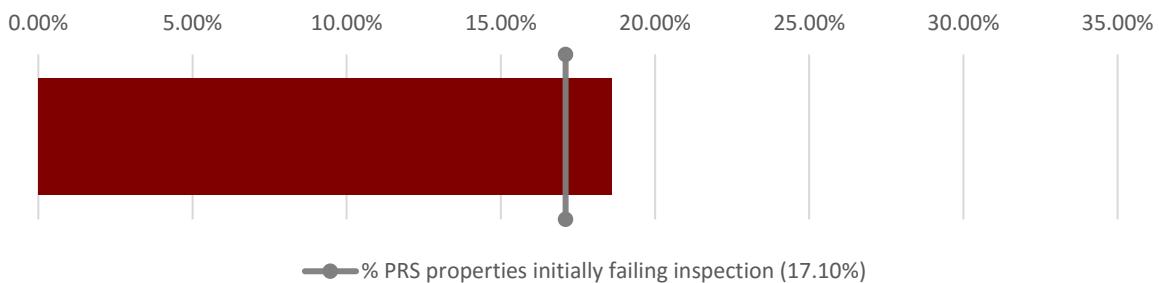


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 0.77% compared to 2014/15.

Private rental stock conditions

Status



Summary

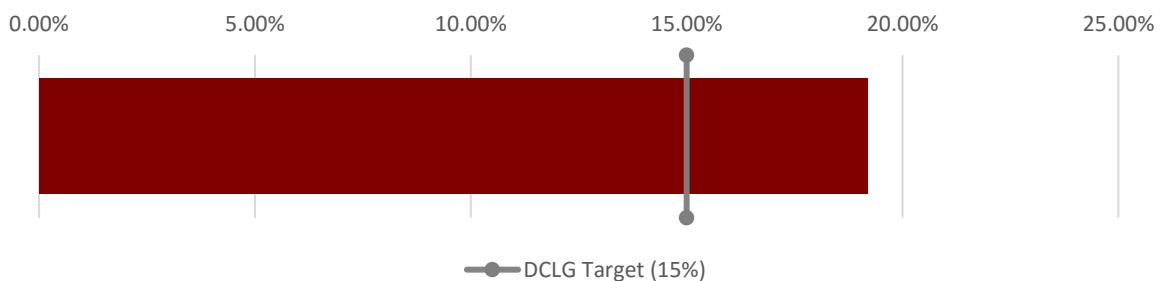
Compliance Visits

- 81.2% compliant at first visit
- 17% that became compliant through informal or enforcement action (combined)
- 1.6% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0% Not licensable
- 0.2% Temporary exemption

Since the beginning of the PRPL scheme only 8 of visited properties remain non-compliant.

Migration

Status



Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 19.2%
- This ward ranks 15th for population churn in the borough

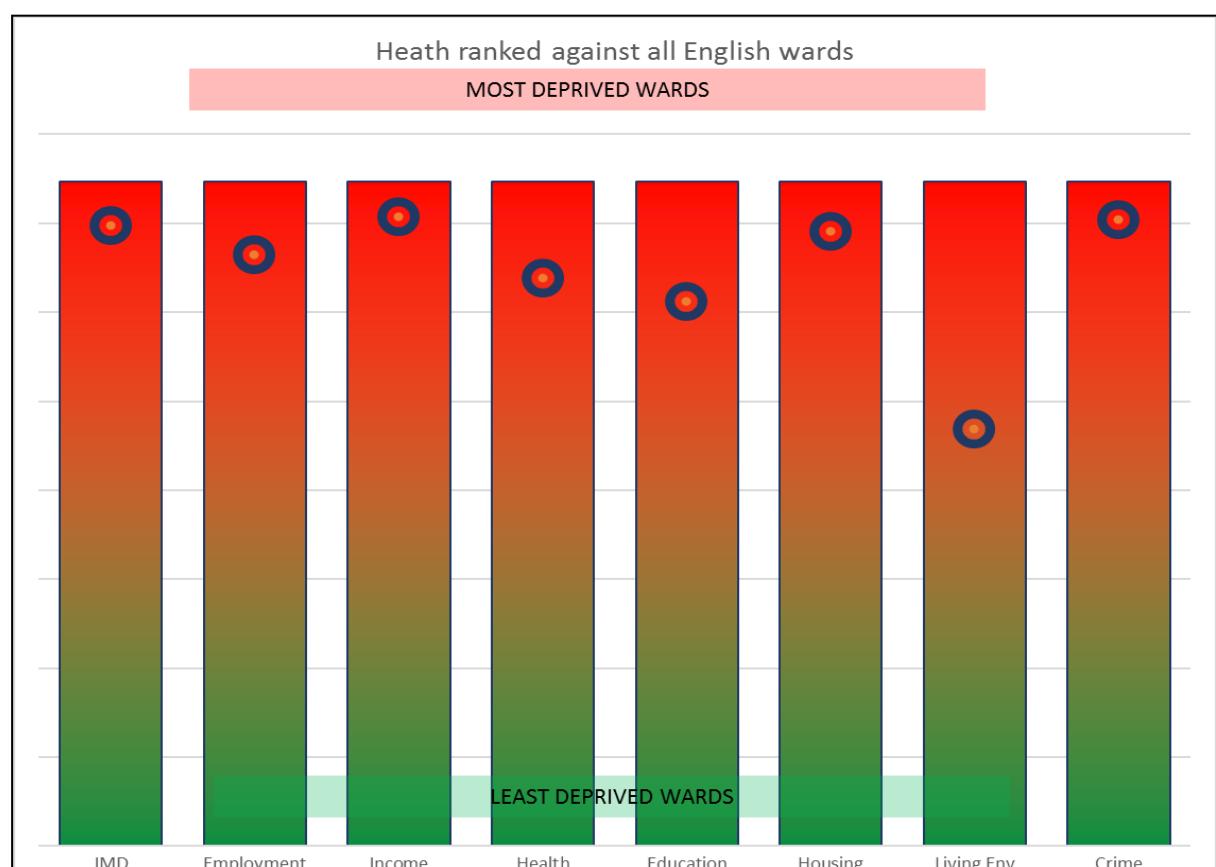
Deprivation

Status



Health ranked against all English wards

MOST DEPRIVED WARDS



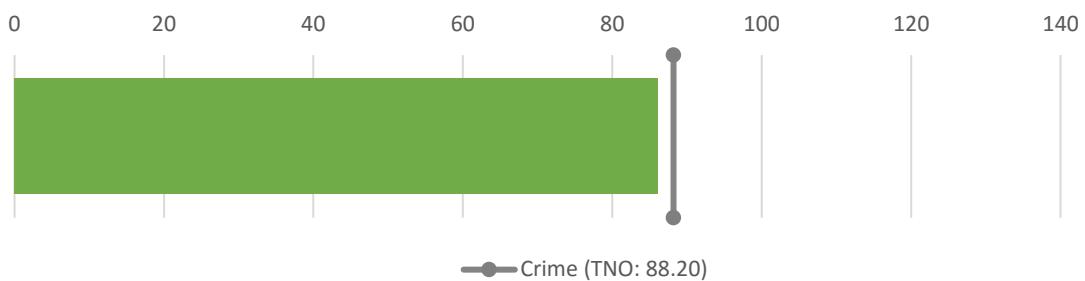
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the highest IMD score in the borough and the greatest contributors to this are as follows:

- crime
- housing
- employment

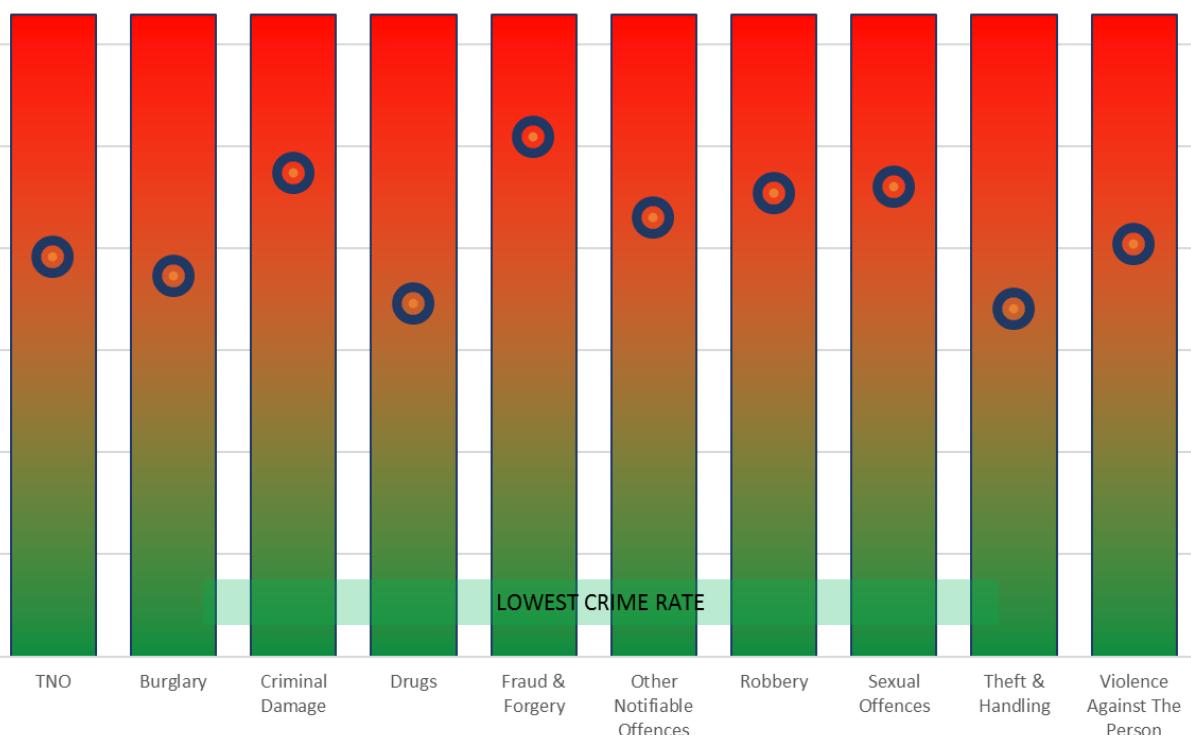
Crime

Status



Heath ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

Heath has the has the 8th highest crime rate in the borough with 86.1 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- violence against the person
- theft and handling

Longbridge

**Did you know
Longbridge
has...**

12,644

Residents

6th highest in the borough



Longbridge

2,973

under 16s



2nd lowest proportion
in the borough

8,304

16s to 64s



2nd highest proportion
in the borough

1,367

65 and over



5th highest proportion
in the borough

34

average age



Older than the
borough average (33)

78.4

**male life
expectancy**



Older than the
borough average (77.6)

86.3

**female life
expectancy**



Oldest in the borough

52.3

**Average attainment
8 score per pupil (GCSE)**



Highest in the borough

28.3%

open space



Lower than the
borough average (33.7%)

63.8

**births per 1,000
women of childbearing age**



Lower than the borough
average (79.4)

64.2

**crimes per
1,000 people**



Lower than the
borough average (81.7)

£426,000

**median house
price (all types)**



Highest in the borough

24.5%

**English not
first language**



Higher than the borough
average (18.7%)

1%

**job seekers
allowance claimants**



Lowest in the borough

£40,570

**median household
income**



Highest in the borough

10.3%

**DWP benefits
claimants**



Lowest in the borough

65%

BME population



Higher than the borough
average (50.5%)

33.3%

born abroad



Higher than the
borough average (30.9%)

7.4%

**Bangladesh most
common birthplace
outside the UK, followed by
Pakistan and India**

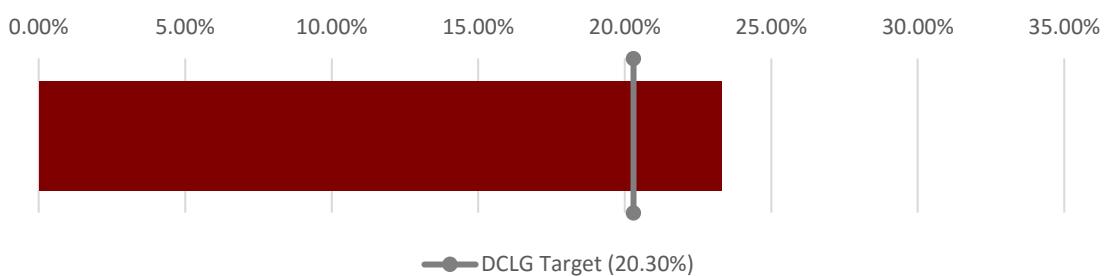


Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 23.3% - higher than the national average (20.3%). • 43% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration		<ul style="list-style-type: none"> • 19% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national average. • Only ward in the borough with lower IMD than London average. • Four (out of 7) domains higher than national average. • Three domains higher than London average. <ul style="list-style-type: none"> ○ 33% of Longbridge within 10% most deprived in the country re barriers to housing and services. ○ 17% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is below the borough average.

Private rented properties (PRP)

Status



Summary

There are 3794 households in Longbridge Ward (2017 estimation). These properties are distributed as:

- 829 private rented properties (21.9%) - 23.3% in 2018
- 2,579 owner occupied (68%)
- 386 social rented (10.2%)

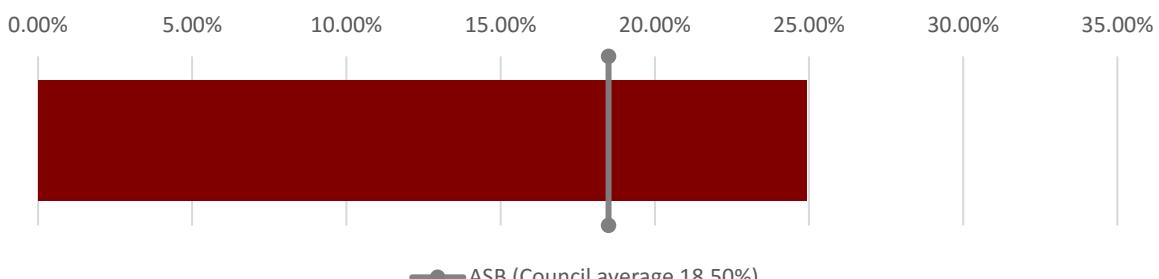
At 21.9% Longbridge has the 11th highest proportion of private rented properties of all wards in the borough.

Trend

The population in Longbridge ward is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 42.8%, from 15.3% to 21.9%.

Anti-social Behaviour (ASB)

Status



Summary

- There are 1,638 total number of ASB reports over the last 4 years in this ward, which is the equivalent of 43.4 per 100 properties.
- The most frequent type of anti-social behaviour in Longbridge is noise

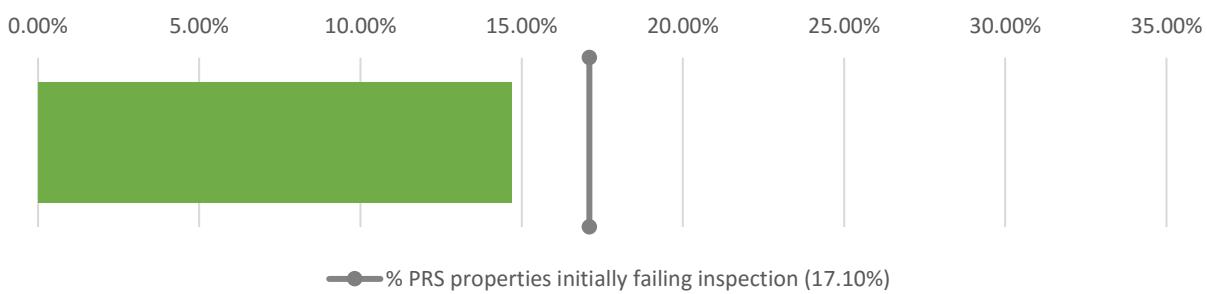


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 2.97% compared to 2014/15.

Private rental stock conditions

Status



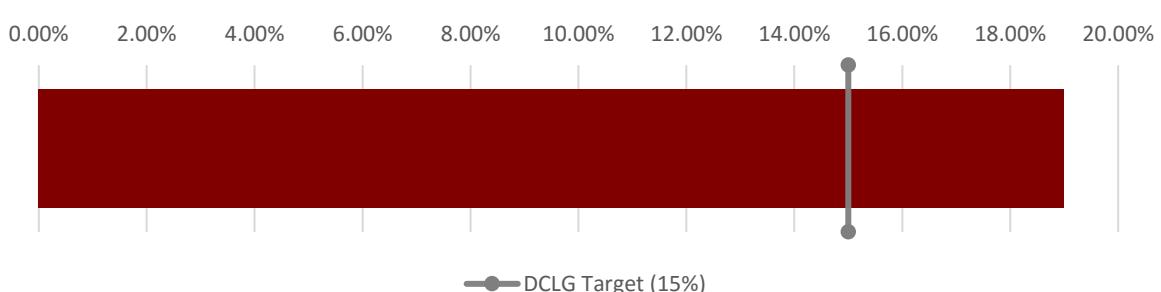
Summary

Compliance Visits:

- 85.1% compliant at first visit
- 14.2 % that became compliant through informal or enforcement action (combined)
- 0.6% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0% Not licensable
- 0.2% Temporary exemption

Migration

Status



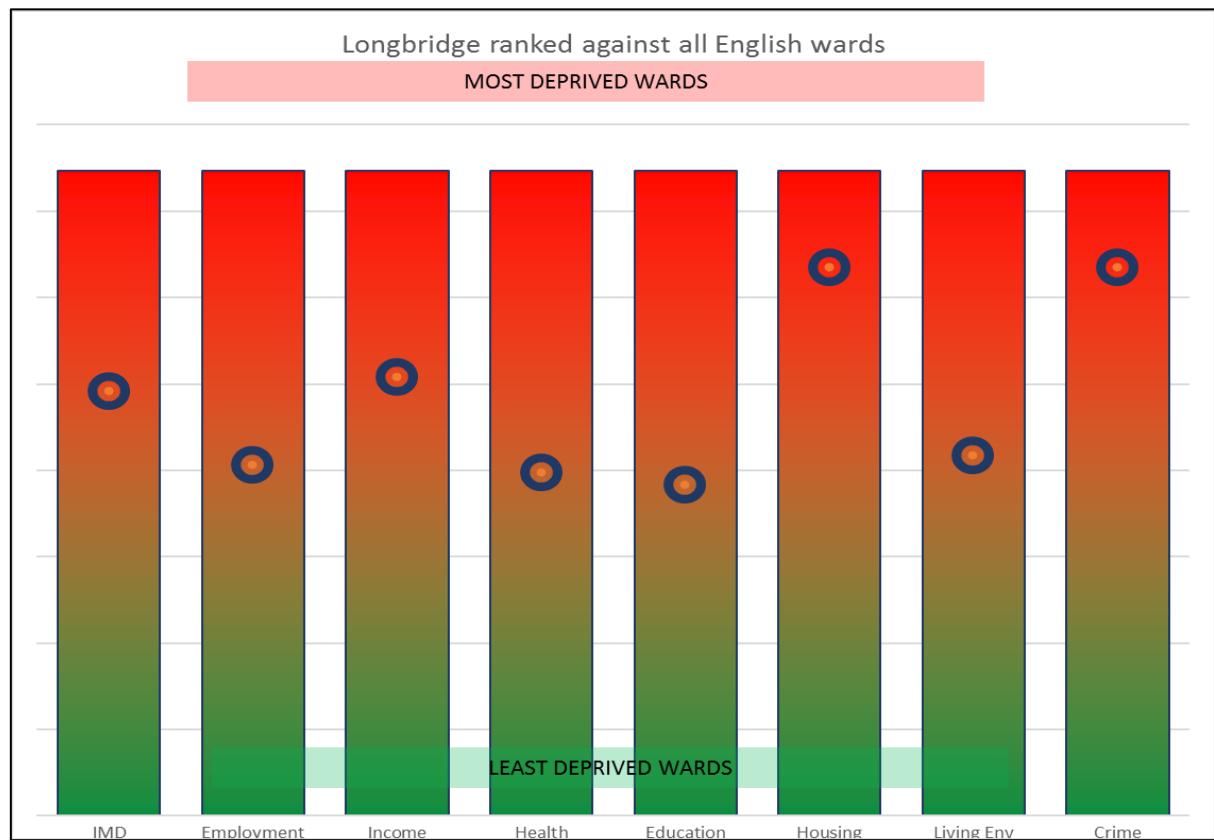
Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 19%
- This ward ranks 16th for population churn in the borough

Deprivation

Status



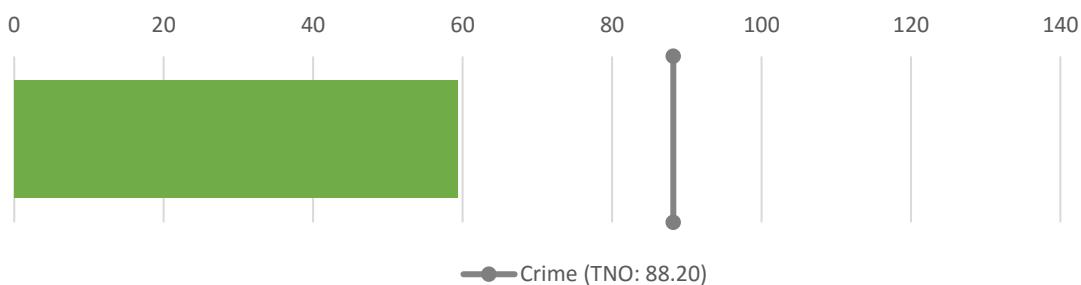
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the lowest IMD score in the borough and the greatest contributors to this are as follows:

- crime
- housing
- income

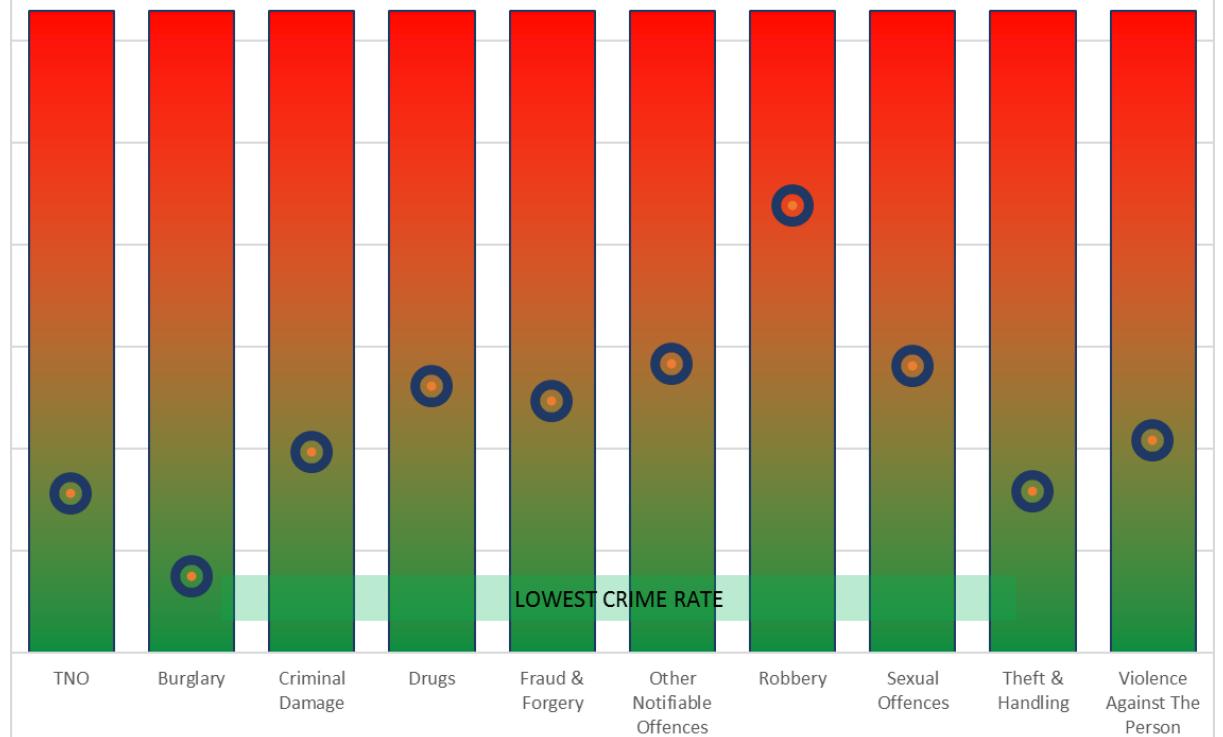
Crime

Status



Longbridge ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

This ward has the lowest crime rate in the borough with 59.4 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- robbery
- sexual offences

Mayesbrook

**Did you know
Mayesbrook
has...**

10,871

Residents

2nd lowest in the borough



Mayesbrook

3,063
under 16s



5th highest proportion
in the borough

6,690
16s to 64s



5th lowest proportion
in the borough

1,118
65 and over



9th highest proportion
in the borough

33
average age



The same as the
borough average

77.4
male life
expectancy



Similar to the
borough average (77.6)

84
female life
expectancy



Older than the
borough average (82.1)

43



Average attainment
8 score per pupil (GCSE)

Lowest in the borough

44.8%
open space



Higher than the
borough average (33.7%)

72.5



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

65.6



crimes per
1,000 people

Lower than the
borough average (81.7)

£288,000



median house
price (all types)

Higher than the
borough average (£287,500)

14.7%



English not
first language

Lower than the borough
average (18.7%)

1.7%



job seekers
allowance claimants

Lower than the borough
average (1.8%)

£31,530



median household
income

Higher than the borough
average (£29,420)

15.6%



DWP benefits
claimants

Higher than the
borough average (14.7%)

40%



BME population

Lower than the borough
average (50.5%)

25%



born abroad

Lower than the
borough average (30.9%)

4.7%



Nigeria most
common birthplace

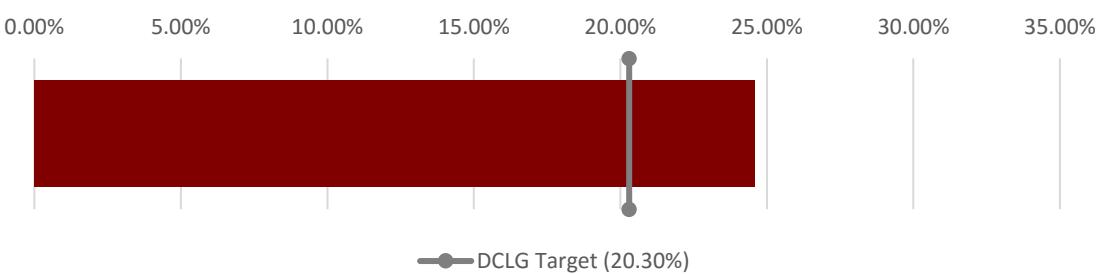
outside the UK, followed by Lithuania
and Other Central & West Africa

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none">• 24.6% - higher than the national average (20.3%).• 36% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none">• High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none">• Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none">• Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration		<ul style="list-style-type: none">• 21% total churn in population between 2015 and 2016.• Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none">• IMD 2015 higher than national and London averages.• All domains higher than national average.• Six (out of 7) domains higher than London average.<ul style="list-style-type: none">○ 33% of Mayesbrook within 10% most deprived in the country re barriers to housing and services.○ 50% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none">• Crime rate is below the borough average.<ul style="list-style-type: none">○ Robbery is above both borough and London averages.

Private rented properties (PRP)

Status



Summary

There are 3,914 households in Mayesbrook (2017 estimation). These properties are distributed as:

- 830 private rented properties (21.2%) (24.6% in 2018)
- 1843 owner occupied properties (47.1%)
- 1241 social rented properties (31.7%)

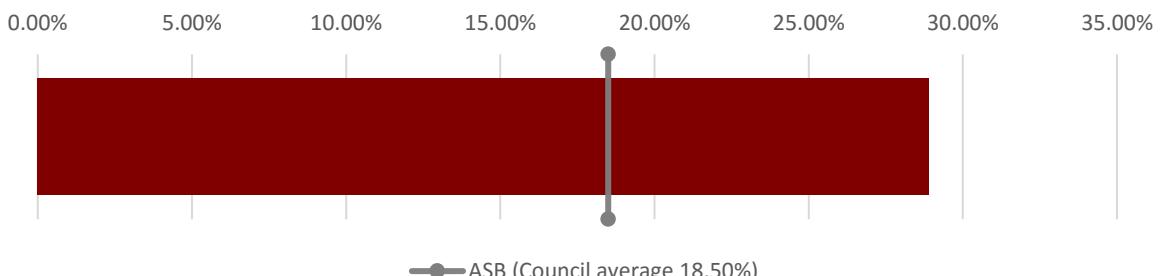
Mayesbrook ranks as 12th in the borough for private rented property proportion.

Trend

The proportion of private rented properties in changing rapidly. This ward has increased by 35.9% since 2011.

Anti-social Behaviour (ASB)

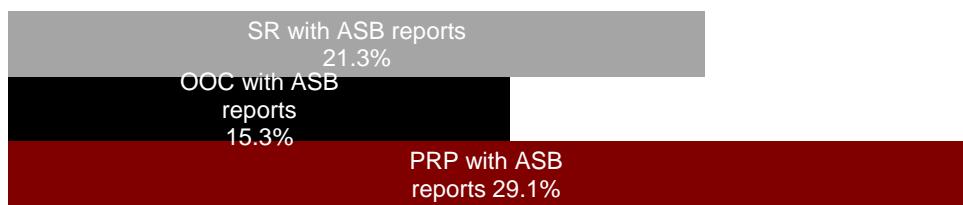
Status



Summary

- There are 2,185 ASB reports over the last 4 years in this ward, which is the equivalent of 56 per 100 properties.
- The most frequent cases of anti-social behaviour in Mayesbrook are noise, eyesore gardens and fly tipping

ASB properties in PRS vs. other tenures

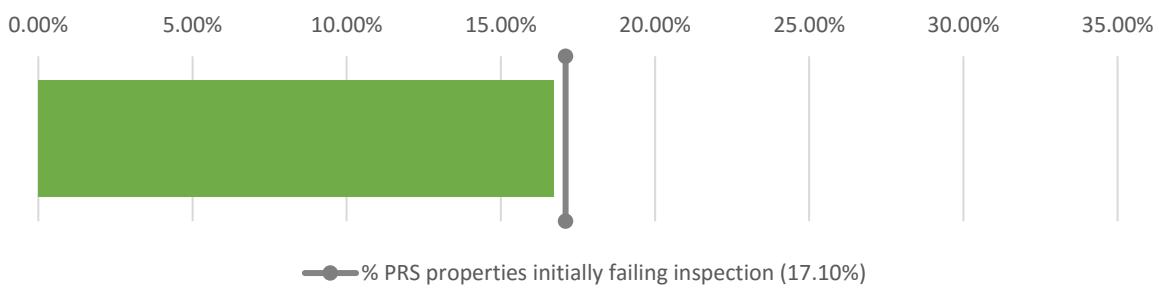


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased in this ward by 5.3% compared to 2014/15.

Private rental stock conditions

Status



Summary

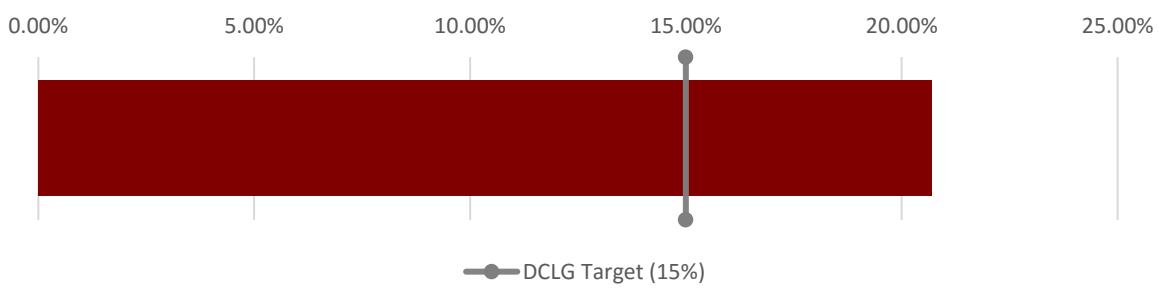
Compliance Visits:

- 88.3% compliant at first visit
- 15.2% that became compliant through informal or enforcement action
- 1.5% that remain non-compliant or with rejected licences as of March 2018
- 0% are not licensable
- 0% with temporary exemptions

Since the beginning of the PRPL scheme only 58 of visited properties remain non-compliant in Mayesbrook pending enforcement action.

Migration

Status



Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 20.7%.
- This ward ranks 9th for population churn in the borough.

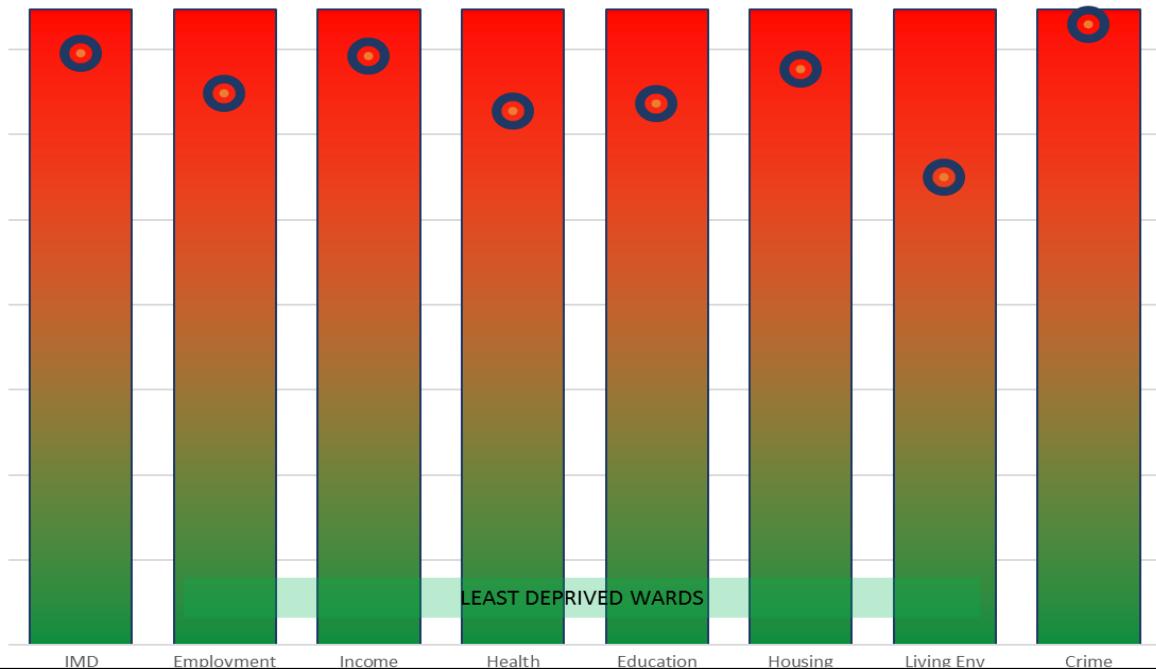
Deprivation

Status



Mayesbrook ranked against all English wards

MOST DEPRIVED WARDS



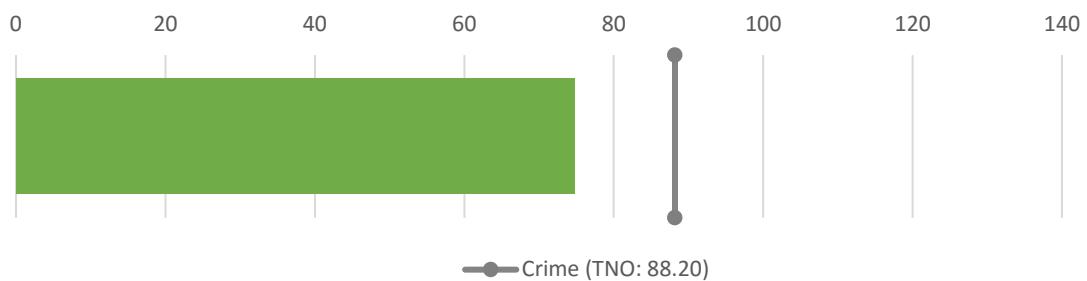
Summary

The London Borough of Barking & Dagenham is the 4th most deprived borough in London. This ward has the 3rd highest IMD score in the borough. Mayesbrook is one of the most deprived wards across England, scoring especially high in:

- Crime
- Housing
- Income

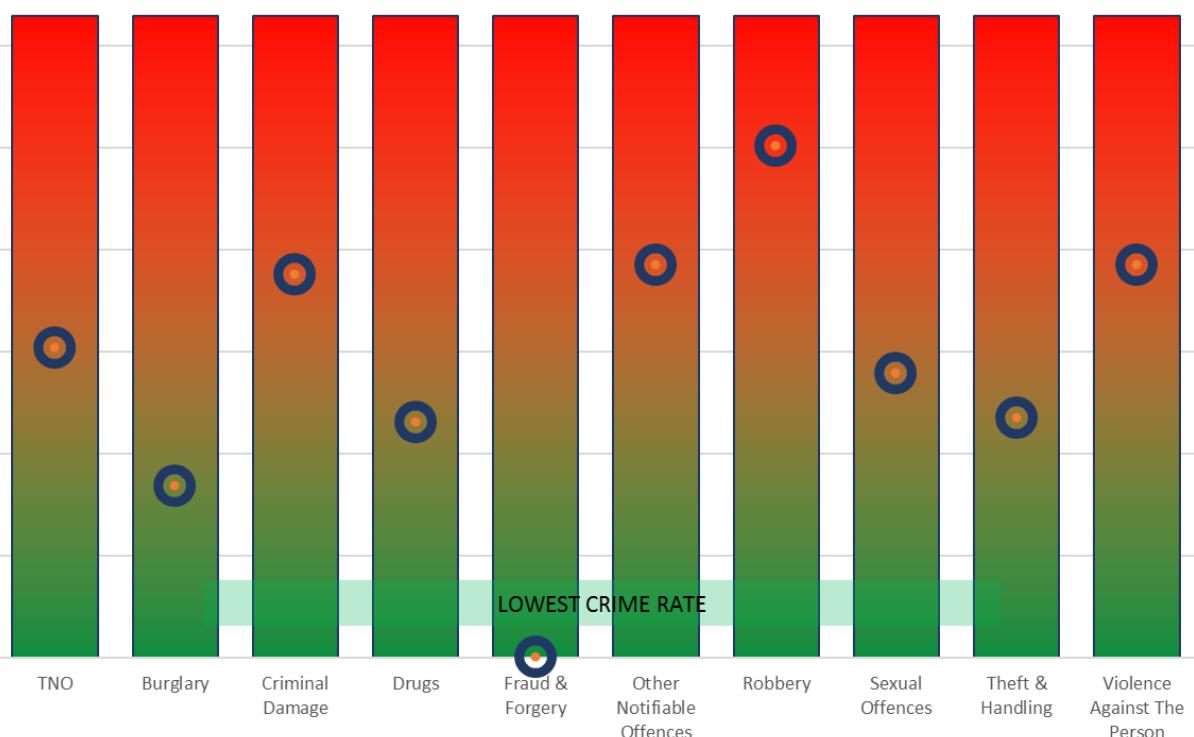
Crime

Status



Mayesbrook ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking & Dagenham has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery, and violence against the person.

This ward ranked 14th in its crime rate in the borough with 74.8 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are:

- Robbery
- Violence against the person
- Criminal damage

Parsloes

**Did you know
Parsloes has...**

10,412

Residents

Lowest in the borough



2,785
under 16s



7th lowest proportion
in the borough

6,585
16s to 64s



8th highest proportion
in the borough

1,042
65 and over



10th highest proportion
in the borough

34
average age



Older than the
borough average (33)

76.3
male life
expectancy



Younger than the
borough average (77.6)

83.2
female life
expectancy



Older than the
borough average (82.1)

44.7



Average attainment
8 score per pupil (GCSE)

Lower than the borough
average (46.2)

17.4%
open space



Lower than the
borough average (33.7%)

62.2



births per 1,000
women of childbearing age

Lowest in the borough

61.5



crimes per
1,000 people

Lowest in the borough

£290,000



median house
price (all types)

Higher than the
borough average (£287,500)

12.5%



English not
first language

Lower than the borough
average (18.7%)

1.9%



job seekers
allowance claimants

Higher than the borough
average (1.8%)

£31,860



median household
income

Higher than the borough
average (£29,420)

16.8%



DWP benefits
claimants

Higher than the
borough average (14.7%)

38.6%



BME population

Lower than the borough
average (50.5%)

23.3%



born abroad

Lower than the
borough average (30.9%)

4.8%



Nigeria most
common birthplace

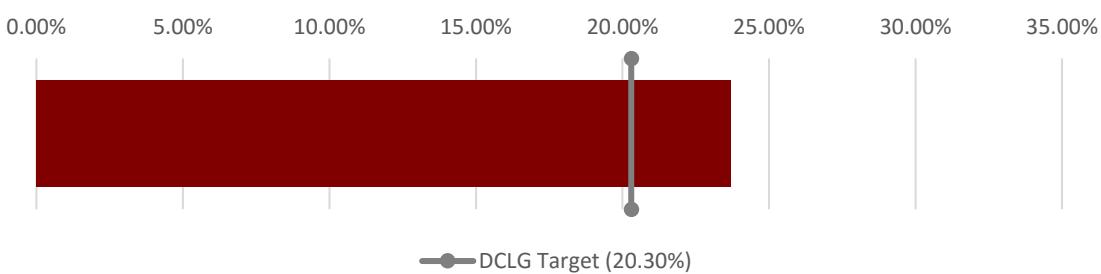
outside the UK, followed
by Lithuania and Other Europe

Private Rented Sector Licensing Criteria

Private rented sector	<input type="checkbox"/> <input type="checkbox"/>	<ul style="list-style-type: none"> • 23.7% - higher than the national average (20.3%). • 43% increase in PRS since the 2011 Census.
Low housing demand	X	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average. • Highest proportion in the borough (36.1%).
Poor property conditions	✓	<ul style="list-style-type: none"> • 21% of properties were not compliant following a visit – higher than the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 20% total churn in population between 2015 and 2016.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 33% of Parsloes within 10% most deprived in the country re barriers to housing and services. ○ 17% amongst 10% most deprived re crime.
High levels of crime	X	<ul style="list-style-type: none"> • Crime rate is below the borough average. <ul style="list-style-type: none"> ○ Other notifiable offences are above both the borough and London averages.

Private rented properties (PRP)

Status



Summary

There are 3,872 households in Parsloes (2017 estimation). These properties are distributed as:

- 779 private rented properties (20.1%) (23.7% in 2018)
- 1,959 owner occupied (50.6%)
- 1,134 social rented (29.3%)

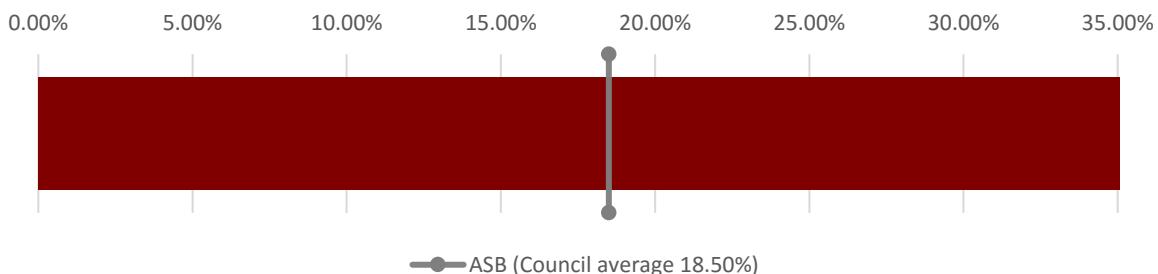
At 20.1%, Parsloes has the fourteenth highest proportion of private rented property in the borough

Trend

The population in Parsloes is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 42.7%, from 14.1% up to 20.1%.

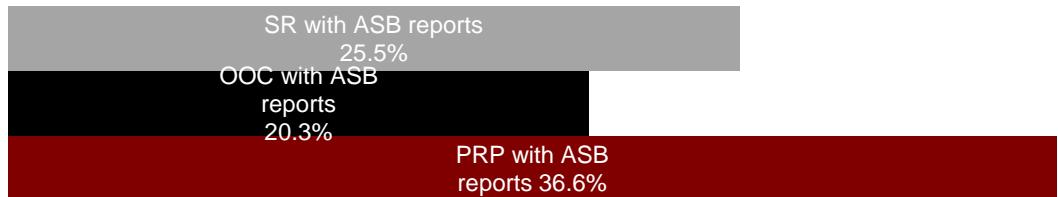
Anti-social Behaviour (ASB)

Status



Summary

- There were 2,53 ASB reports over the last 4 years in this ward, which is the equivalent of 53 per 100 properties.
- The most frequent types of anti-social behaviour in Parsloes are noise, eyesore gardens, and fly-tipping

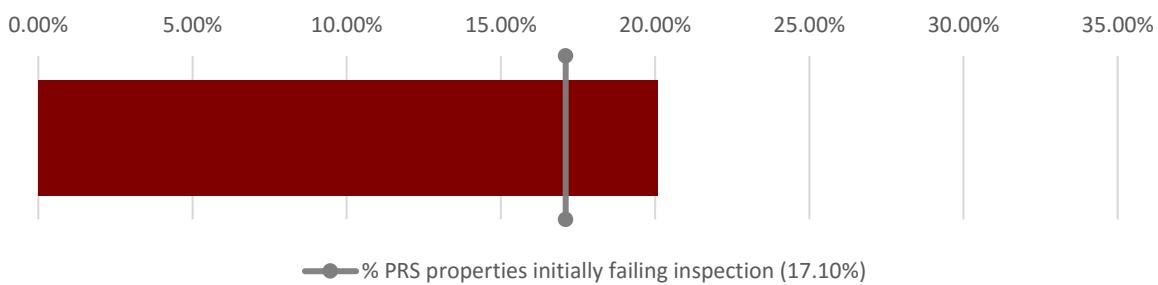


Trend

Anti-social behaviour continues to be a concern in this ward and has increased by 17.3% compared to 2014/15 with enforcement action ongoing.

Private rental stock conditions

Status



Summary

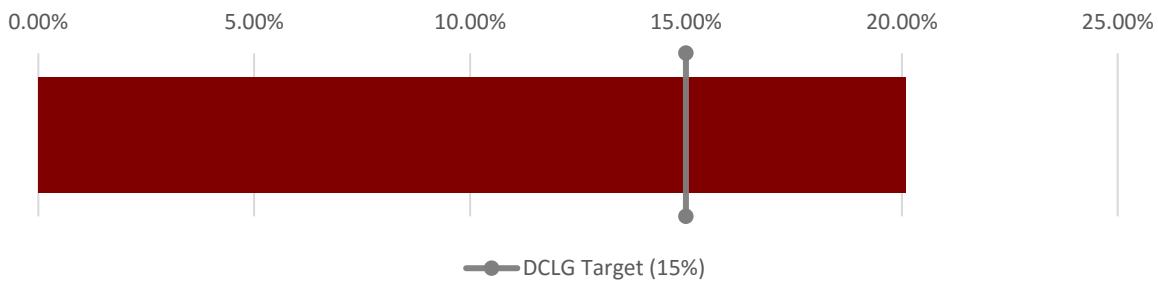
Compliance Visits:

- 79.5% compliant at first visit
- 17.5% that became compliant through informal or enforcement action
- 2.4% that remain non-compliant or with rejected licences as of March 2018
- 0.2% are not licensable
- 0.2% with temporary exemptions

Since the beginning of the PRPL scheme only 11 of visited properties remain non-compliant in this ward, pending enforcement action.

Migration

Status



Summary

Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 20.1%.
- Parsloes ranks 10th for population churn in the borough.

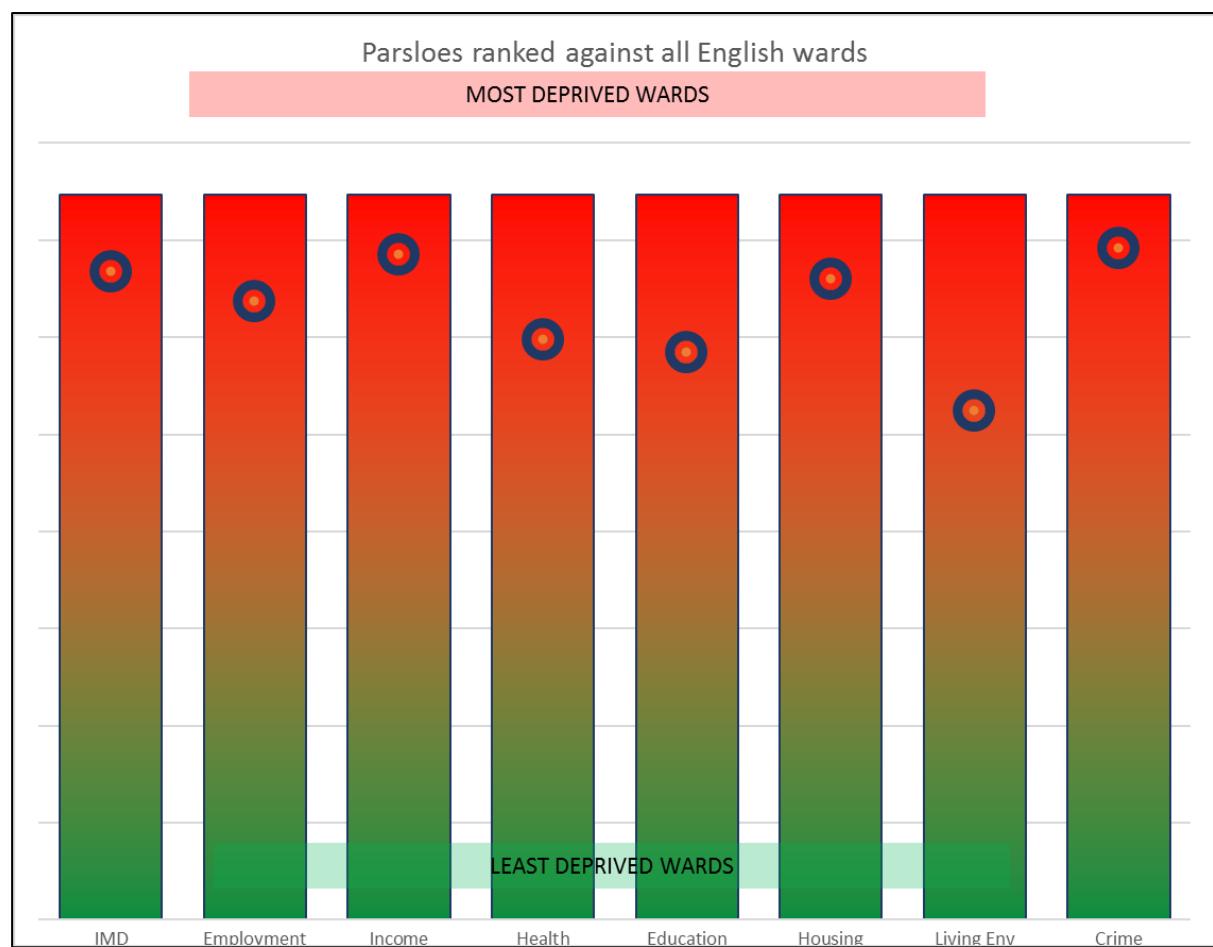
Deprivation

Status



Parsloes ranked against all English wards

MOST DEPRIVED WARDS



Summary

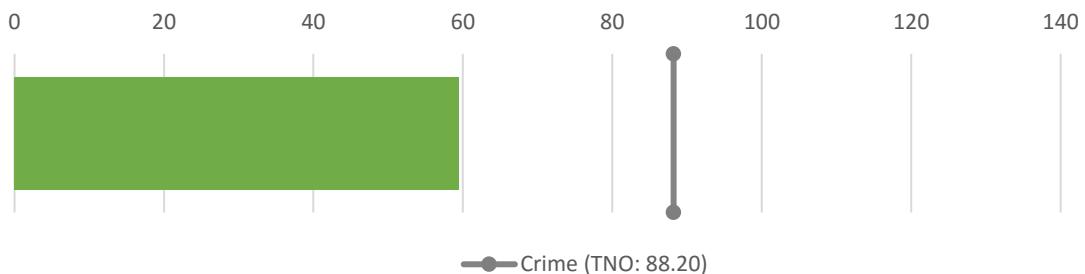
The London Borough of Barking & Dagenham has the 4th most deprived borough in London. This ward ranks 11th highest IMD score in the borough but despite this

Parsloes is still one of the most deprived wards across England, scoring especially high in:

- Crime
- Income
- Housing

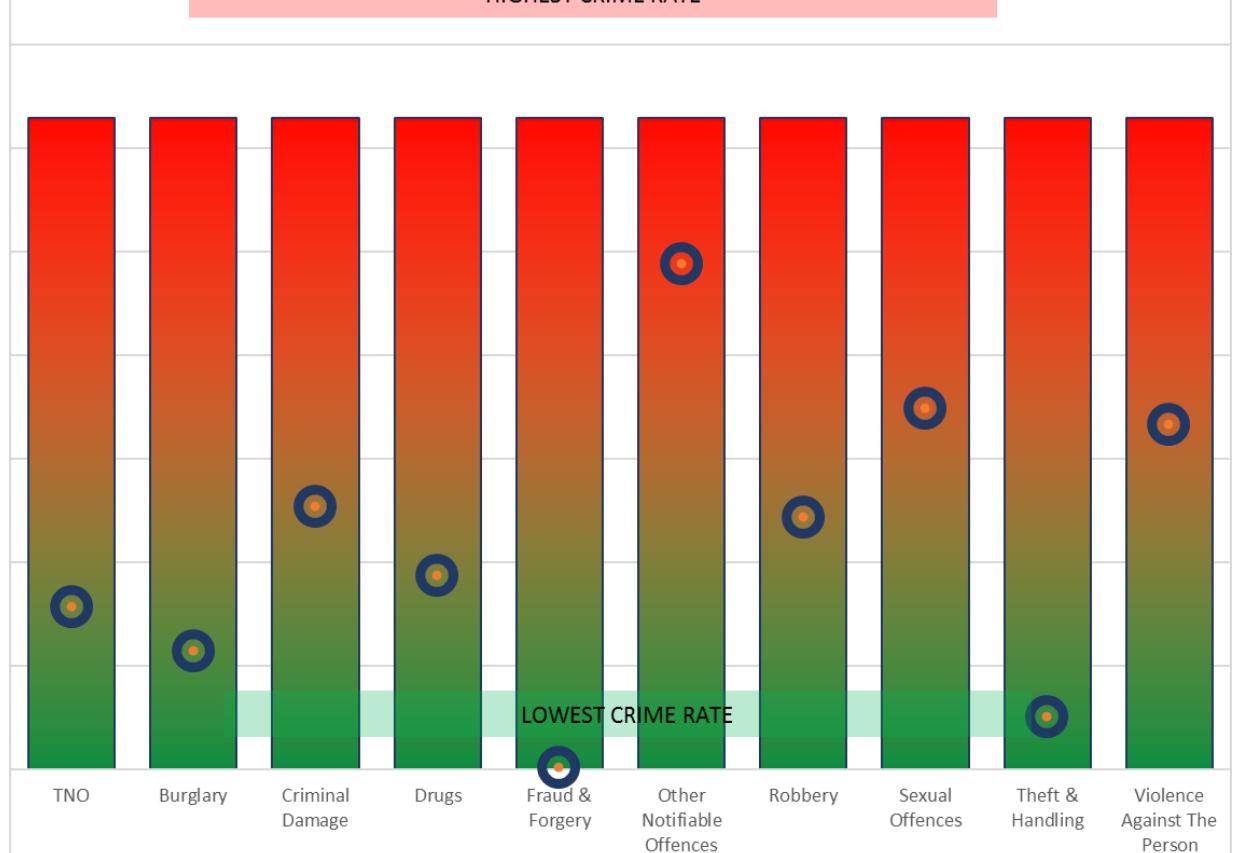
Crime

Status



Parsloes ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking & Dagenham has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery and violence against the person.

This ward ranked 16th in its crime rate in the borough with 59.5 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are:

- 'Other notifiable offences'
- Sexual offences
- Violence against the person

River

Did you know
River has...

11,802
Residents

Page 354



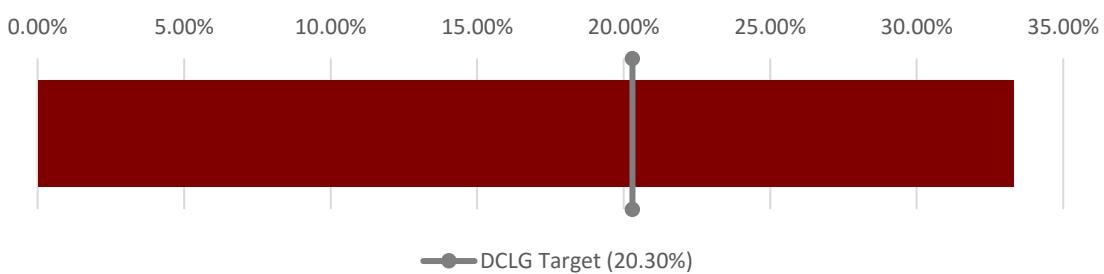
River

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 33.3% - higher than the national average (20.3%). • Higher than the London average (30.0%). • 46% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average. • 2nd highest proportion in the borough (34.4%).
Poor property conditions		<ul style="list-style-type: none"> • 21% of properties were not compliant following a visit – higher than the borough average.
High levels of migration		<ul style="list-style-type: none"> • 23% total churn in population between 2015 and 2016. • High concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 43% of River within 10% most deprived in the country re barriers to housing and services. ○ 57% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is above the borough and London averages, as are rates of: <ul style="list-style-type: none"> ○ Criminal Damage; ○ Fraud and forgery; ○ Other notifiable offences; ○ Robbery; ○ Sexual offences; and ○ Violence against the person.

Private rented properties (PRP)

Status



Summary

There are 4018 households in this ward (2017 estimation). These properties are distributed as:

- 1,210 private rented properties (30.1%) (33.3% in 2018)
- 2,087 owner occupied properties (51.9%)
- 721 social rented properties (17.9%)

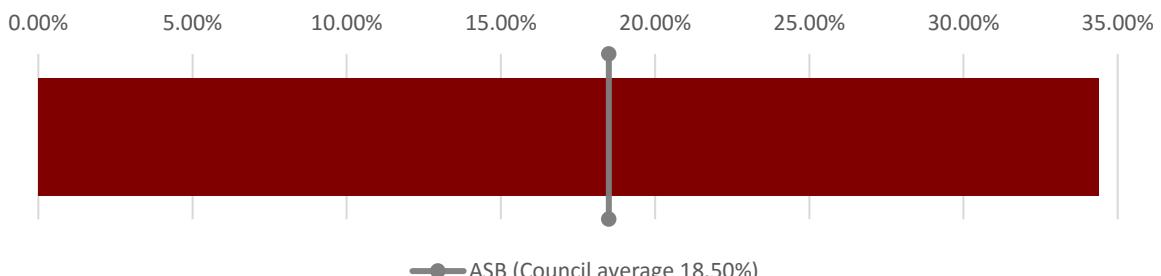
At 30.1%, River has the 5th highest proportion of private rented properties in the borough.

Trend

The population in River is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 46.2%, from 20.6% up to 30.1%.

Anti-social Behaviour (ASB)

Status



Summary

- There were 2,397 ASB reports over the last 4 years in this ward, which is the equivalent of 60 per 100 properties.
- The most frequent types of anti-social behaviour in River are noise, eyesore gardens, and fly tipping.

ASB properties in PRS vs. other tenures

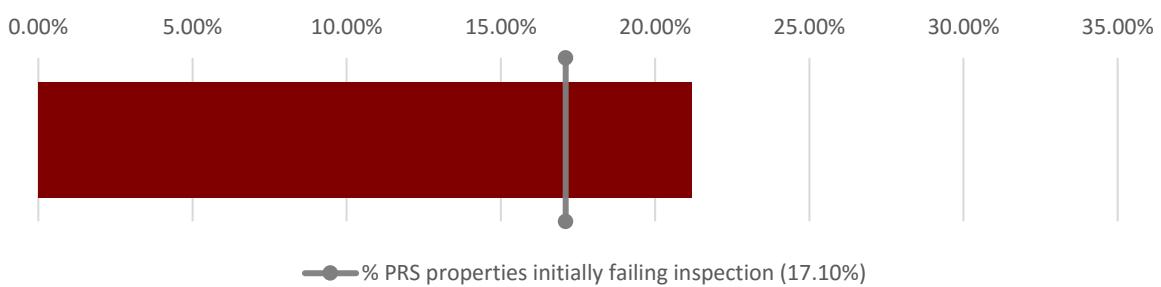


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 21.9% since 2014/15.

Private rental stock conditions

Status



Summary

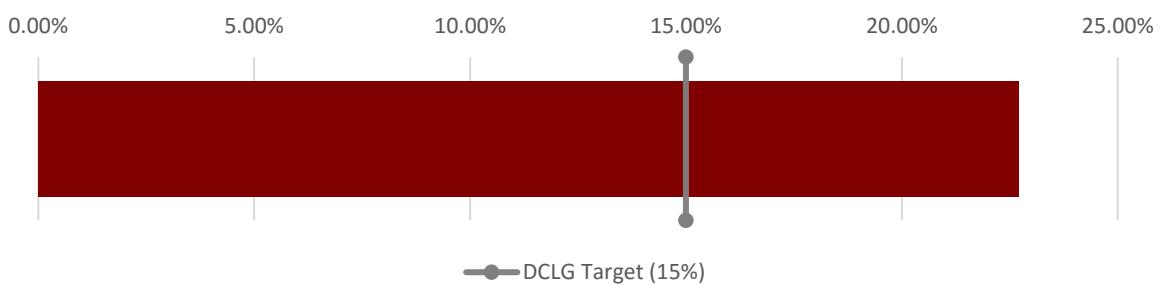
Compliance Visits:

- 78.7% compliant at first visit
- 19% that became compliant through informal or enforcement action
- 2.2% that remain non-compliant or with rejected licences as of March 2018
- 0.1% are not licensable
- 0% with temporary exemptions

Since the beginning of the PRPL scheme only 15 of visited properties remain non-compliant in River, pending enforcement action.

Migration

Status



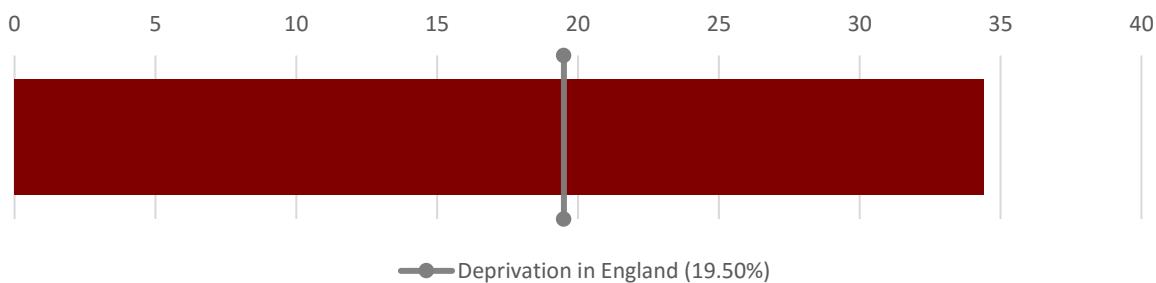
Summary

Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 22.7%.
- River ranks 6th for population churn in the borough.

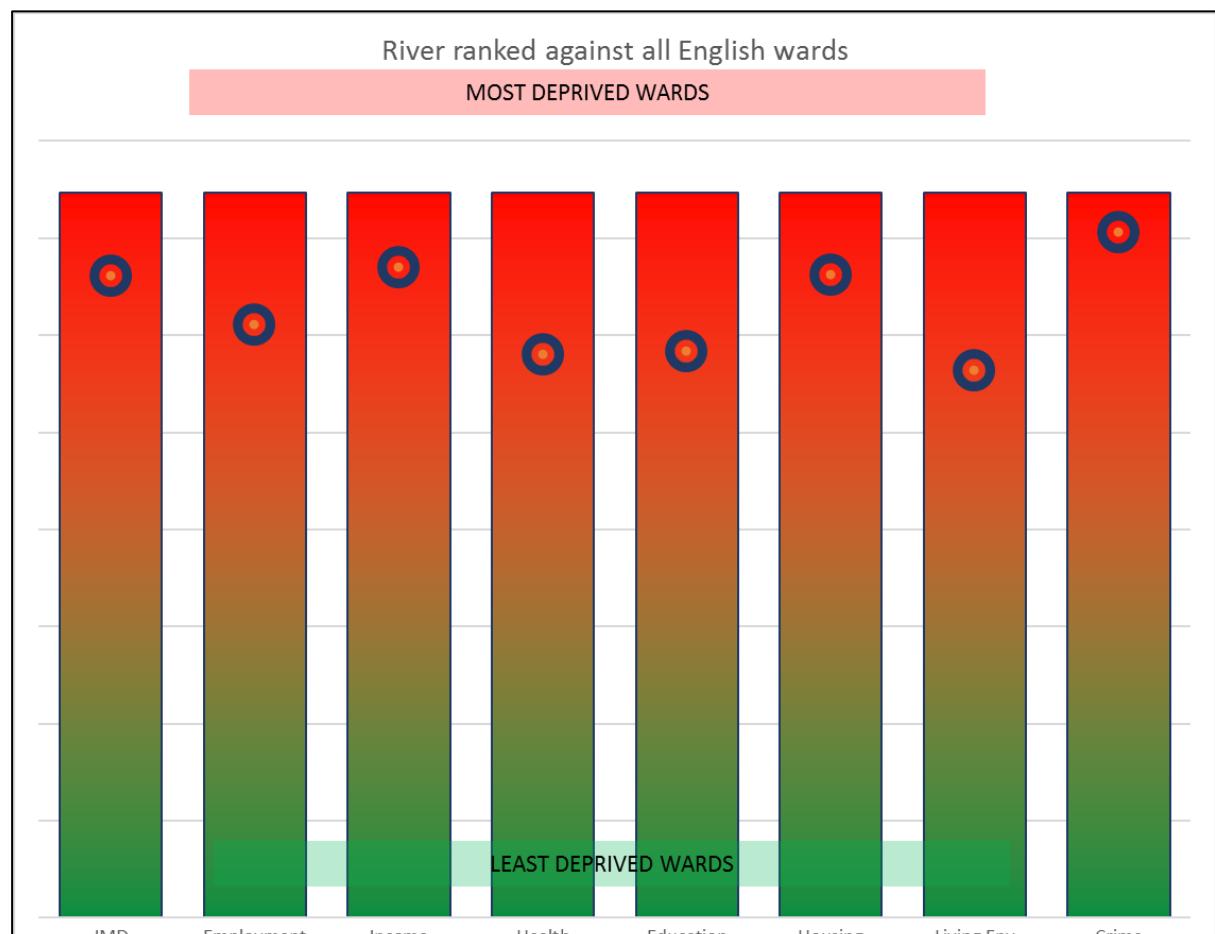
Deprivation

Status



River ranked against all English wards

MOST DEPRIVED WARDS



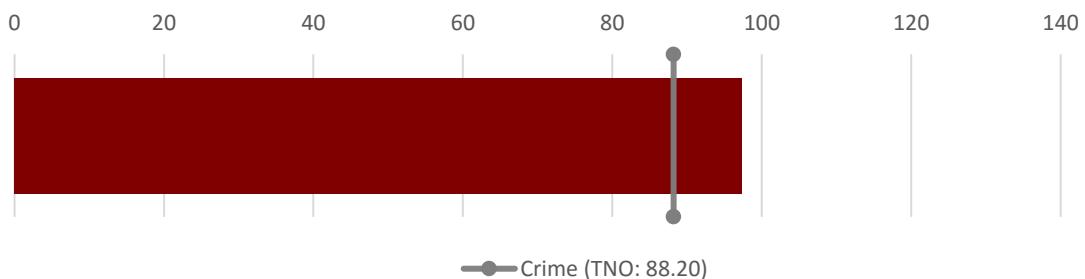
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. River has the 13th highest IMD score in the borough but despite this River is still one of the most deprived wards across England, scoring among the highest in:

- Housing
- Crime
- Income

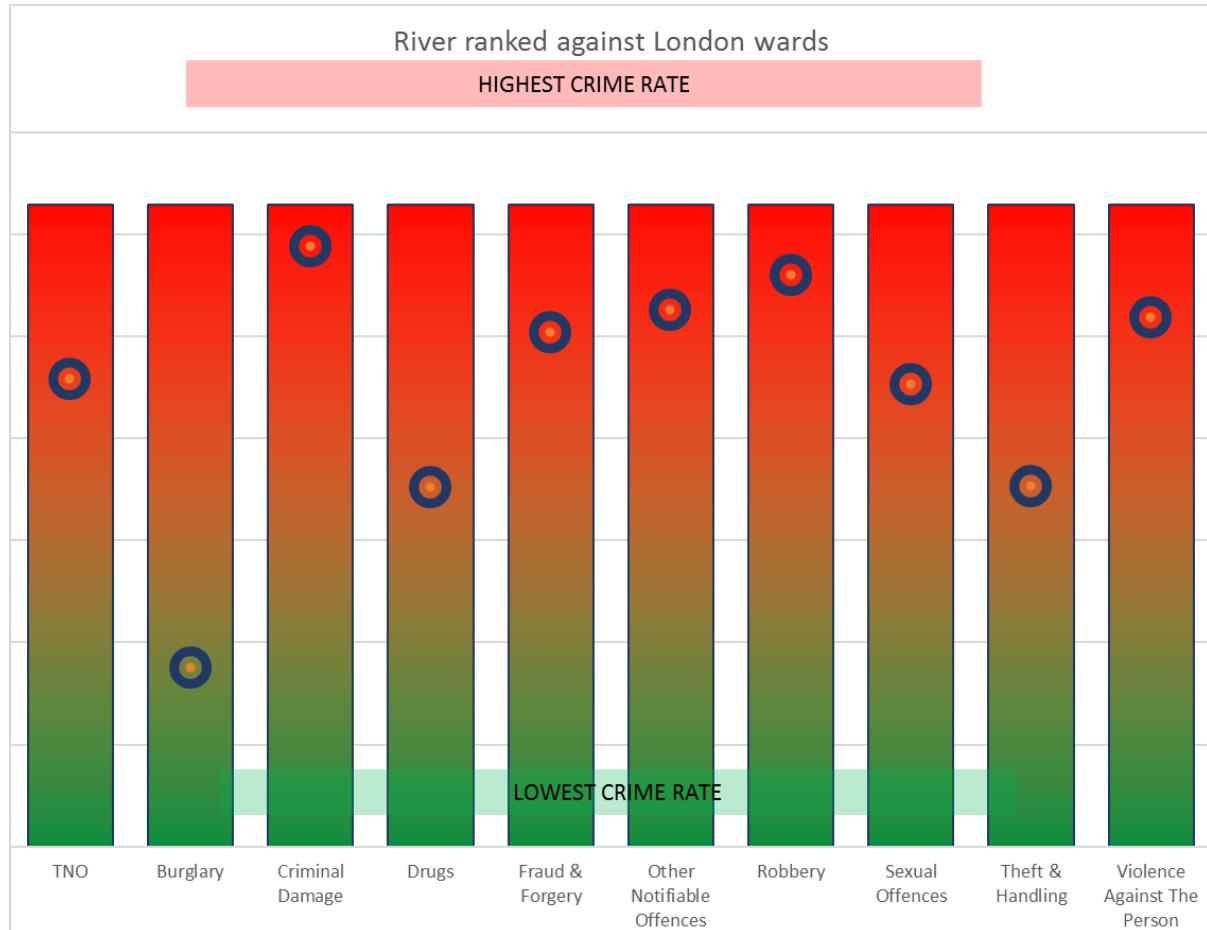
Crime

Status



River ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery, and violence against the person.

This ward is the 3rd highest in its crime rate in the borough with 97.3 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are:

- Criminal damage
- Robbery
- Violence against the person

Thames

**Did you know
Thames has...**

14,558 

Residents

2nd highest in the borough



4,959



under 16s

Highest proportion
in the borough

8,840



16s to 64s

2nd lowest proportion
in the borough

759



65 and over

2nd lowest proportion
in the borough

29



average age

Younger than the
borough average (33)

76.2



**male life
expectancy**

Younger than the
borough average (77.6)

83.9



**female life
expectancy**

Older than the
borough average (82.1)

47.3



**Average attainment
8 score per pupil (GCSE)**

Higher than the borough
average (46.2)

43.8%



open space

Higher than the
borough average (33.7%)

93.6



**births per 1,000
women of childbearing age**

Higher than the borough
average (79.4)

104.4



**crimes per
1,000 people**

2nd highest in the borough

£223,000



**median house
price (all types)**

Lowest in the borough

20.8%



**English not
first language**

Higher than the borough
average (18.7%)

2%



**job seekers
allowance claimants**

Higher than the borough
average (1.8%)

£32,580



**median household
income**

Higher than the borough
average (£29,420)

16.7%



**DWP benefits
claimants**

Higher than the
borough average (14.7%)

62.9%



BME population

Higher than the borough
average (50.5%)

37.2%



born abroad

Higher than the
borough average (30.9%)

7.1%



**Nigeria most
common birthplace**

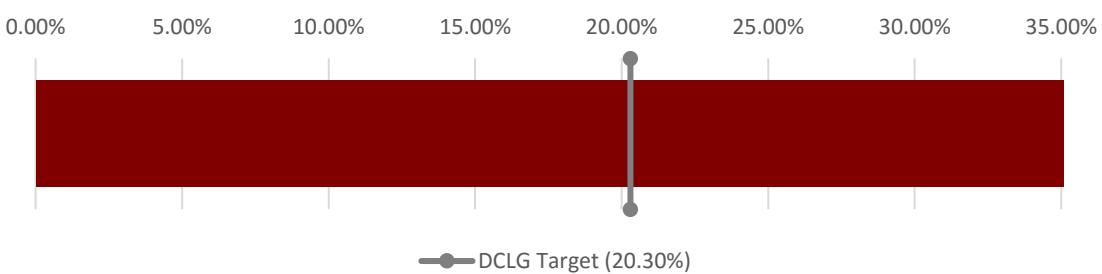
outside the UK, followed
by Ghana and Bangladesh

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 37.4% - higher than the national average (20.3%). • Higher than the London average (30.0%). • 105% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Lower proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration		<ul style="list-style-type: none"> • 24% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 17% of Thames within 10% most deprived (overall) in the country. ○ 50% amongst 10% most income deprived. ○ Entire ward amongst 10% most deprived re barriers to housing and services. ○ 67% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • 2nd highest crime rate in the borough. • Higher than both the borough and London averages for: <ul style="list-style-type: none"> ○ Burglary; ○ Criminal damage; ○ Drugs; ○ Other notifiable offences (highest rate in the borough); ○ Sexual offences; ○ Theft and handling; and ○ Violence against the person.

Private rented properties (PRP)

Status



Summary

There are 5,083 households in this ward (2017 estimation). These properties are distributed as:

- 1,827 private rented properties (35.9%) (37.4% in 2018)
- 1,847 owner occupied properties (36.3%)
- 1,409 social rented properties (27.7%)

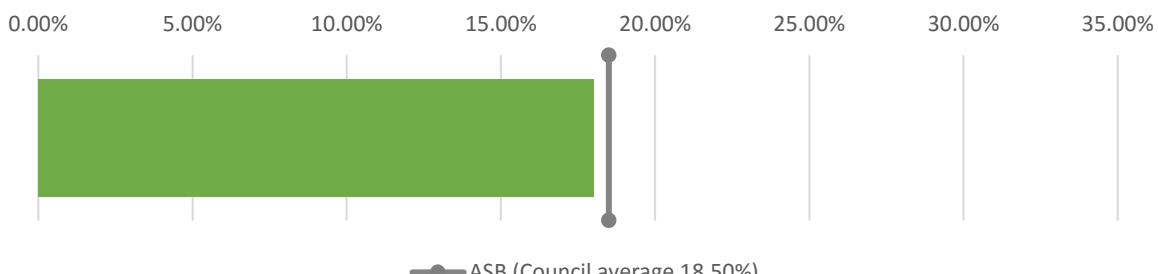
At 35.9%, Thames has the second highest proportion of private rented properties in the borough.

Trend

The population in River is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 105.4%, from 17.5% up to 35.9%.

Anti-social Behaviour (ASB)

Status



Summary

- There were 2,960 ASB reports over the last 4 years in this ward, which is the equivalent of 59 per 100 properties.
- The most frequent types of anti-social behaviour in Thames are noise, eyesore gardens, and fly tipping.

ASB properties in PRS vs. other tenures

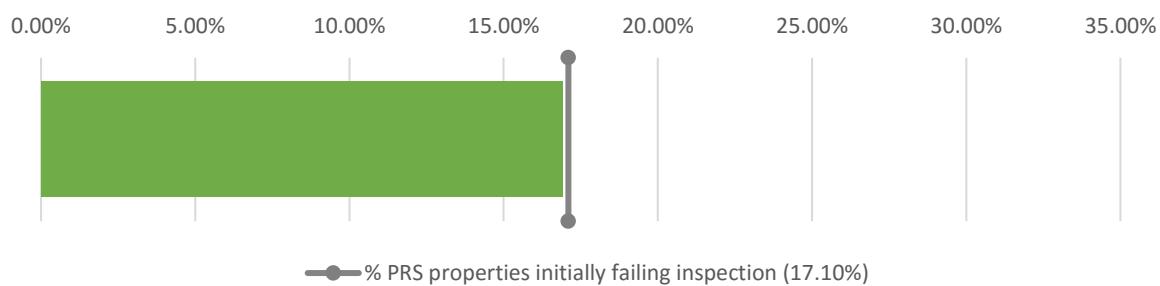


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 19.1% compared to 2014/15.

Private rental stock conditions

Status



Summary

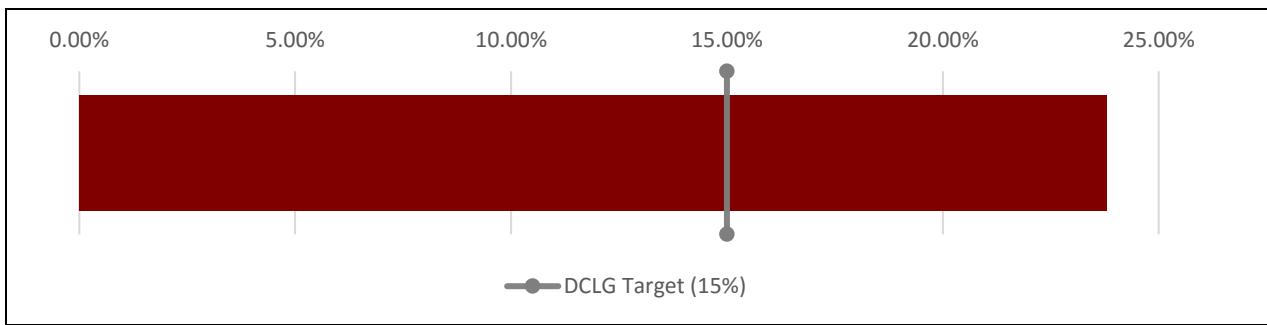
There are currently 1,827 private rented properties in Thames. The conditions of these properties can be broken down as follows:

- 82.9% compliant at first visit
- 14.9% that became compliant through informal or enforcement action
- 1.8% that remain non-compliant or with rejected licences as of March 2018
- 0% are not licensable
- 0.2% with temporary exemptions

Since the beginning of the PRPL scheme only 1.8% of visited properties remain non-compliant in this ward, pending enforcement action.

Migration

Status



Summary

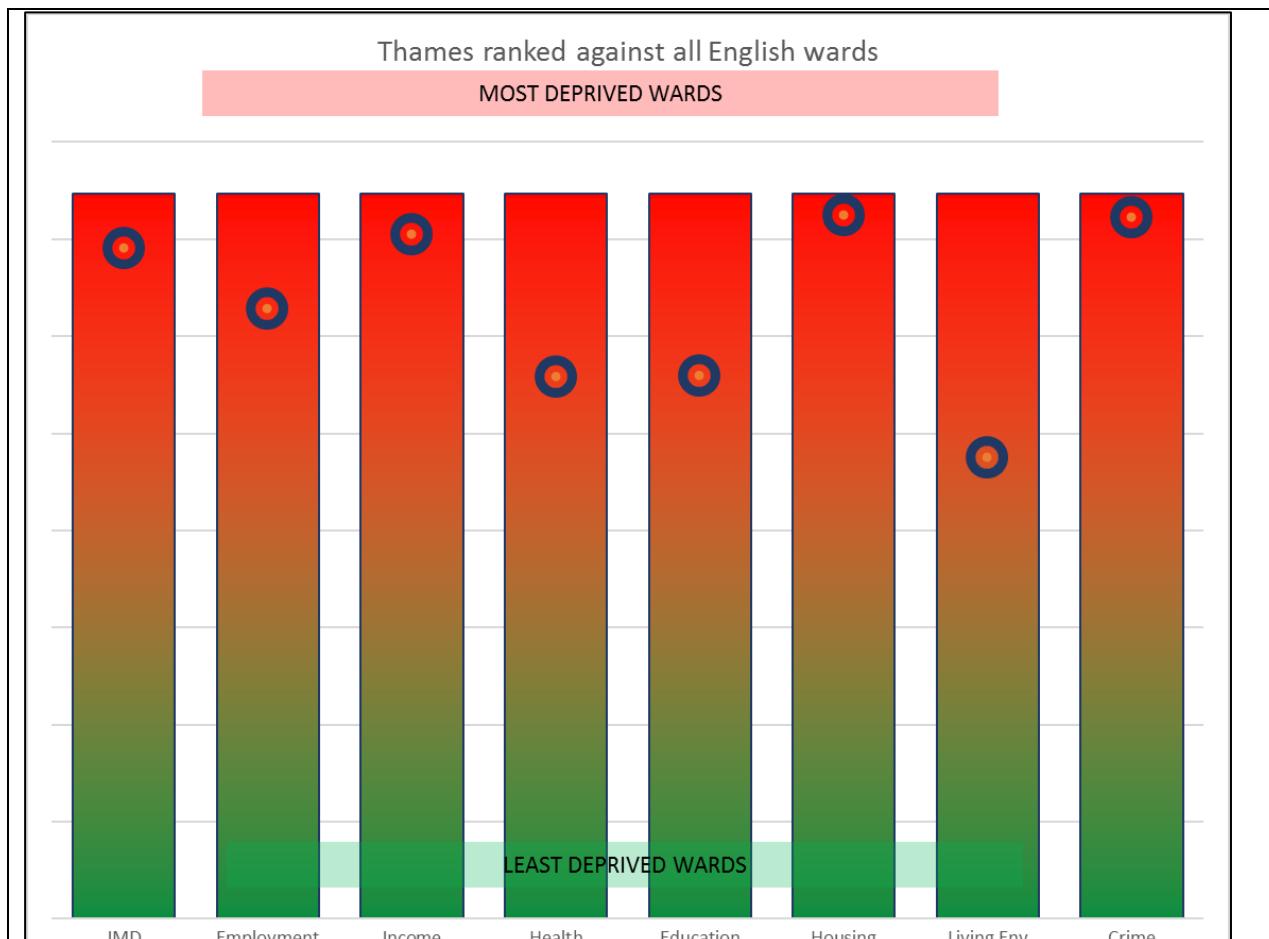
Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 23.8%.
- Thames ranks 7th for population churn in the borough.

Deprivation

Status





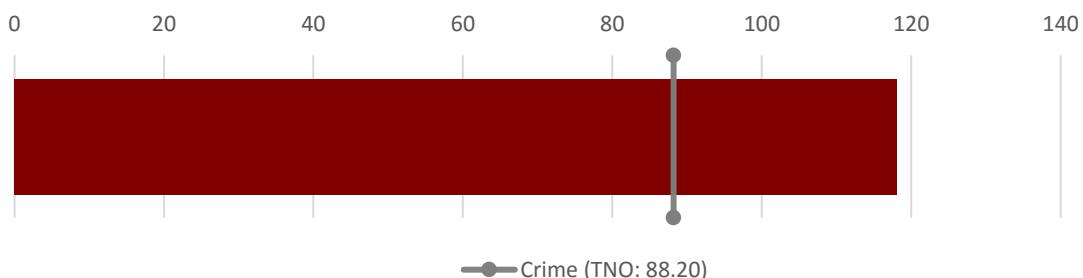
Summary

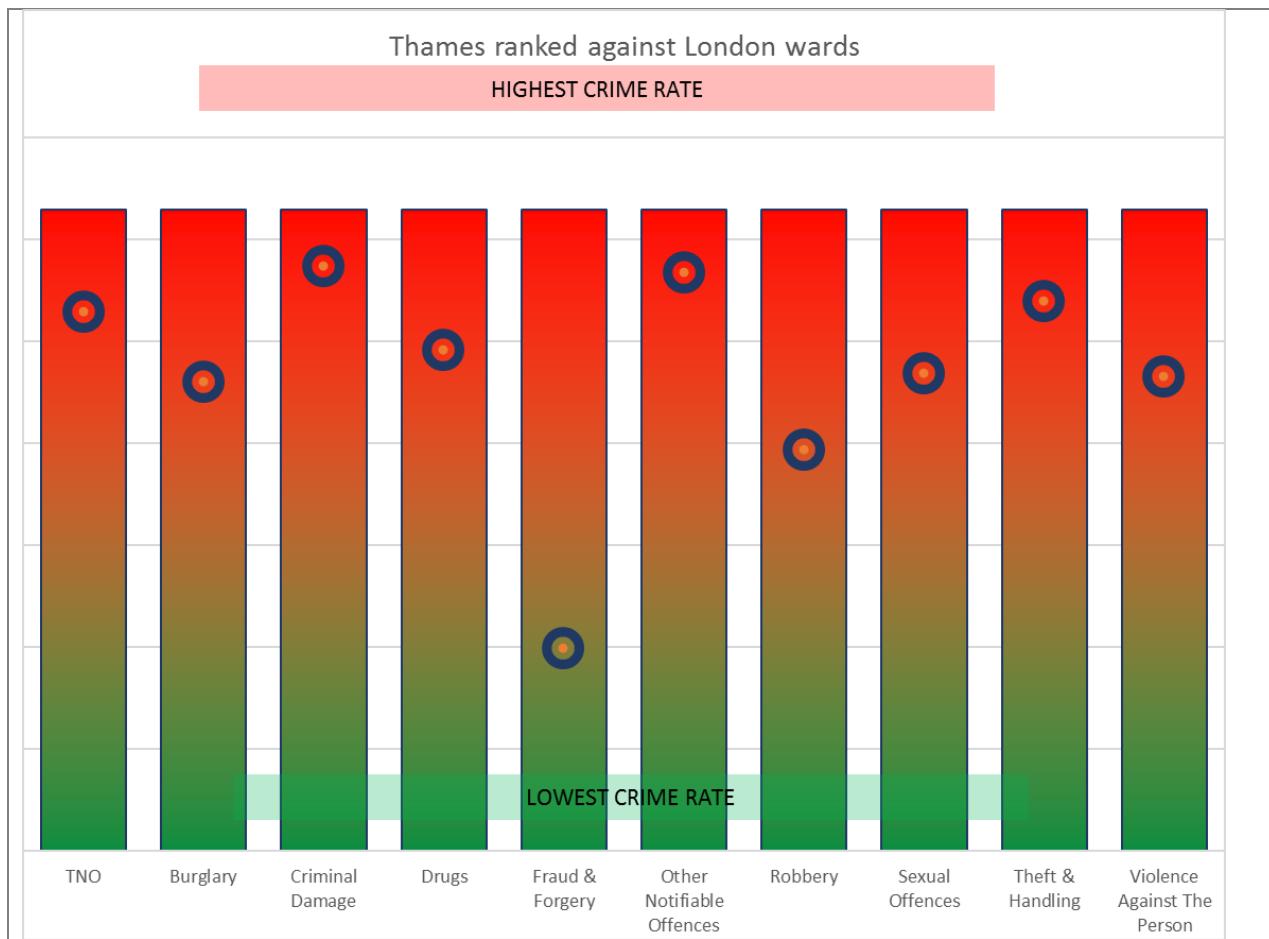
LBBB is the 4th most deprived borough in London and this ward has the 4th highest IMD score in the borough. Thames is one of the most deprived wards across England, scoring among the highest in:

- Housing
- Crime
- Income

Crime

Status





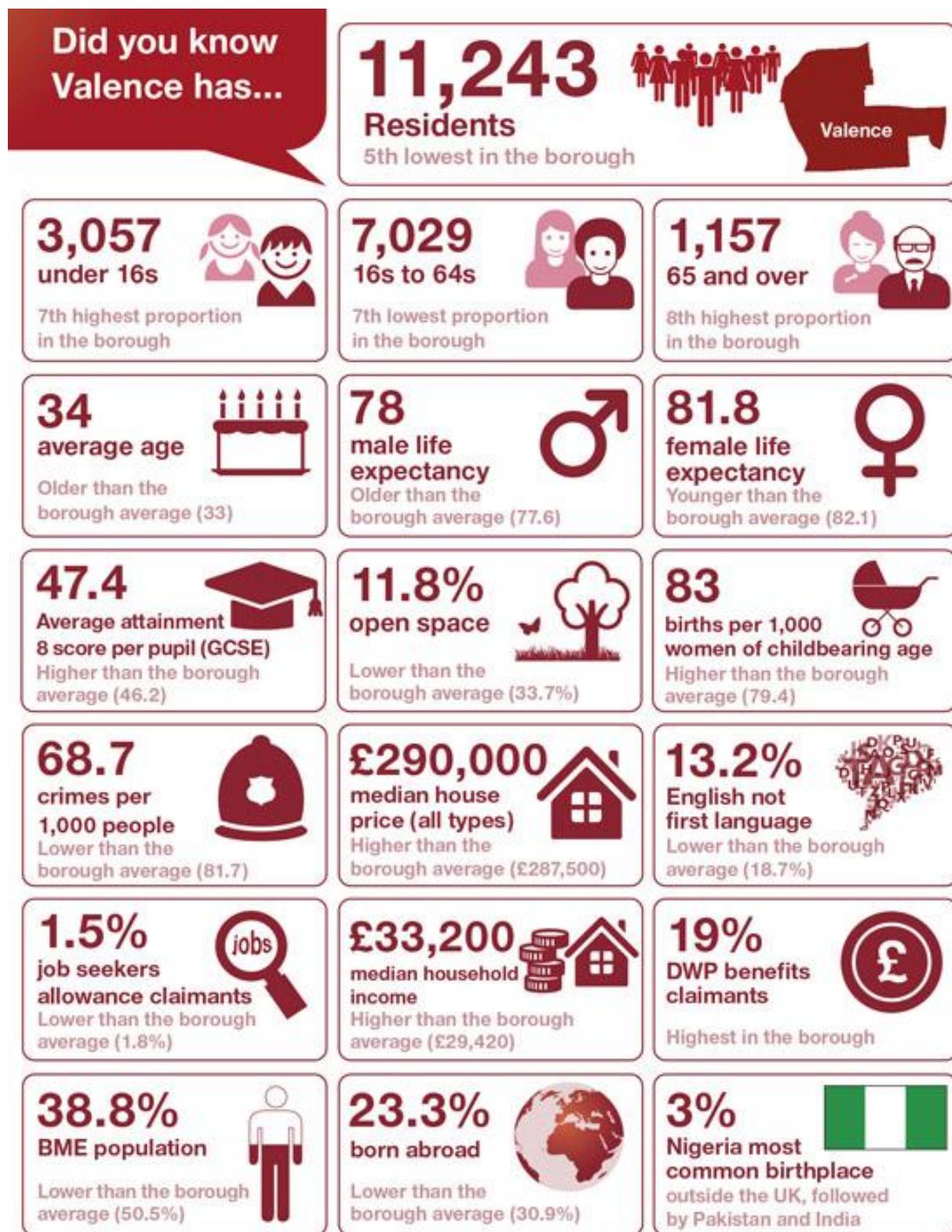
Summary

LBB has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery, and violence against the person.

This ward has the 2nd highest crime rate in the borough with 118.1 crimes recorded per 1,000 of the ward's population, second only to Abbey ward. The greatest contributors to this are:

- Criminal damage
- Theft and handling
- 'Other notifiable offences'

Valence

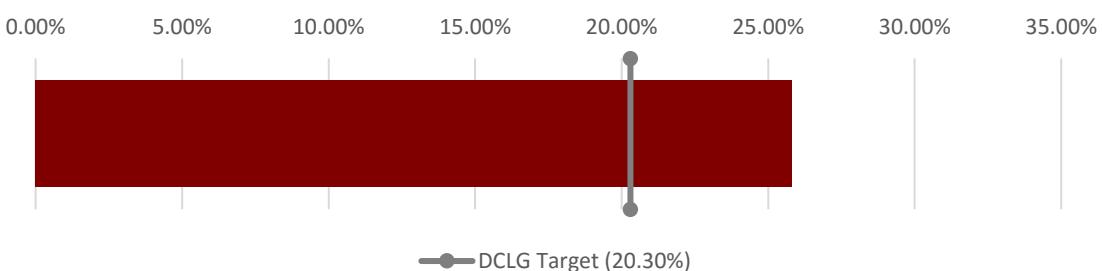


Private Rented Sector Licensing Criteria

Private rented sector	✓	<ul style="list-style-type: none"> • 25.8% - higher than the national average (20.3%). • 66% increase in PRS since the 2011 Census.
Low housing demand	✗	<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB	✓	<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions	✗	<ul style="list-style-type: none"> • Proportion of properties not compliant following an inspection is below the borough average.
High levels of migration	✓	<ul style="list-style-type: none"> • 20% total churn in population between 2015 and 2016.
High level of deprivation	✓	<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 17% of Valence within 10% most deprived in the country re barriers to housing and services. ○ 67% amongst 10% most deprived re crime.
High levels of crime	✗	<ul style="list-style-type: none"> • Crime rate is below the borough average.

Private rented properties (PRP)

Status



Summary

There are 4,086 households in Valence (2017 estimation). These properties are distributed as:

- 938 private rented properties (23.0%) (25.8% in 2018)
- 2,033 owner occupied properties (49.8%)
- 1,115 social rented properties (27.3%)

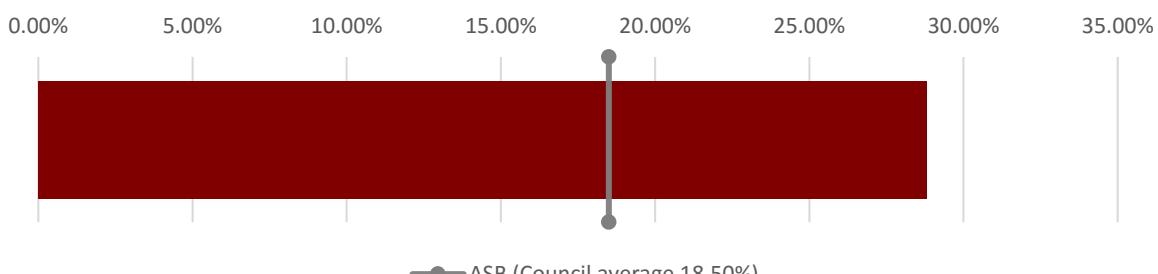
At 23%, Valence ranks as ninth highest proportion of private rented properties in the borough.

Trend

The population in Valence is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 66.4%, from 13.8% up to 23%.

Anti-social Behaviour (ASB)

Status



Summary

- There were 2,220 ASB reports over the last 4 years in this ward, which is the equivalent of 54 per 100 properties.
- The most frequent types of anti-social behaviour in Abbey are noise, eyesore gardens, and fly tipping.

ASB properties in PRS vs. other tenures

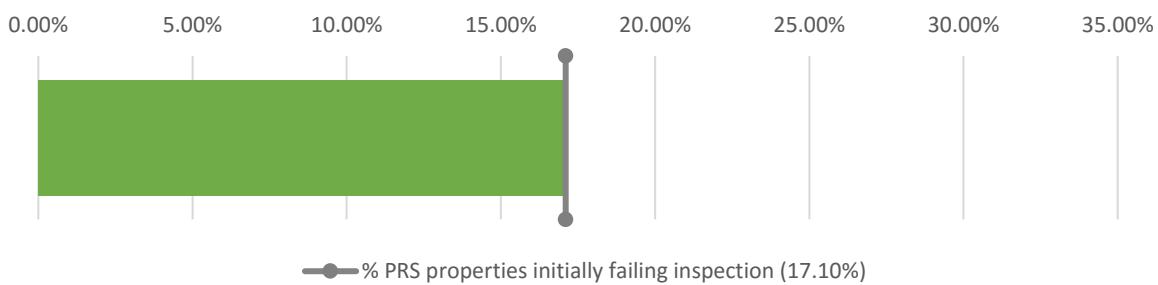


Trend

Since the introduction of the scheme, anti-social behaviour reporting has decreased by 17.5% compared to 2014/15.

Private rental stock conditions

Status



Summary

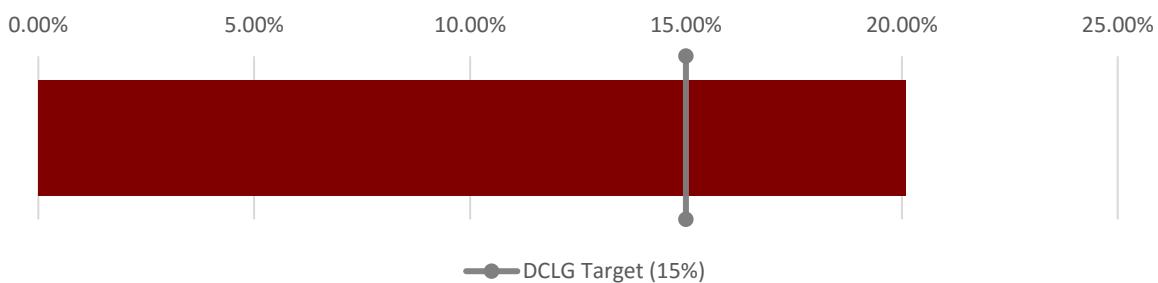
Compliance Visits:

- 82.5% compliant at first visit
- 15.9% that became compliant through informal or enforcement action
- 0.9% that remain non-compliant or with rejected licences as of March 2018
- 0.2% that are not licensable
- 0.4% with temporary exemptions

Since the beginning of the PRPL scheme only 5 of visited properties remain non-compliant in Valence, pending enforcement action.

Migration

Status



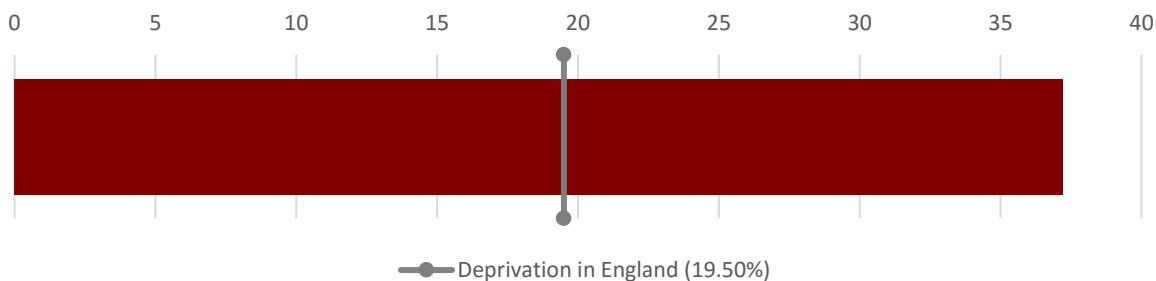
Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in this ward in relation to the borough is 20.7%.
- Valence ranks 11th for population churn in the borough.

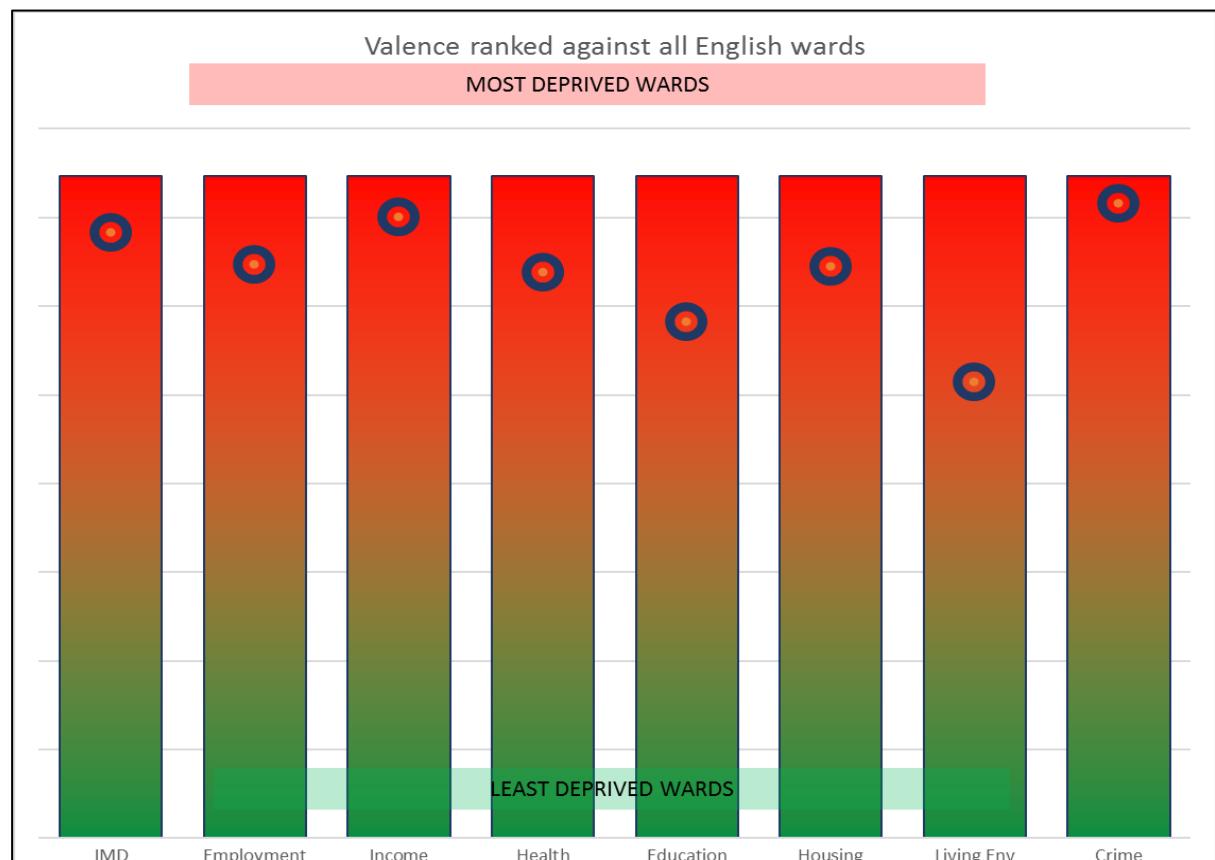
Deprivation

Status



Valence ranked against all English wards

MOST DEPRIVED WARDS



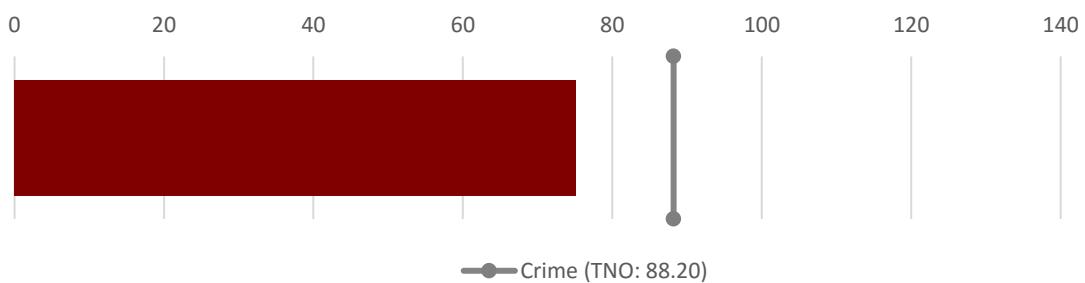
Summary

The London Borough of Barking & Dagenham is the 4th most deprived borough in London. This ward has the 7th highest IMD score in the borough. Valence is one of the most deprived wards across England, scoring especially high in:

- Crime
- Income
- Employment

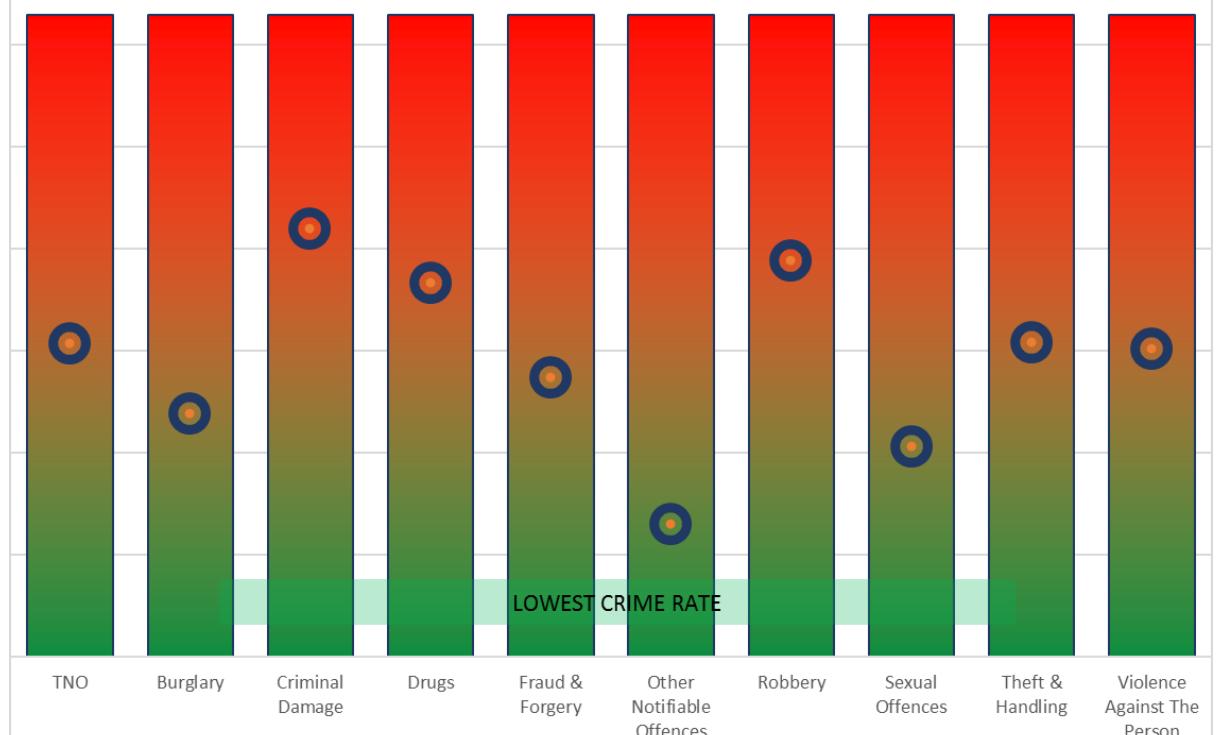
Crime

Status



Valence ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking & Dagenham has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery, and violence against the person.

This ward ranked 13th in its crime rate in the borough with 75.2 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are:

- Criminal damage
- Robbery
- Drugs

Village

**Did you know
Eastbrook has...**

11,337

Residents

6th lowest in the borough



2,452
under 16s



Lowest proportion
in the borough

7,186
16s to 64s



7th highest proportion
in the borough

1,699
65 and over



Highest proportion
in the borough

37
average age



Oldest in the borough

78.3
male life
expectancy



Older than the
borough average (77.6)

81.3
female life
expectancy



Younger than the
borough average (82.1)

46.2



Average attainment
8 score per pupil (GCSE)

Same as the borough average

50.4%
open space



2nd highest proportion
in the borough

71.7



births per 1,000
women of childbearing age

Lower than the borough
average (79.4)

69



crimes per
1,000 people

Lower than the
borough average (81.7)

£322,500
median house
price (all types)



Higher than the
borough average (£287,500)

9.7%



English not
first language

Lowest proportion
in the borough

2.1%



job seekers
allowance claimants

2nd highest proportion
in the borough

£37,400



median household
income

Higher than the borough
average (£29,420)

13.1%



DWP benefits
claimants

Lower than the
borough average (14.7%)

31%



BME population

Lowest proportion
in the borough

19%



born abroad

Lowest proportion
in the borough

3.7%



Nigeria most
common birthplace

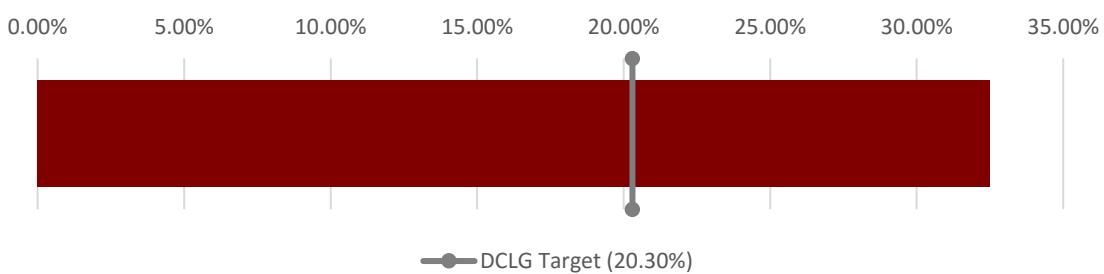
outside the UK, followed
by Lithuania and Ireland

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 32.5% - higher than the national average (20.3%). • Higher than the London average (30.0%). • 78% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Lower proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • 20% of properties were not compliant following a visit – higher than the borough average.
High levels of migration		<ul style="list-style-type: none"> • 22% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • All domains higher than national average. • Six (out of 7) domains higher than London average. <ul style="list-style-type: none"> ○ 33% of Village within 10% most deprived (overall) in the country. ○ 67% amongst 10% most income deprived. ○ 67% amongst 10% most deprived re barriers to housing and services. ○ 50% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is above the borough average. • Higher than both the borough and London averages for: <ul style="list-style-type: none"> ○ Criminal damage; ○ Drugs; and ○ Violence against the person.

Private rented properties

Status



Summary

There are 4403 households in Village (2017 estimation). These properties are distributed as:

- 1361 private rented properties (30.9%) (32.5% in 2018)
- 1815 owner occupied (41.2%)
- 304 social rented (6.9%)

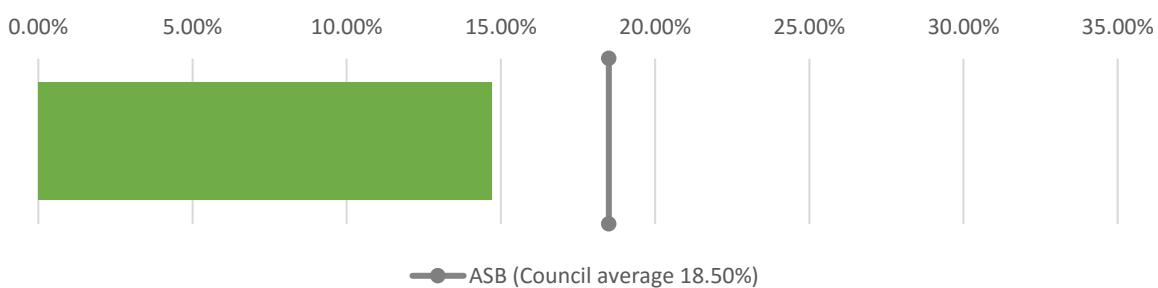
At 30.9% Village has fourth highest proportion of private rented properties of all wards in the borough.

Trend

The population in Village is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 77.6%, from 17.4% to 30.9%.

Anti-social Behaviour (ASB)

Status



Summary

- There were 2,182 ASB reports over the last four years in Village, which is equivalent to 49.7 per 100 properties.
- The most frequent type of anti-social behaviour in Village is noise

At 30.9%, Village has the fourth highest proportion of private rented properties in the borough.

ASB properties in PRS vs. other tenures

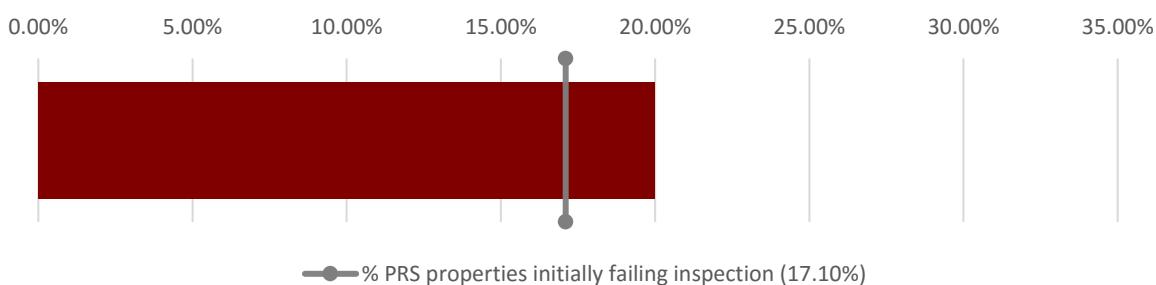


Trend

Anti-social behaviour continues to be a concern in Village and has increased by 34.5% since 2014/15, with enforcement action ongoing.

Private rental stock conditions

Status



Summary

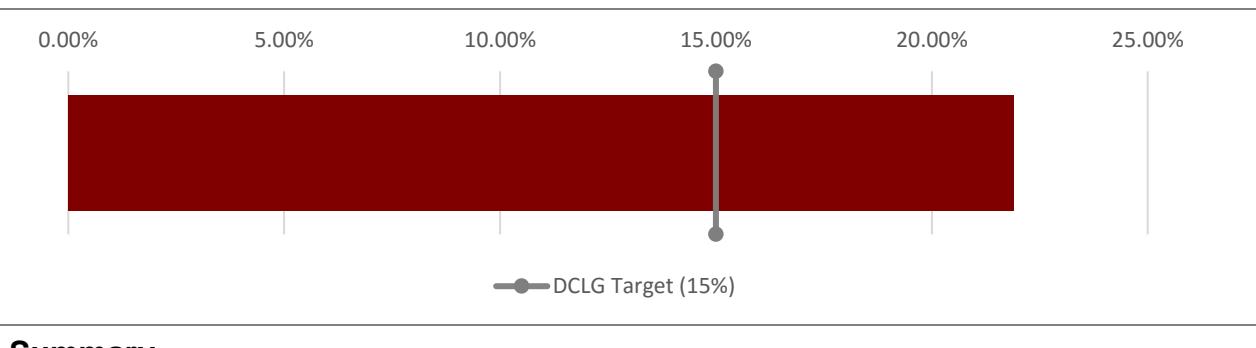
Compliant Visits:

- 80% compliant at first visit
- 15.4% that became compliant through informal or enforcement action (combined)
- 4.6% remain non-compliant or with rejected licences as of March 2018, pending further action.

Since the beginning of the PRPL scheme only 29 of visited properties remain non-compliant in River, pending enforcement action.

Migration

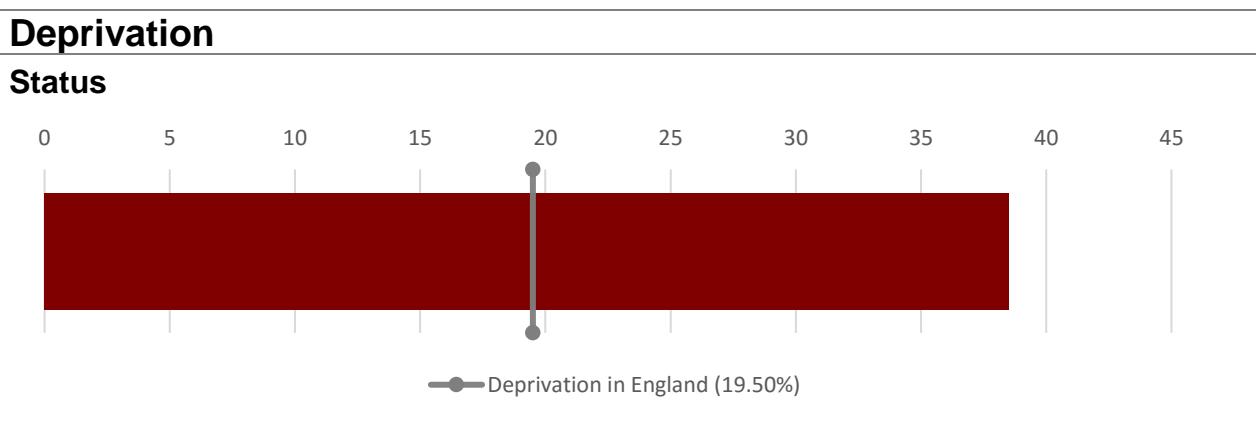
Status

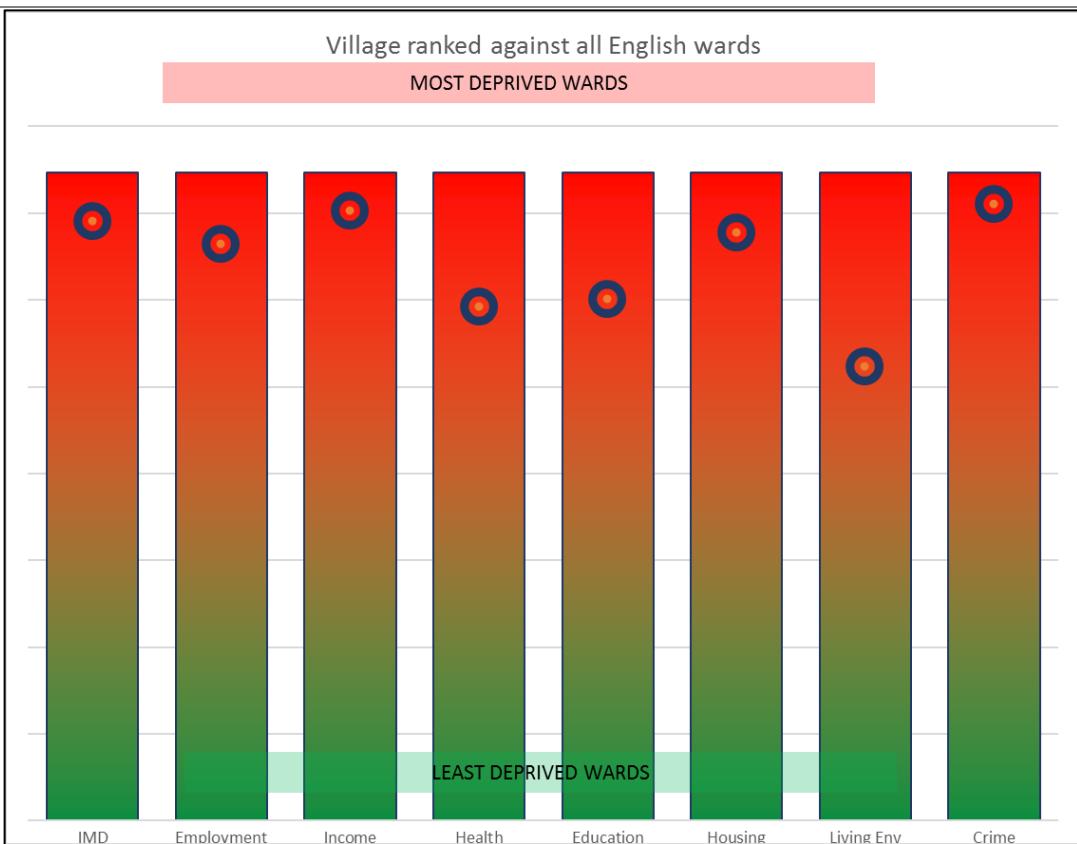


Summary

Recent migrants predominately move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The churn of the population in Village is 21.9%.
- River ranks joint 7th for population churn in the borough.





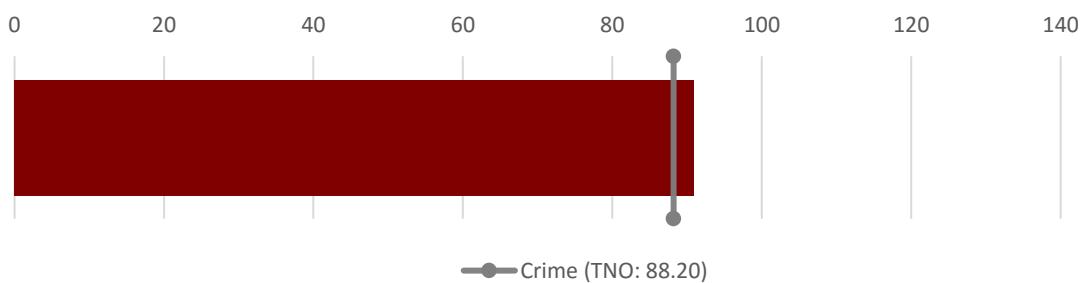
Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the fifth highest IMD score in the borough and the greatest contributors to this are as follows:

- Crime
- Housing
- Income

Crime

Status





Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with especially high rates for criminal damage, robbery and violence against the person.

Village has the has the fifth highest crime rate in the borough with 90.9 crimes recorded per 1,000 of the ward's population. The greatest contributors to this are as follows:

- Violence against the person

Whalebone

**Did you know
Whalebone has...**

11,728

Residents

9th highest in the borough



3,034

under 16s



4th lowest proportion
in the borough

7,478

16s to 64s



4th highest proportion
in the borough

1,216

65 and over



7th highest proportion
in the borough

34

average age



Older than the
borough average (33)

79.5

**male life
expectancy**



Older than the
borough average (77.6)

85.8

**female life
expectancy**



Older than the
borough average (82.1)

46.6

**Average attainment
8 score per pupil (GCSE)**



Higher than the
borough average (46.2)

16%

open space



Lower than the
borough average (33.7%)

73.4

**births per 1,000
women of childbearing age**



Lower than the borough
average (79.4)

73.4

**crimes per
1,000 people**



Lower than the
borough average (81.7)

£330,000

**median house
price (all types)**



2nd highest in the borough

16.9%

**English not
first language**



Lower than the borough
average (18.7%)

1.1%

**job seekers
allowance claimants**



2nd lowest in the borough

£37,180

**median household
income**



Higher than the borough
average (£29,420)

10.3%

**DWP benefits
claimants**



Lowest in the borough

51.8%

BME population



Higher than the borough
average (50.5%)

29.2%

born abroad



Lower than the
borough average (30.9%)

3.4%

**India most
common birthplace**



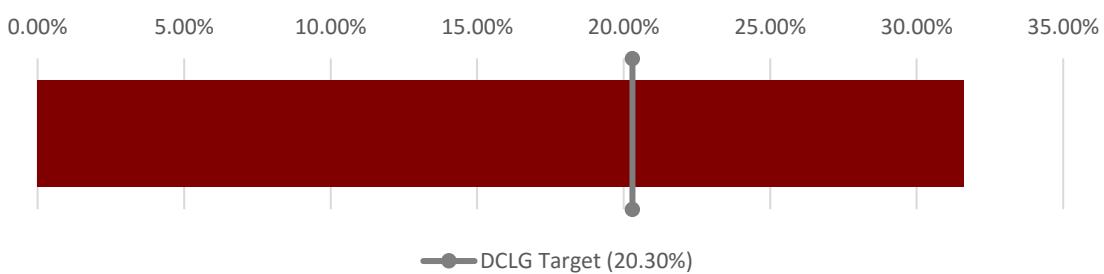
outside the UK, followed by
Nigeria and Pakistan

Private Rented Sector Licensing Criteria

Private rented sector		<ul style="list-style-type: none"> • 31.6% - higher than the national average (20.3%). • Just below the London average (30.0%). • 34% increase in PRS since the 2011 Census.
Low housing demand		<ul style="list-style-type: none"> • High demand for housing throughout the borough.
A significant and persistent problem caused by ASB		<ul style="list-style-type: none"> • Higher proportion of PRS properties with a report of ASB than the borough average.
Poor property conditions		<ul style="list-style-type: none"> • 19% of properties were not compliant following a visit – higher than the borough average.
High levels of migration		<ul style="list-style-type: none"> • 25% total churn in population between 2015 and 2016. • Some areas have a high concentration of PRS residents arriving in the borough.
High level of deprivation		<ul style="list-style-type: none"> • IMD 2015 higher than national and London averages. • Six (out of 7) domains higher than national average. • Five domains higher than London average. <ul style="list-style-type: none"> ○ 84% of Whalebone within 20% most deprived in the country re barriers to housing and services. ○ 33% amongst 10% most deprived re crime.
High levels of crime		<ul style="list-style-type: none"> • Crime rate is below the borough average. • Higher than both the borough and London averages for: <ul style="list-style-type: none"> ○ Burglary; and ○ Fraud and forgery. • Burglary rate is highest in the borough.

Private rented properties

Status



Summary

There are 4,381 households in Whalebone ward (2017 estimation). These properties are distributed as:

- 1,308 private rented properties (29.9%) (31.6% in 2018)
- 2,769 owner occupied (63.2%)
- 304 social rented (6.9%)

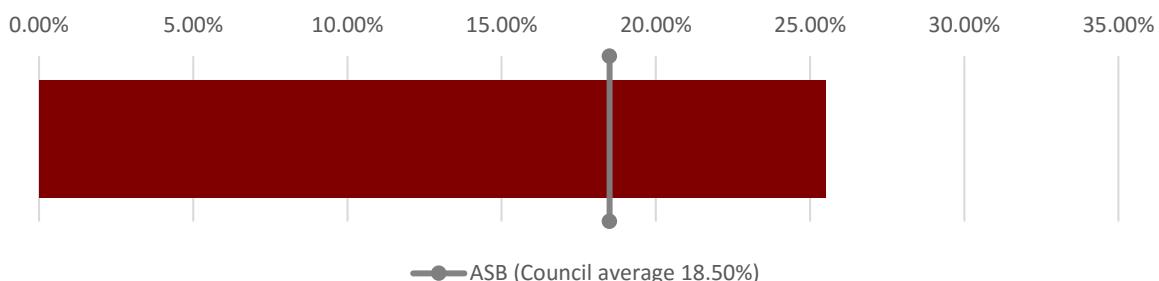
At 29.9% Whalebone has the 6th highest proportion of private rented properties of all wards in the borough.

Trend

The population in Whalebone is growing rapidly and especially in private rented properties. Between 2011 and 2017, the proportion of private rented properties in the ward grew by 33.9%, from 22.3% to 29.9%

Anti-social Behaviour (ASB)

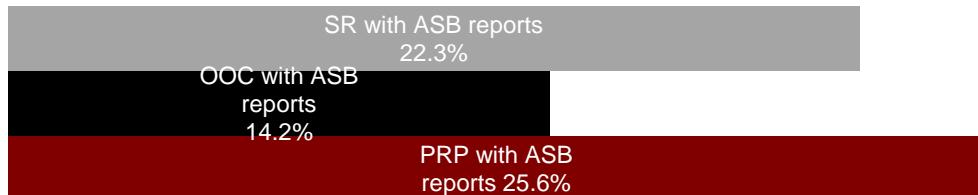
Status



Summary

- There was a total of 2,611 reports of ASB over the last four years in Whalebone, which is the equivalent of 59.8 per 100 properties.
- The most frequent types of anti-social behaviour in Whalebone are noise, eyesore gardens, and fly tipping.

ASB properties in PRS vs. other tenures

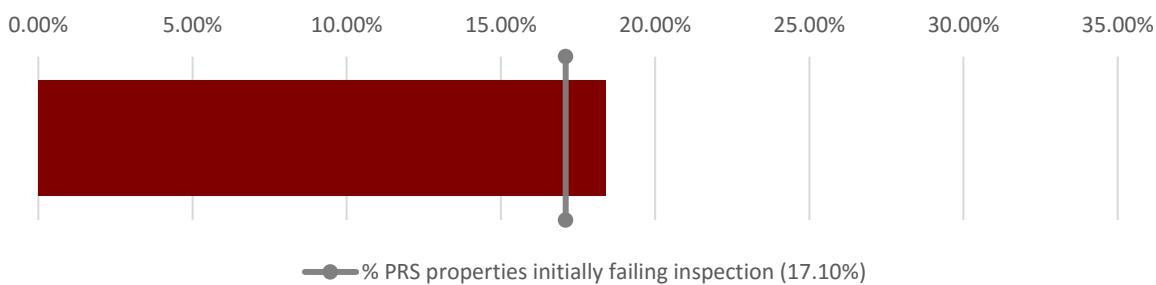


Trend

Anti-social behaviour continues to be a problem in Whalebone and has increased by 40.4% since 2014/15.

Private rental stock conditions

Status



Summary

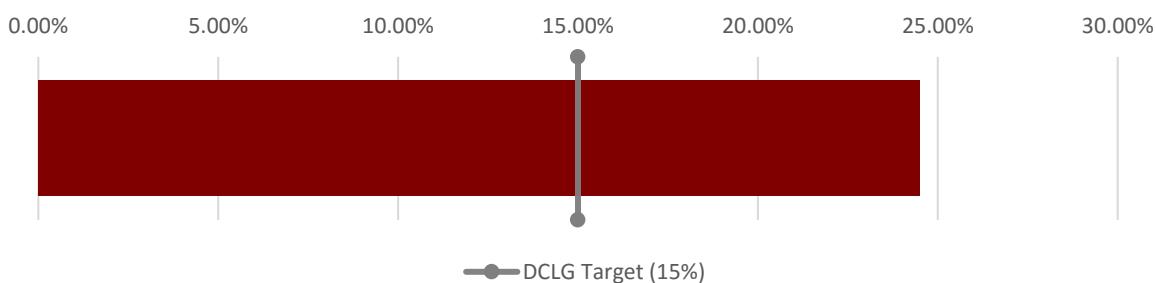
Compliance Visits:

- 81.3% compliant at first visit
- 16% that became compliant through informal or enforcement action (combined)
- 2.5% remain non-compliant or with rejected licences as of March 2018, pending further action.
- 0.3% Temporary exemption

Since the beginning of the PRPL scheme only 16 of visited properties remain non-compliant in River, pending enforcement action.

Migration

Status



Summary

Recent migrants predominantly move into the private rented sector. A higher than average proportion of private rented properties that did not meet the scheme standards are those occupied by migrants. This makes migrants a particularly vulnerable group.

- The population churn in Whalebone is 24.5%
- Whalebone has the third highest churn in the borough

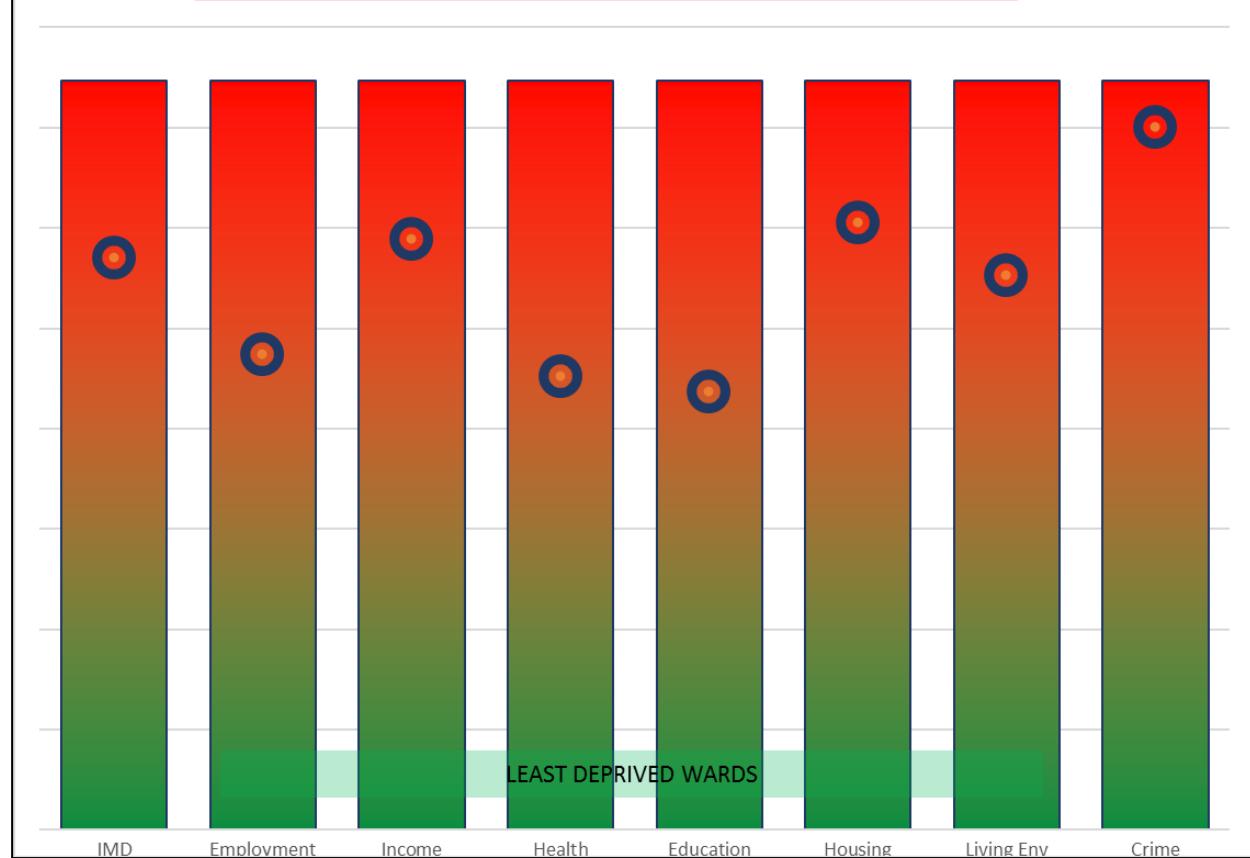
Deprivation

Status



Whalebone ranked against all English wards

MOST DEPRIVED WARDS

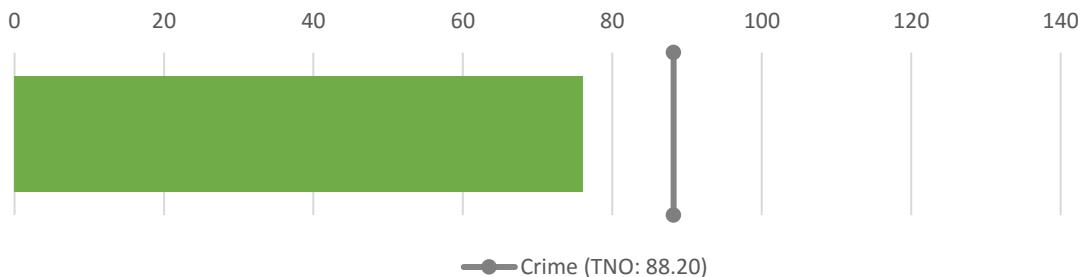


Summary

The London Borough of Barking and Dagenham is the 4th most deprived borough in London. This ward has the fifth highest IMD score in the borough and the greatest contributors to this are as follows:

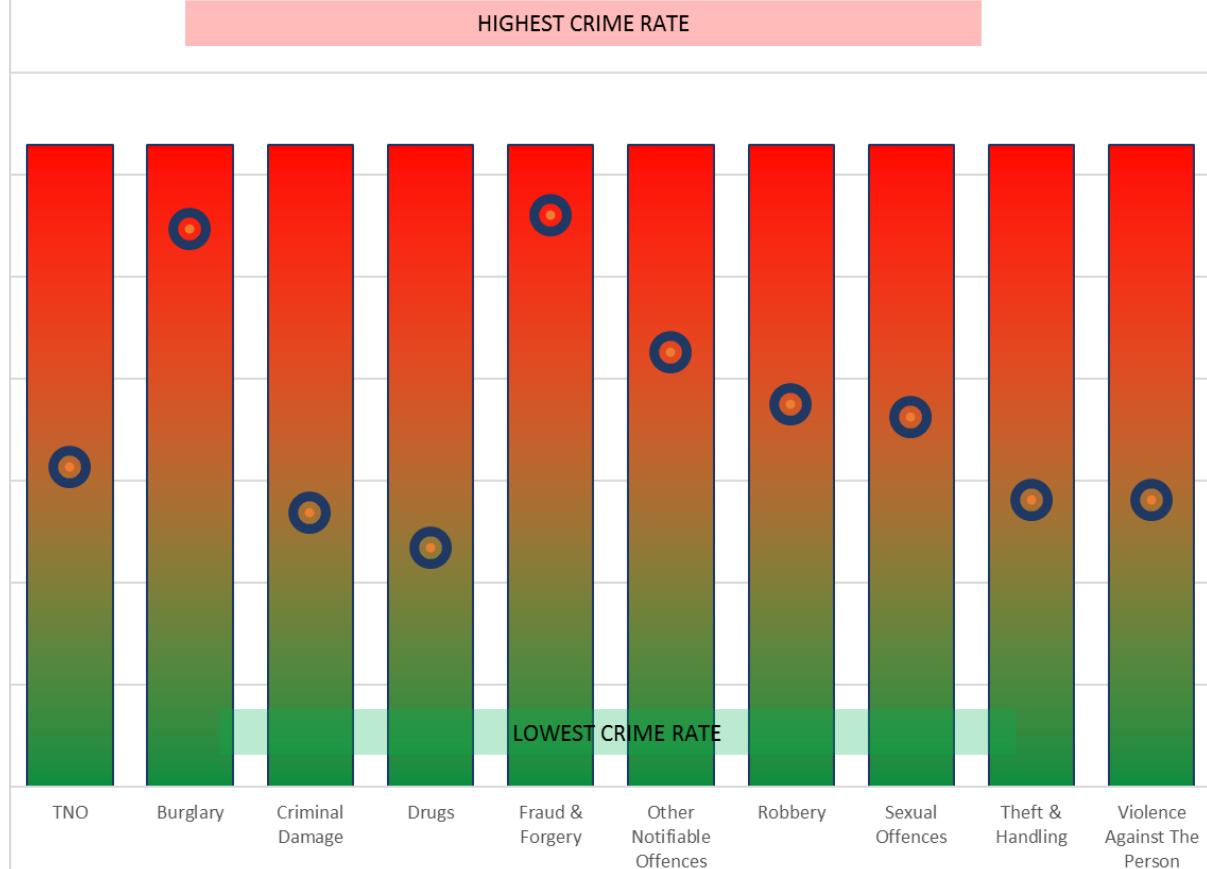
Crime

Status



Whalebone ranked against London wards

HIGHEST CRIME RATE



Summary

The London Borough of Barking and Dagenham has a higher crime rate than the average for all outer London boroughs, with an especially high rate for criminal damage, robbery, and violence against the person.

Matrix Summary

Page 387



What the ward profiles tell us

The above profiles indicate that, as of May 2018, all 17 wards in our borough have a proportion of privately rented properties that exceeds the national average and, additionally, that every ward meets at least 2 of the conditions that enable a selective licensing designation; and some meet 4. This means that every ward is potentially eligible for a selective licensing designation.

Our ward analysis indicates that every ward without exception has experienced at least a 33% increase in the number of private rented sector properties between 2011 and 2017.

During the period of the proposed new designation, it is highly likely that the growth of our private rented sector will continue. This assumption can be made by an analysis of historical trends in all our wards, and regarding the contemporary social and political climate of housing in London.

The ward profiles also show us that the vast majority of the wards have a much higher number of private rented properties associated with at least one instance of ASB compared with the other, most common types of housing: owner-occupied accommodation and social housing.

It is important that a designation is borough-wide, as all wards are suffering, for example, from high levels of ASB in private rented properties, some more so than others. The ward profiles also show us that every ward in the borough has experienced a significant population churn because of migration. Deprivation in every ward is also considerably higher than the London average according to the Index of Multiple Deprivation.

APPENDIX 2

Our public consultations

Section 80(9) of the Housing Act 2004 requires LHAs, when considering whether to designate an area as subject to selective licensing, to take reasonable steps to consult persons who are likely to be affected by the designation, and to consider any representations made in accordance with the consultation.

These requirements are reiterated in the Government's 2015 Guidance: *Selective licensing in the private rented sector - A Guide for local authorities* (March 2015).

We are undertaking an extensive three-stage consultation about our proposal to re-designate the borough as subject to selective licensing, with an array of stakeholders including landlords and their representative agents, tenants in the private rental sector, borough residents, and residents of other parts of London.

Stage 1 of the consultation ran for a ten-week period from 25th August to 3rd November 2017 and aimed to gather views about the current licensing scheme from landlords and letting agents.

Stage 2 ran for a twelve-week period from 1st December to 23rd February 2018 and widened the scope of the consultation's respondents to include not only landlords and letting agents, but also tenants and residents. This consultation presented options for a new scheme and took the findings from Stage 1 into account.

This report represents Stage 3 of our consultation exercise, which will run for a further twelve-week period, from X to X. It presents our proposal for a new selective licensing scheme and seeks the further views of landlords and letting agents, businesses in the surrounding areas, neighbouring boroughs, private rental tenants, and residents.

The reports from Stages 1 and 2 of the consultation exercise and summaries of them can be found below.

Consultation Stage 1: 25th August – 3rd November 2017

Overview

We received 781 responses in total to Stage 1 of our consultation: 755 from landlords and 25 from letting agents.

Our key findings are summarised below.

We asked stakeholders various open questions about our current licensing scheme, including:

- What effect has the scheme had on your property?
- What has been the effect of anti-social behaviour associated with the private rental sector?
- How could the current scheme be improved? and
- Please add any further comments below

An analysis of the written responses suggests that about of 70% of respondents had negative feelings about the scheme. Feelings commonly expressed included:

- This is a money-making scheme for the council and a tax on landlords
 - “It is a money-making scheme. Landlords have a lot of expenditures and additional charges such as this does not help landlords”
 - “Absolute money-making venture for the council. Terrible experience for me, of no use to me, a total waste of my time and my tenant's time.”
 - “The licensing scheme is just a money-making avenue for the Borough, it has no impact on the quality, I have always kept the property in top condition.”
- Obtaining a licence is expensive and no service is offered in return
 - “A lot of money for not much return. I have not seen any evidence that it has improved standards across the borough or has dealt with issues that previous/existing legislation could have done.”
 - “The fee is high to register, and it does not seem as if the council is providing a good service in return.”
- The application and inspection processes are badly organised, slow, and unprofessional.
 - “As I recall it took some time for the application process to be completed, through no fault of my own, but owing to delays from the Council team dealing with the applications.”
 - “found the application process confusing and could not find the landlords terms and conditions on the website.”
- Responsible landlords are penalised, especially those with only one property.
 - “As a landlord who cares about their property, a licence does not make me act any different or change my duty of care for my property. I had

every intention of being a good landlord regardless. I find the scheme to be a complete disregard for good landlords”

Analysis

Stage 1 of the consultation exercise indicated in particular that landlords, who considered themselves responsible and compliant, felt that they were being treated harshly. Detailed analysis and question responses can be seen in the PDF below.

In light of the responses to Stage 1 of our consultation exercise, it was important that Stage 2 respond to the feelings commonly expressed by respondents.

Please refer to supporting documents for the report on the analysis of the informal consultation review.

Consultation Stage 2: 1st December 2017 – 23rd February 2018

Overview

We received 816 responses in total from the following stakeholders: landlords, property agents, tenants in the private rental sector, business owners, residents of Barking and Dagenham, residents out of the borough, and others.

We asked our stakeholders various questions about a new licensing scheme, including:

- Do you think a new scheme would have a positive impact, negative impact, or no impact?
- How important is a licensing scheme in addressing the following features of the private rented sector? ...
- Should landlords with a history of providing a good service be acknowledged by the council in a positive way?
- Should landlords with a history of providing a bad service be acknowledged by the council in a negative way?

Common proposals to address problems caused by so-called bad landlords were as follows:

- Offer of support and training
 - “The landlord should be given some sort of incentive and training or clear instruction on how to provide a good service to their tenant”

- “Training and support. Not draconian punishments.”
- Prohibit bad landlords from renting out property
 - “They should be prosecuted and banned from renting private properties to stop them making money from the vulnerable”
 - “A bad landlord needs to be stopped and action taken. They should be refused to let out their properties as this will hit the landlord harder”



Analysis

Given the responses to Stage 2 of the consultation exercise, it was important that Stage 3 reflect the consensus view that we should distinguish between so-called good and bad landlords. By building on the sentiments expressed at Stage 2, we have been able to present the public with a proposed fee scheme, which recognizes and rewards landlord compliance.

A detailed analysis of Stage 2 of the consultation can be found in the appendices of the report on the webpage titled Review of Informal Consultation.

Consultation Stage 3: Friday 21st September 2018

This report represents Stage 3 of our consultation exercise and, as indicated above, presents our proposal for a new borough-wide, selective licensing scheme.

The exercise will run from Friday 21st September 2018 to Monday 17th December 2018.

APPENDIX 3

Data and methodology

Population growth

The key sources of information regarding tenure and change over time has been the Census from 1981 to 2011.

Population data between 1981 and 2011 has been collated using census data, and 2017 population estimates have been created by a combination of administrative records such as the current private sector licensing scheme, Council tax and benefit records.

For 2017 we have used a combination of administrative sources, including the current private sector licensing scheme, Council tax and benefit records.

The 2017 estimate for the number of private rented properties is likely to be conservative, given that we believe there may be a significant number of properties for which we do not hold data that would define them as such.

Our most recent estimate of private rented occupied properties is 20,115 in October 2017.

Anti-social behaviour

We receive ASB reports through several contact points, either directly, by email, through our Call Centre, Member enquiries or our website.

These complaints/reports may relate to individual addresses or non-addressable locations such as a street, or park. The council system used to collate these reports is called Civica.

ASB-related and additional data were collected from Civica for dates between 1st April 2013 and 31st March 2017, spanning 4 years and totalling 62,923 records.

This period enabled us to create an overall picture of ASB in the borough, as well as a change-over-time analysis. It was therefore possible to compare changes that may have occurred since the introduction of the current selective licencing scheme.

These data were separated into property-related and non-property-related events to enable two levels of analysis.

The coding categories on Flare/Civica are numerous and sometimes inconsistent, so an exercise to re-categorise the 150+ variations was undertaken to reduce these categories to just 6, enabling a more robust analysis.

The final categories for this stage of the analysis are as follows.

- ASB: ASB (general), Eyesore Gardens, Fly tips, Noise, Graffiti (total – 43,598)
- Service Requests: Pest related service requests, building condition related service requests. (4,664)
- Other: this category included commercial related records and were not used in the analysis. (11,501)

To identify records associated with a property, we selected all records that had a full address attached.

For all ASB, pest and condition categories this resulted in 35,617 records. The addresses for these records were matched against our Land and Property Gazetteer to establish a geographical grid reference and Unique property reference number (UPRN) for each property.

We then joined the geo-coded records with our Resident Matrix to enable the identification of tenure, ward, and other factors at a household level.

Tenure was simplified into “Social Rented”, “Private Rented” and “Owner Occupied”.

The Residents Matrix is a “census” of all occupied households and residents in the borough. It is derived from local Council and NHS administrative datasets and aims to cover all residents, regardless of whether they are council service users.

We created a second dataset, which included all records described above as well as records associated with a location other than a property – for example a street or park.

To measure change over time, we selected the financial years 2014/15 and 2016/17, representing a year at the beginning of the selective licencing scheme and a year which included the most current data available.

Housing conditions

We gather our data regarding the condition of properties in the private rented sector during visits undertaken by our Compliance Officers. They use the HSSRS Category 1 and 2 hazards list, under Part 1 of the Housing Act 2004, to determine the severity and type of hazards found at a property.

Migration

The Office for National Statistics (ONS) produces annual mid-year population figures, which are accompanied by information about births, deaths, and migration

(components of change). From these figures we can ascertain and describe migration levels.

Table 11 shows the components of migration between mid-2007 and 2016.

YEAR	Internal Migration In	Internal Migration Out	Internal Migration Net	International Migration In	International Migration Out	International Migration Net
2007	10,970	12,475	-1,505	2,819	1,125	1,694
2008	11,037	11,982	-945	3,360	892	2,468
2009	11,107	10,737	370	3,679	948	2,731
2010	11,228	11,361	-133	3,878	574	3,304
2011	10,840	11,487	-647	3,160	586	2,574
2012	11,975	12,527	-552	2,477	906	1,571
2013	12,354	12,612	-258	2,272	869	1,403
2014	12,928	14,046	-1,118	3,426	883	2,543
2015	12,923	14,099	-1,176	3,347	838	2,509
2016	12,687	14,263	-1,576	4,125	824	3,301

International Migration change over 10 years to 2016

Table 11: Migration Levels between 2007-2006

Source ONS mid-year estimates

The table demonstrates a steadily increasing number of people migrating into the borough each year – and critically a net increase in the borough’s population.

International migration into the borough has been the main driver of this net increase.

Importantly, because of this high population turnover there is a correspondingly high churn in property and, as described in this report, this is concentrated in the private rented sector.

Deprivation

The index of multiple deprivation (IMD) is the official measure of relative deprivation for small areas or neighbourhoods in England.

IMD 2015 ranks every small area or neighbourhood in England from 1 (most deprived area) to 32,844 (least deprived area) and is based on 37 separate indicators, organised across seven distinct domains of deprivation, which are combined using the following weights:

- Income deprivation 22.5%;
- Employment deprivation 22.5%;
- Health deprivation and disability 13.5%;
- Education, skills and training deprivation 13.5%;

- Barriers to housing and services 9.3%;
- Crime 9.3%; and
- Living environment deprivation 9.3%,.

The small areas or neighbourhoods used are called lower-layer super output areas (LSOAs), of which there are 32,844 in England. They are designed to be of a similar population size with an average of 1,500 residents each. There are 110 LSOA's in Barking and Dagenham.

We compared deprivation scores for the wards in our borough with scores for the following:

- London Borough of Barking & Dagenham
- London
- England

Rates for Job Seekers Allowance claimants are published at borough, ward and LSOA level by ONS on a regular basis. These reflect the number of claimants as a proportion of the working age population.

Household income data for 2016 is available from CACI (Paycheck Directory) at borough, ward and LSOA level.

Crime

Each month, the Metropolitan Police publish data about the number of crimes at three different geographic levels in London (borough, ward, lower super output area), according to crime type. Data is available for both major and minor crime categories.

We have matched this data to the ONS 2016 mid-year population estimates to establish rates of major and minor crimes per 1,000 population at region, borough, ward and LSOA level.

We have also compared rates of crime per 1,000 population for the most recently available 12-month period (December 2016 to November 2017) with rates for the previous 12-month period (December 2015 to November 2016).

We compared crime rates for each ward in the borough with average rates for the following:

- Barking & Dagenham
- London
- East London
- Outer London
- our CIPFA nearest neighbours.

APPENDIX 4

Proposed Application Form

Please refer to the supporting documents on the website to locate this document.

APPENDIX 5

Proposed Licensing Conditions

Please refer to the supporting documents on the website to locate this document.

APPENDIX 6

Equality Impact Assessment

Please refer to the supporting documents on the website to locate this document.

APPENDIX 7

Proposed Designation

Please refer to the supporting documents on the website to locate this document.

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Private Rented Property Licensing Selective Scheme 2019.**Response to Public Consultation 24th September 2018 – 15th December 2018 (12 Weeks)**

In response to the consultation exercise that was carried out between the 24th September and the 15th December 2018, the council have considered the feedback and have responded.

Background

In accordance with current legislation, Barking and Dagenham Enforcement Service run a 12-week public consultation exercise from the 24th September through to the 15th December 2018 where we consulted on the proposal to extend the Selective Licensing Scheme when the current one ends on the 31st August 2019.

The survey and supporting evidence were supplied on the council public interfacing website, and this was advertised externally using National Press, Social Media and Public Events, Landlords Forum and drop in Sessions at Council Buildings (Appendix 1).

This report provides an overview as a summary of the report and final consultation document that was produced on the 17th December 2018.

The report indicates that 1017 people responded using the online portal. Of those who responded, 367 (36.34%) were landlords with a property or a number of properties managed in LBBD.

We received feedback from 353 (39.63%) residents who reside in privately rented accommodation within LBBD and 86 residents who were council tenants living in Social Housing.

In addition, we received feedback from 384 people who were owner occupiers.

87 managing agents responded as part of the consultation, however from the survey we are not able to distinguish if they are in support or object to a continuation of a scheme.

5 charities or community groups

33 residents, landlords or business in another borough

Metropolitan Police

We also received supporting correspondence from the Metropolitan Police stating that the scheme since the launch has assisted to address a number of Crime and ASB issues related to the Private Rented Sector. The police have indicated that without a launch of a

new scheme, they would lose a considerable amount of intelligence and information in relation to criminal activity, ASB and the protection of vulnerable people such as sex workers

Redbridge

Redbridge council have sent correspondence fully supporting the launch of the launch of a new scheme which will fully complement their schemes. They confirm that there is a close correlation between housing markets in both boroughs and therefore have suggested that further work needs to be planned to tackle some of the local issues in respective boroughs but working jointly to ensure there is consistent regulation, and appropriate enforcement action taken against rogue landlords and agents.

Waltham Forest

Waltham Forest Council fully support Barking and Dagenham and have recognised that our current scheme has demonstrated how licensing has supported a reduction in anti-social behaviour associated with the private rented sector. Waltham Forest feel that the continuation of the licensing scheme would benefit surrounding local authorities who share both rogue landlords and letting agents.

Havering

Havering confirm they support the Councils proposals for a Boroughwide Selective scheme. They recognise the importance of such schemes, regionally in ensuring private sector landlords meet the highest standards possible. They believe their scheme has helped them address the behaviour of rogue landlords in the area. They noted that our current scheme achieved a significant reduction in anti social behaviour in private rented properties. As landlords often have properties in more than one Borough, consequently we would see the continuing ability of Barking and Dagenham to regulate the operation of landlords such as these through licensing to have a significant benefit for surrounding local authorities and provide a consistent approach to regulation.

Newham

Newham strongly support the councils proposals of continuing our highly successful scheme. Newham shares many landlords and lettings agents with Barking and Dagenham and our other neighbours and it is very clear that unscrupulous landlords do not respect borough boundaries. The ability of Barking and Dagenham to effectively regulate these businesses through licensing therefore has significant benefits for Newham residents as well as other surrounding local authorities.

They feel licensing provides local authorities with the data to identify and pin point those properties that are likely to be problematic, the resources to address poor practice and most importantly additional powers to enforce appropriate standards.

Hounslow

Agree with the proposal to extend the Licensing Scheme, they believe selective licensing can deal with wider issues of poorly managed properties and dealing with associated anti-social behaviour from tenants.

Selective Licensing can strengthen the Council's powers to tackle rogue landlords. They feel that a boroughwide scheme will promote equality and consistency of enforcement and will allow the Council to target interventions to those properties that present the greatest risk of health and safety of the occupiers.

Residential Landlords Association

The RLA oppose the continuation of a scheme in LBBD in their letter dated 19th November 2018. They state that they have general objections to licensing overall as schemes do not address the issue but moves vulnerable or difficult tenants to other areas. They object to the fees and state that the fees for licensing are passed onto tenants with rogue landlords avoiding licensing and paying anything.

They feel that landlords are not best placed to deal with anti-social behaviour issues so may seek to evict tenants which could mean additional costs to other council services and moving the problem on.

The financial burden of licensing is a fee that could put some landlords into financial difficulty which means they could leave the PRS altogether.

They raise a concern and the impact of Welfare Reform and increased rent arrears within the PR since 2016 meaning more tenants are claiming benefits.

The RLA have stated that the councils should use existing powers to tackle rogue landlords, namely the Housing and Planning Act as an alternative to licensing.

The RLA also state that the council should wait until a decision is made on the Government's review of selective licensing and HHSRS policy prior to making a decision on whether to make an application to the Secretary of State to extend Selective Licensing. In conclusion, the RLA believe LBBD should consider alternatives to licensing based on a system of self-regulation for landlords whereby compliant landlords join a co regulation scheme. They support the use of council tax registration process to identify landlords, they would like to co regulate with the local authority, using existing powers to reduce number of complaints. There should be stronger links with the landlord community.

National Landlords Association

The NLA state that licensing is a powerful tool if used correctly using both regulation and increasing the professionalism of landlords, thus improving privately rented accommodation whilst driving out the criminal landlords.

They claim that landlords are not experienced enough in the tackling of anti-social behaviour and do not have the professional capacity to resolve tenant mental health or drug and alcohol dependency meaning tenants will simply be moved on with no issues resolved. It is felt that the council should use current enforcement tools as a way of managing the issues and not through licensing.

The NLA also feel that the council have powers to rectify problems and have abilities to rectify some of the issues locally as an alternative to licensing.

They believe that the cost of licensing will be passed onto the tenants through rental increases.

The NLA state that Barking and Dagenham have failed to address in their consultation documents the link between homelessness and the effect the licensing scheme will have on the tenants within Barking and Dagenham.

The NLA claim that licensing can lead to harassment claims against the landlord due to the increased burden of record keeping and management of properties.

They are keen to work with the council to develop tenancy packs, accreditation of landlords and will target the worst areas across the borough to support LBBD.

Council to develop a strategy that includes action against re offending tenants as landlords can only manage tenancies and not tenant's behaviour.

National Approved Letting Scheme (NALS)

NALS commented that the council should adopt a scheme which supports the majority of complaint landlords and agents and to concentrate enforcement recourses at a target and intelligence led approach. The scheme proposals focus enforcement action on non-compliant landlords and letting agents and will provide a frame work where those whom provide a good service will be recognised both in terms of the fees and charges applied and a more light touch regulatory approach.

Any proposal for a new scheme which will come into force after September 2019 will be in accordance with the licensing and management of houses in Multiple Occupation and other Houses (Miscellaneous provisions) (Amendment) (England) 2012. As a new scheme we are introducing an easier online application process and will support landlords in providing information online.

The consultation response highlighted that the council has a range of enforcement powers to regulate the private sector. However as set out in the report, the private rented sector makes a significant contribution to the local economy. Discretionary licensing is the only scheme which enables the council to regulate the management and occupation of all properties let in the private sector, ensuring that those moving to the borough are not financially exploited and accommodation is of a decent standard.

NALS also highlighted that the license fee is being charged back to tenants, thereby pushing up rents. The licence fee is currently set at £506, as a one-off payment until the expiry of the current 5 year licensing scheme in August 2019. Our evidence however is that rental provides in Barking and Dagenham have risen at a far greater rate since the current scheme came into effect in September 2014. A 2 bedroomed flat has increased in rent by 15% from £1,000 – 1,150 per calendar month, and a 3 bedroomed flat has risen by 23% from 1,300 - £16,000 per calendar month.

In response from the feedback from NALs in relation to the fee charges, the council is proposing the following. A landlord who is considered a fit and proper person, has held a current licence with LBBD for a minimum of two years and has not been subject to any enforcement or legal action including conviction, caution or civil penalty, will be eligible for a 50% reduction in the Part B fee only. It is anticipated on current statistics that 80% of landlords will be eligible for this discount.

The council is also considering supporting landlords who rent properties and are approved accredited schemes such as the NLA, NALS, ARLA which could result in an additional discount to landlords in these circumstances.

Prior to the introduction of a new scheme, the council would look to review the conditions of the licence to ensure these did not adversely impact a landlord or letting agent.

In terms of the inspection regime, the council will continue to inspect all new licence applications received, as well as re-inspecting properties which do not meet the conditions of the licence. It will not be the council's intention to re-inspect properties where there has been a history of well managed and maintained accommodation from a minimum of a two year period.

Since the beginning of 2018, all new licence applications have been processed and inspected within a three-month period. Whilst there was a backlog at the early inception of the scheme, this has been cleared and is no longer an issue.

The figures set out in the submission are the total number of predicted privately rented accommodation by 2020. These figures are based on current trends and analysis. We will continue to focus on landlords who have failed to licence their privately rented properties and make an application. The council will however, consider a light touch approach for those landlords who are compliant as already highlighted.

Survey Responses

We asked people to respond as to whether they agree or disagree that the current selective licensing scheme has been effective in approving the overall condition and management of Private Rented accommodation within LBBD.

Out of the 1017 people surveyed 55.63% either agreed or strongly agreed that it has had a positive impact.

21.44% either disagreed or strongly disagreed

We gave respondents the opportunity to further comment on how the current scheme could be improved.

15% responded

Fees

In response to the proposed licensing fees, the written summaries highlighted that the main concern in relation to licensing fees. Landlords who responded felt that they receive little or no support from the current scheme in dealing with problematic tenants. The scheme provided no value to landlords and was just a money-making exercise.

Only 38.66% either agree or strongly agree with the proposed licensing fees set out in the consultation report. 33.3 % either disagreed or strongly disagreed.

The consensus amongst the feedback is that the current fee is too high, a discount should be applied to good landlords. There is a recommendation that a discount be applied for compliant and those landlords who are accredited with a National Body such as the NLA, RLA.

Enforcement

Stakeholders responded in suggesting that there should be more checks on residential properties. Not enough being done to monitor properties. More officers to undertake the enforcement.

Proposal to continue with a Selective Licensing Scheme post 2019.

60.9% of people either agreed or strongly agreed with a continuation of the licensing scheme, 24.58% either disagreed or strongly disagreed with the proposals.

From the responses that were received, most of the comments related to the cost of the current scheme being too expensive and that landlords felt there was no value for money. There were comments that made reference to the council operating a scheme to generate income for the local authority.

Support

We asked what measures they felt the Council could put in place. 15.54% responded. Responses included:

- Random checks to be carried out
- Reduce the fee/ Make fee more fairer
- Make the fines more substantial
- Coming down on the tenants rather than the landlord
- Free licensing as a reward for good landlords
- Help landlords more

- Focus on bad landlords
- Licence letting agents instead, and insist all properties have to be let via one of the approved agents
- Properties to have annual inspections
- Have complaints procedure for tenants to report rogue landlords
- A register of anti-social tenants

Agree with Boroughwide?

59.4% of respondents either agreed or strongly agreed with the proposals of a borough wide scheme. 20.94% either disagreed or strongly disagreed.

If they did not agree they were asked why not, 12.49% made comments. These include:

- The scheme is a money-making scheme/ Waste of money
- No benefits for landlords
- More pressure on landlords
- There has been no changes so far
- Very expensive for landlords
- The Council have provided no evidence that the current scheme has made any improvements
- No protection for landlords against tenants
- Making it more difficult to find private rented properties
- Good landlords shouldn't be penalised for bad landlords

Do you think the council should consider any alternative measures other than Selective Licensing?

32.74% said yes, 62.44% said no.

Comments included:

- Random checks/ Annual inspections
- Provide more social housing
- Licences should be displayed outside the properties
- Have a rogue tenant list
- Exclude members of recognised landlord associations
- Support the landlords
- Selective licensing should just be for rogue landlords
- More policing
- Do more to penalise landlords who provide poor condition properties
- Reduce fee
- Use existing laws to prosecute bad tenants
- Maintaining register of anti-social tenants
- Use the powers the Council already have
- Hefty fines for those that not meeting the current legislation requirements
- Register of approved tenants
- Register of unlicensed properties

Do you agree or disagree that the continuation of a selective licensing scheme would continue to improve the conditions and management of private rented properties within LBBD?

61.45% either agreed or strongly agreed. 18.78% either disagreed or strongly disagreed.

41.1% agreed or strongly agreed the scheme will contribute to the reduction in crime. 30.68% disagreed or strongly disagreed.

47.79% agreed or strongly agreed the scheme will contribute to the reduction of anti-social behaviour. 28.22% disagreed or strongly disagreed.

45.42% agreed or strongly agreed the scheme will contribute to the reduction of deprivation. 25.27% disagreed or strongly disagreed.

44.44% agreed or strongly agreed the scheme will contribute to the reduction of Environmental Crime. 27.63% disagreed or strongly disagreed.

How do you feel the proposed scheme could be improved to reduce crime, deprivation or ASB

31.47% made comments. These included:

- More checks
- More support from police to work closely with the Council
- Increase security and policing
- Checks on tenants
- More CCTV in the Borough
- Reduce the costs as this only gets passed to tenants
- Higher fines if landlords do not comply/ Confiscate properties
- More staff patrolling
- Tougher rules for tenants
- Make the fee more affordable
- Help tenants with rogue landlords
- More enforcement and more staff required

If a new scheme as approved by the Secretary of State, do you agree or disagree that the Council's priority should be to target landlords who fail to licence properties?

69.12% either agreed or strongly agreed. 14.65% either disagreed or strongly disagreed.

Do you agree that the Council needs to continue taking enforcement action against rogue landlords?

91.84% either agreed or strongly agreed. 5.9% disagreed or strongly disagreed.

Do you agree that the duration of the licence should be 5 years?

71.78% either agreed or strongly agreed. 25.07% either disagreed or strongly disagreed.

Do you agree or disagree that the Council should have the discretion to issue annual licensing?

52.61% either agreed or strongly agreed. 29.01% either disagreed or strongly disagreed.

To what extent do you agree or disagree with the proposed licensing conditions?

50.34% either agreed or strongly agreed with the proposed licensing conditions. 21.14% either disagreed or strongly disagreed.

Do you think they can be improved?

52.31% believed that the current licensing conditions cannot be improved. 36.38% believed they can.

We asked their comments on how we can improve the conditions. Comments included:

- Regular checks
- Stronger punishment for not abiding by the terms and condition's within the Licence
- Offer incentives to the landlords
- Conditions should protect just not the landlord and tenant but local residents in the area too
- Easier eviction processes for bad tenants
- Register of rogue landlords and tenants

Do you agree or disagree with the proposed licensing fee structure in relation to Selective Licensing?

38.66% either agreed or strongly agreed. 33.33% disagreed or strongly disagreed.

Do you agree that the fee charged should be discounted to acknowledge landlords who have a good history of compliance?

83.58% said yes, 12% said no.

Do you agree or disagree the proposed application form and online process is fit for purpose?

46.31% either agreed or strongly agreed. 17.6% either disagreed or strongly disagreed.

Can the application form and online process be improved in any way?

32.65% feels it can be improved, 53.20% feels it cannot.

Suggestions for improving the application form:

- Applicants to have to submit all relevant documents before application proceeds.
- Unclear and unnecessary questions

- To be more user friendly and easier to navigate
- Check list to be provided
- Paper form to also be available
- Give discount if applying online.

Any further comments in order to shape or refine the proposed designated scheme

22.71% responded. Comments included:

- Tackling rogue tenants as well as landlords
- Good landlords should have a reduce fee
- Include additional licensing
- More inspections and spot checks
- Online tracker to monitor landlord licence
- Fees to be more reasonable
- If you apply through the scheme you shouldn't have to pay the full fee
- Fee should be dependable on how many properties you have.

Are there any comments you wish to make in relation to the licensing proposal?

8.46% said yes, 84.37% said no. Comments included:

- Tenants to be accountable too
- Scrap the scheme
- Include additional licensing
- Tougher penalties for miss management of properties
- Discount for landlords with multiple properties
- Very unfair scheme
- Put more checks in place
- Reduce the licensing fees
- Have financial incentives for landlords
- Discounts for members of National Landlords Association.

Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

About the service or policy development

Name of service or policy	Private Rented Property Licensing
Lead Officer	Gary Jones – Head of Regulatory Services
Contact Details	gary.jones@lbbd.gov.uk

Why is this service or policy development/review needed?

The London Borough of Barking and Dagenham Manifesto unveiled a corporate vision of encouraging civic pride, enabling social responsibility and growing the borough's sense of opportunity. This included commitments to help residents shape their own quality of life, take responsibility for themselves, homes and communities as well as integrating services for the vulnerable, building high quality homes and supporting investment in housing. These ambitions are imbedded in the Council's Corporate Plan and run as a golden thread through overarching strategies around housing and health and wellbeing.

In September 2014, The London Borough of Barking and Dagenham introduced a Borough wide Discretionary Licensing Scheme that required all private landlords to hold a licence for properties that were used in the private rented market. The scheme to which the designation applies has General Approval under s58 of the Housing Act 2004 by the Secretary of State under the Housing Act 2004.

We have since inspected 13,000 properties where we experienced poor standards, illegal activities and properties that were poorly managed. Our current scheme has allowed us to take enforcement action, prosecuting rogue landlords and stamping out criminality within the private sector. It has allowed us to work with non-compliant landlords and drive up standards through non-enforcement intervention.

It is evident that the demand for private rented accommodation is significantly increasing. In September 2014, it was estimated that there were 17,000 privately rented properties in the borough increasing to 20,115 by 2018. This represents 27.7% of our total estimated households in the borough of 73,500. Our data tells us that it is likely to increase to 25,000 privately rented homes by 2022 making privately rented properties 33% of the borough.

Barking and Dagenham remains committed to improving standards and offer a scheme that supports professional landlords and focuses on those that are rogue. We propose to introduce a new borough-wide Discretionary Licensing Scheme when the current scheme ends in August 2019. This scheme is being introduced to have a positive impact on residents by:

- tackling anti-social behaviour
- reducing poor property conditions
- reducing high levels of crime
- reducing high levels of deprivation
- addressing the impacts of high levels of migration
- stimulating housing demand

If the Barking and Dagenham licensing scheme is not renewed residents of the borough could be vulnerable to exploitation by rogue landlords, poorer property conditions and safety standards, and our controls for reducing deprivation, anti-social behaviour and crime in private rented sector will be reduced.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Why is this service or policy development/review needed?

Good quality and well managed private sector accommodation benefits our residents and has a major role to play in making Barking and Dagenham a place that everyone can be proud of. Tenants have a vital role in maintaining the home they live in and in reducing anti-social behaviour. Our scheme is designed to encourage landlords, agents and tenants to play their part.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered)

Demographics impacted

The general impact of property licensing is formalising the lightly regulated private rented sector by imposing a framework to enforce obligations on landlords and licence holders. It should continue to lead towards greater quality in our borough's accommodation and greater stability in the community for all groups. The scheme is proposed for boroughwide implementation. Although the mechanism for monitoring and control is through private rented properties, the benefits are intended to be felt by all residents across all the groups in the borough. These demographics and protected characteristics can be summarised as follows:

Age

The borough has the highest population percentage of 0-19 year olds in the country at 31%. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Census 2011).

Disability

Approximately 9,100 of our residents are claiming disability allowance (Department of Work and Pensions, 2016).

Sex

51.5 % of the borough's residents are female, and 49.6% are male (Census 2011).

Gender reassignment

We estimate that there may be approximately 40 people in the borough who have or who plan to undergo gender reassignment (Gender Identity Research and Education Society advice).

Pregnancy and maternity status

Teenage pregnancy rates are significantly higher than average. The rate of teenage conceptions in 2014 was 32.4 per 1000 population of females aged 15-17. This was the second highest rate in London (ONS). We also have the highest birth rate in London.

Marriage and civil partnership

41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same-sex civil partnership (Census 2011).

Ethnicity

The population ethnicity is 24.6% Black (African, Caribbean and Black Other) residents; 15.5% Asian (Bangladeshi, Indian and Pakistani); and 8% from other or mixed ethnic groups. The remainder are White British (GLA population projections).

Religion or belief

56% of the population identify as Christian. 18.9% identify with no religion. 13.7% identify as Muslim (Census 2011).

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Sexual orientation

Between 10,000 – 14,000 people in Barking and Dagenham are lesbian, gay and bisexual (Stonewall estimates).

The private rented sector represents an important element of housing choice across all demographics, providing accommodation for the homeless as well as for young and middle-income households and new migrants. From 1981 to 2017 the proportion of residents in private rented households increased by 10 times. If the current trend continues the borough will be 33% private rented by 2022. The impact of the private rented property licensing scheme (or lack of a scheme) across all groups will be significant.

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	X		X	<p>Positive impact:</p> <p>Rapidly growing private rented sector</p> <p>The demand for private accommodation is increasing rapidly. This is evident by the 18.3% increase from 2014 to 2018 alone. The lack of new housing supply and affordability issues places great pressure on the private rented sector as the readily accessible housing tenure. A continued comprehensive regulation of the sector through property licensing directly tackles poor conditions, overcrowding, subletting, illegal evictions and associated harassment.</p> <p>Anti-social behaviour</p> <p>Our private rented properties see the most ASB reports of any tenure (23% of properties compared to 18% borough average) and are more likely to be subject to multiple incidents in the same location.</p> <p>Properties with high levels of anti-social behaviour are targeted by enforcement officers and landlords are required to take responsibility for any problems with the properties they rent. Since the existing scheme came into effect in 2014 there has been a marked improvement in ASB reports in private rented properties compared to other tenures across all 17 wards in the financial years 15/16 and 16/17.</p>	We will continue to raise borough standards through regulation, monitoring and enforcement activity. A programme of interim management orders, increased thermal comfort through retrofitting of PRS properties and an ambition for 12% of all households to be of institutional private rent in the Draft Local Plan, underline the Borough's desire to professionalise and improve the quality of the local market.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

		<p>Crime</p> <p>In Barking and Dagenham our highest crime rates are found in our wards with the highest proportion of private rented properties. Crimes such as burglary, criminal damage and arson are an increasing challenge with many wards exceeding the national average.</p> <p>Barking and Dagenham has developed strong partnerships to address crime. We regularly carry out formal and informal enforcement action as well as joint operations with the bodies such as the police, Fire Brigade and HMRC since the introduction of the existing boroughwide scheme in 2014 that gave the council additional powers to tackle housing crime by criminal landlords and the conditions that exacerbate property crime.</p>	
		<p>Deprivation</p> <p>The LBBD community is held back by high levels of deprivation. Our borough is the 3rd most deprived in London and the 12th most deprived in England (compared to 326 other local authorities). This includes numerous areas such as income, employment, health, housing and crime.</p> <p>Our borough residents are especially limited by barriers to housing and services, health, deprivation and disability in all our wards. All our wards are more deprived than both the England and London averages.</p> <p>These high levels of deprivation are strongly contributed to by factors such as crime and housing. Licensing makes a direct and tangible difference to both factors. For example, enforcement against landlords who illegally overcrowd their property is one of the key aims of the licensing scheme and will help to alleviate housing deprivation in the borough. The information gathered through our scheme also helps inform joint operations with the police and other agencies to crack down on crime and helping to mitigate deprivation in the borough.</p>	

Housing conditions (and safety)

Licensing is invaluable in improving housing standards in our growing private rented sector,

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

		<p>helping both tenants and landlords manage rented properties to a greater condition standard. Licensing prevents unsafe, and in some cases uninhabitable living conditions and stops landlord exploitation of tenants.</p> <p>Impact of migration</p> <p>Immigration into the borough benefits our services and the overall economy of the borough. However, there are challenges that high levels of migration bring that are most acutely felt by those in poorer areas. Our residents face great demand for rental properties at the bottom-end of the market.</p> <p>65% of our international migrants move into private rented accommodation. With a selective licensing designation, we want to preserve and improve the social and economic conditions in the borough and make sure all residents (including migrants) occupying private rented properties live in good quality properties under good quality arrangements. The property licensing powers under the Housing Act 2004 allows us to deal with this situation.</p> <p>Continuing property licensing will also help identify illegal immigrants. LBBD works with other agencies to deal with this problem and help where needed.</p> <p>Negative impact:</p> <p>Displacement/ evictions</p> <p>Enforcing conditions and standards could lead to possible displacement of tenants in the short-term. We maintain a team to proactively tackle harassment and illegal evictions in the private rented sector and we will support negative consequences that may arise from Barking and Dagenham's enforcement approach.</p> <p>Landlords</p> <p>Although almost all our landlords are compliant, who would receive discounted licences in the new scheme, non-compliant</p> <td>Private tenants to be supported if there are negative consequences that arise from LBBD's activity. This support includes working with Trading Standards and the Controlling Migration fund in addition to day-to-day monitoring and enforcement activity</td>	Private tenants to be supported if there are negative consequences that arise from LBBD's activity. This support includes working with Trading Standards and the Controlling Migration fund in addition to day-to-day monitoring and enforcement activity
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COMMUNITY AND EQUALITY IMPACT ASSESSMENT

			<p>landlords will face higher rates and potentially fees.</p> <p>While there may be adverse short-term consequences for the landlord community in continued greater regulation through property licensing, in the long term it will drive up standards and mean that less responsible landlords will not be able to gain unfair commercial advantage by keeping their costs down by not complying with all the rules. In the longer term it will improve the public image of all landlords and lettings agencies and make their services more marketable.</p> <p>Costs passed on to tenants</p> <p>Some landlords may seek to pass on the licence fees to tenants through higher rent. However, with an existing scheme already in place over a 5-year period, this is unlikely.</p>	
Age	X		Our changing demographics show our borough is becoming an increasingly young community. The private rented sector has a large positive impact on this demographic in the private rented sector, especially concerning property conditions and landlord exploitation.	
Disability	X		There is no evidence on disability representation in the private rented household sector and while the scheme does not enforce accessibility, the effect of licensing scheme will be positive for these individuals and households in this sector.	
Gender reassignment	X		There is no evidence that the representation of transgender households in the PRS is no more impacted than that for the total population, but the effect of licensing will be positive for these households.	
Marriage and civil partnership	X		There is no evidence directly linking benefits to this group in the private rented sector over that for the total population but the effect of licensing will be positive for any associated households.	
Pregnancy and maternity	X		Although there is no analysis demonstrating pregnancy as over represented in private rented properties, it is fair expect expectant mothers living in the sector and the effect of licensing for these households is positive.	
Race (including Gypsies,	X		As the private rented sector is the only accessible housing tenure for new communities to the borough, various ethnic groups as well as travellers and new migrants	

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Roma and Travellers)			will be positively affected. Our analysis shows such recent migrants are subject to the poorer conditions addressed by this scheme.	
Religion or belief	X		We have a large population of different faith groups who will be positively affected by the scheme.	
Sex		X	There is no indication that one gender is over represented across the private rented sector.	
Sexual orientation		X	There is no evidence that the representation of gay and/or bisexual households in the PRS is no more than that for the total population, but the effect of licensing will be positive for these households.	
Any community issues identified for this location?	X		<p>The community issues targeted in the scheme:</p> <ul style="list-style-type: none"> • anti-social behaviour • poor property conditions • high levels of crime • high levels of deprivation • challenges of high levels of migration • stimulating housing demand 	

2. Consultation

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

Prior to making a final decision as to whether to make an application to the Secretary of State, the council must first conduct a formal consultation for a minimum of 10 weeks. We consult with landlords, tenants, managing agents, the police and fire service as well as representative groups such as the Citizen advice Bureau and landlord associations such as the NLA, ARLA.

Barking and Dagenham has taken a comprehensive approach to consulting with these stakeholders across 3 consultations:

1. consultation to review the current scheme with Private Sector Landlords – took place from 29/08/17 to 06/11/17 with 781 responses were received
2. a wider public consultation to review design options of a new scheme. This consultation took place from 01/12/17 to 22/02/18 with 871 responses received
3. a consultation on the introduction of the new discretionary licensing scheme – planned for July/August 2018 to close September/October 2018.

The two initial consultation phases were specifically designed to build a picture of the current scheme, identifying opinions of the current scheme and key areas to inform the future scheme design. Examples include:

- most tenants (66%) and borough residents (60%) believe continuing the scheme in 2019 will have a positive impact
- tenants and residents believe it will be particularly important impact on ASB, property conditions and overcrowding

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Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

- a common complaint in the current scheme review was that it treated good landlords the same as bad landlords
- 88% respondents agreeing that landlords providing a bad service should be penalised
- 82% respondents agreeing that landlords with a history of providing bad services should be charged a higher rate.

The final consultation is to introduce the new licensing scheme. It starts in July and runs for 10 weeks, finishing in September 2018.

We will also run several information events which will be published giving information on the proposed scheme, fees and charges, and other relevant information. Staff will be on hand to answer any questions.

Events

Landlord's Forum upcoming events:

- Tuesday 4th September 2018 7pm
- Tuesday 4th December 2018 7pm

Barking Learning Centre Information Day Dates:

- Tuesday 14th August 2018 – 1pm-5pm

Dagenham Library Information Day Dates:

- Wednesday 15th August 2018 – 1pm-5pm

Community summer events:

- Roundhouse Music Festival – Monday 27th August 2018
- Youth Parade – Sunday 16th September 2018

Other means of communication

- Barking and Dagenham Post, Neighbouring borough newspapers.
- Social Media, Facebook and Twitter.
- Inside Housing Magazine
- Chartered Institute of Environmental Health (CIEH) Magazine
- Other groups of consultees
- Councillors
- Homelessness charities – Shelter/ St Mungo
- London Fire Brigade
- Police
- Conveyancers and Solicitors registered in Barking and Dagenham

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3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented? <i>These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.</i>		
Action	By when?	By who?
Enforcement team to review this ECIA following closure on the third consultation should results make it warranted	September 2018	Gary Jones
Enforcement team to review this ECIA following confirmation/ updated from MHCLG on the designation (boroughwide scheme or limited scheme approach)	2019	Gary Jones

4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the wider community.

Take some time to précis your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact
The evidence from the existing scheme introduced in 2014 along with our recent consultations and borough analysis, demonstrates the overall impact is relevant to all equality groups in Barking and Dagenham and that the overall impact has been positive. Since 2014 we have seen a reduction in anti-social behaviour linked to the private rented sector whereas social housing and owner-occupied have remained the same. We can demonstrate that licensing and regulating this area does significantly improve sustained communities. However, the private rented sector is still significantly more likely to get reports than owner occupied and social rented, so the problem persists. Without a new scheme, this problem is likely to become worse, particularly since more and more properties in the borough are becoming private rented. Residents of the borough will be positively impacted by a new designation as they benefit from the requirements placed on landlords to provide proper arrangements and conditions. The introduction of a new scheme would continue to help improve standards within the private rented sector in relation to health and safety, property conditions and fire safety through compliance and condition audits. It will allow us to identify those properties that are suffering from disrepair, overcrowding and take appropriate enforcement action. It will allow the council to target criminal landlords who do not license their properties and act with criminal intent. We will work with internal departments to ensure public money is

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protected in respect of fraudulent housing benefit claims and unpaid council tax on HMOs.

It will prevent the exploitation of tenants ensuring tenancy support is provided in respect of tenancy agreements, rent deposit protection and protection from illegal eviction and harassment.

It will support the engagement between internal departments, such as Environmental Health, Trading Standards, Housing Benefits, Council Tax to tackle poor legal practices such as noncompliance with the Redress Scheme.

The introduction of a new scheme will allow residents to make informed choices about the property they occupy by first checking the property is registered on the private rented property license register published on the council website.

The key impacts of the new scheme can be summarised as:

- tackling anti-social behaviour
- reducing poor property conditions
- reducing high levels of crime
- reducing high levels of deprivation
- addressing the impacts of high levels of migration
- stimulating housing demand

There may be some short-term negative impacts as the scheme is enforced, such as displacement of overcrowded properties, but this will be minimal with an existing PRPL scheme is already in place. The positive impacts of the new scheme will be wide-reaching, improving the social and economic conditions of the borough and tackling rogue/ non-compliant landlords and supporting our good landlords.

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5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Gary Jones	Head of Regulatory Services	
Fiona Taylor	Strategic Director	

CABINET**22 January 2019**

Title: Review of School Places and Capital Investment - Update January 2019	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: All Wards	Key Decision: Yes
Report Author: Andrew Carr , Group Manager School Investment, Organisation and Admissions	Contact Details: Tel: 020 8227 2254 E-mail: andrew.carr@lbbd.gov.uk
Accountable Director: Jane Hargreaves, Commissioning Director Education	
Accountable Strategic Director: Elaine Allegretti, Director of People and Resilience	
<p>Summary</p> <p>This report sets out the latest information regarding forecast demand for education places across the Borough's Schools and education settings. It includes nurseries and special needs dedicated provision. The forecast for demand for school places is based on a recent exercise which has been completed over the summer 2018 and has been used to inform the Government (DfE) of the trends and impacts on demand at local level. These forecasts are based on a number of factors which could fluctuate and impact on the level of need: these include birth rates, migration, and local housing availability, particularly new housing and regeneration projects.</p> <p>In order to respond to the need for school places a revised and updated Future Planning Programme for Basic Need 2018 to 2027 – Revised January 2019 is attached as Appendix A to this report. Cabinet Members may recall that a similar earlier version of the report, was received at the meeting of 17 July 2018, minute 18 refers. This paper sets out the planned way it is intended to address the need for education places in the Borough and is an update based on latest information following the summer forecast review of school places.</p> <p>Details are also included about the consultation to amalgamate Marks Gate Infant and Junior Schools. There is also details about the fire at Roding Primary School and the actions proposed to replace the damaged part of the School.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the Future Planning Programme to meet Basic Need 2018 to 2027 – Revised January 2019 as set out in Appendix A to this report; (ii) Note the latest position of the forecast pupil roll within the next 5 years based on a range of factors which includes birth, migration, regeneration and proposed housing developments, and that some 10,000 pupil places will need to be created in that period; 	

<ul style="list-style-type: none"> (iii) Approve the Procurement Strategy in respect of the fire damaged building at Roding Primary as set out in paragraph 3.11 of the report to use the LEP to replace the damaged building and enter into a contract for the design and construction of the replacement building; (iv) Delegate Authority to the Director of People and Resilience, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Chief Operating Officer and the Director of Law and Governance, to carry out the procurement and award the respective project contracts.
Reason(s) <p>The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough, and delivering the ambition for excellence in education set out in our Education Strategy. Further, the actions being planned support the Borough Manifesto.</p>

1. Introduction and Background

- 1.1 A report setting out the position of demand for school places and how the Council needs to respond is provided to Cabinet twice yearly. The last report was at the Cabinet meeting held on 17 July 2018, Minute 18 refers.
- 1.2 This report includes the most up to date information on forecasting pupil numbers and demand for school places taking into account birth rates, migration, regeneration projects and new housing programmes of development. Attached is a programme of school provision which will help the Council to ensure every child has the opportunity for a school place in the Borough. Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 – Revised January 2019. Details are also included here about how the Council might respond to support the provision and for pupils who have an identified Special Educational Need.
- 1.3 Following on from the significant number of schools which have been expanded in the last 10 years the opportunity to continue that practice has become much more difficult, mainly because we have exhausted the expansion opportunities where demand is highest. Also expansion schemes need to provide value for money and not be so complex that they impact on the education of the young people attending the school.
- 1.4 As explained in previous reports the Council is now required to work with good Academy and Free school education providers to secure new schools in the Borough where such provision is approved by the Secretary of State.

2. Update on Pupil Numbers and Capacity

- 2.1 In the new academic year which commenced September 2018 there was a forecast dip in the number of Reception age pupils due to the reduction of the corresponding birth rates in both 2014 and 2015. Additionally however Reception numbers have dropped below forecasts for the second year which indicates that factors other than birth rates have come into play. This information was reported to Cabinet in the

report 17 July 2018. This is accompanied by an increased demand at Yr7, the first year of secondary school. This increased demand is as a result of higher numbers in top year primary groups, last year's Yr6 now entering secondary school. This will increase again next year. To manage this demand increased provision has been made available at both Eastbrook Secondary in Dagenham and Greatfields Secondary in Barking.

2.2 When looking at the forecast in growth of the pupil population the following factors are taken into consideration as follows:

- numbers of pupils currently in the borough;
- birth figures;
- new housing proposals, as advised in the Local Plan Review;
- historical data e.g. pupils living in borough but choosing out borough schools;
- internal knowledge of recent population fluctuations.

2.3 The most recent set of pupil forecast figures have been reviewed over the last 3-4 months in order to provide evidence to the Government about the local changes and forecast changes to the pupil population. This data, when put together with all the other Council's forecast data, is then used by the DfE to measure the growth in pupil demand at national level and to allocate resources for meeting school place basic need at local level.

2.4 The forecast indicates as follows:

- the primary school population across the Borough is forecast to increase from its present levels of 25,394 (excluding nurseries) at May Census 2018, to 28,260 (excluding nurseries) for the school year 2022/2023;
- the secondary school population across the Borough is forecast to increase from its present level of 15,403 (including 6th form) at May Census 2018, to 22,260 (including 6th form) for the school year 2022/2023.

[Note: these figures allow for the growth of the borough and projected increases to population allowing for published house building; there may be fluctuations owing to other demographic changes.]

2.5 Cabinet Members are asked to note the extent of the overall increase in the last 10 years from a total pupil population of 29,767 (May 2008 Census) to a population of 40,797 (May 2018 Census). This has been a period of extensive activity to create additional places to manage this 27% increase in the school population in the Borough. Projecting forward the forecast in numbers set out in 2.4 above indicated that in the next 5 years to 2022/2023 overall pupil numbers will increase from 40,797 to 50,520, a potential increase of 23.8%.

2.6 The demand for specialist places is rising rapidly in the borough. There is evidence to suggest that across London that there are a disproportionate number of new arrivals and in year admissions which have significant SEND. National prevalence trends are indicating that some categories of need particularly Autistic Spectrum Disorder (ASD) are increasing more quickly than would be expected from population growth alone.

This has effectively increased the number of children and young people for whom the Council must ensure suitable provision is available which looks to continue to rise for the foreseeable future. We are therefore reviewing our SEND forecasting models to ensure that we can robustly plan in advance of the likely provision needed. There are twelve primary areas of special educational needs which are being captured in the review these are;

- Autistic Spectrum Disorder
- Hearing Impairment
- Social, Emotional and Mental Health
- Profound and Multiple Learning Difficulties
- Severe Learning Difficulty
- Specific Learning Difficulty
- Speech, Language and Communication Need
- Multi-Sensory Impairment
- Physical Disability
- Moderate Learning Difficulties
- Other Difficulty/Disability.

The strategy for SEND places is being reviewed to ensure that the Council provides a model which strikes the right balance between supporting children and young people to be educated in their local mainstream schools, colleges and settings where possible, while continuing to enable access to high quality specialist provision for those children and young people who need it. Further information will be provided in the next autumn Review of School Places and Capital Investment report.

- 2.7 In order to respond to meet the demand of a changing population and growth through planned new housebuilding the attached Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 Appendix A has been drafted to show new or expanded school provision. Some of the projects relate to completed schemes where the school is being gradually expanded to allow for phased availability of places rather than opening too many places at once. The following paragraphs cover the expected new schools and the current discussion about commissioning the new facilities and places.
- 2.8 Mallard Primary School (630 places) – this project is proposed to be operational for September 2020, the proposed operator is currently planned to be Partnership Learning and its location will be in Thames Ward. Discussion about who will commission this facility are currently being undertaken. The Department for Education have been undertaking a review of need and because this is an example of a school which will only be required as housebuilding in the locality takes place, the planned opening might need to be delayed. Accordingly the Future Planning Programme may need to be adjusted.
- 2.9 SEMH School (90 places) – the ESFA have been in contract with the GLA to try and secure land formally known as the Polar Ford site occupied by Dagenham Motors Ltd on the A1306 at Dagenham. The DfE have appointed the EKO Trust based in Newham. Thee school building will be commissioned by the ESFA.

- 2.10 Ford View Primary (Beam Park) – dialogue with the DfE/ESFA, Borough Education Commissioning and the proposed operator, TVI Learning, is currently ongoing. This is the Academy that runs Thames View Infants School which has been judged outstanding by the DfE and is a national leader support school. The need for the school relates to the development of Beam Park on the A1306 which stretches into Havering. The ESFA have recently advised the Borough verbally of their intention to utilise their national frameworks for the construction of this new school. Planning consent has recently been approved by the Mayor for London for the entire development at Beam Park.
- 2.11 Greatfields School (Planning Building) – it was reported at the Cabinet Meeting 17 July 2018 that a funding letter had been sent by the ESFA giving approval for the Council to procure the further building phase of Greatfields School which will be used for primary aged pupils. The project is as reported in the process of design and procurement through the LEP with Education Commissioning acting as client.
- 2.12 Beam High (Former Ford Stamping Plant) – this is a planned 1800 place secondary school to include sixth form provision. Again it is designed as a school to meet the needs of the new community from Beam Park and the Former Stamping Plant on the A1306. Early indications from the DfE is that the operator will be Partnership Learning and the Council would through Education Commissioning be responsible for acting as client for this project. At present no planning application has been submitted in respect of this development.
- 2.13 At present Education are examining the impact of new housing in Barking, particularly around the Freshwharf, Retail Park and phase II of the Gascoigne Estate Renewal and central Barking. It will be important for the Council to identify suitable and appropriate spaces for schools going forward so that young people are able to flourish and learn in a good environment.

3. Fire at Roding Primary School, Hewitt Road

- 3.1 On Tuesday 4th September 2018 at 4.50am, the London Fire Brigade received a call to an outbreak of a fire at Roding Primary School. A total of 12 fire appliances attended the site, the first arriving at 5.12am where they found the west wing of the school engulfed in fire. By approximately 9.00am the fire was extinguished by the Fire Brigade, however, 8 classrooms and auxiliary spaces were destroyed.
- 3.2 The west wing of the school building was predominantly of timber construction supporting a pitched, corrugated steel roof, unlike the remainder of the school which was brick built with a clay tile roof. The timber building was originally constructed before the main school building, possibly to accommodate children from the Becontree Housing Estate during the early days of construction. The brick built building was subsequently constructed later but retained this timber part. The Council have approximately five school sites which have some form of timber built classrooms constructed prior to the main building for the reasons above or as additions soon after the Second World War.
- 3.3 During the school holiday period the school was undertaking refurbishment works to a number of classrooms in the west wing and were renewing flat roofs to the inner corridor. The school's appointed contractor had completed the classroom

refurbishments on 3rd September and was continuing with the flat roof renewal programme. They ceased operations at 2pm on the day before the fire.

- 3.4 The Council's insurers AIG were alerted on the morning of the fire. By 11am their appointed loss adjusters attended the site with Council officers and the school's Headteacher to agree the steps going forward. The London Fire Brigade (LFB) retained a presence during the day to ensure the fire did not reignite. They handed control of the site back to the Council at 6pm that evening. During the day, arrangements were made to secure the damaged area of the school with temporary fencing. A security presence was put in place overnight as the school remained vulnerable having no power or intruder alarm.
- 3.5 The main priority was to get the school up and running as soon as possible, even with limited year groups. Despite the fire being limited to one part of the school, the entire building had suffered from some degree of smoke damage or had an acrid smell resulting from carbon particles which had travelled throughout the school.
- 3.6 From 5th September, the loss adjusters had arranged, with the agreement of our insurers, for specialist cleaners to attend the site where they chemically deep cleaned the entire school not affected by the fire. At the same time the MyPlace team worked quickly with the Council's term contractors in erecting internal screens to separate the damaged area from the main school building, rewiring and re-alarming the school and demolishing the remains of the damaged structure so that it could reopen safely. The school opened on the 10th September for all year groups except Reception. In tandem arrangements were made to bring onto site 8 temporary classrooms to replace those which were destroyed and which will be used until they are replaced by new classrooms. These have been hired and were installed over two weekends. Plans have commenced with BeFirst to design and construct the replacement classrooms.
- 3.7 Throughout this process the Council have liaised and continue to liaise closely with our insurers and their loss adjusters to agree the scope of works and actions taken to avoid any future dispute regarding cost. In addition, the insurer has advanced £500k as a gesture of goodwill to meet the Council's expenditure to date.
- 3.8 Credit must be given to those individuals and teams involved which enabled the school to become operational less than a week after the fire. Once the temporary classrooms were installed, pupils from Reception and Nursery years were then able to be admitted to school.
- 3.9 The cause of the fire is still a matter of investigation.
- 3.10 In order to achieve the quick return to a functioning School and, so as not to impact on pupils' education more than was necessary, authority was sought from the Chief Operating Officer (Deputy Chief Executive) to a procurement route for the temporary classrooms. This action was essential as indicated to ensure that the school was up and running as soon as possible. The Council's Insurers and their Loss Adjuster recognised the good practice here and have supported the action through making available up to £500,000 to support the quick return to a functioning school in temporary accommodation, and this has included the cleaning of parts of the smoke damaged building.

- 3.11 There was also an agreement sought to seek some design and initial costing work for the permanent replacement of the building to ensure that the cost of hiring the temporary accommodation in the form of classrooms is kept to a minimum. This work has been commissioned through the Council's Local Education Partnership (LEP) - Equitix Management Services Limited (EMS).
- 3.12 The Council have used their procurement delivery vehicle, the LEP to design and build new Schools, extensions and separately new housing. The LEP is a joint venture organisation between the Council and EMS. This is a Company in its own right managed by a Board including Council representatives. The reason for this approach has been the LEP's previous record of achievement for innovation (they appear in several best practice publications), its commercial approach, build costs are comparatively low and project delivery has been good. Over time this partnership has brought about many mutual benefits including;
- Earlier collaborative and more cohesive approach to design development and procurement. This has reduced the Council's risk in terms of cost, quality and programme delivery;
 - Greater assurance of provision of School places being made available when planned i.e. delivery on time so that as the commissioner of School places it can fulfil its statutory obligation.

3.13 Cabinet Members are asked to support the process which has started with the LEP who have commissioned some design work to replace the lost buildings and are working at risk. This will ensure that, because of the requirement on the LEP to ensure value for money, and our ability to compare costs with current projects, that there will be a satisfactory procurement at good value. This strategy has been discussed with AIG the Council's insurers and their representatives.

4 Capital Availability

- 4.1 At the meeting of Cabinet 17 July 2018, a sum of available capital was identified to be retained to support future projects of £18,718.443. Minute 18 refers.
- 4.2 At this current time it is not planned to make any changes to this figures as we are currently assessing need and working with the DfE/ESFA in planning future provision. Some school places have already been earmarked and approved as set out in the Future Planning Programme for Basic Need. Appendix 1 to this report.
- 4.3 Further, Education Commissioning are working with BeFirst regarding regeneration projects to plan additional school place provision. Clearly there will be dependencies about need for new places as projects to provide new homes are brought forward.
- 4.4 It is anticipated that any changes to the available fund which is subject to an annual review, will be reported to the Cabinet meeting in the spring of next year. This will be in May or June as we are subject to advice from Central Government.
- 4.5 In the meantime work to provide new places and increased school provision, both new schools and some extensions is continuing. The anticipated spend from Government Capital Grant for the current financial year is £52,080,261 excluding Devolved Capital Funding which is a grant from Government passported to

Local Authority Schools for them to undertake small measures of condition or suitability works. This figure represents only the proportion of planned financial outturn for projects; some schemes are quite large and are funded over a number, 3 or 4 years.

- 4.6 Some examples of large schemes which are in development and have previously been approved to be progressed by Cabinet are as follows:
- 4.6.1 Robert Clack School Expansion – there are three parts to this project. The first was to create additional spaces at the Green Lane Site, and this was handed over in the summer 2018. The second phase is increasing capacity at the Gosfield Road campus which is currently on site and will be available in the summer 2019. The third phase, which is the biggest is to provide a third site at Lymington Fields, this will be a 3fe primary linked to a 6fe secondary school; in reality it will be an all through school. This new complex is planned to open for September 2020, and will gradually admit pupils from the locality. Numbers and demand are being kept under review as “growing” the school at the right rate will be important.
- 4.6.2 Greatfields Schools - this are new schools at the heart of the Gascoigne Estate Renewal in Barking and will include 1500 secondary school places, plus provision for 6th form. New primary facilities to be available by September 2021, a school of 630 places plus nursery. This project will support the growth in the population around the Barking Town Centre making forecast need for school places a reality. Part of the secondary school provision is open and in use with a further phase due for completion for September 2019. This project is being delivered by LBBD through BeFirst in partnership with the LEP and on behalf of the Education and Skills Funding Agency. The site is complex, hence the need to build in phases as former tenants have been decanted and vacant blocks are being demolished. Further, because of the nature of the estate the demolition and new construction has been difficult because the underground services have had an impact.
- 4.6.3 Barking Abbey School Expansion – work to expand the school is currently on site both at Longbridge and Sandringham Complexes. When work is compete the capacity of the school will increase by 450 pupils. The initial phase on Longbridge Road is in occupation but work on both sites is continuing although an increased in the pupil intake has already been accommodated. Some other works to remove demountables and improve the condition of the original building will be ongoing over the next 2 years.
- 4.7 The nature and scale of these three expansion projects demonstrate already the pressing need for additional secondary places following the expansion of primary schools to manage the rise in growth. The secondary expansions and new schools have been necessarily complex in the process of negotiation, design and of course construction to ensure that all parties are signed up to the works and the impacts on the existing schools has been managed to ensure that pupils education has not been detrimentally influenced. In some cases there has been a six year planning window to ensure all the key elements are in place.
- 4.8 A further major area of investment which has begun in the current year relates to exploring the sufficiency and suitability of SEN places available in Borough. This particularly relates to the provision of Additional Resource Provisions (ARPs) attached to mainstream schools. Many of our Schools are highly skilled in

integrating children and young people with a range of complex needs. The ARP provision allows children and young people to remain in mainstream education when this is the right choice for them and their families. The objective is to support expansion or provide new places – potentially up to 80 new ARP places across 9 schools and carry out environmental improvements to address suitability at a further 11 schools. This work will help the Borough to respond to meet the requirements of individual pupils who need appropriate support.

5 Marks Gate Infant and Junior School's Amalgamation

- 5.1 At the meeting of Cabinet 12 December 2017 a report was presented which included an allocation of £3m to support the initiative to amalgamate Marks Gate Infant and Junior Schools. It was also intended to support the addition of new facilities which would increase capacity as part of a regeneration project, Minutes 69 refers.
- 5.2 The regeneration project has not been agreed at this time, however the Governors of the Schools are keen to make some progress in considering the possible amalgamation. With this in mind the Governors have met on 17 October 2018 and agreed in principle to wider consultation with parents, staff, staff representative and the broader community.
- 5.3 Letters to engage with various groups are being circulated in the second half of the Autumn Term 2018/19 with a view to a formal notice being published on 9 January 2019 and a report being presented to Cabinet on the 19 March 2019. If approved, the new primary school would be operational from 1 September 2019.

6. Options Appraisal

- 6.1 Current strategy is through the housebuilding initiative formulated against a backdrop of continuing increase in demand for school places for the foreseeable future; short run surges of demand for school places e.g. over the summer period and on the supply side: limited funding on short time horizons; shortage of sites in areas of high demand; and timescales for new providers e.g. timescales for Free Schools to be established may be two years.
- 6.2 The agreed investment strategy (see Future Planning Programme to meet Basic Need [including SEN places] 2018 to 2027 which is attached to this report) is first, to expand provision on existing school sites as far as practicable to meet local demand on a forward looking basis (i.e. to seek value for money solutions which have longevity); then subsequently to seek and build on sites in areas of demand in Council or other public ownership that are suitable for development as a school and which also offer value for money and longevity; to support those external providers that have access to further capital funding and are capable and willing to provide high quality inclusive education places that comply with the Council's Admissions Policies.
- 6.3 The variables that influence the delivery of this strategy are: demand fluctuations; the willingness of governing bodies to accede to expansion plans; funding limitations; cost variances – specific to sites; timescales to achieve cost efficient/competitive prices in short timescales.

- 6.4 The proposed delivery of the strategy is set out in the report approved by Cabinet 17 July 2018, Minutes 18 (Strategy for Ensuring School Places and School Modernisation). As part of the strategy the document encompasses a further document now updated Future Planning Programme to meet Basic Need [including SEN places] 2018 to 2027. This document sets out proposed projects. Specific projects may be subject to change for the reasons set above, and other projects substituted. The overall strategy is robust and remains the same: individual project specifics may change but will remain in the overall strategic framework.
- 6.5 Options exist for any specific scheme and are explored to ensure that the overall strategic outcomes sought are achieved in the most beneficial way being economic and appropriate for the school. Other overall strategies e.g. to rely on outside providers to meet the prospective short fall of school places would not be effective on their own: timescales and speed of reaction are too short.

7. Consultation

- 7.1 These proposals are not Ward specific. There has been consultation with a range of officers throughout the Council in order that appropriate matters are considered including financial, legal, risk management and others mentioned in section 10 of this report.

8. Financial Implications

Implications completed by: Rodney Simons, Principal Accountant, Capital

- 8.1 This report sets out approval for Future Planning Programme to meet Basic Need 2018 to 2027 and of various projects associated to the Capital Programme and requests approval to include schemes in the Capital Programme, as detailed in sections 3 to 5.
- 8.2 There is sufficient capital grant funding available to deliver on these schemes.
- 8.3 Any major risks/financial impact identified through the appraisal process will be notified to Members through subsequent Cabinet reports.
- 8.4 The report also requests the approval of Delegating Authority to the Director of People and Resilience to award respective project contracts.

9. Legal Implications

Implications completed by: Lucinda Bell, Education Lawyer and Kayleigh Eaton, Senior Contracts and Procurement Solicitor

- 9.1 The Council, as an education authority, has a duty to promote high standards of education and fair access to education. It has a general duty to secure sufficient schools in the area, and to consider the need to secure provision for children with Special Educational Needs and Disabilities. These are collectively known as the school place planning duties. (Education Act 1996 and Children and Families Act 2014).

- 9.2 The Council must follow the statutory processes required to make changes to its maintained schools. Further legal advice will be required in relation to the proposed amalgamation.
- 9.3 Any procurement carried out must comply with the Council's Contract Rules and where the contract is for goods, services or works which has a value in excess of the EU thresholds then the procurement must be carried out in accordance with the Public Contracts Regulations 2015. It is noted that one of the recommendations in this report is to use the LEP. The LEP has been appointed under a partnering agreement by way of a competitive tender exercise to deliver such programmes. Use of the LEP in this project would therefore satisfy the requirement to carry out a competitive tendering exercise as required under the Public Contracts Regulations 2015 and the Council's Contract Rules.
- 9.4 In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award the contract following the procurement process with the approval of Corporate Finance.
- 9.5 The report author and responsible directorate are advised to keep the Council's Legal team fully informed at every stage of the proposed tender exercises. The team will be on hand and available to assist and answer any questions that may arise.

10. Other Implications

10.1 Risk Management

- 10.1.1 Risk that funding levels will not be sufficient to meet demand to create new education places needed.

This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is system build where possible. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 10.1.2 Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is system build, and blending it with site specific proposals. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 10.1.3 Secondary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest.
This risk is high impact (4) and medium (3) probability = 12 red. This risk is being mitigated, as far as practicable, by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is still high impact (4) and medium (3) probability = 12 red.

- 10.1.4 Risk that the cost of the rate of deterioration of the school estate will outrun the funding available to maintain it.
This risk is high impact (4) and high (4) probability = 16 red. This risk is being mitigated as far as practicable by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.

10.1.5 The provision of school places is a matter which is directly identified in the Corporate Risk Register and listed at Corporate Risks 31 – Provision of School Places.

10.1.6 Risk that final costs will be higher than estimate costs.

This risk is high impact (4) and high (4) probability = 16 red. This risk is managed through monthly finance meetings and initial planning figures that architects and schools are asked to work within being set below the highest estimate to allow for unforeseen challenges.

10.2 **Contractual and Procurement Issues** - It is anticipated that projects will be procured through options related either to the Local Education Partnership, open competition or through the Council's Framework of Contractors or other national or local frameworks which are accessible to the Council, with a view to securing value for money.

10.2.1 Legal, procurement, technical and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects which fall within the second phase, consisting of the secondary and primary school schemes. All procurement activity will be conducted in compliance with the Council's Contract Rules and EU Legislation.

10.2.2 Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes. However the Cabinet is asked to approve procurement principles as set out to avoid the need to report back to Cabinet as such procurements are either beyond our control or need to happen quickly within pressing timescales because pupils need to be accommodated.

10.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.

10.4 **Corporate Policy and Customer Impact** - The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.

The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The longer term outlook is unlikely to be positive on the proposed funding levels as it will be difficult to address need on current budget levels.

10.5 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Childcare Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.

- 10.6 **Health Issues** - The health and wellbeing board and JSNA highlight the importance of investing in early intervention and education to support children's and young people's long term wellbeing. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good parenting and school based education, as what matters most in preventing poor children becoming poor adults. The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.
- 10.7 **Crime and Disorder Issues** - Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 10.8 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets.

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

List of appendices:

Appendix A - Future Planning Programme to meet Basic Need (including SEN places) 2018 to 2027.

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Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 - Revised January 2019

This programme reflects the build planned and forecast opening. This data can change because of site availability and demand changes, and would be subject to negotiation with the school operator.

September 2018	Early Year Provision for 2 year olds	Primary	Secondary	Sixth Form	Special Needs Provision
	Places to be reviewed as part of Childcare Sufficiency Assessment (Cabinet Dec 2015)	Need 0 YrR places YrR Capacity 4137 Demand forecast 3710	Need 100 Yr7 places Yr7 Capacity 3330 Demand forecast 3263	Demand forecast 3091	6 additional SEND secondary ARP places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision. Extend 2 existing nurseries provide a new facility at Riverside.	Provided 0 YrR places, capacity 4137	Eastbrook 2fe Yr7 Greatfields 1fe yr7 Provided 90 Yr7 places, capacity 3420	No additional – to be reviewed through 6th Form Review/Strategy	Barking Riverside Special (30 places per year for 5 years) – year 4 Jo Richardson – additional 12 places 30 Place SEMH Provision (to grow to 60 places over 3 years)
September 2019	Places to be reviewed	Need 0 YrR places YrR Capacity 4137 Demand forecast 3687	Need 120 Yr7 places Yr7 Capacity 3420 Demand forecast 3360	Demand forecast 3292	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.		Greatfields Free School 3fe Yr7 Provided 90 Yr7 places, capacity 3450	No additional – to be reviewed through 6th Form Review/Strategy	Barking Riverside Special (30 places per year for 5 years) – year 5

Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 - Revised January 2019

	Subject of review to meet new requirements	Provided 0 YrR places, capacity 4137			15 places SEMH provision (phase 2)
September 2020	Places to be reviewed	Need 0 YrR places YrR Capacity 4137 Demand forecast 3943	Need 0 Yr7 places Yr7 Capacity 3450 Demand forecast 3453	Demand forecast 3480	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.	Lymington Fields 3fe YrR (Robert Clack) Mallard Primary 3fe YrR Provided 180 YrR places, capacity 4317	Lymington Fields 6fe Yr7 Provided 180 Yr7 places Capacity 3633	No additional – to be reviewed through 6 th Form Review/Strategy	15 place SEMH Provision (phase 3)
September 2021	Places to be reviewed	Need 0 Year R places YrR Capacity 4317 Demand forecast 4119	Need 0 Yr 7 places Yr7 Capacity 3633 Demand forecast 3636	Demand forecast 3787	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good'	New Free School Dag Beam Park Primary 3fe YrR	New Free School East Dagenham 4fe Yr7 Beam High		

Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 - Revised January 2019

	or 'outstanding' provision.	Greatfieds Primary School 3fe YrR places Provided 180 YrR places, capacity 4497	Warren 2fe yr7 Provided 180 Yr7 places, capacity 3813	No additional – to be reviewed through 6th Form Review/Strategy	New Free School SEN specialist places. Planned growth over 5 years to be reported in Summer 2019 following review.
	Early Years Provision for 2 year olds	Primary	Secondary	Sixth Form	Special Needs Provision
September 2022	Places to be reviewed	Need 0 YrR places YrR Capacity 4497 Demand forecast 4125	Need 0 Yr 7 places Yr7 Capacity 3813 Demand forecast 3780	Demand forecast 4060	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.	 Provided 0 YrR places, capacity 4497	New free school East Dagenham 6fe Yr7 Beam High Provided 180 Yr7 places, capacity 3993	No additional – to be reviewed through 6th Form Review/Strategy	Specialist places to be reported summer 2019
September 2023	Places to be reviewed	Need 0 YrR places YrR Capacity 4497 Demand forecast 4112	Need 0 Yr 7 places Yr7 Capacity 3993 Demand forecast 4005	Demand forecast 4362	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.	3 rd Barking Riverside Primary Provided 90 YrR places, capacity 4587	New Free School – Thames View – 120 Yr7 places Provided 120 Yr7 places, capacity 4113	No additional – to be reviewed through 6th Form Review/Strategy	Specialist places to be reported summer 2019
September 2024	Places to be reviewed	Need 0 YrR places YrR Capacity 4587	Need 0 Yr7 places Yr7 Capacity 4113	Demand forecast 5122	SEND Places

Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 - Revised January 2019

		Demand forecast 4111	Demand forecast 4064		
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.	Barking Central 3fe YrR Provided 90 YrR places, capacity 4677	New Free School – Thames View – 60 Yr7 places Provided 60 Yr7 places Capacity 4173	No additional – to be reviewed through 6th Form Review/Strategy	Specialist places to be reported summer 2019
September 2025	Early Years Provision for 2 year olds	Primary	Secondary	Sixth Form	Special Needs Provision
	Places to be reviewed	Need 0 YrR places YrR Capacity 4677 Demand forecast 4144	Need 0 Yr 7 places Yr7 Capacity 4173 Demand forecast 4064	Demand forecast 5380	SEND Places
	Provided by maintaining Ofsted inspection ratings of existing 'good' or 'outstanding' provision.	To be planned when housing details are clarified Provided 0 YrR places, capacity 4677	To be planned when housing details are clarified Provided 0 Yr7 places Capacity 4173	No additional – to be reviewed through 6th Form Review/Strategy	Specialist places to be reported summer 2019
September 2026	Places to be reviewed	Need 0 YrR places YrR Capacity 4677 Demand forecast 4184	Need 0 Yr 7 places Yr7 Capacity 4173 Demand forecast 4064	Demand forecast 5412	SEND Places
		To be planned when housing details are clarified Provided 0 YrR places, capacity 4677	To be planned when housing details are clarified Provided 0 Yr7 places Capacity 4173	No additional – to be reviewed through 6th Form Review/Strategy	Specialist places to be reported summer 2019

Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 - Revised January 2019

September 2027	Places to be reviewed	Need 0 YrR Places YrR Capacity 4677 Demand forecast 4270	Need 0 Yr 7 Places YrR Capacity 4173 Demand forecast 4064	Demand forecast 5480	SEND Places
		To be planned when housing details are clarified Provided 0 YrR places, capacity 4677	To be planned when housing details are clarified Provided 0 Yr7 places Capacity 4173	No additional – to be reviewed through 6 th Form Review/Strategy	

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CABINET**22 January 2019****Title:** Lease of Mayesbrook Park Football Stadium**Report of the Cabinet Member for Community Leadership and Engagement**

Open Report	For Decision
Wards Affected: Mayesbrook	Key Decision: No
Report Author: Paul Hogan, Commissioning Director for Culture and Recreation	Contact Details: Tel: 020 8227 3576 E-mail: paul.hogan@lbbd.gov.uk

Accountable Director: Paul Hogan, Commissioning Director for Culture and Recreation**Accountable Strategic Leadership Director:** Tom Hook, Director of Policy and Participation**Summary**

Barking Football Club has been based at the Mayesbrook Park football stadium for over a decade and over this time the club has developed into a valuable sporting and community asset.

This report recommends that the Council gives the club security of tenure at the Football Stadium by granting it a long-term lease. This will enable the club to secure investment to replace life expired changing facilities and provide new social and educational facilities to support the development of new opportunities for women, boys and girls to participate in football.

Also, this will mean that the club will be able to meet the governance, pitch and facility requirements of the Football League so that it is able to be promoted to a higher level in the league structure when its league position warrants this.

Under the Council's Constitution, the granting of a lease of greater than twenty years duration requires Cabinet approval.

Recommendation(s)

The Cabinet is recommended to:

- (i) Authorise the Chief Executive, in consultation with the Cabinet Member for Community Leadership and Engagement and the Director of Law and Governance, to enter into a 30-year lease for the Mayesbrook Park football stadium with the Barking Football Club, subject to satisfactory negotiation of the lease terms and associated requirements; and

- (ii) Authorise the Chief Executive, in the event of it not being possible to enter into a lease agreement with Barking Football Club, to enter into a lease on the same terms with another sports club for the operation of the Mayesbrook Park football stadium.

Reasons

To assist the Council in achieving its corporate priorities in relation to:

Inclusive Growth

- Encourage enterprise and enable employment

Citizenship and Participation

- Harness culture and increase opportunity
- Encourage civic pride and social responsibility
- Strengthen partnerships, participation and a place-based approach

1. Introduction and Background

- 1.1 Barking Football Club is a valued community and sporting asset for the Borough. It runs youth teams from under 7's to under 18's as well as an educational scholarship scheme for those aged 16 to 18 years. In addition, it has successful adult senior, reserve and community teams.
- 1.2 As well as providing extensive opportunities for children and young people to get involved in football, the club works successfully with the Council's healthy lifestyles team to deliver a varied programme of health and well-being programmes for the wider community, including healthy walks and activity sessions for obese children.
- 1.3 For many years the club has held an annual fundraising event to support the Mayor's chosen charities.

2. Proposals and Issues

- 2.1 Barking Football Club has had a licence to occupy the football stadium in Mayesbrook Park for many years. This report recommends replacing this with a long-term lease for a term of thirty years.
- 2.2 This proposal supports the achievement of two of the priorities set out in the borough parks and open spaces strategy, which was adopted by the Council in 2017:
 - Seek to develop new sports improvement projects with external funders for Central Park, Mayesbrook Park and Barking Park
 - Look at opportunities to develop social enterprises that can operate within parks and capable of bringing additional benefits to parks.
- 2.3 Whilst the grass football pitch in the football stadium has been maintained to a good standard, the changing facilities are life expired and not fit for purpose. The lease

will provide security of tenure for the club, which will enable them to seek external funding to provide new fit for purpose changing, educational and social facilities.

- 2.4 As the lease will be on full repairing and insuring terms, the Council will no longer have operational or financial responsibility for maintaining the facilities at the football stadium including the playing pitch and associated floodlighting.
- 2.5 The rent payment associated with the lease will be negotiated via a market rental valuation being obtained whilst having regard to the investment required to replace life expired facilities and the community benefits the club provides.

3. Options Appraisal

- 3.1 The options available to the Cabinet are to approve the proposed lease or to reject it.
- 3.2 Not to approve the lease would mean that there is no realistic option of the capital investment being secured that is needed to replace the life expired facilities in the football stadium.
- 3.3 Therefore, the Cabinet is recommended to approve the recommendation to enter into a long-term lease with any specific terms and conditions they consider appropriate.

4. Consultation

- 4.1 This proposal has been discussed and agreed by the Council's Asset and Capital Board and by the Deputy Leader and Cabinet Member for Community Leadership and Engagement.

5. Financial Implications

Implications completed by: Katherine Heffernan, Group Manager- Service Finance

- 5.1 The financial benefits for the Council of granting a lease to Barking Football Club is the avoidance of operational costs in association with the running of the park grounds and the cash inflow of leasing income to the Council.
- 5.2 The Council will undertake a commercial evaluation exercise in determining the leasing commitment early next year and agree the leasing payments by the football club.
- 5.3 The Council will transfer all rights of ownership of the asset to the football club which will provide benefits to local residents in respect of health and wellbeing activities.

6. Legal Implications

Implications completed by: Sayida Hafeez, Senior Property Solicitor

- 6.1 In accordance with the Constitution, Part 4, Chapter 4 (Land Acquisition and Disposal Rules), Section 2.2 (Control by the Cabinet), the disposal of all property

either long-lease (over 20 years) or by the sale of the freehold must be approved by the Cabinet.

- 6.2 The Council's disposal powers are contained in section 123 of the Local Government Act 1972 (LGA 1972) and Section 1 of the Localism Act 2011 also provides local authorities with a general power of competence.
- 6.3 Under Section 123 LGA 1972, the Council has the power to dispose of land in any manner that it wishes to which includes the sale of freehold land. One constraint is that the disposal must be for the best consideration reasonably obtainable unless there is ministerial consent, or the transfer is to further local well-being. The Council is proposing to grant a 30-year lease on full repairing and insuring terms and the rent will be negotiated by obtaining a market rental valuation. Therefore, this condition is fulfilled, and the Council is at liberty to proceed with the proposed disposal.
- 6.4 Section 1 of the Localism Act gives the Council the legal capacity to do anything that individuals can do that is not specifically prohibited. These powers give the Council more freedom to work together with others to do creative, innovative things to meet local people's needs. Therefore, by granting Barking Football Club a secure lease, will enable the club to obtain external investment/funding to improve and replace the current 'life expired changing facilities that are not fit for purpose' with 'new fit for purpose changing, educational and social facilities'.

7. Other Implications

- 7.1 **Risk Management** – There is a risk that the club cannot find funding to enable them to do the necessary works to the football stadium in the short term and over the life of the lease. However, there is evidence to suggest that the governance arrangements for the club are robust and the people involved have the necessary skills, knowledge and experience to enable them to bid to all relevant funding bodies. It is also anticipated that the club may wish to use the skills of local people where appropriate to undertake any required works with the aim of increasing their affordability.
- 7.2 **Customer Impact** - Provisions will be inserted into lease with the club to ensure that the football stadium remains accessible by all groups in the community. This should mitigate the risk of adverse impact on equality groups and customers.
- 7.3 **Corporate Policy and Customer Impact** – The club already provides a valuable programme of services to the local community to further health, educational and social wellbeing. It is expected that with security of tenure provided by the proposed lease there will be the opportunity to expand the range and quality of grass roots football programmes and wider health and wellbeing activities being presented.
- 7.4 **Crime and Disorder Issues** – The Council has a statutory duty to consider crime and disorder implications in all its decision making. In agreeing to lease the facilities to Barking Football Club, the Council will be securing and enabling the development of quality facilities and activities, which will provide positive activities for all residents and opportunities for families to enjoy their leisure time together.

This new arrangement will secure the future of the site and prevent any crime or

security issues associated with having empty premises. Also experience suggests that the provision of new facilities at the football stadium, and with it increased levels of usage in the evenings and at weekends, will have a positive impact on the level of anti-social behaviour in the park.

- 7.5 **Health issues** – The football stadium will provide safe, comfortable and accessible facilities and participatory programmes where local people can meet, socialise and take part in a range of football related activities and a wider health and wellbeing projects.
- 7.6 **Safeguarding Vulnerable Adults and Children** - It is expected that the Barking Football Club will provide a programme of positive and diversionary activities for children and young people. Barking Football Club complies with the robust safeguarding requirements of the Football Association, their governing body.
- 7.7 **Property / Asset Issues** - It is intended that the terms of the lease will require Barking Football Club to repair, maintain and insure the built facilities within the footprint of the football stadium including the grass football pitch, terracing and floodlighting. Regular monitoring by My Place will ensure that the club is complying with the lease conditions, enabling action to be taken as appropriate if any are in breach.

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

List of appendices: None

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CABINET**22 January 2019**

Title: Council Tax Support Scheme 2019/20
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Report of the Cabinet Member for Finance, Performance and Core Services
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Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Donna Radley, Head of Benefits	Contact Details: E-mail: donna.radley@elevateeastlondon.co.uk

Accountable Director: Helen Seechurn, Finance Director

Accountable Strategic Leadership Director: Claire Symonds, Chief Operating Officer

Summary

The Council has a statutory duty to consider annually whether to revise its Local Council Tax Support Scheme (CTS) or replace it with another scheme. This report recommends keeping the current scheme for use in 2019/20, subject to minor amendments. The Assembly has a legal duty to approve the CTS by Assembly by 31st January 2019.

Recommendation(s)

The Cabinet is asked to recommend the Assembly to:

- (i) Agree that the Council Tax Support Reduction Scheme implemented for 2018/19 be retained for 2019/20, subject to the following minor amendments:
- Treat Universal Credit Award Notifications as an Intention to Claim CTS providing that a valid claim form for CTS is made within a month of the decision to award Universal Credit.
 - Adopt a shortened claim form for the purposes of claiming CTS when Universal Credit has been awarded.
 - Accept Universal Credit as a “passported” Benefit when claiming within a month of a new liability for Council Tax Support purposes.
 - Amend the capital threshold for Council Tax Support purposes to £10,000 for working age persons to align it with Pension Age capital limits.
 - Re-Introduce backdate on Council Tax Support of up to four weeks, subject to good cause to align it with the Housing Benefit scheme.

Reason

The Council’s CTS scheme requires minor changes so the general administration of the scheme is simplified and compatible with all welfare reforms including Universal Credit. For effective processing the scheme should align with the administration of Housing Benefit and principles of passported benefits. It is further proposed that the Council continues with the core scheme, subject to the above amendments, it implemented last year.

1 Introduction and Background

- 1.1. The Welfare Reform Act in 2012 abolished Council Tax Benefit (CTB) from April 2013 and, in its place, support took the form of a local Council Tax Support Scheme (CTS). The Local Government Finance Act 2012 contains provisions for the setting up of local support schemes. The current scheme in Barking & Dagenham has been based around the Default Council Tax Reduction Scheme and has been ratified by Assembly.
- 1.2. The current scheme in operation ensures that:
 - The scheme is means tested
 - Pensioners are protected, i.e. they must be able to receive up to a 100% reduction (a provision of the national pension age scheme).
 - Everyone of working age contributes something towards their Council Tax. A “minimum payment” of 25%. There is a 75% maximum on which any entitlement to CTS is based.
 - Those who are not pensioners and with capital in excess of £6,000 are not eligible for a Council Tax reduction under this scheme.

2. Proposals and Issues

- 2.1. The proposed minor revisions to the current scheme do not affect the core elements of the scheme and only seek to make it easier to understand and administer and ensure it is compliant with the wider welfare system, principally the roll out of Universal Credit.
- 2.2. The proposed revisions are:
 - Treat Universal Credit Award Notifications as an Intention to Claim CTS providing that a valid claim form for CTS is made within a month of the decision to award Universal Credit.
 - Adopt a shortened claim form for the purposes of claiming CTS when Universal Credit has been awarded.
 - Accept Universal Credit as a “passported” Benefit when claiming within a month of a new liability for Council Tax Support purposes.
 - Amend the capital threshold for Council Tax Support purposes to £10,000 for working age persons to align it with Pension Age capital limits.
 - Re-Introduce backdate on Council Tax Support of up to four weeks, subject to good cause to align it with the Housing Benefit scheme.
- 2.3. The adoption of these changes will simplify the administration of the scheme by bringing it more in line with how the Council currently administers Housing Benefit. It also addresses the technical issues the Council have faced with applying some of the rules that currently apply to the current scheme.
- 2.4. Universal Credit, for the purposes of amending Housing Benefits and transitional Protection, is considered a passported benefit however for the purposes of claiming CTS it is considered a standard income. Passported Benefit is a term used under the old benefit system and means that if you claim you are entitled to either the maximum payable benefit and you have a longer period in which to claim in. For the

CTS Scheme we are only considering it as a passported benefit for the period of time in which you can claim and not the maximum benefit entitled. By treating Universal Credit as a passported benefit for the purposes of a new liability and period in which you can claim allows the CTS to be awarded in accordance to passported benefits under the Housing Benefit scheme. Namely that if a claim is made within a calendar month of the new liability CTS can be awarded from the start of the new liability which maximises the Council Tax Support awarded and ensures a resident, who will be on a low income, receives the maximum support available and reduces debt. The award the person receives, from the date it is payable from, will be based against their income under Universal credit

- 2.5. By adopting a shorter claim for CTS when Universal Credit is in payment you simplify the process for residents who have already completed one lengthy application form. The information required to process a claim for CTS, when Universal Credit is in payment, is reduced as only household member details are required, income for the applicant is covered by the Universal Credit award notice, as is their Identity verification.
- 2.6. Universal Credit, for the purposes of amending Housing Benefits and transitional Protection, is considered a passported benefit however for the purposes of claiming CTS it is considered a standard income. By treating Universal Credit as a passported benefit for the purposes of a new liability allows the CTS to be awarded in accordance to passported benefits under the Housing Benefit scheme. Namely that if a claim is made within a calendar month of the new liability CTS can be awarded from the start of the new liability which maximises the Council Tax Support awarded and ensures a resident, who will be on a low income, receives the maximum support available and reduces debt.

Passported Benefits are Income Related Employment Support Allowance, Income Related Job Seekers Allowance, Guaranteed Credit and Income Support.

- 2.7. Under the current scheme any persons of working age with capital over £6,000 are not entitled to Council Tax Support, it is proposed that this is extended to £10,000 to align it with the rules for persons of Pension Age for the simplification of administration.
- 2.8. As Council Tax Support is now claimed as a separate benefit, residents used to traditional and former schemes, are not aware of the requirement and need to claim Council Tax Support with a separate team and form. This often leads to a loss of entitlement and outstanding debts which result in requests for backdated Council Tax Support which doesn't currently exist in the scheme for LBBD. Whilst the scheme doesn't allow for a backdated awarded of benefit, all requests made must be addressed formerly and responded to utilising administration time. It is further proposed that backdate is re-introduced into the CTS scheme for the simplification and alignment of its administration to match the rules applicable for Housing Benefit but also to ensure income maximisation.

3. Financial Implications

Implications completed by: Katherine Heffernan, Group Manager (Corporate Finance)

- 3.1 This report proposes a number of amendments to the Council Tax Support scheme in the light of the implementation of Universal Credit. Some of these amendments are administrative in nature and have no direct financial implications. Others however have the potential to increase the number of eligible recipients of council tax support or the duration of their claim and so will have a cost implication as described below.
- 3.2 When considering these cost implications, it must be remembered that households on very low incomes on or near the thresholds for Council Tax Support are likely to struggle to pay their Council Tax and so the true cost to the Council taking into account collection rates, arrears and bad debt is likely to be much lower.
- 3.3 The adoption of a shortened claim form is an administrative matter and has no direct financial implication. It reduces the burden on the customer but does not reduce processing time for staff as they will need to source the same information from elsewhere.
- 3.4 It is not possible to model the impact of treating Universal Credit Award notifications directly. However, accepting Universal Credit as a passported benefit when claiming within a month of new liability is estimated to affect around 248 claims (based on current caseload data) giving them up to one month's additional Council Tax Support. The cost is this is estimated to be up to £12k. This is not a new cost as this amendment mirrors the arrangements for the legacy benefits and so will be already covered within the cost of the scheme.
- 3.5 Reintroducing backdating of up to four weeks could affect around 56 people (based on current caseload data) and is estimated to cost up to £4k. In addition, this group of claimants and those affected by the passporting issue are a low-income group and it is very possible that Council Tax would not in fact be fully collectable if Council Tax Support was not payable during the month.
- 3.6 The proposal to raise the Capital Threshold from £6,000 to £10,000 in line with the threshold for pension age claimants would result in a new cost. It is estimated this could affect around 80 customers (based on current caseload data) at a potential cost of £70k. These customers are more likely to be able to pay Council Tax, so this is a real cost to the Council which should be weighed against the benefits of simplified administration and supporting residents to improve their financial circumstances.
- 3.7 The theoretical cost of all these proposals would be up to £90k. However, this should be seen in the context of the overall amount of Council Tax which is £58m in 2018/19. The Council Tax Support scheme is £12.8m in total.
- 3.8 All working age claimants remain responsible for meeting 25% or more of their own council tax liability and the scheme is highly targeted on the least able to pay. As Council tax charges rise, there is a risk that collection rates will fall. The overall collection rate in 2017/18 was 95.8%

3.9 The Council must set aside a discretionary fund for circumstances of exceptional hardship. It is anticipated that a discretionary fund of £50,000 can be created to assist those with exceptional circumstances. This would be monitored and reviewed quarterly, although case law does suggest that if exceptional hardship is shown the Council must grant a discretionary reduction and cannot refuse due to a “depleted budget”. It is therefore vital that a clear policy is implemented so the Council can set their own criteria of whom would qualify for a discretionary reduction. The cost of the discretionary fund will reduce the overall Council Tax collected by £50,000.

4. Legal Implications

Implications completed by Dr Paul Feild, Senior Governance Lawyer

- 4.1 The CTS is a continuation of the scheme as approved by the Assembly last year following consultations as required by the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012.
- 4.2 As observed in the report the discretionary hardship fund while set at £50,000 shall be administered according to the exceptional hardship policy and the cap is not a reason for refusal.

5. Other Implications

- 5.1 **Risk Management** - It is considered likely that keeping the current scheme will continue to make it difficult to collect Council Tax from those entitled to a reduction under the scheme. Presently there are 75,266 properties with a Council Tax Charge in this borough, as of 30th June 2018, and 16,651 Council Tax Support claims against these properties.

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

List of appendices: None

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CABINET**22 January 2019**

Title: Calculation and Setting of the Council Tax Base for 2019/20

Report of the Cabinet Member for Finance, Performance and Core Services
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Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Zaber Ahmed, Principal Accountant (Budgets)	Contact Details: Tel: 0208 227 3341 E-mail: Zaber.Ahmed@lbbd.gov.uk

Accountable Director: Helen Seechurn, Finance Director

Accountable Strategic Leadership Director: Claire Symonds, Chief Operating Officer

Summary

The Council has a duty to set a Tax Base for Council Tax purposes by 31 January each year under Section 67 of the Local Government Finance Act 1992.

This report seeks approval of the Authority's Council Tax Base for 2019/20. It also asks for approval to charge a higher rate premium for long term empty dwellings.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by the London Borough of Barking and Dagenham Council as its Tax Base for the year 2019/20 shall be 50,008.54 Band 'D' properties; and
- (ii) Agree the higher rate premiums for long term empty dwellings as detailed in paragraph 4.2 of the report, to be charged to homes unoccupied and substantially unfurnished for at least two years and to be in addition to the usual Council Tax charge applied to the property.

Reason(s)

To meet the Council's statutory duties under the Local Government Finance Act 1992.

1. Introduction and Background

- 1.1 The Tax Base must be conveyed to the major precepting Authorities by 31 January prior to the start of the financial year.

1.2 The Tax Base must be calculated in accordance with regulations made by the Secretary of State under Section 33(5) of the Local Government Finance Act 1992 and The Local Authorities (Calculation of Tax Base) (England) Regulations 2012.

1.3 The regulations set a prescribed period for the calculation of the tax, which is between the 1 December and 31 January in the financial year preceding that for which the calculation of the council tax base is made. The data used in the calculation must be that held by the Council as at 30 November.

2. **Proposal and Issues**

2.1 The valuation of properties for Council Tax purposes is carried out by the Valuation Office Agency.

2.2 For Council Tax purposes each property is placed in a band based on its open market value as at 1 April 1991. The bands are as follows:

Range of Values Band	Valuation
Values not exceeding £40,000	A
Values exceeding £40,000 but not exceeding £52,000	B
Values exceeding £52,000 but not exceeding £68,000	C
Values exceeding £68,000 but not exceeding £88,000	D
Values exceeding £88,000 but not exceeding £120,000	E
Values exceeding £120,000 but not exceeding £160,000	F
Values exceeding £160,000 but not exceeding £320,000	G
Values exceeding £320,000	H

2.3 The Tax Base is calculated in terms of the equivalent number of Band 'D' properties after discounts and exemptions have been taken into account. There are statutory ratios which determine the proportion of the band D charge that will be charged for a property in each band. The ratios are as follows:

A = 6/9ths	E = 11/9ths
B = 7/9ths	F = 13/9ths
C = 8/9ths	G = 15/9ths
D = 1	H = 18/9ths

2.4 The standard Council Tax is set in relation to Band 'D' properties, this will mean that somebody living in a Band 'A' property pays 2/3rds of the standard amount whilst somebody in a Band 'H' property pays twice the standard amount.

2.5 The full Council Tax charge is based on the assumption that the property is occupied by two or more adults. However, some properties are exempt from any charge, and others qualify for a discount. In determining the Tax Base the relevant discounts and exemptions are taken into account:

- 2.6 The following table shows the number of chargeable properties at 30 November after all discounts and exemptions have been applied.

2018/19			2019/20	
Last Year Totals	Band 'D' Equivalents	Band	Total	Band 'D' Equivalent
0.19	0.10	A*	0.19	0.10
3,776.06	2,517.38	A	3,752.88	2,501.90
7,870.36	6,121.39	B	8,077.29	6,282.30
35,461.07	31,520.95	C	36,264.32	32,235.00
7,960.13	7,960.13	D	8,130.39	8,130.40
1,525.21	1,864.15	E	1,539.79	1,882.00
304.77	440.23	F	310.11	447.90
40.29	67.15	G	40.54	67.60
3.00	6.00	H	4.00	8.00
56,941.08	50,497.47		58,119.51	51,555.20

*Disabled person's reductions

- 2.7 When determining the tax base for the purpose of setting the Council Tax an allowance has been made for non-collection. The losses on collection allowance for 2019/20 has been assessed as 3%.
- 2.8 The adjustment, expressed as band D equivalents, is shown below.

Band D equivalent at 30 November 2018	51,555.20
In year losses in collection allowance of 3%	(1,546.66)
Council Tax Base for 2019/20	50,008.54

- 2.9 A fully detailed calculation of the tax base is contained in Appendix A.

3. Consultation

- 3.1 The calculation of the council tax base follows a prescribed process and, as such, does not require consultation.

4. Higher rate of Empty Homes Premium (Council Tax)

- 4.1 Since 2013, local authorities have had discretion to charge a premium of up to 50% on "long term empty dwellings". That is, homes that have been unoccupied and

substantially unfurnished for at least two years. The premium is in addition to the usual council tax charge that applied to the property.

- 4.2 New legislation has been passed that allows local authorities to increase the premium as follows:
- i) For the financial year beginning 1 April 2019 the relevant maximum is 100%.
 - ii) For the financial year beginning 1 April 2020 the relevant maximum is 100% if property is empty for less than 5 years.
 - iii) For the financial year beginning 1 April 2020 the relevant maximum is 200% if the property is empty for more than 5 years.
 - iv) For the financial year beginning 1 April 2021 the relevant maximum remains at 100% if the property is empty for less than 5 years.
 - v) For the financial year beginning 1 April 2021 the relevant maximum remains at 200% if the property is empty for more than 5 years and less than 10 years.
 - vi) For the financial year beginning 1 April 2021 the relevant maximum will be 300% if the property is empty for more than 10 years.

5. Financial Implications

Implications completed by: Katherine Heffernan, Group Manager, Service Finance

- 5.1 The Council Tax Base has increased by 1226.23 band D equivalent properties from 2018/19 (48,782.31). At the current Council Tax charge of £1,199.63 this would generate an additional £1.5m of income for the Council compared to the previous year.
- 5.2 The latest MTFS had assumed an increase in the Council Tax base of 2.03%. The actual increase in the Council Tax base for 2019/20 is 2.51%, which generates an additional £0.3m over and above the latest MTFS assumptions for 2019/20.
- 5.3 The Council Tax collection rate is a significant factor in determining the level of income and will affect the actual amount of Council Tax collected in 2019/20. For every 1% change in the collection rate, income would increase/decrease by £0.6m for the Council.
- 5.4 There are currently 40 properties that are being charged the long-term empty premium. The total premium being charged is £25,810 for 2018/19. The table below shows the increase in the amount of premium charged under the new legislation. This is based on 40 properties and does not take into account increases or decreases in the number of empty properties or any future increases in council tax.

2019/20				2020/21				2021/22		
Age	Premium %	Number of properties	Premium	Premium %	Number of properties	Premium	Premium %	Number of properties	Premium	
2-5 years	100%	15	£19,918	100%	15	£19,918	100%	15	£19,918	
5-10 years	100%	16	£20,582	200%	16	£41,164	200%	16	£41,164	
Over 10 years	100%	9	£11,121	200%	9	£22,242	300%	9	£33,363	
		40	£51,621		40	£83,324		40	£94,445	

6. Legal Implications

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

- 6.1 As observed above there is a legal requirement that the Council as a billing authority must set its Council Tax base before 31 January 2019 for the following financial year starting 1 April 2019. Section 31B of the Local Government Finance Act 1992, as inserted by the Localism Act 2011, imposes a duty on the Council as a billing authority, to calculate its Council Tax by applying a formula which as set out in the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012. The formula involves a figure for the Council Tax Base for the year, which must itself be calculated. The basis of liability for Council Tax is the valuation band to which a dwelling has been assigned. Valuation bands range from A to H, and the relative liabilities of each band are expressed in terms of proportions of Band D.
- 6.2 The calculation to establish the relevant basic amount of council tax by is done by dividing the council tax requirement for the financial year by the billing authorities' council tax base. In brief, the council tax base is the aggregate of the relevant amounts calculated for each valuation band multiplied by the authority's estimated collection rate for the year. The estimated collection rate is the percentage of council tax payable which the authority actually expects to be paid i.e. the difference between what it ought to be paid in council tax and certain fund transfers and what it is likely to be paid.
- 6.3 The Council is under an obligation to notify major precepting authorities of the calculation.
- 6.4 For this Council the setting of the Council Tax Base is a Cabinet function. This is because Section 67 Local Government Finance Act 1992 as amended by section 84 of the Local Government Act 2003, (and more recently the Localism Act 2011), enabled the Assembly to delegate the power to set the tax base to the Cabinet. This is reflected in the Constitution at Part 2 Chapter 6 Responsibility for functions at paragraph 2.1(ii).

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

List of appendices:

- Appendix A – Calculation of the 2019/20 Council Tax Base

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APPENDIX A

Council Tax Forecast 2019/20 (Based on the Council Tax Base Return) CTB1 return Nov 2018

Line	Description	2019/20
Line1	Total number of dwellings on the Valuation list	75,508.00
Line2	Number of dwellings on valuation list exempt on 2 October 2017 (Class B & D to W exemptions)	1,419.00
Line3	Number of demolished dwellings and dwellings outside area of authority on 2 October 2017	64.00
Line4	Number of chargeable dwellings on 2 October 2017 (treating demolished dwellings etc as exempt) (lines 1-2-3)	74,025.00
Line5	Number of chargeable dwellings in line 4 subject to disabled reduction on 2 October 2017	280.00
Line6	Number of dwellings effectively subject to council tax for this band by virtue of disabled relief (line 5 after reduction)	280.00
Line7	Number of chargeable dwellings adjusted in accordance with lines 5 and 6 (lines 4-5+6 or in the case of column 1, line 6)	74,025.00
Line8	Number of dwellings in line 7 entitled to a single adult household 25% discount on 2 October 2017	22,211.00
Calculation 1		16,658.25
Line9	Number of dwellings in line 7 entitled to a 25% discount on 2 October 2017 due to all but one resident being disregarded for council tax purposes	952.00
Calculation 2		714.00
Line10	Number of dwellings in line 7 entitled to a 50% discount on 2 October 2017 due to all residents being disregarded for council tax purposes	49.00
Calculation 3		5,815.25
Line11	Number of dwellings in line 7 classed as second homes on 2 October 2017 (b/fwd from Flex Empty tab)	147.00
Line12	Number of dwellings in line 7 classed as empty and receiving a zero% discount on 2 October 2017 (b/fwd from Flex Empty tab)	237.00
Line13	Number of dwellings in line 7 classed as empty and receiving a discount on 2 October 2017 and not shown in line 12 (b/fwd from Flex Empty tab)	-
Line14	Number of dwellings in line 7 classed as empty and being charged the Empty Homes Premium on 2 October 2017 (b/fwd from Flex Empty tab)	41.00
Line15	Total number of dwellings in line 7 classed as empty on 2 October 2017 (lines 12, 13 & 14).	278.00
Line16	Number of dwellings that are classed as empty on 2 October 2017 and have been for more than 6 months.	
Line16a	NB These properties should have already been included in line 15 above.	134.00
Line 16a	The number of dwellings included in line 16 above which are empty on 2 October 2017 because of the flooding that occurred between 1 December 2013 and 31 March 2014 and are only empty because of the flooding.	-
Line 16b	The number of dwellings included in line 16 above which are empty on 2 October 2017 because of the flooding that occurred between 1 December 2015 and 31 March 2016 and are only empty because of the flooding.	-
Line 17	Number of dwellings that are classed as empty on 2 October 2017 and have been for more than 6 months and fall to be treated under empty homes discount class D (formerly Class A exemptions). NB These properties should have already been included in line 15 above. Do NOT include any dwellings included in line 16a and 16b above.	-
Line 18	Line 16 - line 16a - line 16b - line 17. This is the equivalent of line 18 on the CTB(October 2016) and will be used in the calculation of the New Homes Bonus.	134.00
Line 19	Number of dwellings in line 7 where there is liability to pay 100% council tax before Family Annexe discount	50,772.00
Line 20	Number of dwellings in line 7 that are assumed to be subject to a discount or a premium before Family Annexe discount	23,253.00
Line 21	Reduction in taxbase as a result of the Family Annexe discount (b/fwd from Family Annexe tab)	-
Line 22	Number of dwellings equivalents after applying discounts and premiums to calculate taxbase	68,230.25
Line 23	Ratio	-
Line 24	Total number of band D equivalents (to 1 decimal place)(line 22 x line 23)	60,150.80
Line 25	Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2017-18 (to 1 decimal place)	-
Line 26	Tax base (to 1 decimal place) (line 24 col 10 + line 25)	60,150.80
Line 27	Number of dwellings equivalents after applying discounts and premiums to calculate tax base (Line 22)	68,230.25
Line 28	Reduction in taxbase as a result of local council tax support (b/fwd from CT Support tab)	10,110.74
Line 29	Number of dwellings equivalents after applying discounts, premiums and local tax support to calculate taxbase	58,119.51
Line 30	Ratio	-
Line 31	Total number of band D equivalents after allowance for council tax support (to 1 decimal place) (line 29 x line 30)	51,555.20
Line 32	Number of band D equivalents of contributions in lieu (in respect of Class O exempt dwellings) in 2017-18 (to 1 decimal place) (line 25)	-
Line 33	Tax base after allowance for council tax support (to 1 decimal place) (line 31 col 10 + line 32)	51,555.20
Losses on Collection 3% (97% Collection Rate)		- 1,546.66
Council Tax base 2019-20 estimated based on actual data 30/11/2018		50,008.54

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CABINET**22 January 2019**

Title: Final Third Local Implementation Plan Submission
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Report of the Cabinet Member for Regeneration and Social Housing

Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Tim Martin – Transport Planning & Policy Manager; BeFirst	Contact Details: Tel: 020 8227 3939 E-mail: timothy.martin@lbbd.gov.uk

Accountable Director: Caroline Harper – Chief Planner, BeFirst

Accountable Strategic Leadership Director: Graeme Cooke – Director of Inclusive Growth

Summary

The third Local Implementation Plan (LIP3) outlines the Council's strategy for delivering improvements to the transport network and services in Barking and Dagenham to 2041 and to support our Borough Manifesto ambitions for delivering inclusive, sustainable growth in the borough.

A draft LIP3 was approved by Cabinet on 16 October 2018 (Minute 42 refers) and submitted to Transport for London (TfL) for comment on 2 November. A five-week period of consultation with a range of statutory and local stakeholders then ensued which ended on 7 December. At the same time, consultation was undertaken on a draft Environmental Report, produced as part of a Strategic Environmental Assessment of the LIP - required under European Union regulations.

During the course of the consultation comments were received from a number of stakeholders including the Metropolitan Police, the local branch of the London Cycling Campaign and the London Borough of Bexley. TfL has also provided further feedback and has made a number of recommendations. As a result, a number of small-scale changes to the LIP are now proposed. The changes, which are summarised in Appendix 1, include:

- Providing additional information on how the borough will achieve 'Vision Zero' – to support the Mayor's objective of eliminating all deaths and serious injuries on the Capital's transport network by 2041;
- Providing further information on how LIP schemes/programmes are, and will be, prioritised, both in scale and geographical location – as a means of giving further confidence in the delivery of the borough's transport objectives;
- Updating a number of charts/graphs to include recently published data.

In addition to these changes, a minor reprofiling of the three-year Programme of Investment is also proposed. This is to support the Council's proposed bid for circa

£450,000 funding through the Mayor's Air Quality Fund which requires a commitment to provide an element of match funding; and to reflect that Public Health Grant funding is no longer available.

Approval is now sought for these minor changes to the draft LIP. Upon approval a final draft version of the LIP will be submitted to TfL in February 2019, ahead of final sign-off by the Mayor of London. An updated version of the Environmental Report will also be produced and will be published on the Council's website.

Recommendation(s)

The Cabinet is asked to recommend the Assembly to:

- (i) Note the minor changes to the draft third Local Implementation Plan (LIP3) following the formal consultation period; and
- (ii) Approve the final draft version of the LIP3 for submission to Transport for London and sign-off by the Mayor of London.

Reason(s)

To help deliver the Borough Manifesto priorities and Health and Wellbeing Strategy outcomes – in particular those related to growing the borough, enhancing the local environment and improving health and wellbeing. The proposals in the LIP will also help tackle crime and anti-social behaviour on the borough's streets and improve personal safety whilst travelling.

1. Introduction and Background

- 1.1 On 16 October 2018 Cabinet approved the Draft Third Local Implementation Plan (LIP3) for submission to Transport for London (TfL) (Minute 42 refers). The LIP outlines the short, medium and long-term programmes and measures which will facilitate the delivery of improvements to the transport system for the benefit of all those living and working in and travelling through Barking and Dagenham.
- 1.2 Following submission of the draft plan, BeFirst undertook a five-week consultation exercise with a range of statutory and local stakeholders and the general public. Consultees were asked to give their views on the various aspects of the plan. At the same time, consultation was undertaken with a number of statutory bodies on a draft Environmental Report, produced as part of a Strategic Environmental Assessment (SEA) of the LIP – a duty placed on the Council by the European Union when producing such documents.
- 1.3 This report outlines the results of the consultation exercises and details the various improvements/additions that are recommended to be included in the final draft version of the LIP ahead of submission to TfL in February 2019.

2. Proposal and Issues

Consultation Exercises

2.1 Consultation on the draft LIP and the draft Environmental Report was undertaken with a range of statutory and local stakeholders and the general public between 2 November and 7 December 2018. Several forms of consultation were carried out including:

- A questionnaire uploaded to the Consultation Portal on the Council website;
- Individual stakeholder meetings;
- Circulation of the draft plan to a range of organisations including neighbouring boroughs; transport user and campaign groups; access and equalities groups; the emergency services; and business and community groups.

Consultation Responses

On-line questionnaire

2.2 Response to the on-line questionnaire was very low, with only 13 responses received in total. In general, there was some support for the approach adopted in the draft LIP, with over half of the respondents either 'strongly agreeing' or 'agreeing' with the proposed objectives. There was strong support for additional transport links/services to places such as Stratford and Canary Wharf, as well as measures to improve safety and security on the local transport network and improve the local street scene. However, there was less support for the proposed Delivery Plan and three-year Programme of Investment, with only a third of respondents either 'strongly agreeing' or 'agreeing' with the proposals. Chief among the concerns raised were the potential impacts on general traffic as a result of proposals to implement bus priority schemes and the potential for further conflict between pedestrian and cyclists with the introduction of new cycling schemes.

Stakeholder engagement

2.3 One stakeholder meeting was carried out during the course of the consultation exercise. This took the form of a question and answer session with the Barking and Dagenham Access Group at a meeting of the Access & Planning Review Forum. Again, there was broad support for the approach adopted in the plan, with forum members welcoming investment in measures and interventions that would result in improved accessibility; improved safety and security; and the creation of healthy, inclusive places. However, members reiterated the need for the perceptions of safety to be addressed as much as actual safety issues and for all schemes to be designed taking into consideration the needs of the least abled.

Written responses

2.4 In addition to the on-line questionnaire and meeting responses, four separate written responses to the consultation were also received. These included comments made by TfL, the Metropolitan Police, the local branch of the London Cycling Campaign and the London Borough of Bexley. All these organisations were broadly in support of the approach/content of the LIP.

2.5 As a key mandatory stakeholder, TfL considered that the LIP aligned with the MTS and welcomed the Council's commitment to increasing sustainable travel and seeking to reduce traffic and levels of car ownership across the borough. They also welcomed the borough's adoption of the 'Vision Zero' approach as a means of seeking to eliminate all deaths and serious injuries from the local transport network. TfL has also put forward a number of recommendations on how aspects of the plan could be strengthened. These include:

- Providing additional information on how the borough will achieve 'Vision Zero' – to support the Mayor's objective of eliminating all deaths and serious injuries on the Capital's transport network by 2041;
- Providing further information on how LIP schemes/programmes are, and will be, prioritised, both in scale and geographical location – as a means of giving further confidence in the delivery of the borough's transport objectives;
- Updating a number of charts/graphs to include recently published data.

2.6 Consultation on the draft Environmental Report was undertaken with three key statutory bodies - Natural England, Historic England and the Environment Agency. No responses were received.

2.7 Details of the various representations made during the consultation period and the Council's response to these are set out in Appendix 1 to this report. None of the proposed amendments alter significantly the content or direction of the LIP.

3. Options Appraisal

3.1 The draft LIP is being updated to take on board some of the comments and suggestions made by various stakeholders, as detailed in the tables in Appendix 1. No significant material changes to the content or the direction of the plan are proposed. However, the minor amendments/additions will serve to further strengthen the LIP and ensure the various objectives and targets can be met. An amended version of the draft LIP will be submitted to the Mayor of London for approval in February 2019.

3.2 In addition to the text changes, a minor reprofiling of the three-year Programme of Investment is also proposed:

- The Council will shortly be submitting a bid for circa £450,000 funding through the Mayor's Air Quality Fund which requires a commitment to provide an element of match funding. It is proposed to meet this commitment through the LIP as the only viable source of match funding currently available;
- The value of the Borough-wide Healthy/Active Travel Programme has been reduced by £40,000 each year to reflect the fact that Public Health Grant funding is no longer available;
- All other schemes proposed in the Cabinet approved draft Programme of Investment are proposed to be retained, but the scope of works/spend on some has been downgraded slightly. An updated three-year Programme of Investment is included at Appendix 2 to this report.

4. Consultation

- 4.1 As described above, a formal five-week consultation exercise with a range of statutory and local stakeholders and the wider public was undertaken between 2 November and 7 December 2018. This was in addition to the wide-ranging consultation, participation and partnership working that has been central to the development of the draft LIP – the outcomes of which are summarised in section 1.3 in chapter 1 and Annex C of the LIP.
- 4.2 Ongoing engagement will continue to inform the planning and implementation of our transport schemes and programmes, with a strong emphasis on ensuring that decisions and delivery more closely reflect the needs of local people and that, ultimately, ‘nobody is left behind’.

5. Financial Implications

Implications completed by: Rodney Simons – Principal Accountant Capital

- 5.1 The annual funding available for the LIP three-year period is circa £1.5m in 2019/20 and £1.5m in both 2020/21 and 2021/22. The exact amount of funding for 2020/21 and beyond is, however, subject to confirmation. These figures are broadly in line with the level of funding the Authority has received from TfL in 2017/18 and 2018/19. 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. However, 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.

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 Plan to the Mayor of London for his approval. The plan must include a timetable for implementing its proposals and a date by which all the proposals will be 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 Plan is consistent with the Transport Strategy and the proposals and timetable are adequate for its implementation. The Council's submission to the Mayor will consist of the version of the plan agreed by the Cabinet.

7. Other Implications

- 7.1 **Risk Management** – Failure to produce a robust LIP could result in the Council's funding allocation for the period 2019/20 - 2021/22 being withdrawn and the Council having to bear the full costs of any planned transport schemes. This in turn could impact on the Council's ability to meet its targets in respect of increasing the mode share of cycling/walking; reducing the number of casualties on our transport network and reducing vehicle emissions. A number of the LIP schemes still 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 **Corporate Policy and Equality Impact** – The LIP is broadly in line with Council priorities. The LIP objectives and Delivery Plan will contribute to enabling social responsibility through protecting the most vulnerable, keeping adults and children healthy and safe and will also benefit all those who live in or travel through the borough. The plan also contributes to the Council's 'Growing the borough' priority through investment in enhancing our environment. An Equality Impact Assessment (EIA) has also been carried out on the LIP. The assessment indicates that the overall impact of the LIP on different groups is likely to be positive. There are no negative impacts shown, and the remainder are judged either positive or neutral. The results of the EIA are set out in Annex E of the LIP.
- 7.3 **Safeguarding Adults and Children** – The LIP Delivery Plan and Programme of Investment include schemes to improve road safety both through highway safety measures and also through initiatives such as cycle training for all. More generally the LIP aims to improve safety and security for all users of the borough transport network.
- 7.4 **Health Issues** – The promotion and enabling of cycling and walking in Barking and Dagenham figures prominently in the LIP and is a key component of the Council's Health and Wellbeing Strategy and sits at the heart of the borough manifesto theme of "health and wellbeing".
- 7.5 **Crime and Disorder Issues** – The Crime and Disorder Act requires the Council to have regard to crime reduction and prevention in all its strategy development and service delivery. Through the LIP the Council aims to address concerns of personal safety by working to ensure that roads and footways are well maintained and free from obstructions and infrastructure is safe and secure.
- 7.6 **Property / Asset Issues** – Where new infrastructure is required as part of a LIP scheme, the Council will seek to ensure that high quality, durable products are used and that schemes are well- designed and engineered to 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:

LB Barking and Dagenham Consultation Draft Third Local Implementation Plan
2019/20 – 2021/22

<https://www.lbbd.gov.uk/sites/default/files/attachments/LBBD%20Consultation%20Draft%20LIP3%20-%20Final.pdf>

List of Appendices:

Appendix 1: LIP Consultation Response Summary

Appendix 2: Revised LIP Three-Year Programme of Investment (2019/20 – 2021/22)

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Appendix 1: LIP Consultation Response Summary

Public Consultation Feedback

Consultee	Date/Method of Engagement	Summary of Response/Issues Raised	Council Response/Actions
General Public	02/11/18 – 07/12/18 - Online Questionnaire 13 responses received	<ul style="list-style-type: none"> There was some support for the overall approach adopted in the draft LIP, with over half of the respondents either 'strongly agreeing' or 'agreeing' with the proposed objectives. There was broad support for additional transport links/services to places such as Stratford and Canary Wharf, as well as measures to improve safety and security on the local transport network and improve the local street scene. There was less support for the proposed Delivery Plan and three-year Programme of Investment, with only a third of respondents either 'strongly agreeing' or 'agreeing' with the proposals. Chief among the concerns raised were the potential impacts on general traffic as a result of proposals to implement bus priority schemes and the potential for further conflict between pedestrian and cyclists with the introduction of new cycling schemes. 	<ul style="list-style-type: none"> Given the very low response rate to the online questionnaire, it is not possible to draw any meaningful conclusions from the consultation exercise. No changes are proposed to the draft LIP as a result of the feedback received from the general public. However, the Council is mindful of the concerns raised by respondents around the potential impacts/conflicts of new bus priority and cycling schemes and will ensure that detailed public engagement is undertaken as part of all scheme development/ implementation work to allay these concerns and ensure measures are fully supported by the wider community.
Barking and Dagenham Access Group	19/11/18 - Access and Planning Review Forum	<ul style="list-style-type: none"> There was broad support for the approach adopted in the draft LIP, with forum members welcoming investment in measures and interventions that would result in improved 	<ul style="list-style-type: none"> Comments noted. Additional text to be included in the final draft LIP highlighting how the 'co-design' approach to scheme development/ implementation can address perceptions of safety.

Consultee	Date/Method of Engagement	Summary of Response/Issues Raised	Council Response/Actions
		<p>accessibility; improved safety and security; and the creation of healthy, inclusive places.</p> <ul style="list-style-type: none"> Forum members highlighted the need for people's perceptions of safety to be addressed as much as actual safety issues themselves and for all schemes to be designed taking into consideration the needs of the least abled. 	<ul style="list-style-type: none"> Adoption of 'Healthy Streets' approach will ensure that the needs of the least abled are taken into consideration during scheme development/ implementation.
Metropolitan Police	19/11/18 – Written Representation	<ul style="list-style-type: none"> Response highlighted the need for a greater commitment to be made in the LIP to adopting 'Secured by Design' principles as a proven means of reducing crime and fear of crime within the borough. Adoption of SBD principles would bring a number of benefits to the Council and the wider community, including the creation of areas in which resident feel safe and secure and the promotion of healthy, sustainable living. 	<ul style="list-style-type: none"> Comments noted. Adoption of 'Healthy Streets' approach will ensure that issues around crime and fear of crime are taken into consideration during scheme development/implementation. However, additional text to be included in final draft LIP highlighting a greater commitment to adopting key SBD principles.
London Cycling Campaign	03/12/18 – Written Representation	<ul style="list-style-type: none"> LCC generally encouraged by the many mentions of cycling throughout the document, accepting that it is a vital form of transport. However, has some concerns about the specifics of some proposals, the lack of specifics in others and the absence of some projects from the LIP. Key issues/considerations include: <ul style="list-style-type: none"> Lack of clarity and ambition on targets, especially interim targets; Insufficient detail on/weight given to proposed new strategic cycling and 	<ul style="list-style-type: none"> <u>Targets</u>: Interim/final targets align to those set by TfL. Proposed small increase to cycle mode share reflects existing low-level mode share figure and availability of funding to affect change. <u>Routes</u>: Alterations to text proposed to clarify position on/add weight to borough commitments around existing/proposed new cycle routes. <u>Cycling schemes</u>: Scheme design/implementation will be informed by 'Healthy Streets' and 'Vision Zero' approach, with all schemes built to London Cycling Design

Consultee	Date/Method of Engagement	Summary of Response/Issues Raised	Council Response/Actions
		<p>Quietway routes and existing LCN/LCN+ routes;</p> <ul style="list-style-type: none"> ▪ Need for good quality and safe cycle connections to/from Barking Riverside; ▪ Proposals to use central reservations to provide fully-segregated cycling facilities problematic – would involve additional carriageway crossings, deplete greenery and unlikely to be comfortable/legible; ▪ Pledge needed to fix legacy permeability and maintenance issues; ▪ Important that proposed river crossings incorporate cycling from the outset. 	<p>Standards. ‘Co-design’ approach also central to successful development/delivery of all schemes.</p> <ul style="list-style-type: none"> • <u>Legacy issues</u>: LIP scheme design process will address legacy permeability/maintenance issues in specific areas. Councils HIP programme will also address long-standing carriageway maintenance issues. Local Transport Fund ‘Minor Works’ programme will look to address all other small-scale legacy issues. • <u>River crossings</u>: Proposed crossings will accommodate pedestrians/cyclists and would feed into the long-planned National Cycle Network route along the Thames north bank and River Roding.
LB Bexley	11/12/18 – Written Representation	<ul style="list-style-type: none"> • Welcomes proposals to extend riverboat services to Barking Riverside as this could lead to future services calling at wharves and piers along Bexley’s waterfront. • Notes that draft LIP does not include any commitment to petition TfL to continue to consider further road-based Thames river crossings at Belvedere/Rainham and Gallions Reach/Thamesmead. Consider a missed opportunity given the potential for such crossings to enable and support significant economic growth in east and southeast London. 	<ul style="list-style-type: none"> • Comments noted. Introduction of timetabled river passenger services to/from Barking Riverside would provide the borough with additional cross-river connectivity, a direct transport link to the key employment hubs of Canary Wharf and central London and relieve pressure on the local road/public transport networks. • Focus of long-term schemes/interventions listed in cpt3 is mainly on those schemes that would directly impact on the borough and which support the Council’s wider growth ambitions. The Council is broadly supportive of additional Thames River

Consultee	Date/Method of Engagement	Summary of Response/Issues Raised	Council Response/Actions
			crossings and will continue to lobby for these key infrastructure improvements.
TfL City Planning	12/12/18 – Written Representation	<ul style="list-style-type: none"> • TfL considered that the LIP aligned with the MTS and welcomed the Council's commitment to increasing sustainable travel and seeking to reduce traffic and levels of car ownership across the borough. • TfL also welcomed the borough's adoption of the 'Vision Zero' approach as a means of seeking to eliminate all deaths and serious injuries from the local transport network. • A number of recommendations have been made on how aspects of the plan could be strengthened. These include: <ul style="list-style-type: none"> ▪ Providing additional information on how the borough will achieve 'Vision Zero'; ▪ Providing further information on how LIP schemes/programmes are/will be prioritised, both in scale/geographical location; ▪ Updating a number of charts/graphs to provide clarity and to reflect recently published data. 	<ul style="list-style-type: none"> • This content/direction of the LIP reflects the Council's commitment to looking at new and innovative ways of addressing the various transport, environmental, health and inequality issues that affect the borough and large parts of London. • Following further discussions with the City Planning team, the Council accepts the recommended changes/additions and the draft LIP has been updated to reflect these comments/suggestions. Details of how/where these changes have been made are set out in the table below.

TfL Consultation Feedback

TfL Comment/Recommendations	Council Response/Actions	Where Addressed
LIP Guidance Requirements/General Feedback		
<ul style="list-style-type: none"> The LIP does not follow the structure in the template but includes a table in Annex A that identifies where in the document each of the LIP mandatory requirements can be found. Each requirement has been addressed. 	<ul style="list-style-type: none"> Current structure represents preferred approach to LIP development. 	N/A
Chapter 1: Introduction and Wider Context		
<ul style="list-style-type: none"> The democratic process taken to approve the submission of the LIP is well set out. It may be beneficial to name the portfolio holder that initially approves the document. 	<ul style="list-style-type: none"> LIP document approved by Council Cabinet and Assembly. Relevant portfolio holder is acknowledged in Foreword. 	Foreword
<ul style="list-style-type: none"> Statutory consultees have been referenced although this section will read differently following consultation. Any amendments to the document based on feedback should be noted in the final version, along with the naming of groups consulted (as opposed to generic terms). 	<ul style="list-style-type: none"> Text updated to highlight additional consultation/ engagement undertaken in November 2018 and the outcomes of this. Details of specific individuals/groups consulted provided. 	Section 1.3 (Formal Consultation) – Paras 1.3.4 – 1.3.7 Annex C
Chapter 2: Borough Transport Issues and Objectives		
<ul style="list-style-type: none"> Figures have been provided within this chapter to set out the local context but several of the maps / images (e.g. Figures 2.1 and 2.5) are unclear and their quality / resolution should be improved in the final LIP. 	<ul style="list-style-type: none"> Maps/images reviewed and updated to provide greater clarity. 	Section 2.2 (Borough Overview) – Figure 2.1 Section 2.4 (Section 2.4 (Challenges and Opportunities) – Figure 2.5
<ul style="list-style-type: none"> Additional analysis and information on casualties in the borough to show that Barking and Dagenham have understood their local issues to show further commitment to the Vision Zero approach. 	<ul style="list-style-type: none"> Additional information on borough casualties provided, including 2017 casualty figures and details of those vehicles which present the greatest risk. 	Section 2.3 (Local Transport Context) - Table 2.2

TfL Comment/Recommendations	Council Response/Actions	Where Addressed
		Section 2.4 (Challenges and Opportunities) – Paras 2.4.7 – 2.4.9
• Point of accuracy on 2.5.9, KSIs in Barking and Dagenham rose in 2017 by 38%, 42% for serious injuries.	• Paragraph updated to reflect 2017 casualty figures.	Section 2.5 (Borough Transport Objectives) – Para 2.5.9
Chapter 3: LIP Delivery Plan and Programme of Investment		
• The LIP states adoption of the Healthy Streets Approach under the priority area of 'Creating Better Streets and Places' however adopting the approach implies all schemes delivered on the borough's streets should encourage more walking, cycling and public transport use and deliver improvements against the ten 'Healthy Streets' indicators. As such, 'improvements to traffic flow' and 'reducing traffic bottlenecks' should not be priorities in themselves.	• Text updated to highlight all-encompassing nature of the Health Streets Approach. • Reference to 'improvements to traffic flow' and 'reducing traffic bottlenecks' removed and replaced with 'improvements to bus journey times' and 'creating liveable spaces'.	Section 3.2 (Measures and Interventions) – Para 3.2.12
• Additional details on how casualty savings will be made and how the borough will deliver according to the Vision Zero approach should be included to show a thorough understanding and commitment, for example there is no mention of adopting a Safe Systems Approach, road risk or tackling danger at the source in the document.	• Text updated to include details on how the Council will achieve casualty savings and deliver Vision Zero approach.	Section 3.2 (Measures and Interventions) – Paras 3.2.9 – 3.2.10
• With further regards to Vision Zero the focus of the 2019/20 delivery plan is heavily on engineering with no mention of analysis of riskiest locations such as town centres and no mention of vehicle improvements, work related road risk (or FORS). Also, education appears to focus on vulnerable road users and not those who cause harm.	• Text updated to highlight different range of road safety measures/interventions the Council will implement in line with the Vision Zero approach.	Section 3.2 (Measures and Interventions) – Paras 3.2.9 – 3.2.10
• It would be helpful to include details on how programmes are, and will be, prioritised both in terms of scale and geographical location (as per requirement 21a). For example, how would the	• Details of how Delivery Plan is prioritised by geographical location already provided in Section 3.2.	Section 3.2 (Principles and Priorities) – Paras 3.2.1 – 3.2.2; Table 3.1; Figures 3.1

TfL Comment/Recommendations	Council Response/Actions	Where Addressed
prioritisation process be used if schemes need to be added / removed.	<ul style="list-style-type: none"> Further clarification provided on how prioritisation process would be used for adding/removing schemes. 	Section 3.5 (Programme Prioritisation and Monitoring Arrangements) – Paras 3.5.2 – 3.5.4
<ul style="list-style-type: none"> Despite no bus priority funding in table 3.5 the borough could show commitment to bus priority highlighting where new measures would be sought e.g. pinch points, as part of future scheme development etc. 	<ul style="list-style-type: none"> Text updated highlighting how the Council will work with TfL to identify other locations within the borough where bus priority improvements may be beneficial. 	Section 3.4 (Strategic Funding Programmes) – Para 3.4.8
<ul style="list-style-type: none"> Table 3.9, stakeholder management plan(s) may be helpful and could also include producing risk assessments at a scheme level. 	<ul style="list-style-type: none"> Table updated to include reference to stakeholder management plans. New table added containing risk assessment at scheme level. 	Section 3.5 (Managing Risk) Tables 3.9 and 3.10
<ul style="list-style-type: none"> Points of accuracy: <ul style="list-style-type: none"> Figure 3.1 is unclear and should be improved in the final LIP; In 3.3.5 the new bus/transit river crossing is expected to be part of a Housing Infrastructure Fund bid rather than a Growth Fund bid; In 3.4.6 the Ilford to Barking cycle route should be referred to as a ‘Future Route’ as opposed to a ‘Quietway’; 3.4.8 Suggestion to mention the City in the East growth study that identified the need for increased bus services for Barking Town Centre and measures being developed as a result; Make it clear if ‘The Heathway’ in row two of Table 3.8 is the same as point 2 in Figure 3.2. 	<ul style="list-style-type: none"> Relevant text has been updated to reflect correct terminology. Maps/images reviewed and updated to provide greater clarity. 	Section 3.3 (Funding Sources) – Para 3.3.5 Section 3.4 (Strategic Funding Programmes) – Paras 3.4.6 and 3.4.8 Figures 3.1; 3.2 Table 3.8
Chapter 4: Performance Management and Monitoring		
<ul style="list-style-type: none"> Targets follow the TfL trajectories issued in the borough data pack. However, two targets have been set for KSIs in 2041, there should only be one of zero. 	<ul style="list-style-type: none"> Erroneous target removed. 	Section 4.2 (LIP Indicators and Targets) – Table 4.1

TfL Comment/Recommendations	Council Response/Actions	Where Addressed
<ul style="list-style-type: none"> A revised set of borough trajectories for Outcome 2 and Vision Zero have been issued and boroughs need to update their targets to reflect these new trajectories in their final LIP for 2022 and 2030 (2041 is unchanged at 0). The borough is also asked to include additional text in the final LIP under Outcome 2 explaining the reasoning for the change in trajectories and targets. 	<ul style="list-style-type: none"> Road safety targets updated to reflect revised borough trajectories and additional explanatory text added. 	Section 4.2 (LIP Indicators and Targets) – Figure 4.2 (+ new text box) and Table 4.1
<ul style="list-style-type: none"> To demonstrate commitment to and understanding of the targets set commentary around Figure 4.1 and 4.3 should include the impact of growth and housing delivery on these targets e.g. an increasing mode share in the context of increasing trips. 	<ul style="list-style-type: none"> Text update to highlight impacts of growth/ housing delivery on targets. 	Section 4.2 (LIP Indicators and Targets) – Paras 4.2.5 and 4.2.10

Appendix 2: Revised LIP Three-Year Programme of Investment (2019/20 – 2021/22)

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
Corridors, Neighbourhoods and Supporting Measures Programme Indicative Allocation:					£1,377,000	£1,377,000
Barking Station Improvements	Contribution to redevelopment costs of Barking Station to improve accessibility, passenger safety and relieve overcrowding. Key priority is the provision of step-free access between the station concourse and platforms. Improvements to be delivered by end of 2019/20 in line with C2C franchise requirements.	Abbey	<p><i>LIP Objectives:</i> Connecting people and places; Improving safety and security</p> <p><i>MTS Outcomes:</i> Accessible; Quality; Safe</p> <p><i>Manifesto Priorities:</i> Safety</p>	£875,000	-	-
Dagenham Heathway 'Healthy Streets' Corridor Improvements	Development/delivery of range of 'Healthy Streets' measures identified in recent scoping reports produced by Sustrans/ Living Streets to address a range of safety issues/road user conflicts in the area and increasing levels of walking and cycling to this major District centre. Focus will be on the provision of safe, accessible facilities for pedestrians/cyclists; introduction of measures to tackle localised congestion and improve air quality; and delivery of enhancements to the public realm. 2-year collaborative design and build scheme with main works undertaken in 2020/21.	Alibon, River, Village	<p><i>LIP Objectives:</i> Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Accessible</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£50,000	£500,000	-

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
Valance Avenue 'Healthy Streets' Corridor Improvements	Development/delivery of range of 'Healthy Streets' measures with the aim of improving walking and cycling links between the Becontree Estate and the Elizabeth Line (Crossrail) station at Chadwell Heath. Focus will be on the provision of safe, accessible facilities for pedestrians/cyclists, including the potential for dedicated cycle facilities on the central reservation along Valence Avenue. 2-year collaborative design and build scheme with main works undertaken in 2021/22.	Valance, Parsloes	<p><i>LIP Objectives:</i> Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Accessible</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	-	£50,000	£500,000
'Greening the Fiddlers' - Becontree Heath Low Emission Neighbourhood	Community-led neighbourhood improvements scheme focused on reducing the dominance of vehicular traffic in Becontree Heath and creating a more welcoming, healthy place for everyone to enjoy; with the aim of encouraging more active, sustainable travel and delivering improvements to air quality in the area. Key elements include the creation of a 'Green Corridor' along Whalebone Lane South; the delivery of a 'Green Living Room' centred on the Merry Fiddlers shopping parade; and supported with a range of complementary behavioural and regulatory measures. Allocation represents match funding commitment in support of recent funding bid through the Mayor's Air Quality Fund.	Whalebone, Heath, Valance	<p><i>LIP Objectives:</i> Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Accessible</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£100,000	£250,000	£100,000

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
Eastbury Manor House Access Improvements	<p>Public realm enhancement scheme aimed at improving visitor access to and reflecting the Grade 1 listed status of Eastbury Manor House. Focused on Eastbury Square and surrounding streets, the scheme will deliver a range of 'Healthy Streets' improvements which will better meet the needs of visitors and reflect the requirements of residents. Priorities include the need to reduce the speed/dominance of vehicles; improve conditions for pedestrians/cyclists; and improve the quality of the street scene. The scheme will complement wider improvements underway at the manor house aimed at providing an enhanced visitor experience.</p>	Eastbury	<p><i>LIP Objectives:</i> Connecting people and places; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Accessible</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Community Engagement</p>	-	£50,000	£250,000
Station Access Improvements Programme – Upney and Dagenham East	<p>Continuation of station access improvements programme aimed at providing high quality, attractive approaches to the borough's transport interchanges. Focusing on Upney and Dagenham East stations schemes will deliver improved walking, cycling and bus access to stations; improved safety and security and an enhanced public realm. Utilising our preferred approach of collaborative design and build, scheme delivery will be undertaken in 2020/21 (Upney) and 2021/22 (Dagenham East).</p>	Longbridge, Eastbury, Eastbrook, Village	<p><i>LIP Objectives:</i> Connecting people and places; Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Connected; Accessible; Quality</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£50,000	£250,000	£250,000

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
Marks Gate – Chadwell Heath Cycling Link	Introduction of a dedicated cycle route linking the Marks Gate Estate to the Elizabeth Line (Crossrail) station at Chadwell Heath, as a means of encouraging healthy, sustainable travel. Scheme will utilise the existing quiet, green routes of St. Chad's Park to provide a safe, direct cycle link, whilst seeking to address some of the key barriers/ accessibility issues.	Chadwell Heath	<p><i>LIP Objectives:</i> Connecting people and places; Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Green</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment</p>	£75,000	-	-
Road Safety and Access Improvement Programme (Various Locations)	Small-medium scale, site specific road safety and access improvements in support of LIP objectives around reducing the number of casualties on our roads, improving access for all and promoting healthy/sustainable travel; and to complement the various corridor/ neighbourhood initiatives. Priorities tbc, but likely to focus on proposals for new neighbourhood 20mph zones, filtered permeability schemes and 'school gate' road safety/access improvements. Schemes will be guided by TfL 'Healthy Streets' and 'Vision Zero' approach.	All	<p><i>LIP Objectives:</i> Connecting people and places; Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£100,000	£150,000	£150,000

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
Borough-wide Healthy/Active Travel Programme	<p>Continuation of work with borough schools, businesses and residents to promote healthy, active and sustainable travel practices. Funding earmarked for:</p> <ul style="list-style-type: none"> • Provision of cycle training to people of all ages/abilities and the delivery of various walking events/initiatives; • Review/update of school and workplace travel plans, including funding for promotional events and small-scale physical measures. Includes contribution towards appointment of London Riverside Travel Coordinator. 	All	<p><i>LIP Objectives:</i> Promoting healthy, sustainable travel; Improving safety and security</p> <p><i>MTS Outcomes:</i> Active; Safe; Green</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£127,000	£127,000	£127,000
			TOTAL:	£1,377,000	£1,377,000	£1,377,000
Local Transport Funding Indicative Allocation:				£100,000	£100,000	£100,000
Future Scheme Development (Various Locations)	Investigative studies to inform future LIP Corridor/Liveable Neighbourhood schemes. Focus will be on promoting healthy, active travel and on securing road safety/accessibility improvements.	All	<p><i>LIP Objectives:</i> Connecting people and places; Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Connected; Accessible; Quality</p> <p><i>Manifesto Priorities:</i></p>	£60,000	£60,000	£60,000

Scheme Name/ Location	Scheme Summary	Ward(s) Affected	Link to LIP Objectives, MTS Outcomes, Borough Manifesto Priorities	Indicative Costs 2019/20*	Indicative Costs 2020/21*	Indicative Costs 2021/22*
			Health and Wellbeing; Safety; Environment; Community Engagement			
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.	All	<p><i>LIP Objectives:</i> Connecting people and places; Promoting healthy, sustainable travel; Improving safety and security; Creating better streets and places</p> <p><i>MTS Outcomes:</i> Active; Safe; Efficient; Green; Connected; Accessible; Quality</p> <p><i>Manifesto Priorities:</i> Health and Wellbeing; Safety; Environment; Community Engagement</p>	£40,000	£40,000	£40,000
			TOTAL:	£100,000	£100,000	£100,000
			GRAND TOTAL:	£1,477,000	£1,477,000	£1,477,000

* Schemes funded through LIP Corridors, Neighbourhoods and Supporting Measures Programme unless otherwise stated.

CABINET**22 January 2019**

Title: Core Support Services post-Elevate - Design Options Appraisal

Report of the Cabinet Member for Finance, Performance and Core Services
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Open Report with Exempt Appendix 1 (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 as amended)	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: Raj Patel, Programme Manager	Contact Details: Tel: 020 8227 3476 E-mail: Rajesh.Patel@lbbd.gov.uk
Accountable Director: Hilary Morris, Commercial Lead	
Accountable Strategic Leadership Director: Claire Symonds, Chief Operating Officer	
Summary	
<p>The Elevate East London LLP (Elevate) joint venture between the Council and Agilisys was formed on 10th December 2010 and at the same time the Council entered into a seven-year contract with Elevate for a range of services including ICT, Revenues and Benefits and Customer Services (B&D Direct), Procurement and Accounts Payable. This creation of this new entity was a response to the challenges faced by the Council at the time in terms of poor performance in these service areas and financial pressures.</p> <p>In 2015, the Council and Agilisys negotiated a three-year extension to the Services Contract. No further extensions to the Services Contract are available post December 2020 meaning the Council now needs to consider the options available to it for the future delivery of these services.</p> <p>It is recognised that this has been a successful partnership and that significant improvements have been made in service delivery alongside meeting and exceeding the saving targets set.</p> <p>This report provides an analysis of the different options available for each of the Elevate services and recommends a preferred option.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Agree that ICT services be delivered by an in-house provision for; strategic ICT, policy and specialist applications support and that other packaged ICT services be delivered via outsourced arrangements; 	

- (ii) Agree that Customer Services be delivered primarily by an in-house provision with the option that specialist areas, such as the out-of-hours and Careline services, can be delivered via an outsourced arrangement;
- (iii) Agree that all other Elevate services (procurement, accounts payable, revenues and benefits, including financial assessments) to be delivered in-house;
- (iv) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Performance and Core Services and the Director of Law and Governance, to agree the terms for an orderly planned exit of the Elevate East London joint venture and the timescales for and potential phasing of services being transitioned to agreed new arrangements;
- (v) Approve a budget of £9.7m to be spent on the proposed exit of the Elevate contract and the implementation of the new operating models for all Core Support Services, noting that anticipated savings from implementation of changes are a minimum of £7.8m per annum from 2021/22 and a positive return on investment is forecasted; and
- (vi) Delegate authority to the Chief Operating Officer, in consultation with the Deputy Leader, Cabinet Member for Finance, Performance & Core Services and the Director of Law to undertake all steps to implement the above recommendations including negotiations and to conduct the procurement and enter into any deeds of variations / contracts / agreements and all other necessary or ancillary agreements with any successful bidder(s) and/or other related parties in accordance with the strategy set out in this report.

Reason(s)

To assist the Council in achieving its vision and priorities, particularly in respect of a “well run organisation”, thus enabling services to meet the changing face and operational nature of the Council post 2020.

1. Introduction and Background

- 1.1 The Elevate East London LLP (Elevate) joint venture between the Council and Agilisys was formed on 10th December 2010 and at the same time the Council entered into a seven-year Service contract with Elevate for a range of services; ICT, Revenues and Benefits, Customer Services (B&D Direct), Procurement and Accounts Payable
- 1.2 In 2015 the Council and Agilisys negotiated a three-year extension to the Services Contract at the same time the Council embarked on an ambitious transformation programme which has fundamentally re-shaped the Council and the services it delivers. This programme has seen the creation of innovative new delivery vehicles such as Be First and BDSIP and new internal services such as MyPlace and Community Solutions.

- 1.3 The re-shaping of services currently within Elevate, as well as the re-shaping of the wider group of ‘core’ support services within the Council to align with these new service blocks forms the next stage of the Council’s transformation programme.
- 1.4 The creation of Elevate in 2010 was in response to some significant performance issues and recognition of the new financial pressures on the Council. Over time Elevate has provided a number of key benefits to Barking and Dagenham. As well as providing improvements to service delivery and financial savings, Barking and Dagenham has benefited from wider socio-economic outcomes from the Joint Venture such as the support for local businesses that has been achieved through the BEC and the Youth Zone. Some of the service delivery benefits from the JV are highlighted in the table below:-

Promised	Delivered
Savings of £84m from; <ul style="list-style-type: none"> • Savings on delivery of the 4 transferring services (£18m) • Procurement Savings (£16m) • Additional income from improved revenue collection (£8m) • Savings indirectly the responsibility of Elevate (£42m) 	Savings of £97.8m <ul style="list-style-type: none"> • Savings on delivery of the 4 transferring services (£4m) • Procurement Savings (£27.5m) • Additional income from improved revenue collection (£17.4m) • Savings indirectly the responsibility of Elevate (£48.9m)
Guaranteed improvements to transferring services	<ul style="list-style-type: none"> • Contact Centre - at time of transfer 20% calls answered – now 87% and £1.1m cheaper • ICT – performing at top quartile when benchmarked (but at a relatively higher cost) • Revs & Bens - Service had significantly overspent in the previous two years (2008) – now within budget and performance improved
Commitment to create jobs in the Borough	400 jobs were created and majority of Elevate workforce is made up of local people
Shared services with other London Boroughs	No services were shared (Elevate had no track record on which to secure future sales to other boroughs)
The addition of expertise to the council’s existing transformation team	The creation of online services and new technology in the contact centre (webchat, IVR etc)
Acceleration of benefits realisation to deliver savings earlier Consultancy rates at half the market price	<ul style="list-style-type: none"> • Immediate £2.6m saved • Consultancy rates at agreed (below market) rate

- 1.5 In consideration of the options available to the Council to deliver the Elevate services post 2020, a series of options appraisals have been undertaken and in addition, Gartner, the recognised IT specialists, were contracted to provide a detailed options appraisal of ICT. Separate options appraisals were then carried out

by the Transformation Programme Team for Revenues and Benefits, Accounts Payable and Procurement and for Customer Services. Each of the options appraisals used a series of pre-agreed evaluation criteria in assessing each option, with the option scoring the highest mark leading to a final preferred option.

- 1.6 An Outline Business Case (OBC) summarising these options appraisals was then developed. It was agreed further work would be undertaken to validate the assumptions to test the optimum operating model for each of the services under consideration.
- 1.7 This report now presents the Final Business Case for Elevate Services and makes recommendations on the new operating model for each of these services. The Final Business Case is at Appendix 1 in the exempt section of the agenda as it contains commercially confidential information (relevant legislation - paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. Proposal and Issues

- 2.1. There is a requirement to transform the current in-house Core services as well as the services currently being delivered through the Elevate joint venture, to address the structural changes achieved by the successful implementation of Ambition 2020 Transformation Programme and the creation of a new kind of Council. Core services are defined as HR, Finance, Legal & Democratic services, Commissioning, Policy & Participation, and Communications and Marketing. These support services must reflect the changing face and operational nature of the Council post 2020 as well as deliver a new operating model for the Elevate Services. The services must deliver more efficient, streamlined and commercialised support services which are sector leading, responsive, agile and fit the current and future structure / size of the Council.
- 2.2. It should be noted though that there is uncertainty about the demand for Core services post 2020 as it is not clear whether the Council owned trading companies such as Be First, the Barking and Dagenham Trading Partnership (BDTP) and the School Improvement Partnership (BDSIP) will require some or all of the Council's core services as they develop. These trading companies have the option of purchasing their Core service support from other providers from March 2020 and are not required to give formal notice of their intention to withdraw from these services until October 2019. Whilst initial soundings have been sought as to their willingness to buy back, it is too early for them to provide a definitive view. Additionally, there are other programmes which may alter the demand for Core services such as the Customer Experience and Digital Programme (CED).
- 2.3. However, even with this uncertainty, with the exception of the Customer Services out-of-hours service, Careline and some aspects of packaged IT services, it is recommended the remaining Elevate services are brought back in-house and integrated into the new recommended target operating model for Core services.
- 2.4. The Final Business Case (FBC) is based on prudent assumptions and market soundings and reflects the significant challenges of undertaking a transformation project of this size. No assumptions have been made regarding income growth that

may arise from providing support services to the commercial entities or other organisations.

- 2.5. Compared to the current costs, the proposed arrangements are forecast to deliver annual savings of £7.8M in 2021/22 with increased savings estimated in subsequent years. It should be noted, with the expiry of the Elevate contract in December 2020, full year savings will not be realised during financial year 2020/21 – much of this shortfall can be met from projected savings arising from the restructuring of other (non-Elevate) core services e.g. savings from establishing a Transactional processing hub, restructuring as a result of the Core Services target operating model implementation. The table below provides the savings breakdown for 2020/21 and 2021/22.

Table: Projected Core Savings

Savings	20/21 £000	21/22 £000
MTFS Savings Target	5,000	5,000
Elevate Services projected savings:	2,105	4,688
Other Core (non-Elevate) savings	2,845	3,165
Net Forecast Programme Saving	4,949	7,853
Estimated (Shortfall) /Surplus	(51)	2,853
Other historical targets not previously met: (Democratic Services £141k, PA team £90k, SMT £95k, Leisure £290k)	(616)	(616)
Overall (Shortfall) / Surplus	(667)	2,237

Note: Figures in brackets represent shortfall

Table: Breakdown of Projected Elevate Savings

Elevate Savings	20/21 £000	21/22 £000
Management Fee and Gainshare savings	1,065	3,548
Other Operational costs	(161)	(536)
Benefits Remodelling	726	726
Improved collection rates	475	950
Total Elevate Savings	2,105	4,688

3. Options Appraisal

- 3.1. Five main options have been considered for each of the services within Elevate. Where appropriate, within each option, consideration has been made of the type of delivery vehicles available and a high-level assessment of each vehicle in addressing the Council's requirements.
- **Joint Venture** – delivery of one / multiple services via one strategic partnership arrangement;
 - **Outsource Delivery** - services outsourced via a competitive tendering process to specialist support service operators;
 - **Shared Service** - Sharing Services across a number of public sector bodies potentially with ability to trade;
 - **In House Delivery** - the Council to deliver core support services directly.
 - **Traded Service** – delivery of services through a council owned or commercial vehicle;
- 3.2. As part of the options appraisal a Market Sounding exercise was undertaken during June 2018. This was designed to test the market's appetite for providing the range of core services either individually or as a package of services. The exercise helped to feed in to the evaluation of the various options. These options are summarised below.

Option 1 – Joint Venture

- 3.3. This is the “no change” option which would seek to maintain the current approach to the delivery of the services managed within the Joint Venture (JV) vehicle. However, as the existing Elevate contract is due to expire in December 2020 and there is no opportunity to extend it, some form of competitive tendering of the services would need to be carried out. Whilst the option exists for the Council to set up a new JV vehicle with another partner, this was rejected as it was not considered economically viable on the basis of the relatively low values of the services under consideration measured against the cost of setting up such a vehicle.
- 3.4. The option is not consistent with the overall Council vision, and on its own would not enable the council to respond to the challenges it faces including meeting its savings target.
- 3.5. The ability to make further efficiencies would be very limited and there would also be little scope to increase resilience or provide a wider range of services to other bodies.

Option 2 – Outsource

- 3.6. This option would see processes and job functions that are currently carried out by Elevate contracted out in their entirety to commercial third-party suppliers who will deliver against a defined output specification / Key Performance Indicators. This option would take longer to implement, requiring the packaging of the services and development of detailed output specifications and contract documentation, a competitive tendering process, evaluation, contract award and mobilisation. It is anticipated that this process would take at least 12 – 18 months. Whilst the timescales involved do not rule out this option, large scale outsourcing of services was not considered attractive either by the Council or by suppliers through the market sounding exercise.

- 3.7. Although once implemented, early savings could be achieved through outsourcing, it is considered that this type of arrangement would restrict the ability to deliver further efficiencies. This is particularly the case if the economic or legislative environment significantly changes or the approach to the delivery of other services within the council undergoes structural changes as is the case currently with LBBG. Entering into a contract with a for profit organisation for such a range of services would lock the council into medium to long term financial commitments and so was deemed less flexible than some of the other options. Changes in scope can be expensive and would limit the ability of the service users to make changes where they impact on the contract thereby in the long run potentially being a more expensive option.
- 3.8. The Market Sounding exercise undertaken during June 2018 indicated limited interest and appetite from the market for the type of large-scale outsourcing which a number of authorities had implemented in the past. Suppliers were more interested in strategic partnerships for the delivery of specialist services where they would have the flexibility to re-engineer to add value and deliver financial benefits.
- 3.9. Whilst wholesale outsourcing of these services is not considered as the optimal solution at this stage, the opportunity exists to adopt a hybrid solution and have the flexibility to contract for specific specialist services within the overall scope, thus ensuring maximum flexibility in service delivery as well as cost certainty. For these types of services, the market is far better placed to deliver these and can provide greater resilience and value for money through economies of scale. The hybrid option has been recommended for IT and Customer Services.
- 3.10. For IT, the proposal is to set up an in-house team responsible for IT Strategy, customer and supplier management and certain applications support with other packaged, commoditised services such as cloud infrastructure or hosting being outsourced.
- 3.11. For customer services the proposal is for an in-house customer services function with possibility of an outsourced out-of-hours and Careline function. This will enable the Council to develop the customer services to better meet its vision and requirements for 2020, with closer alignment of the activities of Community Solutions and MyPlace. The Council has already made significant investment in technology and its web and digital capability, and an in-house option provides the opportunity to derive maximum benefit from these investments as well as provide greater control and flexibility in any future investment decisions within a rapidly evolving customer services technology sector. The Council's investments in digital channels and better integration with back office functions through its new integration platform is resulting in an increased shift by customers to lower cost digital channels which will continue to deliver financial savings which are unlikely to be achieved through an outsourced model.

Option 3 – Shared Services

- 3.12. 'Shared services' refers to two or more authorities providing a given service on a joint basis but can take many different forms. Sharing may take place between neighbouring authorities or non-neighbouring authorities and may be provided via a joint in-house department or they may be jointly outsourced. The key rationale for local authorities which have decided to share their service provision with other local authorities is often financial. They may also seek service improvements and improved internal processes. A further rationale may be to tap into greater levels of expertise, through the sharing of specialist resources and the increased resilience of the service.

Any desired savings and efficiencies can be undermined with such a model as differing service requirements and processes emerge. Lack of joint ethos and different organisational cultures also tend to create challenges in achieving successful outcomes via a shared service.

- 3.13. Examples of shared service initiatives are OneSource, sharing support services between Havering, Newham and Bexley; the East Midlands Shared Services between Nottingham City Council and Leicestershire County Council involving the sharing of back office services including human resources, payroll and finance; and the Cabinet Office National Shared Service centre for HR & Payroll, Accounts Payable and Receivable and Finance.
- 3.14. A number of neighbouring London boroughs were approached during May/June 2018 to test their appetite for shared services. Whilst there was some interest in discussing collaboration opportunities for specialist services and joint procurements, there was not sufficient interest to warrant pursuing the shared services option further at this stage; however, this does not preclude reviewing shared services options in the future.

Option 4 – In-house delivery

- 3.15. The in-house option is the service being operated within the structure of the council. This option results in staff, who may be subject to TUPE, transferring into the council and being managed within the council organisational and management structure. This option does not exclude the service being delivered primarily in-house but with a procured supply chain for some elements of the service, to secure the most economically advantageous service offer.
- 3.16. The proposal to bring the procurement service back in-house will provide the opportunity to consolidate with other in-house procurement and contract management resources to create strategic procurement and commercial capability that is able to better support the Council's commissioning and strategic management functions as well as deliver financial savings through removal of duplication of resources. Many of the Council's contracts are now 2nd or 3rd generation and the ability of an external provider to continue to deliver gainshare savings is now limited. An in-house strategic function will be in a better position to review commercial arrangements across the entire commissioning cycle which will yield greater benefits over the longer term.
- 3.17. Central Government's proposals on Welfare Reform and the continuing delays in the implementation of Universal Credit (UC) is creating a huge amount of uncertainty which would result in potential outsourced suppliers charging a premium for the delivery of Benefit services. The in-house option is recommended at least for the next few years whilst UC is being implemented as it allows the Council to better support customers receiving benefits during this period of uncertainty. The in-house option will allow the Council to build more resilience and capacity by bringing together the benefits and financial assessments functions and integrate better with the Community Solutions interventions and activities to support the vulnerable members of the local communities.
- 3.18. It is proposed to bring in-house the functions of accounts payable and revenue collection. This will allow the Council to consolidate elements of these functions within the proposed broader transactional hub for Core services, enabling further

efficiency savings through streamlining and automation of business processes and generic working allowing better demand management.

- 3.19. For Revenues, it is forecast that by 2020, there is likely to be an increase in net collectable debt of about £66m resulting in growth pressures in the level of resourcing required. Again, through streamlining of collection processes, a better alignment of resources at the appropriate points of customer contact, more efficient ways of working and a closer alignment between the Community Solutions interventions to address the causes of debt and better targeting of the enforcement function, there will be improvements in both the absolute levels of collection rates and collection level per FTE.

Option 5 – Traded Service

- 3.20. An increasing number of local authorities have set up local authority trading companies (LATCs). Local authorities must establish a company if they wish to carry on trading activities for profit. Barking and Dagenham has already established a trading company (B&D Trading Partnership) which oversees a number of subsidiary companies providing services to LBBD as well as other organisations such as schools as well as a separate School Improvement Partnership Company BDSIP. Whilst the option exists for the Council to set up a new trading services vehicle, this was rejected as it was not considered economically viable on the basis of the relatively low values of the services under consideration measured against the cost of setting up and maintaining such a vehicle.
- 3.21. Trading opportunities were discussed with B&D Trading Partnership to assess the potential for some services, specifically Accounts Payable and any other transactional services (such as payroll) to be incorporated into their trading structure. Following a number of meetings, it was agreed that this was not going to be possible at this stage, mainly for three reasons:
- B&D Partnership did not feel that these services fitted in with their current strategic direction;
 - B&D Partnership went live in April 2018 and were facing significant challenges in transforming the services within existing scope and hence they do not have the capacity to integrate these additional services within the timescales discussed; and
 - B&D Partnership felt they needed to understand the marketplace for these services and their competitiveness
- 3.22. Notwithstanding the above, in principle, the B&D Trading Partnership would be keen to explore the possibility of adding certain services to those already within its commercial scope at a future point. Whilst the opportunity exists to transfer one or more services to B&D Trading Partnership in the future, further work will be needed to clearly identify and get agreement on how the investment in new systems and processes required within existing services will be funded and how any savings and / or income are treated. The treatment of pension and other costs will need to be agreed such that the trading vehicle is not unduly loaded with extra costs that are not sustainable in the marketplace resulting in an uncompetitive service provision.
- 3.23. There was interest in considering over the medium / longer term, the potential for a trading transactional processing function. This would provide the Council the

opportunity to consolidate transactional activity arising from some Elevate and in-house core services and to re-engineer / streamline over the next few years. This would enable LBBD to make some savings from these services as well as develop a streamlined transactional processing function that could be competitive in the marketplace. Once the transactional processing function has been established, streamlined and made efficient consideration will be given post 2020 as to how this may be able to become a traded service.

4. Implementation

- 4.1. The Council's preferred option for a phased exit of the Elevate contract would alleviate some of the considerable challenges associated with a "big bang" exit and transfer in December 2020. Accordingly, a draft phasing plan has been developed and agreed with Agilisys which sees the various components of the Elevate services transferring over to the Council in stages, allowing for process streamlining and some minor structural alignment. .
- 4.2. A phased exit means that some, or all, of the services will be transitioned to the new operating models prior to December 2020 and this principle has been agreed by all parties.
- 4.3. A high-level timeline has been discussed with the exact dates and the phasing of services transferring being subject to more detailed discussions. These discussions will take place from January and will involve service leads on both sides to ensure inter-dependencies, operational and organisational issues are resolved and a smooth transfer is achieved.
- 4.4. As part of the exit, a number of procurement initiatives will have to be undertaken this could include the creation of a new framework to enable access to specialist services and skills such as those currently provided on a draw down basis.
- 4.5. Whilst the primary reason for a phased exit is non-financial and is to alleviate the challenges with a big bang exit there are benefits to bringing these back early such as:
 - Having procurement services delivered from within the Council prior to tendering for some of the services that may be outsourced such as the customer services out of hours and careline functions, or the commoditised elements of the IT service will reduce the possibility of conflict of interest challenges in the event Agilisys bid and are successful and therefore help to ensure a smooth transition of services.
 - Having the Elevate PMO function working alongside the Council's PMO function to support the continued Transformation and Change programme as well as assisting with the design of the detailed operation model for ICT service will be beneficial.
 - Engaging the market at an earlier point would mean being able to deliver an integrated Assistive Technology solution that better meets the Council's requirement's in advance of the current contract end date.
 - Commencing the re-engineering of the processes within Revenues and Benefits earlier will deliver closer integration with and the timely and appropriate levels of intervention from Community Solutions which will lead to better outcomes for local communities and the Council at an earlier point in the transformation.

The TUPE Regulations are likely to apply to some or all of these proposals and full consultation with the unions and staff affected will take place on any proposals at the earliest opportunity.

- 4.6. In February 2017, Assembly agreed funding for implementation of the Transformation programme and Members were advised this funding did not include provision for the design or implementation of the Core Support Services Programme. Cost efficiencies elsewhere in the Transformation programme have enabled the design stage of the core support services programme to be funded from within the agreed transformation funding however, funding is now required for both the implementation of the Elevate Exit Strategy and the Core Support Services Programme.
- 4.7. The table below provides a summary of the implementation costs to deliver the core programme which are expected to be circa £9.7m.

Table – Implementation Costs

Costs	18/19 £000	19/20 £000	20/21 £000	21/22 £000	Total £000
Elevate Exit (Resource)	178	1,015	922	208	2,322
Implementation (Resource)	189	934	949	176	2,248
Technology & Automation		1,000	1,000		2,000
IT Transition (Resource)	197	907	22		1,125
Digital Archiving Project	100	500			600
Redundancy provision				1,440	1,440
Total Cost	663	4,356	2,892	1,824	9,736

Note that the business case assumes there are no costs of buying back assets from Elevate, subject to legal confirmation. All assets provided by the Council at the commencement of the elevate contract would transfer back to the Council. A full asset list has been requested from Elevate which will confirm whether Elevate have purchased any assets that would need to transfer to the Council and any associated cost implications. There are no implementation costs beyond the 2021/22 financial year.

Comparing the projected savings with the costs over a typical period for a business case of this nature (i.e. 5 – 7 years), the following table summarises the return on investment

Table – Costs v Savings

	18/19 £000	19/20 £000	20/21 £000	21/22 £000	22/23 £000	23/24 £000	24/25 £000	Total £000
Total Cost	(663)	(4,356)	(2,892)	(1,824)	0	0	0	(9,736)
Savings	0	0	4,949	7,853	8,480	9,057	9,634	39,973
Net Savings	(663)	(4,356)	2,057	6,029	8,480	9,057	9,634	30,237

Note: Figures in brackets represent costs/shortfall

- 4.8. Savings arise from a number of sources but in the main:

- Reduced headcount across the Core resulting from harmonised working practices (economies of scale) and consolidated management structure, particularly within the proposed transaction hub.
- Streamlined business processes and greater use of automation in manual processing – especially with regard to the Accounts Payable function;
- Remodelling of the Council Tax support scheme resulting in better targeted, focussed and joined up support with ComSol to the most vulnerable members of the Community
- Further reductions in employment costs arising from a shift in the balance of tasks performed by professional officers vs. administrative officers; and
- Increases in income as a result of exploiting new sources of revenue and increasing the yield from existing sources, such as the LBBD Film Studio and income from advertising

- 4.9. The Return on Investment (ROI), namely the savings made from the initial cost invested, is a ratio of just over 4:1. So for every £1 invested the Council will save £4.10 over the period of the business case. This is a significant ROI.

5. Consultation

- 5.1. A wide range of internal and external stakeholders were engaged with and provided valuable input during the investigative and design phases of the programme. This included staff and managers at Elevate and LBBD, Local Authorities and suppliers.
- 5.2. An Equality Impact Assessment has been undertaken to ascertain the impact of proposed changes to current service delivery.
- 5.3. The Outline Business Case was considered and endorsed by Programme Board on 11 January 2018 and Corporate Strategy Group on 15 February 2018.
- 5.4. The Final Business Case for Elevate Services was considered and endorsed by Programme Board on 12 November 2018 and by the Corporate Strategy Group on 15 November 2018.

6. Financial Implications

Implications completed by: Chris Randall, Interim Transformation Programme Financial Accountant

- 6.1. The reconfiguring of how both the services currently provided by Elevate and the other Core Services provided internally is required in order to achieve the ongoing annual savings target currently included within the Council's medium-term financial plan against these services. The majority of savings will be general fund; however, some will accrue to the housing revenue account where core service provision impacts this area. The estimated one-off cost of transforming these services as the Elevate contract is exited is £9.7m, and it is likely there will also be some marginal additional annual revenue costs associated with IT applications. It should be noted that the costs of transforming the Core Services of the Council was never included in the original cost envelope approval of £27m as this was seen as phase II of the transformation.
- 6.2. The potential funding sources for transformation of the core services and any costs associated with the exit from the Elevate contract are a mixture of earmarked reserves (£3m budget support reserve), technical adjustments to unused accounts payable control accounts £4m] and capital receipts from shared ownership residential property purchases £3m. Should these not be sufficient some of the costs which meet the standard definition of capital expenditure could be funded by borrowing, but this would be as a last resort.

7. Legal Implications

Implications completed by: Suzan Yildiz, Deputy Head of Legal Services

- 7.1. The Council is a best value authority and is therefore obliged to make arrangements to secure under the Government Act 1999, Section 3 (1) a continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.2. The preferred option given that the Service Contract entered into by the Council and Elevate East London (Elevate) the limited liability partnership set up between the Council and Agilisys cannot be extended beyond 9th December 2020, is to bring the Service Contract and the Elevate partnership to an end.
- 7.3. The report presents a Business Case and makes recommendation of a new operating model for the Elevate services. The phased exit of the Elevate partnership and Service Contract will require some lengthy discussion with Agilisys to ensure that the exit and transfer shall be undertaken in a seamless manner without underwriting any Elevate liabilities including any pension obligations or having an impact on the delivery of the services.
- 7.4. The Council will have to ensure in due course that the any services that are to be outsourced under the new operating model shall comply with the Corporate procurement process.
- 7.5. Finally, the Transfer of undertaking Regulations 2014 (TUPE) is to apply on the transfer back of some of the services to the Council and those services which are to

be outsourced to third parties. The TUPE Regulations imposes the Duty to inform and the Duty to consult which needs to be undertaken during the phased exit process.

8. Other Implications

- 8.1. **Risk Management** – Detailed risk analysis has been carried out for the programme and a risk and issues register maintained. High level risks and issues and associated mitigations have been regularly reviewed by the PMO and reported to the Corporate Performance Group.

Many of the identified savings are dependent on efficiency improvements from investment in new technology, changes in working practices and the streamlining of business processes. This will require some up-front investment of resource and staff time, and work to ensure compatibility of systems.

There is the potential for a short-term increase in staff turnover. This could result in the temporary loss of key skills and experience and staffing capacity.

None of the identified risks are believed to be insurmountable and with careful planning and robust risk management, it should be possible to minimise their potential impact.

- 8.2. **Contractual Issues** – The Elevate East London LLP (Elevate) joint venture between the Council and Agilisys expires on 9th December 2020 and no further extensions are available. To minimise the risk to all parties, it has been agreed that a phased exit would be preferred over a “big bang” exit at the end of the contract.

- 8.3. **Staffing Issues** - TUPE is likely to be considered to be applicable to these proposals; Elevate staff may be subject to TUPE. Staff and Unions will be consulted on the changes proposed and opportunities provided to apply for positions within any new structures, as part of the restructuring process and to retain necessary skills and experience.

- 8.4. **Corporate Policy and Equality Impact** – The proposals for Elevate services contained within this report are in line with the independent Growth Commission’s recommendations and the Transformation Strategy. They will contribute to delivering the vision and aspirations for the borough as set out in the Borough Manifesto, in particular around supporting the Local Environment. The proposals will also result in the improved efficiency and effectiveness of the services. In particular, the proposals will contribute to the Council’s priorities; ‘*Build a well-run organisation*’ and ‘*Ensure relentlessly reliable services*’ as set out in the Corporate Plan.

An Equalities Impact Assessment (EIA) is attached to this paper. The EIA will be regularly reviewed and updated as plans progress. The proposals will not have any negative impact on any of the protected groups and residents should not see a difference in the service they receive. In fact, the proposals present an opportunity to review the services in question to ensure they provide a relentlessly reliable service. A phased approach to exiting the contract and implementing the new arrangements will ensure there is no disruption to services and any impacts are managed effectively. Any staff affected by the changes will be managed under the TUPE process and will be subject to a separate consultation and EIA.

8.5. Property / Asset Issues – In the short-term following transfer of Elevate staff to the Council, it is expected these staff will remain in their normal locations. Longer term there may be opportunities for property rationalisation in line with the Council's Asset Management Strategy.

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

List of appendices:

- Appendix 1: Full Business Case (exempt document)
- Appendix 2: Equalities Impact Assessment

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Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

About the service or policy development

Name of service or policy	Elevate Partnership Services
Lead Officer	Claire Symonds, Chief Operating Officer
Contact Details	Claire.Symonds@lbbd.gov.uk

Why is this service or policy development/review needed?

The Elevate East London LLP (Elevate) joint venture between the Council and Agilisys was formed on 10th December 2010 and at the same time the Council entered into a seven-year contract with Elevate for a range of services ICT, Revenues and Benefits and Customer Services (B&D Direct), Procurement and Accounts Payable. Additional services were later added to these but returned to the Council in 2012.

In 2015 the Council and Agilisys negotiated a three-year extension to the Services Contract. The Council has now decided to bring most of the Elevate services back “in house” with some packaged IT services and the out of hours customer services function proposed to be outsourced.

The scope of the Elevate workstream covered four main functional areas: -

- ICT
- Revenues and Benefits
- Customer Access
- Procurement and Accounts Payable

The Table below provides an overview of the:

- i. Description of each functional areas;
- ii. Current operating models that exist within these services;

High level description of functions within scope

Function	Functional Description	Current Operating Model
ICT	Council ICT services covering infrastructure, applications and development /project services	The ICT function is managed by the Elevate JV with a small client function retained in-house.
Revenues	Council revenue collection (Council Tax, NDR, Sundry Income)	The Revenue function is managed by the Elevate JV with a small client function retained in-house.
Benefits	Council Benefits payments (Housing and Council Tax)	The Benefits function is managed by the Elevate JV with a small client function retained in-house.
Customer Access	Council customer access function involving the main customer access channels – telephone contact centre, “one stop shop” face-to-face and web-based self-service.	The Council customer service functions are currently delivered by Elevate, the Council’s joint venture with Agilisys, via three main channels: (1) the B&D Direct Contact Centre, (2) the One Stop Shop in Dagenham Library, (3) a digital offer - primarily based around the Agilisys Digital customer platform.
Procurement and Accounts Payable	Corporate Procurement function covering procurement advice, support, and compliance.	The Procurement and Accounts Payable function is managed by the Elevate JV with a small client function retained in-house.

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Why is this service or policy development/review needed?

	Accounts Payable covers payments to most of the Council's suppliers.	
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Breakdown of staff and cost baseline across functional areas

Current Elevate Services	Total FTEs	2018/19 Budgeted Total Target Cost	Comment
Revenue and Benefits	133	£6,728,264	
ICT	52	£7,223,498	
Procurement and Accounts Payable	14.7		Funded through gainshare so not included within Target Cost
Customer Services (Barking & Dagenham Direct)	80.9	£3,837,201	
TOTAL Elevate Services	280.6	£17,788,964	

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?
Look at what you know? What does your research tell you?

Consider:

- National & local data sets
- Complaints
- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.

Demographics

Many of the borough's residents use the customer services provided by the Council and receive benefits via the Council as well as being Council Tax payers. Many are, or maybe in the future, employed by the Council too. Any of these individuals may be impacted by the one or more of the Services in scope. As such, general demographic information that is available to the Council is considered the appropriate data set on which to base this EQIA.

ONS 2015 mid-year estimate shows that 51% of Barking & Dagenham's population of 202,000 is female and 49% male. No information is available on transgender numbers. Age distribution data is available from ONS 2015 mid-year estimate and ONS 2014 Sub National Population Projections. See Annex 1, which also includes data from the 2011 census on

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ethnicity, disability and religion/belief.

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	X			The re-integration of services into the Council with the expectation that an improved quality of service will result at a reduced cost to the Council	<ul style="list-style-type: none"> • Protect local jobs • To increase the efficiency and effectiveness of the Elevate services currently being delivered through the implementation of the proposed Core target operating model. • Avoid creating new services.
Age	X				.
Disability	X				
Gender reassignment	X				
Marriage and civil partnership	X				
Pregnancy and maternity	X				
Race (including Gypsies, Roma and Travellers)	X				
Religion or belief	X				
Gender	X				
Sexual orientation	X				
Any community issues identified for this location?	X				
Staff	X				<p>It is envisaged that existing staff in the Elevate Partnership who are in scope will transfer back to the Council under TUPE legislation. Whilst this will ensure that staff terms and conditions in the new organisation are broadly equivalent to those in the Council, individual members of staff may be affected by the transfer in different ways dependent on their specific circumstances. A separate EQIA will be developed about how the TUPE process will impact staff ahead of, and will form part of, any consultation exercise.</p>

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2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

Community

The community will not see a difference in the services as the services will be delivered largely by the same staff who will have transferred back to the Council who will then have more control of the services and will therefore be able to deliver improvements quicker and be more responsive.

Staff

Staff impacted by the transfer will be consulted in the normal manner for any TUPE transfer. A separate EQIA will be developed about how the TUPE process will impact staff ahead of, and will form part of, any consultation exercise.

3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented?

These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.

Action	By when?	By who?
Statutory reporting and KPIs are in place which will be monitored through agreed channels to the Council.	Quarterly	COO
Regular board meetings with input/ approval from Leadership team where required.	Quarterly	COO.

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4. Next steps

Implications/ Customer Impact

It is anticipated that the services returning from Elevate will not have any impacts on communities or protected groups and that the returning Elevate Services will support the Council in meeting the following objectives:

Financial/Commercial Objectives

- To maximise the financial benefits to the Council by:
 - increasing revenues and debt recovered
 - reducing operating costs
- To contribute to Council savings targets agreed in the Medium Term Financial Strategy (MTFS)

Social Objectives

- To provide a positive, encouraging work environment for all staff leading to higher levels of productivity, reduced sickness absence and reduced staff turnover targeting a reduction on current levels of sickness absence (2016/17 average of 10.8 days per employee per annum) by 1.8 days by 2019/20 year

5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Sue Lees	Elevate Partnership CEO	
Claire Symonds	Chief Operating Officer, LBBD	

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Annex 1: Borough-wide demographic data

Table 1: Population by age and gender

Estimated Population Barking and Dagenham		Female	Male	Grand Total
Age				
00-04		9,499	10,137	19,636
05-09		9,067	9,650	18,717
10-14		6,757	7,236	13,993
15-19		6,134	6,782	12,916
20-24		6,378	6,604	12,982
25-29		8,196	7,530	15,726
30-34		8,834	7,951	16,785
35-39		8,351	7,306	15,657
40-44		7,495	7,280	14,775
45-49		6,918	6,374	13,292
50-54		6,093	5,639	11,732
55-59		4,480	4,728	9,208
60-64		3,559	3,395	6,954
65-69		3,078	2,739	5,817
70-74		2,262	1,912	4,174
75-79		2,107	1,537	3,644
80-84		1,717	1,147	2,864
85-89		1,276	700	1,976
90+		812	319	1,131
Grand Total		103,013	98,966	201,979

Source: ONS Mid-Year Estimates 2015

Table 2: Population forecast by age (ONS 2014 Sub National Population Projections)

Age	0 to 4	5 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to 79	80 to 84	85 to 89	90+	Total
2014	19,661	17,984	13,352	12,971	12,974	15,493	16,456	15,368	14,499	12,954	11,401	8,720	6,805	5,738	4,119	3,721	3,000	1,951	1,127	198,294
2015	19,777	18,724	13,930	13,029	13,300	15,811	16,861	15,846	14,755	13,222	11,746	9,178	6,922	5,846	4,169	3,644	2,905	1,974	1,114	202,753
2016	19,973	19,173	14,612	13,242	13,362	16,177	17,123	16,398	14,902	13,462	12,087	9,571	7,064	5,953	4,368	3,527	2,850	1,957	1,134	206,934
2017	19,950	19,555	15,660	13,200	13,604	16,423	17,418	16,801	15,292	13,593	12,312	9,958	7,343	5,834	4,671	3,522	2,778	1,951	1,138	211,002
2018	19,987	19,899	16,670	13,211	13,781	16,534	17,708	17,402	15,538	13,810	12,456	10,444	7,555	5,930	4,799	3,457	2,844	1,903	1,164	215,092
2019	20,296	20,033	17,548	13,493	13,618	16,833	17,826	17,861	15,823	14,078	12,617	10,775	7,903	5,995	4,986	3,457	2,849	1,883	1,158	219,032
2020	20,623	20,143	18,180	13,954	13,563	16,885	17,975	18,187	16,295	14,272	12,832	11,087	8,300	6,097	5,095	3,514	2,818	1,858	1,196	222,875
2021	20,903	20,317	18,581	14,552	13,612	16,824	18,217	18,405	16,827	14,406	13,032	11,396	8,643	6,226	5,195	3,690	2,743	1,846	1,212	226,625
2022	21,135	20,283	18,967	15,458	13,502	16,922	18,361	18,632	17,252	14,738	13,142	11,610	8,980	6,468	5,102	3,958	2,752	1,824	1,231	230,317
2023	21,327	20,330	19,275	16,331	13,449	16,968	18,371	18,860	17,811	14,980	13,310	11,748	9,401	6,656	5,188	4,084	2,724	1,889	1,239	233,941
2024	21,499	20,616	19,418	17,060	13,588	16,795	18,536	18,967	18,219	15,285	13,524	11,897	9,701	6,954	5,256	4,249	2,741	1,907	1,245	237,457
2025	21,642	20,926	19,533	17,589	13,885	16,694	18,519	19,071	18,517	15,749	13,687	12,085	9,979	7,295	5,350	4,356	2,801	1,904	1,275	240,857
2026	21,756	21,190	19,695	17,920	14,305	16,646	18,425	19,267	18,724	16,255	13,813	12,262	10,251	7,595	5,472	4,450	2,949	1,864	1,300	244,139
2027	21,844	21,407	19,657	18,297	14,955	16,484	18,458	19,380	18,924	16,674	14,104	12,360	10,448	7,888	5,684	4,385	3,181	1,881	1,320	247,330
2028	21,920	21,584	19,706	18,593	15,574	16,416	18,447	19,358	19,129	17,191	14,335	12,497	10,577	8,251	5,856	4,463	3,294	1,884	1,379	250,453
2029	21,994	21,737	19,968	18,737	16,096	16,494	18,290	19,463	19,236	17,554	14,644	12,670	10,712	8,517	6,117	4,531	3,432	1,909	1,409	253,510
2030	22,075	21,857	20,255	18,844	16,507	16,720	18,174	19,418	19,322	17,826	15,090	12,812	10,873	8,763	6,415	4,619	3,526	1,964	1,439	256,497
2031	22,170	21,948	20,499	18,956	16,785	17,090	18,068	19,311	19,498	18,016	15,568	12,926	11,027	9,002	6,680	4,733	3,609	2,075	1,442	259,403
2032	22,280	22,012	20,698	18,922	17,112	17,651	17,876	19,304	19,597	18,193	15,975	13,181	11,112	9,180	6,938	4,920	3,569	2,255	1,475	262,251
2033	22,406	22,063	20,859	18,997	17,337	18,198	17,790	19,261	19,563	18,380	16,457	13,398	11,223	9,299	7,257	5,076	3,637	2,347	1,523	265,071
2034	22,546	22,112	20,996	19,238	17,460	18,648	17,826	19,114	19,639	18,482	16,787	13,699	11,364	9,420	7,498	5,305	3,701	2,448	1,567	267,851
2035	22,702	22,167	21,101	19,496	17,542	19,024	18,002	18,988	19,580	18,558	17,038	14,122	11,487	9,558	7,719	5,566	3,780	2,521	1,626	270,576
2036	22,872	22,235	21,177	19,713	17,629	19,294	18,329	18,849	19,468	18,716	17,215	14,568	11,589	9,692	7,933	5,801	3,883	2,584	1,699	273,246
2037	23,056	22,319	21,228	19,890	17,578	19,620	18,820	18,637	19,442	18,804	17,376	14,952	11,809	9,769	8,097	6,029	4,042	2,567	1,834	275,867
2038	23,250	22,417	21,266	20,035	17,618	19,813	19,316	18,537	19,383	18,767	17,548	15,393	12,006	9,862	8,208	6,308	4,178	2,623	1,919	278,447
2039	23,451	22,532	21,301	20,155	17,793	19,915	19,720	18,552	19,242	18,825	17,647	15,690	12,285	9,978	8,319	6,526	4,372	2,678	2,001	280,983

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Table 3: Disability

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Confidence	95% confidence interval of percent figure (+/-)			
Date	Apr 2015-Mar 2016			
Variable	Barking and Dagenham E09000002			
	numerator	denominator	percent	conf
% aged 16-64 who are EA core or work-limiting disabled	20,700	128,300	16.1	3.0
% of males aged 16-64 who are EA core or work-limiting disabled	9,100	62,800	14.4	4.3
% of females aged 16-64 who are EA core or work-limiting disabled	11,600	65,500	17.7	4.2
% aged 16-64 who are EA core disabled	18,300	128,300	14.3	2.9
% of males aged 16-64 who are EA core disabled	8,000	62,800	12.7	4.0
% of females aged 16-64 who are EA core disabled	10,300	65,500	15.8	4.0
% aged 16-64 who are work-limited core disabled	17,100	128,300	13.3	2.8
% of males aged 16-64 who are work-limited disabled	7,300	62,800	11.6	3.9
% of females aged 16-64 who are work-limited disabled	9,800	65,500	14.9	3.9
% aged 16-64 who are not disabled	106,700	128,300	83.2	3.1
% of males aged 16-64 who are not EA core or work-limiting disabled	53,300	62,800	84.8	4.4
% of females aged 16-64 who are not EA core or work-limiting disabled	53,400	65,500	81.6	4.3

20/07/2016 Data has been reweighted in line with the latest ONS estimates.

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Table 4: Ethnicity

2011 Table Title		LBBD (Number)		number Increase / Decrease	% Increase / Decrease	LBBD (%)		London (2011)	England (2011)
		2011	2001			2011	2001		
Ethnic Groups	All Residents	185,911	163,944	21,967	13.4%				
	White British	91,949	132,566	-40,617	-30.6%	49.5%	80.9%	44.9%	79.8%
	White Irish	1,730	2,753	-1,023	-37.2%	0.9%	1.7%	2.2%	1.0%
	White Gypsy or Irish Traveller	182	na			0.1%	n/a	0.1%	0.1%
	White Other	14,525	4,348	10,177	234.1%	7.8%	2.7%	12.6%	4.6%
	Mixed / multiple ethnic groups:								
	White and Black Caribbean	2,669	1,420	1,249	88.0%	1.4%	0.9%	1.5%	0.8%
	Mixed / multiple ethnic groups:								
	White and Black African	2,128	572	1,556	272.0%	1.1%	0.3%	0.8%	0.3%
	Mixed / multiple ethnic groups:								
	White and Asian	1,246	534	712	133.3%	0.7%	0.3%	1.2%	0.6%
	Other mixed	1,835	550	1,285	233.6%	1.0%	0.3%	1.5%	0.5%
	Asian / Asian British: Indian	7,436	3,681	3,755	102.0%	4.0%	2.2%	6.6%	2.6%
	Asian / Asian British: Pakistani	8,007	3,055	4,952	162.1%	4.3%	1.9%	2.7%	2.1%
	Asian / Asian British: Bangladeshi	7,701	673	7,028	1044.3%	4.1%	0.4%	2.7%	0.8%
	Asian/Asian British: Chinese	1,315	775	540	69.7%	0.7%	0.5%	1.5%	0.7%
	Asian / Asian British: Other Asian	5,135	877	4,258	485.5%	2.8%	0.5%	4.9%	1.5%
	Black/African/Caribbean/Black British: African	28,685	7,284	21,401	293.8%	15.4%	4.4%	7.0%	1.8%
	Black/African/Caribbean/Black British: Caribbean	5,227	3,434	1,793	52.2%	2.8%	2.1%	4.2%	1.1%
	Black/African/Caribbean/Black British: Other Black	3,228	722	2,506	347.1%	1.7%	0.4%	2.1%	0.5%
	Other Ethnic group: Arab	973	na		n/a	0.5%	n/a	1.3%	0.4%
	Other Ethnic Group: Any other ethnic group	1,940	700	1,240	177.1%	1.0%	0.4%	2.1%	0.6%

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Table 5: Religion

2011 Table Title		LBBD (Number)		number Increase / Decrease	% Increase / Decrease	LBBD (%)		London (2011)	England (2011)
		2011	2001			2011	2001		
Religion	Christian	104,101	113,111	-9,010	-7.97%	56.0%	69.0%	48.4%	59.4%
Religion	Buddhist	842	366	476	130.05%	0.5%	0.2%	1.0%	0.5%
	Hindu	4,464	1,867	2,597	139.10%	2.4%	1.1%	5.0%	1.5%
	Jewish	425	547	-122	-22.30%	0.2%	0.3%	1.8%	0.5%
	Muslim	25,520	7,148	18,372	257.02%	13.7%	4.4%	12.4%	5.0%
	Sikh	2,952	1,754	1,198	68.30%	1.6%	1.1%	1.5%	0.8%
	Other Religion	533	308	225	73.05%	0.3%	0.2%	0.6%	0.4%
	No Religion	35,106	25,075	10,031	40.00%	18.9%	15.3%	20.7%	24.7%
	Religion not stated	11,968	13,768	-1,800	-13.07%	6.4%	8.4%	8.5%	7.2%

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