

Notice of Meeting

CABINET

Tuesday, 15 October 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

Date of publication: 7 October 2019

Chris Naylor
Chief Executive

Contact Officer: Alan Dawson
Tel. 020 8227 2348
E-mail: alan.dawson@lbbd.gov.uk

Please note that this meeting will be webcast, which is a transmission of audio and video over the internet. Members of the public who attend the meeting and who do not wish to appear in the webcast will be able to sit in the public gallery on the second floor of the Town Hall, which is not in camera range.

Webcast meetings can be viewed at <https://www.lbbd.gov.uk/council/councillors-and-committees/meetings-agendas-and-minutes/overview/>.

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 17 September 2019 (Pages 3 - 10)

4. Budget Monitoring 2019/20 - April to August (Month 5) (Pages 11 - 27)

5. Brexit Preparedness (Pages 29 - 43)

6. **Faith Builds Community Policy (Pages 45 - 141)**
7. **Allocation of Community Infrastructure Levy to Strategic Projects (Pages 143 - 195)**
8. **B&D Reside Business Plan 2019-2022 (Pages 197 - 286)**
9. **Delivery of 'Made In Dagenham' Film Studios (Pages 287 - 304)**
10. **Sex Establishment Licensing Policy 2019 - 2022 (Pages 305 - 369)**
11. **Gascoigne East Phase 2 - Appointment of Demolition Contractor (Pages 371 - 380)**
12. **Energy Company Obligation (ECO3) Programme (Pages 381 - 391)**
13. **Redevelopment of former Woodward Library Site, Woodward Road, Dagenham (Pages 393 - 415)**
14. **Business Telephony Services (Pages 417 - 438)**
15. **Any other public items which the Chair decides are urgent**
16. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended). ***There are no such items at the time of preparing this agenda.***

17. **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

This page is intentionally left blank

MINUTES OF CABINET

Tuesday, 17 September 2019
(7:03 - 8:35 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, Cllr Lynda Rice and Cllr Maureen Worby

41. Minute's Silence

A minute's silence was observed at the request of the Leader to mark the passing of Councillor Mohammed Fani, who represented the Abbey Ward between 1990 and 2010 and received the Freedom of the Borough in 2010.

42. Declaration of Members' Interests

There were no declarations of interest.

43. Minutes - 16 July 2019

The minutes of the meeting held on 16 July 2019 were confirmed as correct.

44. 2019/20 Budget Monitoring (April to July - Month 4) and Capital Programme Monitoring (April to June - Q1)

The Cabinet Member for Finance, Performance and Core Services presented a report on the Council's budget and capital monitoring position for April – July 2019 and April to June 2019.

The forecast expenditure in the General Fund was £158.352m against a budget of £148.820m, equating to a gross General Fund overspend of £9.5m. At the beginning of the financial year there was a high level of uncertainty, particularly around demand and cost increase pressures and so, the position could change. However, if the level of expenditure continued into next year it would exceed the funding plans set out in the Medium Term Financial Strategy. For these reasons, Cabinet was being asked to note the need for possible remedial measures to be identified and that a further report would be presented to an upcoming meeting of the Cabinet.

This report also included the first quarterly Capital Programme report for completeness. The overall general fund capital programme was £169.356m. Forecast spend against the total general fund programme was £156.161 resulting in a forecast underspend of £12.207m.

Members referred to the scale of the challenge faced by the Council in having to deliver services without adequate levels of funding by the Government, particularly for care and support services and the budgetary pressures faced by schools in meeting the needs of children and young people, particularly those with high

needs.

Cabinet **resolved** to:

- (i) Note the projected revenue outturn for Council services as set out in sections 2 and 3 to 11 and Appendix A to the report;
- (ii) Note the forecast outturn on the Dedicated Schools Budget as set out in section 12 of the report;
- (iii) Note the reprofiled Capital Programme and the forecast outturn as set out in section 14 and Appendices B and C to the report;
- (iv) Approve the following additions to the 2019/20 Capital Programme, as detailed in section 16 of the report:
 - An additional £30,000 for further, unforeseen repairs work to Woodlands (Registry Office),
 - An additional £7,614,989 to fully fund the Fleet Replacement capital programme, bringing the total revised allocation to £10,689,989; and,
- (v) Note the need to identify in-year remedial action in relation to General Fund revenue expenditure and that a further report shall be presented to Cabinet in October/November, as set out in section 2.5 of the report.

45. Modern Slavery Charter - Progress Report and Modern Slavery Statement

The Cabinet Member for Social Care and Health Integration presented a report updating the Cabinet on progress made against the Modern Slavery Charter adopted in May 2018 and asking it to endorse a Modern Slavery Statement.

The Cabinet Member stated that a safeguarding review of a vulnerable resident of the Borough published in 2017 highlighted the importance of raising the Council and community's awareness and understanding of modern slavery in tackling the issue. She felt it was important for the Council to be upfront about the prevalence of modern slavery in society, including the Borough, no matter how uncomfortable this may be and to send out a strong message that it would not be tolerated in any form. The Home Office statistics stated that there were approximately 10,000 slaves in the UK and globally there were now more slaves than ever before. The nature of modern slavery was such that it was both in plain sight and hidden, for example, it could be taking place in a local car wash business. She summarised the different categories of modern slavery, listed below, highlighting that in each, debt owed by the victim to the perpetrator could further compound the situation faced by the victim and their ability to leave:

- Labour exploitation: people in forced labour generally working long hours for no or very low pay, and usually in poor working conditions;
- Domestic Servitude: typically involves victims working in a private family home where they are ill-treated and made to work for little or no pay;
- Sexual exploitation (including child sexual exploitation): victims are coerced into sex work or sexually abusive situations; and
- Criminal exploitation: the exploitation of a person to commit a crime for

someone else's gain. A growing phenomenon was the use of children and young people to transport drugs and money between cities and rural areas by crime gangs, known as county lines.

Members felt it was important for the community to recognise the signs that modern slavery may be taking place, such as, an overcrowded house, and that 'slavery' was the right term to describe the situation that victims of all the above categories of slavery found themselves in. They emphasised that whilst slavery was a concern for the whole community, certain groups may be specifically targeted by criminals and therefore it was important for agencies to engage with these groups closely.

Cabinet **resolved** to:

- (i) Note the Council's progress against the Modern Slavery Charter, the structures and responsibilities within the Council for tackling Modern Slavery and some of the priorities that were being addressed in the coming months; and
- (ii) Endorse the Modern Slavery Statement as set out in Appendix 1 to the report.

46. Investment and Acquisition Strategy Update

The Cabinet Member for Finance, Performance & Core Services presented a report providing an update on the Investment and Acquisition Strategy. The Strategy was adopted in September 2017 (and updated in October 2018) in response to the Council's challenge to deliver services with limited resources and recognising that this could not be achieved by continually cutting services and reducing staffing levels. The Council was on track to achieve the key objective of the Strategy which was to generate a net income of £5.12m by 2020/21, which would support the Council to continue to provide services.

The Cabinet Member referred to the investment made in the affordable rent sector as part of the Strategy, stating that the Council should take pride in having created affordable, high quality homes for local people.

The Cabinet Member referred to the Council's bold approach to growth and the range of opportunities this presented to it, for example, its investments in in two 'lease and lease back' arrangements. He acknowledged that each type of investment involved a level of risk, but assured Members that risks and the opportunity for returns were balanced and carefully reviewed against good investment principles.

Cabinet **resolved** to:

- (i) Note the progress being made in meeting the Investment and Acquisition (IAS) income target;
- (ii) Note the governance and controls that were in place to management the IAS;
- (iii) Note the addition of a Lease and Lease Back asset class to the IAS;

- (iv) Note the limitations that impact the IAS through the net interest requirement; and
- (v) Approve the updated IAS contained in Appendix 1 to the report.

47. Risk Management Strategy

The Cabinet Member for Finance, Performance and Core Services presented a report on the Risk Management Strategy. The Strategy was in response to the recognition that risk was an unavoidable consequence of everything the Council did and that embedding the principles of good risk management across the organisation was the key to success. The last risk management strategy was approved in 2012 and since then, the Council had transformed as an organisation, becoming less risk averse and focussing on enterprises that would promote economic growth in the Borough. He commended officers for producing a Strategy that was clear and concise and would enable good decision-making whilst still protecting the Council against taking unmitigated risks.

In response to questions regarding the role of individual Cabinet Members in risk management, the Cabinet Member referred to the 'Key Roles and Responsibilities' section of the Strategy which stated that Cabinet would have ultimate accountability to ensure that risks would be managed effectively; however, he expected that individual Cabinet Members would also have a key role to play in their day to day portfolio discussions and work with service managers.

Cabinet **resolved** to approve the Council's Risk Management Strategy, as set out at Appendix 1 to the report.

48. Refurbishment of Redundant Units via Habitat for Humanity Model

The Cabinet Member for Regeneration and Social Housing presented a report on the refurbishment of several dilapidated flats within the Council's General Fund commercial portfolio which were incapable of being commercially let. Based on a successful pilot project at restoring one of the Borough's oldest buildings at 35 East Street, Barking, it was being proposed that the Council lease the flats to a charitable community housing group, Habitat for Humanity, who would be responsible for returning the properties back to use to provide housing for care leavers at risk of homelessness.

Members noted that a consultation on the proposals had resulted in positive feedback.

Cabinet Members welcomed the report recognising that the Council was making a proactive effort to bring dilapidated units back into use at a high specification, which would enhance local communities.

Cabinet **resolved** to:

- (i) Approve the lease of 4-5 Royal Parade, 16a Woodward Road and 496 Gale Street, Dagenham, to Habitat for Humanity to provide housing for care leavers at risk of homelessness, based on the terms set out in the report; and

- (ii) Delegate authority to the Director of Inclusive Growth, in consultation with the Cabinet Member for Regeneration and Social Housing, the Director of My Place and the Director of Law and Governance, to finalise the terms and enter into the leases, contracts and all other necessary or ancillary agreements with Habitat for Humanity.

49. Redevelopment of 265 - 285 Rainham Road North & 291 - 301 Oxlow Lane

Further to Minute 84 (27 January 2015), The Cabinet Member for Regeneration and Social Housing presented a report on the redevelopment of 263-285 Rainham Road North and 291-301 Oxlow Lane, which comprised 17 properties, of which 12 were occupied by Council tenants and five by leaseholders.

The existing tenants had been consulted on the development proposal and the vast majority of residents who provided feedback were supportive of the option to comprehensively redevelop the site. It was intended that vacant possession should be achieved through discussion and agreement with the tenants and leaseholders, although the use of the Council's compulsory purchase powers could be required as a last resort.

Cabinet **resolved** to:

- (i) Approve the proposed redevelopment of 263-285 Rainham Road North and 291-301 Oxlow Lane, RM10 7NJ, as shown edged red in the plan at Appendix 1 to the report, having considered the outcomes of the consultation with affected residents as summarised in section 2 and Appendix 3;
- (ii) Agree the service of Initial Demolition Notices on all secure tenants at the affected properties at the appropriate time, in order to suspend the requirement for the Council to complete Right to Buy applications for as long as the notices remain in force and delegate approval and timing of final notices to the Director of Inclusive Growth, in consultation with the Director of Law and Governance;
- (iii) Approve in principle to the use by the Council of its Compulsory Purchase Order (CPO) making powers, should they prove necessary to facilitate the future redevelopment of the site;
- (iv) Approve in principle the appropriation of the land, as shown edged red in the plan at Appendix 2 to the report, under Section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund;
- (v) Agree to allocate £2,243,000 from the Investment & Acquisition Budget to fund the pre-development costs;
- (vi) Agree the inclusion of the project in the Council's Capital Programme in the total sum of £15,484,000 subject to securing planning permission and procurement of a contractor in accordance with the project outputs and budget;

- (vii) Agree in principle the funding strategy set out in section 4 of the report, including borrowing up to £10,203,000 within the General Fund from the Public Works Loan Board, to finance the development and ownership of the affordable rent homes via a loan agreement made between the Council and any suitable vehicle that the new units may be held in (e.g. a new B&D Reside Registered Provider or other Reside vehicle);
- (viii) Delegate authority to the Director of Inclusive Growth, in consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Members for Finance, Performance and Core Services and Regeneration and Social Housing, to determine the final arrangements and agree the contract and ancillary legal documents to fully implement and effect the proposals set out in the report; and
- (ix) Authorise the Director of Law and Governance to execute all the legal agreements, contracts and other documents on behalf of the Council.

50. Redevelopment of 53 - 135 Roxwell Road and 2 & 4 Stebbing Way, Thames View Estate

Further to Minute 84 (27 January 2015), The Cabinet Member for Regeneration and Social Housing presented a report on the redevelopment of 53 - 135 Roxwell Road and 2 & 4 Stebbing Way in Thames View Estate, which comprised 33 properties, of which 26 were occupied by tenants, and seven by leaseholders.

As per the previous report, the existing tenants had been consulted on the development proposal and the vast majority of residents who provided feedback were supportive of the option to comprehensively redevelop the site. It was intended that vacant possession should be achieved through discussion and agreement with the tenants and leaseholders, although the use of the Council's compulsory purchase powers could be required as a last resort.

Members were pleased to see that the report laid out clearly the right to return offer and that the Council had listened and learned from the feedback of residents of a previous estate redevelopment project in the Gascoigne ward. Members also noted that the proposed scheme was 100% affordable. This represented a significant increase in both the number of affordable homes on the site and the number of homes at London Affordable Rent and Council target rent, which could be allocated to households from the Council's housing register.

Cabinet **resolved** to:

- (i) Approve the proposed redevelopment of 53-135 Roxwell Road and 2 & 4 Stebbing Way IG11 ORD as shown edged red in the plan at Appendix 2 to the report, having considered the outcomes of the consultation with affected residents as summarised in section 2;
- (ii) Agree the service of Initial Demolition Notices on all secure tenants at the affected properties at the appropriate time, in order to suspend the requirement for the Council to complete Right to Buy applications for as long as the notices remain in force and delegate approval and timing of final notices to the Director of Inclusive Growth, in consultation with the Director

of Law and Governance;

- (iii) Approve in principle to the use by the Council of its Compulsory Purchase Order (CPO) making powers, should they prove necessary to facilitate the future redevelopment of the site;
- (iv) Approve in principle the appropriation of the land, as shown edged red in the plan at Appendix 2 to the report, under Section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund;
- (v) Agree to allocate £2,814,000 from the Investment and Acquisition Budget to fund the pre-development costs;
- (vi) Agree the inclusion of the project in the Council's Capital Programme in the total sum of £21,125,000, subject to securing planning permission and procurement of a contractor in accordance with the project outputs and budget;
- (vii) Delegate authority to the Director of Inclusive Growth, in consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Members for Finance, Performance and Core Services and Regeneration and Social Housing, to determine the final arrangements and agree the contract and ancillary legal documents to fully implement and effect the proposals set out in the report; and
- (viii) Authorise the Director of Law and Governance to execute all the legal agreements, contracts and other documents on behalf of the Council.

51. Corporate Plan 2018-2022: Quarter 1, 2019 Performance Reporting

The Cabinet Member for Finance, Performance and Core Services introduced the Corporate Performance monitoring report for the first quarter of the 2019/20 financial year, which set out progress in respect of the Key Accountabilities and Key Performance Indicators (KPIs). It was noted that 35 % of the KPIs had been 'RAG' rated 'green', 35 % were rated 'amber' and 7 % were rated 'red' (16 % fell into the 'not applicable' category because a target had not yet been set, or performance data being awaited).

The Cabinet Member was pleased to report that the Summer of Festivals programme for 2019, which related to the Key Accountability of ensuring culture was a driver of change, was a huge success and would be built upon next year with a new event, 'Defected London Festival', a large scale dance music event at Central Park.

The Cabinet Member stated that the percentage of staff who had completed mandatory training and sickness absence KPIs were both rated amber. With respect to the first, managers had been tasked with encouraging their staff to complete the training and with respect to sickness absence, the average number of days lost in Quarter 1 was 6.57 days and continued to reduce towards the year-end target of 6 days.

Members made reference to the Council's participation in the PRIDE London event

and the Cabinet Member for Education and School Improvement thanked officers and Cabinet Members for working together with her in compiling data on young people 'not in education, employment or training' so that interventions could be put in place to support the young people identified.

Cabinet **resolved** to:

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

52. Debt Management Performance and Write-Offs 2019/20 (Quarter 1)

The Cabinet Member for Finance, Performance and Core Services introduced a report on Debt Management Performance and Write-Offs for Quarter 1 of the 2019/20 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.

Members noted that of the seven key debt collection targets, four had been exceeded, and three relating to council tax, leasehold income and commercial rent were slightly below target.

The Cabinet Member referred to the statistics in the report that 67% of those on Universal Credit were in rent arrears and that the amount payable in council tax by those claiming Universal Credit would increase to £1.7m by the end of 19/20, with the gap in the collection rate continuing to widen to approximately 10%. He stated that whilst Council services did all they could to support residents out of debt, the reality was that more people would become vulnerable as a result of the Government's welfare policies.

Cabinet **resolved** to:

- (i) Note the performance of the debt management function carried out by the Revenues and Benefits service operated by Elevate East London, including the performance of enforcement agents;
- (ii) Note the debt write-offs for the first quarter of 2019/20; and
- (iii) Note the emerging impact of Universal Credit on collection levels, most notably, Council Tax and Rents.

CABINET**15 October 2019**

Title: Budget Monitoring 2019/20 April to August (Month 5)	
Report of the Cabinet Member for Finance, Performance and Core Services	
Open Report	For Decision Yes
Wards Affected: All	Key Decision: Yes
Report Author: Katherine Heffernan, Group Manager – Service Finance	Contact Details Tel: 020 289 3262 Email: katherine.heffernan@lbbd.gov.uk
Accountable Director: Helen Seechurn, Interim Finance Director	
Accountable Strategic Director: Claire Symonds - Chief Operating Officer	
<p>Summary</p> <p>This report provides a high-level overview of the key financial risks and issues faced by the Council in this financial year. At the beginning of the financial year there is a high level of uncertainty in the position – especially around demand and cost increase pressures and so the position may change. However, there are clearly significant pressures. The report describes the potential impact in high level terms and the forecasts have been made on a prudent (pessimistic) basis. The position may therefore be overstated. However, the scale of the challenge means that there is no room for complacency.</p> <p>The forecast expenditure in the General Fund is £158.544 against a budget of £148.820m. £1.226m will be funded by planned draw down from reserves leaving £157.318m which equates to a gross General Fund overspend of £9.5m, before Collection Fund and Business rates surpluses are added which then puts the overall variance at £7.0m (see Appendix A) This is largely unchanged since last month.</p> <p>As at the end of 2018/19 the budget support reserve stands at £12m. £4m of this however has been earmarked to fund Transformation programmes. This would mean that this year's overspend could be covered from this reserve. However, this would deplete this reserve leaving only the unearmarked General Fund reserve of £17m to cover future overspends.</p> <p>Although the reduction in reserves in 2019/20 is foreseen and can be managed, it is not desirable and will limit our future ability to respond to unforeseen events or invest in the borough. If this level of expenditure continues into next year it would exceed the funding plans set out in our Medium Term Financial Strategy (MTFS) and so would require the identification of further savings or income in order to set a balanced budget. For these two reasons the overspend must not be allowed to continue to grow and serious consideration needs to be given to possible remedial measures.</p> <p>Directors and Strategic Directors have been tasked with identifying any possible measures within their own spheres to mitigate the position as a matter of urgency. This is</p>	

likely to include short term management action such as delaying recruitment or procurements, bringing forward planned savings and maximisation of income. This is still been worked on and further details will be brought to Cabinet next month. The potential impact on the future years if the position is not recovered could be a requirement to determine additional saving programmes for 2020/21 to the order of £4m to 7m, although this figure is expected to come down following the completion of the detailed budget review and more robust forecasting.

The Housing Revenue Account is showing an overspend of £1.299m.

Recommendations

The Cabinet is recommended to:

- (i) Note the projected revenue outturn for Council services as set out in sections 2 and 3 to 11 and Appendix A to the report;
- (ii) Note the implications for the reserves position and the need to identify in year action in relation to General Fund expenditure;
- (iii) Note the forecast outturn on the Housing Revenue Account as set out in section 12 of the report; and
- (iv) Approve the revised profile of the HRA capital programme as set out in section 14 of this 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 The final outturn for 2018/19 was an overall overspend of just under £3m (after transfers to and from reserves were taken into account). This was the net position after collection fund surpluses and there was an underlying overspend of £7m in service expenditure budgets. In addition, it must be remembered that last year the budget setting approach was that as far as possible services would be expected to contain their own growth. Only a limited amount of additional funding was identified, and this was applied in the most part to Care and Support Services. This reduced the gap for budget setting purposes and meant that additional savings proposals were not required to be identified so 2018/19 could be a "consolidation" year.
- 1.2 However, the expectation that services could contain their own growth is a challenge for many. The small amount of growth funding that could be identified was used both to deal with some specific issues in the budget and then to provide additional care and support funding. However, the sums available for this purpose (£1m for Children's, £1.3m for Disabilities) were lower than the 2018/19 pressures. This means that those services with existing pressures are likely to continue to overspend into 2019/20.

2 2019/20 Budget Monitoring Position - Summary

- 2.1 This has led to a high level of overspend forecast. Across the Council there are known budget pressures of up to **£14.9m, with some underspends of £5.5m forecast centrally giving rise to a forecast net spend position of £9.5m.** It should be noted that this forecast has been made on a prudent basis and so there is potential for further reduction. In addition, the budget monitoring to date has focussed on high risk spend areas so as a result there may be some emerging underspends yet to be reported.
- 2.2 As in previous years there is an expected underspend within Central Expenses. The £2m provision for non-delivery of savings put into the budget in 2018/19 is still there. There are other contingency budgets such as the Redundancy budget (£1.3m of which half is currently assumed in the forecast) and the Council consistently over-achieves on gainshare against its budget (c£1.5m). In addition, there is an expectation to receive £3m in dividends from the companies giving us a total forecasted **underspend of £5.5m** on central budgets. This has reduced by £0.1m since last month due to an adjustment to the Cemeteries budget.
- 2.3 There are at outturn additional Collection Fund surpluses and business rates via the London pool have been included as **£2.5m additional income.** Overall the net overspends forecast at end of July is now expected to be £7.8m, a £830k improvement from period 4.

DEPARTMENT	ADJUSTED BUDGET	FORECAST	VARIANCE	Movement
P&R Commissioning	8,345,510	8,295,510	(50,000)	50,000
Core	6,226,000	6,450,500	224,500	32,500
Central	35,099,327	28,654,333	(5,469,000)	100,000
Education, Youth & Childcare	3,909,800	3,909,800	0	-
Law, Governance & HR	(638,206)	(638,206)	0	-
Policy * Participation	2,800,380	3,112,467	312,087	98,991
Care & Support	71,104,978	83,539,848	12,434,870	239,130
Inclusive Growth	994,880	994,880	0	-
Community Solutions	9,746,030	9,746,030	0	-
My Place	6,292,391	7,264,156	971,765	98,324
Contracted Services	4,938,920	5,988,920	1,050,000	-
Total General Fund Budget	148,820,010	157,318,238	9,474,222	57,297
Corporate Funding	(148,820,010)	(151,282,385)	(2,462,375)	0
NET GENERAL FUND POSITION	0	7,011,847	7,011,977	57,297

- 2.4 More information about the key areas of risk are given below. The overall impact on reserves will be a drawdown of around £7m from the Budget Support Reserve. This is manageable as there is sufficient funding to do this, but it would restrict our ability to respond to future unforeseen events and to invest in the borough. If this level of spending continues it could also put at risk our Medium Term Financial plans, requiring the identification of future savings.
- 2.5 It is therefore necessary to identify both short and medium remedial actions to bring spending nearer to the budget. Directors and Strategic Directors have been tasked with identifying any possible measures within their own spheres to mitigate the position as a matter of urgency. This is likely to include short term management action such as delaying recruitment or procurements, bringing forward planned savings and maximisation of income. The results of this work will be brought back to Cabinet in November.

3. Care and Support/ People and Resilience

- 3.1 The overall budget for People and Resilience (exec Education) in 2019/20 is £81.810m. The total expenditure forecast (main case) for these services 2019/20 is £95.363m which would result in an overall budget pressure of £12.5m. This would be a growth in expenditure since the previous financial year of £6.5m. These forecasts largely do not include the impact of the savings programmes across the service – if these are successful then this would decrease the variance. Currently however, the savings are contributing to the budget gap.
- 3.2 Further information on the specific services is given below.

People & Resilience Group	19/20 Budget £0	Main Forecast £0	Variance £0	Period Movement £000	Change since 2018/19 £0
Adults Care & Support	19,474	23,322	3,848	-102	1,837
Adults Commissioning	5,756	5,856	100	0	241
Disabilities Service	18,403	21,834	3,431	392	1,913
Children's Care & Support	34,490	39,691	5,201	-530	2,277
Children's Commissioning	4,387	4,237	-150	0	237
Public Health	-700	-700	0	0	0
Group Total	81,810	94,240	12,430	-240	6,505

4. Adults' Care and Support

- 4.1 The total forecast for Adults Care and Support is £23.3m would result in a budget overspend of £3.85m. The Adults budget is effectively unchanged but there continues to be upwards growth in expenditure and demand.

Service Area	19/20 Budget £000	Forecast £000	Variance £000	Period Movement £000
Adult packages	8,157	10,248	2,091	(209)
Adult teams	3,735	3,735	0	0
Adult homes and centres	2,025	2,375	350	0

Mental Health	4,567	5,974	1,407	107
Adults Other (Support services)	990	990	0	0
Directorate Total	19,474	23,322	3,848	(102)

- 4.2 The main area of increase and budget pressure is in the Adults' Care Packages. This forecast includes provision for the expected care fee increases (which will be funded from the IBCF) and assumes a continuation of the clear upwards trends in demand. This means that if demand growth slows or ceases the position may improve. There are no further savings targets within Adults. However, the brought forward savings shortfall from previous years is a significant part of the current overspend.
- 4.3 The main areas of pressure in this area are spread across the range of provision:
- £1.96m in Homecare: this is the bulk of the pressure where the service is witnessing an increase in homecare hours. The service has been reviewing crisis packages and we are likely to see a reduction during the year.
 - £517k overspend in Direct Payments which is consistent with last year's outturn position in this area.
 - £1.2m overspend in Residential and Nursing due to the volatility in this area further work is being carried out to review package costs.
 - £750k overspend across supported living, respite, day care and short-term care, these are quite small in comparison to the above, but when added together form a significant portion of the overspend.
 - The above is partially offset by a £1.6m forecast on direct payment refunds, this is a conservative projection and there is room to increase this projection if it can be justified with accurate data.
 - The forecast also includes £913k of winter pressures money which we expect to receive in December.
- 4.4 The pressures in the Homes and Centres group includes an income shortfall at Kallar Lodge and at Relish Café. Resolution of these issues would also reduce the overspend and options for Relish are being considered. The savings targets for these services together amount to £0.415m but this is unlikely to be achieved this year. Recruitment of staff for the expanded offer at Kallar is nearing completion but take up of the spaces has not yet happened. A best case estimate for this year might be £0.2m.
- 4.5 Mental Health - £1.4m overspend the bulk of which is on supported living, this is due to 14 new service users in 19/20, as well as several packages have been reviewed and uplifted. Younger Mental Health homecare is the other major contributor to this overspend. Historically there has not been much spend in this area and therefore there has been no budget; however, there is a projected £240k spend in this area for 19/20 contributing to the overspend position within mental health.

- 4.6 The position has seen an improvement from Period 4 of £102k, the key reasons for this are Improvements in client contributions across homecare and residential and nursing equating to £209k. This improvement has been partially offset by Mental health Supported living position worsening by £107k, due to a continuation of the trend seen so far of growing numbers and rising unit costs. Finance are working closely with the service to understand the underlying issues here and will be undertaking a review of all the clients within this care category.
- 4.7 The changes to the Charging Policy are expected to produce some level of savings, the current estimate for the in-year effect is £0.4m. This is not yet certain (medium risk rated) so is not included in the main forecast. Another initiative that is expected to make further savings is the MH Supported Living Review which may make a saving of up to £0.271m. However, this will need to be reviewed in the light of the pressures in the MH service.
- 4.8 If there is no further growth above that allowed for (approx. 3% on the previous year) and the initiatives listed above have effect (£0.4k charging, £0.27m MH SL, £0.2m Kallar/Relish) then a best case forecast would be in the region of £2.75m overspend.

5. Disabilities Care and Support

- 5.1 The total forecast for Disabilities Care and Support is £21.8m and would result in a budget overspend of £3.4m. The budget including iBCF transferred from Adults has increased by £1.9m – however this has effectively been matched by upwards growth in expenditure leaving the variance at around the same level as 2018/19.

Service Area	19/20 Budget £000	Forecast £000	Variance £000	Period Movement £000
Adults Care Packages (inc Equipment)	9,284	10,497	1,213	0
Children's Care Costs	1,074	2,009	935	83
SEND transport	2,619	3,152	533	233
Centres and Care Provision	1,756	2,013	257	0
Staffing/Care Management	3,670	4,162	493	76
Directorate Total	18,403	21,834	3,431	392

- 5.2 The main increases/budget variances are on the demand-led budgets for care provision especially:

- £1.2m overspend on Learning Disabilities Adults across Direct Payments, Homecare, day care and residential care;
- £852k Overspend on Children with Disabilities across Direct Payments, Respite packages and legal / court costs;
- £750k overspend on Teams and Centres, made up of pressures within the education psychology service, 80 Gascoigne Road and Life Planning; and

- £553k overspend on SEND Transport, due to existing pressure in the cost of the routes- the growth that was given to meet this pressure doesn't fully cover it.

- 5.3 The forecast is based on known commitments and has not been adjusted for future placement growth. The assumption is that the care package review activity, improved life planning and increased CHC will be enough to contain the costs of growth. If these initiatives produce greater benefits, then this would reduce the forecast.
- 5.4 Including this year's savings, the service has a cumulative total of £0.835m undelivered savings built into its budget which is contributing to the pressure. There are two MTFs savings initiatives in 2019/20 – the expansion of Shared Lives and new provision at 80 Gascoigne. It is now clear that the 80 Gascoigne savings can no longer be delivered as the CQC has deemed the additional room unfit for use, whereas the shared lives scheme is still considered high risk, thus the position is unlikely to improve this year.
- 5.5 Due to the high levels of growth in this forecast – which is largely outside the services control then this forecast is a reasonable main case. The potential best case is perhaps a potential further reduction if further client contributions or CHC income can be sought, but currently a large portion is already in the forecast.

6. Children's Care and Support

- 6.1 The total forecast for Children's Care and Support is £39.691m and would result in a budget overspend of £5.2m. The budget has been given growth of £1.4m but is currently undergoing a whole service transformation to deliver its savings proposals.
- 6.2 The third year of MTFs savings of £1.126m has been taken from the Looked After Children and Placements budget.

Service Area	19/20 Budget £0	Main Forecast £0	Variance £0	Period Movement £000
Care Management	5,063	6,988	1,925	293
Looked After Children	20,555	25,959	5,404	342
Assessment Teams	3,355	4,514	1,159	-212
Youth Offending Service	1,213	1,403	190	22
Other/Central	4,304	1,995	-2,309	192
Management Action	0	-1,168	-1,168	-1,168
Directorate Total	34,490	39,691	5,201	-531

- 6.3 The additional costs of the Children's TOM can be met from budget available within the growth funding. This is currently held centrally but will be vired across the service in line with the new TOM implementation. However, there are staffing pressures on the service in addition to this. Currently there are posts above the TOM establishment in the forecast – additional staff in Rapid Response and staff to support the probationary period of the social workers recruited from overseas. The usage of agency is around 39% which is excess the budgeted ratio of 15%. These costs together are adding around £2m to the staffing forecast; however, it is

possible that successful implementation of the Children's' TOM will mean that this reduces over time during the year.

- 6.4 Previously we have not been able to evidence that these savings will be achieved in year and therefore they had not been projected within the outturn position. However, the service has provided a detailed list of actions that they will be taking in year to reduce the forecast. These amount to £1.168m and are summarised below:

	2019/20
AYSE deployment	139,600
Other agency reduction	422,840
Reduction in weekly cost of placements	233,567
Recruitment Retention Clawback	90,000
Reduction in 18+ placement costs	62,123
PAUSE funded from PHG	220,000
	1,168,130

- 6.5 The agency reduction forecasts have been based on a very thorough review of staffing (at the individual post level) and so are regarded as reasonably robust. However, changes in demand or recruitment levels could still affect these plans.

- 6.6 Most of the pressure, however, relates to the cost of Looked After Children as follows:

- £1.9m overspend on Residential Homes
- £1.3m overspend in the Leaving Care Service
- £352k overspend Family Assessment Units
- £532k overspend on Adoption Placements
- £500k overspend in Specialist Agency Fostering
- £281k overspend in Children in Care
- £256k overspend on Secure Units
- £251k overspend in the Leaving Care Team
- £155k overspend in the Fostering Team

- 6.7 The above overspend is being partially offset by a budget increase of £2.35m (including the Social Care grant). This growth has not yet been allocated out to individual services but is currently sitting as a credit in the Directorate central costs. Following final approval of the Children's TOM we will allocate this funding to the relevant areas of need with the support of the Operational Director.

7. My Place – £972k overspent

- 7.1 There is a forecast overspend on My Place of £972k. This consists of a forecast overspend of £1.229m within Public Realm which is offset by a £257k underspend, attributable to vacant posts within Business Development within My Place. The pressures within Public Realm relate to staffing costs and additional costs to support the aged fleet.

7.2 The main areas of overspend within Public Realm are shown below:

Service	Revised Budget 19-20	P05 Projection 19-20	P05 Annual Variance	% Variance from Budget	Movements
	£'000	£'000	£'000	%	£'000
-Operational Management	96	194	97		0
- Refuse	2,932	3,737	805		37
-Cleansing	3,321	3,927	607		2
-Caretaking	342	-40	-382		2
TOTAL OPERATIONS	6,691	7,818	1,127		41
PARKS AND ENVIRONMENT	2,177	2,451	274		1
ELWA	-34	-34	0		0
CORE & COMMERCIAL	-259	-369	-110		-2
TRANSPORT & ASSET MNGMT	-183	-245	-62		1
PASSENGER TRANSPORT	25	25	0		0
Grand Total	8,417	9,647	1,229	15%	40

- 7.3 Refuse is forecasting a staffing pressure of £542k. This is driven by a number of factors including £61k for overtime, £341k for agency staff above establishment and an inherent pay budget gap of £140k. There is an overspend on transport of £156k. This forecast assumes the arrival of new fleet vehicles from September 2019. The vehicle hire saving will need to be deducted from budgets in order to pay for the capital investment in the new fleet.
- 7.4 There is £10k over- achievement of income on Bulky Waste. This is additional to the £40k Transformation savings target. There is a forecast pressure of £41k on supplies and services and £75k on third party payments of which Elevate Gainshare is a contributing factor.
- 7.5 Street Cleansing is forecasting a staffing pressure of £526k - £253k from agency staffing, £68k from agency and £166k inherent pay gap. The transport budget is forecast to overspend by £83k. This is attributable to a cost model based on the arrival of new fleet vehicles from September 2019. The vehicle hire saving will need to be deducted from budgets in order to pay for the capital investment in the new fleet.
- 7.6 Caretaking is forecast to underspend by £382k. However the service believes a significant amount of Caretaking costs are being miscoded to Street Cleansing and Refuse. Finance is working with the service to investigate and resolve.
- 7.7 The pay award agreed for 2018/19 and 2019/20 was an average uplift of 2% but a considerable higher uplift of 6% was applied to Scales 1 to 3. This increase has not been funded centrally and services are required to absorb and manage this additional cost. For Public Realm, this amounted to £845k

8. Contracted Services - £1.050m forecast overspend

8.1 The overspend is largely due to a forecast overspend of £934k on B&D direct. Over the past two years savings of £0.7m have been taken for the Customer Experience and Digital Programme that have not yet been achieved in cashable terms. This is currently being assumed will be a net overspend on the budget at the end of the year. It may be possible to realise around £0.2m but this has not yet been included in the forecast. In addition, ICT are forecast to overspend by £126k.

9. Policy and Participation - £312k forecast overspend

9.1 There is a combined forecast pressure of £215k on Eastbury Manor and Valence House budgets. Improved management control and monitoring is expected to reduce the overspend. A contributing factor is the shortfall on establishment budgets.

9.2 There is currently a forecast overspend of £97k on the Film Office. The service has ambitious income targets and currently income is below the required level. The service will continue to work to identify opportunities and so there is scope for performance to improve

10. Core - £192k forecast overspend

10.1 There is a forecast overspend of £192k on the Elevate client team. This is attributable to additional staffing costs of £104k plus an income loss of £68k in Registrars.

11 Law, Governance and HR –

11.1 There is currently nil variance on Law and Governance. There are pressures across the service on the staffing budgets, but this is being managed by the service.

11.2 There are potential risks within the Enforcement service relating to Parking. Parking income was running slightly below forecast during the summer months and staffing costs are higher than budgeted due to use of agency staff ahead of the implementation of a staffing restructure. This is currently resulting in a net pressure of £0.291m. However, with the implementation of the restructure and the introduction of new CPZs there is an expectation that income levels will increase. In addition, there is scope to offset any residual pressure within the overall Enforcement service budget resulting in a balanced budget overall.

11.3 The PRPL scheme came into effect in September and income levels are being monitored.

12. Community Solutions – nil variance at present

12.1 Although there is no overspend forecast for Community Solutions it should be noted that there are significant risks to this budget. The service is working to reduce numbers of households in Temporary Accommodation and has attributed around £0.4m savings to this budget line. The reduction in the first three months of the year has been delivered somewhat ahead of target but it will be challenging to sustain

this. It should also be noted that there are some costs involved in reducing TA including the payment of rent deposits.

- 12.2 The assessment of the finance team is that there are potential risks of around £0.4m to £0.5m, including possible slippage of savings in Adult college. However, the service management has identified a range of mitigating actions including use of DHP/HRA funding, use of reserves and stricter control on Rent Deposits.

13. Housing Revenue Account – overspend of £1.266m

- 13.1 At the end of period five, the forecast position on the Housing Revenue Account is an overspend of £1,266m. This is shown as an appendix.
- 13.2 There is a projected shortfall on income of £0.435m (rent and other income.) This may be the result of high levels of voids.
- 13.3 There is an overspend within Supervision and Management service of £0.234m which is largely driven by staffing overspends in Sales and Conveyancing.
- 13.4 There is an overspend of £0.599m on Repairs and Maintenance. This is mostly made up of staffing costs and is thought to arise from the only partial achievement of the original assumptions about staffing cost reductions in the HRA business plan.

14. HRA Capital Programme

- 14.1 The overall HRA capital programme as approved by Cabinet in February was £69.180m. The largest element of this is £37.680m for Investment in Current Stock to be funded from rental surplus and there is £11.5m for Estate Renewal and £20m for a New Build Programme which will be funded from a mixture of capital receipts and borrowing.
- 14.2 The 19/20 programme forecasts spend of £32.303m, this being £5.297m below budget which will be required in 20/21. This reflects the impact of projects started in 19/20 but likely to roll over into 20/21 partly due to the need to ensure that proper section 20 processes are followed to allow the billing of leaseholders for works undertaken on their properties.
- 14.3 Prior year projects that will complete in 19/20 will spend £5.589m this year, increasing overall capital expenditure in 19/20 to £37.892m against a budget of £37.680m. The budget shortfall of £212k can be contained within allocated resources this year as the programme will continue to change throughout the year as more survey information becomes available and contingencies are likely to be released.
- 14.4 Cabinet are also requested to approve the realignment of in year spend as set out in Appendix C.
- 14.5 The Estate Renewal programme is expected to spend to budget. However there is a high risk that the New Build programme will not spend the full £20m allocation this year.

15. Reserves Drawdown

15.1 As shown in Appendix One £1.226m has been drawn down from reserves into this year's budget. These are approved carry forward amounts from last year but are listed below for information.

<u>Description</u>	<u>Reserve</u>	<u>Amount</u>	<u>Classification</u>	<u>Department</u>
Brexit Preparation Grant carry forward from 18/19	Budget Support	104,984.00	c/f from pfy	Central
Business Rates Levy Surplus 18/19	Budget Support	871,010.00	c/f from pfy	Central
Inclusive Growth carry forward from 18/19	Budget Support	250,000.00	c/f from pfy	Inclusive Growth

16. Financial Implications

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

16.1 This report details the financial position of the Council.

17. Legal Implications

Completed by Dr Paul Feild

17.1 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.
- Appendix B – Housing Revenue Account
- Appendix C – HRA Capital Programme

BUDGET MONITORING REPORT - AUG 2019

CODE	DEPARTMENT	MAR-20	AUG-19	FORECAST	RESERVE TRANSFERS			VARIANCE
		ADJUSTED BUDGET	ACTUAL		TO	FROM	OUTTURN	
F1000A	SDI COMMISSIONING	8,345,510	4,627,829	8,295,510			8,295,510	(50,000)
F1500A	CORE	6,226,000	(5,445,391)	6,450,500			6,450,500	224,500
F1600A	CENTRAL MINUS F30080	35,099,327	3,645,615	29,630,327			29,630,327	(5,469,000)
F2000A	EDUCATION, YOUTH & CHILDCARE	3,918,400	8,031,880	3,909,800			3,909,800	(8,600)
F3000A	LAW, GOVERNANCE & HR	(638,206)	(5,346,657)	(638,206)			(638,206)	0
F4000A	POLICY & PARTICIPATION	2,800,380	(898,981)	3,112,467			3,112,467	312,087
F4500A	CARE & SUPPORT	71,104,978	40,567,357	83,539,848			83,539,848	12,434,870
F5000A	INCLUSIVE GROWTH	994,880	2,272,208	1,244,880		(250,000)	994,880	0
F5500A	COMMUNITY SOLUTIONS	9,746,030	5,457,843	9,746,030			9,746,030	0
F6500A	MY PLACE	6,283,791	8,214,686	7,264,156			7,264,156	980,365
F7000A	CONTRACTED SERVICES	4,938,920	11,640,805	5,988,920			5,988,920	1,050,000
F8000A	RESIDE PARENT	0	67,920	0			0	0
	TOTAL GENERAL FUND BUDGET	148,820,010	72,835,115	158,544,232	0	(250,000)	158,294,232	9,474,222
	CORPORATE FUNDING							
F30700	COUNCIL TAX	(61,786,000)	0	(61,786,000)			(61,786,000)	0
F30700	BUSINESS RATES	(79,161,010)	0	(79,830,124)			(79,830,124)	(669,114)
F30700	NON-RINGFENCED GRANTS	(7,873,000)	(20,519,692)	(6,897,006)		(975,994)	(7,873,000)	0
F30700	C/F SURPLUS	0	0	(1,793,261)			(1,793,261)	(1,793,261)
	TOTAL CORPORATE FUNDING	(148,820,010)	(20,519,692)	(150,306,391)	0	(975,994)	(151,282,385)	(2,462,375)
	NET GENERAL FUND POSITION	0	52,315,422	8,237,841	0	(1,225,994)	7,011,847	7,011,847
F2500A	DEDICATED SCHOOLS GRANT	0	5,948,477	5,948,477			5,948,477	5,948,477
F3500A	HRA MINUS F51020	0	(26,925,007)	1,266,000			1,266,000	1,266,000
	OVERALL LBBD POSITION	0	31,338,892	15,452,318	0	(1,225,994)	14,226,324	14,226,324

This page is intentionally left blank

HOUSING REVENUE ACCOUNT SUMMARY 2019/20

DESCRIPTION	BUDGET	BUDGET	SPEND YTD	VARIANCE	FORECAST	VARIANCE
	£000	YTD £000	£000	YTD £000	£000	£000
INCOME						
Dwellings Rent	-83,339	-34,725	-31,981	2,744	-83,009	330
Other Rents	-750	-313	-313	0	-750	0
Other Income	-20,470	-8,529	-8,629	-100	-20,365	105
Interest Received	-350	0	0	0	-350	0
Sub Total Income	-104,909	-43,567	-40,923	2,644	-104,474	435
EXPENDITURE						
<i>Supervision & Management</i>						
S&M Costs	58,948	24,562	8,762	-15,800	59,182	234
Internal Recharge	-14,104	-5,877	0	5,877	-14,104	0
Net S&M	44,844	18,685	8,762	-9,923	45,078	234
Repairs & Maintenance	14,104	5,877	5,035	-842	14,703	599
Rent Rates and Other	350	146	1	-145	350	0
Bad Debt Contribution	3,309	0	0	0	3,309	0
CDC	685	0	0	0	685	0
Depreciation	13,034	0	0	0	13,034	0
Interest Paid	9,692	0	200	200	9,690	-2
RCCO (Capital funding)	18,891	0	0	0	18,891	0
Sub Total Expenditure	104,909	24,708	13,998	-10,710	105,740	831
Net Total	0	-18,859	-26,925	-8,066	1,266	1,266

This page is intentionally left blank

	Prior Year Slippage	In Year Budget	Revised Profiled Budget	Variance/ Slippage to future years
Domestic Heating	20	1,200	1,240	20
Door Entry Systems		100	100	-
Compliance		2,200	1,340	- 860
Fire Safety	1,974	2,200	3,934	- 240
Fire Doors		3,800	3,000	- 800
De gassing of blocks		150	150	-
Lateral Mains	2	750	252	- 500
Lift Replacement		1,500	1,300	- 200
Communal Boilers		1,400	500	- 900
Garages		300	250	- 50
Estate Road Resurfacing	2	500	2,002	1,500
Communal Repairs	151		151	-
Energy Efficiency		500	1,000	500
Voids		3,000	3,000	-
Disabled Adaptations	227	1,200	1,427	-
Insulation	-	1,000	2,000	1,000
Decent Homes Internal		2,950	2,950	-
External Works		11,050	7,000	- 4,050
External Works 2		3,000	1,750	- 1,250
Minor Works	4		4	-
Conversions	271		271	-
Compliance (Asbestos, tanks & pipes)	31		31	-
Community Heating Replacement	747		747	-
Windows and Doors Replacement	5		5	-
ESCO	215		215	-
External Fabric	1,169		1,169	-
Prior Years - DH schemes	771		771	-
Contingency/unallocated		800	1,333	533
Improving Existing Stock	5,589	37,600	37,892	- 5,297
Estate Renewal		11,500	11,500	0
New Build		20,000	20,000	0
TOTAL	5,589	69,100	69,392	- 5,297

This page is intentionally left blank

CABINET

15 October 2019

Title: Brexit Preparedness	
Report of the Cabinet Member for Finance, Performance and Core Services	
Open Report	For Information
Wards Affected: All	Key Decision: No
Report Author: Rachel Buttrick – National Management Trainee	Contact Details: Rachel.buttrick@lbbd.gov.uk
Accountable Director: Mark Tyson, Director of Policy and Participation	
<p>Summary</p> <p>Against the backdrop of the continued uncertainty surrounding the UK's departure from the European Union (EU) the Council is preparing for all eventualities to understand and mitigate against any negative impacts on the community and the operation of the Council.</p> <p>This report sets out how the Council is preparing for Brexit, the sector and regional bodies that the Council is working with to share learning with partners, the main areas of risk and mitigating actions available to the Council, and the next steps that can be taken over the coming weeks.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <p>(i) Note and discuss the areas of risk, mitigating actions and preparations being undertaken to prepare for Brexit.</p>	
<p>Reason(s)</p> <p>Under the Localism Act 2011 local authorities in England are endowed with the General Power of Competence, which entitles the London Borough of Barking and Dagenham to do 'anything that individuals generally may do', unless specifically prohibited, to secure the safety and wellbeing of its residents, as well as to fulfil its wider statutory responsibilities.</p> <p>Specifically, this power enables the Council to take a range of actions both unilaterally and in partnership with other organisations to mitigate against potential negative social and economic consequences of Brexit on the community as well as the operation of the Council's services.</p>	

1. Introduction and Background

- 1.1 Since the referendum in June 2016, the Council has sought to understand the potential consequences to its operations and the wellbeing of the community more broadly that might result from the UK's departure from the EU.
- 1.2 At the time of writing, Parliament has resumed its business after the Supreme Court ruled the Government's attempted prorogation of Parliament unlawful. The EU Summit is due to take place on Thursday 17 October 2019, after which, if a deal is agreed at the Summit, any potential deal would have to be approved by a majority of Members of Parliament. Failing that, the European Union (Withdrawal)(No2) Act 2019 would require the Prime Minister to seek an extension to Article 50 from the EU, to avoid the UK's exit without a deal.
- 1.3 Following the Government's attempt to trigger a General Election under the terms of the Fixed Term Parliaments Act 2011, a General Election is likely to take place in the near future. Its exact timing is uncertain, though is judged likely to take place before the end of 2019.
- 1.4 The continued political uncertainty that surrounds when Brexit might occur and, if it does occur, what form it might take, has limited the Council's ability to assess and mitigate against risks across a range of areas. However, the Council – led by its Brexit lead the Director of Policy and Participation – has nevertheless maintained an updated, comprehensive risk log since January 2019 and has pursued a range of mitigating actions to limit the potential negative consequences of Brexit.
- 1.5 Officers have monitored risks and reported mitigating actions taken on a regular basis since initial analysis. In August and September 2019 a refreshed analysis of all areas of risk to the Council and community was undertaken by officers, to ensure an up-to-date view is available of both the risk facing the borough as well as what actions are available to the Council in the weeks leading up to the current exit date of 31 October 2019.
- 1.6 Cabinet Members have engaged with the full risk analysis that has been undertaken through other forums and in conversation with senior officers, as well as mitigating actions that have been taken. This report sets out the main areas of risk to the Council and community, as well as the activity that has been undertaken, is being undertaken or will be undertaken to mitigate this risk.

2. Preparations with sector and regional bodies

- 2.1 The Council has been liaising with a range of external partner bodies to co-ordinate preparations for Brexit and share intelligence regarding areas of risks. For example, the Council has recently engaged with the following organisations on the topic:
 - London Councils
 - The Greater London Authority (GLA)
 - The Ministry for Housing, Communities and Local Government (MHCLG)
 - The Department for Education (DfE)
 - The Barking and Dagenham Delivery Partnership (BDDP)
 - NHS England and NHS Improvement

- 2.2 In the lead-up to the original exit date of March 2019 the Brexit leads for each London Borough held weekly conference calls to share intelligence and co-ordinate responses across a range of service and topic areas. Following the extension to Article 50 these sessions were suspended until August 2019. They resumed in August and continue to take place each week.
- 2.3 Weekly reporting of all London Boroughs to supplement this approach to co-ordination began in the week commencing 23 September 2019, to which the Council has been contributing. These conversations and reports contribute to weekly updates to and from MHCLG. The Council has also received requests for information from DfE.
- 2.4 Given the uncertainty that surrounds Brexit and the limited scope the Council has to mitigate against many of the risks that could derive from Brexit, it is in these partnership networks that the most significant sharing of valuable intelligence and co-ordinating of responses can be found. It is through these arrangements that the Council can seek information from partners, central Government and from other sectors. The Council will therefore continue to fully contribute to all available avenues for partnership preparation for Brexit and share the relevant findings and implications with colleagues and Members.

3. Assessment of main areas of risk and mitigating actions

- 3.1 Since January 2019 the Council has monitored a Brexit risk register covering key areas of risk across different service areas, parts of the organisation's operations and the wider community. They key areas of risk are summarised below with corresponding actions that have been taken by the Council to mitigate impact. This section is not an exhaustive list of all risks facing the Council owing to Brexit – such a list would likely prove impossible to compile – but is instead an overview of only the most pressing areas of risk and those which we have levers of influence or powers to affect.

3.2 EU funding

- 3.2.1 Whilst the Council initially borrowed £89m from the European Investment Bank in 2015/16 repayable on an annuity basis until 2044, the Council can confirm there are no call back provisions within the loan agreement. Whilst the Council's Treasury Management Strategy permits borrowing from the European Investment Bank, it is not restricted to it with other borrowing routes available such as Public Works Loan Board (PWLB).
- 3.2.2 Interest rate forecasts suggests in the event of an orderly exit, it is likely that the Bank of England would take action to cut Bank Rate from 0.75% in order to help economic growth deal with the adverse effect of this situation. This is also likely to cause government bonds to decrease in value in the short and medium term . If there was a disorderly Brexit, then any cut in Bank Rate would be likely to last for a longer period and also depress the short and medium term value of government bonds correspondingly. The only investment the Council has in government bonds is through the pension fund.

- 3.2.3 Although permitted under the Treasury Management Statement, the Council does not currently have treasury investments in any European country, any decision to invest will be considered on a case by case basis taking into account the prevailing climate of the Exit arrangements.
- 3.2.4 The Council's current capital programme does not include any existing scheme in receipt of EU funding.
- 3.2.5 The European Social Fund (ESF) focuses on improving the employment opportunities, promoting social inclusion and investing in skills. The borough's Work and Health Programme is funded by the Department for Work and Pensions and the ESF. The government has said the UK will continue to participate in the ESF programme and that communities would continue to receive the same levels of funding until the end of the 2014-2020 programme period. The government has also pledged to create a UK Shared Prosperity Fund (UKSPF), designed to serve a similar purpose to current EU funding. However, to date no information is available on the criteria, or the overall amount of funding, which could be less than that currently available.

3.3 Revenues, demand and wider economic impact

- 3.3.1 It is difficult to predict any adverse impact in terms of revenue loss. Collection rates for Council tax and business rates for 2017/18 stood at 96% and 98% respectively. Each 1% reduction will result in losses of £0.6m and £0.8m respectively.
- 3.3.2 Currently there are 4,443 business in the borough being charged Business Rates. The estimated total Business Rates charge for 18/19 is £62m. Shops make up the largest number of businesses in the borough with 1,370 (31%), however this makes up only 4% (£6m) of the total charged. Warehouses represent 11% of all properties in the borough but have a total charge of £17m or 31% of the total charge. Fords engine plant makes up £3m whilst the 7 superstores in the borough make up £4.5m in Business Rates between them.
- 3.3.3 The direct effect of a poor outcome from Brexit is dependent upon which sectors are affected. Any hindrance to movement of goods will in the first instance affect factories and warehouses and eventually move to superstores and small shops.
- If importing and exporting of goods is not affected by Brexit but the country enters a recession, Business rates collection in the first year is not likely to drastically reduce. This is because smaller businesses are unable to continue trading for the length of time that bigger companies can without a consistent cash flow. That said, dependent upon how deep and long the recession, it would then start to affect the larger businesses which if lead to closure will have a significant effect on collection. If, for instance, Fords closed their engine plant, £3m of Business Rates would be lost.
 - The knock-on effect upon the borough in terms of employment could result in increased applications for Universal Credit, rent and Council Tax arrears. This will put additional pressure upon the service to provide a collection service as contact and action to recover unpaid debts increases. In addition, as has been seen on a number of occasions, the government may introduce national reduction schemes.

These schemes are often put together quickly and often result in additional work for the service.

- The cost of living crisis could be exacerbated by Brexit. According to a JRF report, 'How could Brexit affect poverty in the UK?', the cost of living for the average UK household has increased by over £400 a year since the EU referendum (through the fall in sterling and rise in interest rates). Real wages would fall by 1.0% in the event of 'no-deal', with prices rising by up to 3%, increasing vulnerability to debt and homelessness. This could increase the need for homelessness prevention, budgeting support, discretionary housing payments, as well as temporary accommodation. It could also increase the amount rent and Council Tax arrears.
- Planning for school places uses GLA's birth data for their demand projections. This source does not make any allowances for the impact of Brexit, as it is such an unknown at the moment and it is too early to see any patterns in the two years since the referendum. Current projections show the demand for primary and secondary school places continuing to rise year on year up to 2026/27.
- Brexit has the potential to change the nature and level of demand for services in a number of areas. However, given the ongoing uncertainty, it is not possible to predict the scale of the change. The effect of Brexit on demand for services may complicate the management of necessary spending reductions to meet savings targets.
- It has been suggested that a no deal Brexit may result in UK citizens living in the EU to return to the UK, and this could be expected to increase demand for adult social care and NHS care. However, it is not possible to know how many will return to Barking and Dagenham and how many would have any care and support needs.

3.4 Suppliers and corporate contracts

- 3.4.1 The UK Government has issued revised guidance on the legal framework that will apply to contracting authorities undertaking procurement in the event of a no deal and advises that procedures will remain the same however it has amended current legislation to instead require UK contracting authorities to publish public procurement notices to a new UK e-notification service rather than OJEU. The new service is called Find a Tender (FTS).
- 3.4.2 In the event of a no deal scenario 'Find a Tender' will be deployed at 11pm GMT on 31st October and we will need to be ready to communicate this change in the days leading up to a no deal. Where this is likely to potentially impact LBB is where we have a requirement to issue a tender to the market on or just after the 31st October as technical issues with the portal or suppliers accessing this portal shouldn't be ruled out until it's actually up and running. We can however confirm that approximately 10 tenders over £100k are to be issued between 1-30 November and consideration will be given nearer the time to exactly what date these are issued.
- 3.4.3 In terms of corporate contracts (those that span multiple services), we have identified the contracts that we consider most likely to be impacted in the event of a no deal and can confirm the current position is as follows:

- Utilities – Laser have confirmed they do not expect to see an impact on existing customers in the short term, or any impact on supply. However, costs are likely to rise if tariffs are implemented following a no deal.
- Temporary Labour – It is still unclear whether a no deal scenario will impact our ability to recruit temporary labour which is being discussed directly with Adecco.
- Translation Services – analysis of our current requirements indicates there is a predominance of non-EU and UK (i.e. BSL) languages over European languages, which suggests we are not likely to be significantly impacted in the event of a no deal. However, shortages of European language translators cannot be ruled out
- In addition our commercial companies have been undertaking due diligence on the risk associated with a no deal Brexit and report the following;
- Be First report that Brexit continues to provide a great deal of uncertainty and that the potential impact of rising import prices, depreciating sterling and labour uncertainty is still not clear. Be First has met with contractors on their procurement framework and requested that they provide their plans for a no-deal Brexit.
- The B&D Trading Partnership have listed Brexit as their highest current risk due to the overall uncertainty however they have been actively consulting with their suppliers to understand the potential impacts. As at 3rd September they report that their main supplier has only 18% of stock coming from Europe and they have been stockpiling in various sites in the UK to ensure supply is maintained in the short term in the event of a no deal. They report that this may be a different picture further down the supply chain which is why the overall risk is still considered high.

3.5 Supply chains (of food, fuel and medicine)

- 3.5.1 The leaked Government Operation Yellowhammer paper states that supply chains for medicines and medical products are "particularly vulnerable" to disruption at the Channel ports. Adults' Commissioning has been contacted by care home providers who are concerned about medication supplies in the wake of Brexit, especially as they are not permitted to stockpile medicines themselves. The GP Federation and pharmacies are currently researching responses to the issue as part of their role in the joint health and social care Provider Forum.
- 3.5.2 The Director of Public Health attended a NHS workshop for Brexit preparedness and has reflected back NHS preparations for the continuation of supplies of medicines and medical equipment. Their recommendations include not stockpiling locally (because arrangements have been further up in the supply chain) and to continue to report shortages through existing routes.
- 3.5.3 Due to disruption at the ports, a No Deal Brexit could impact the availability of fresh food and the variety of food available. This in turn could lead to panic buying, worsening food shortages.
- 3.5.4 All care homes are putting plans in place for food shortages and are currently updating their Business Continuity Plans.

- 3.5.5 Disruption to food supplies could threaten the ability of schools to provide school meals that comply with national nutritional standards. An increase in prices and interest rates could also lead to increased demand for Free School Meals. The BDTP has been working closely with their main suppliers and have received reassurance on the supply of non-perishable foods. The BDTP has increased their stockpile of frozen and non-perishable foods, and are planning for a 12-week period of changed menus. The additional costs of stock piling and menu changes could have a significant financial impact on BDTP.
- 3.5.6 Increased food prices could lead to increasing food insecurity for low income residents, reduced donations to food banks and pressure on pathways into foodbanks.
- 3.5.7 BDTP has been working with Travis Perkins to ensure continual supply of materials for housing repairs and maintenance. TP have been stocking piling materials and BDTP are confident they can manage any short-term supply issues.
- 3.5.8 Discussions have taken place with suppliers to My Place and Public Realm and they have given assurances that the risk to supply chain is minimal. They have either increased their own stock levels to mitigate any issues or have advised that their products are predominantly sourced from within the UK. There is, however, a risk that costs may increase if demand starts to outweigh supply.
- 3.5.9 My Place have assurance that all quotes for supply of new vehicles obtained before the date, and orders placed will be honoured until delivery of the vehicles are fulfilled. Whilst My Place secured pricing on original new fleet orders, recent quotations are showing increased costs which the market has indicated are a result of the weakening of sterling against the Euro and other Brexit uncertainty.
- 3.5.10 A No Deal Brexit may lead to fuel shortages. The fleet department have been instructed to monitor the fuel levels and ensure that all storage tanks and vehicles are kept topped up in order to mitigate the risk in case of a supply issue. £10k has been allocated from the Brexit funding provided by central government to procure a 62k litre fuel tank for stockpiling extra fuel. The service is exploring mutual aid arrangements with neighbouring Boroughs. The Fuel Contract is due to be re-procured post go-live; it is likely that the cost of fuel may increase post-Brexit and therefore the cost to procure like for like will be higher.

3.6 Transport infrastructure – the A13

- 3.6.1 An increase in controls at ports in the event of a No Deal Brexit would lead to significant delays of freight vehicles coming into the country. This in turn could have a knock-on effect on road networks, including the M25 and the A13.
- 3.6.2 Be First has been liaising with Transport for London on their contingency planning for a No Deal Brexit.
- 3.6.3 TfL has been working with stakeholders, such as Highways England, to review the routes to passenger and freight ports around the south and east coast. Highways England currently have plans in place ('Operation Brock') should there be excessive disruption to services across the English Channel. TfL's work with Highways England involves the development of a strategic signing scheme using Variable

Message Signs (VMS) for coastal bound traffic in the event of Operation Brock being implemented.

3.7 Social care commissioning

- 3.7.1 Under the Care Act 2014, the Council has a duty of oversight over the Social Care sector. The recently released Operation Yellowhammer papers state that an increase in inflation resulting from a No Deal Brexit would “significantly impact” adult social care providers and may lead to some failing, with smaller providers impacted within two-three months. The Council commissions many smaller providers of social care and in the event of a No Deal Brexit would need to monitor these providers carefully. The Council is currently retendering its home care provision, which will see a significant increase in rates from £15.85 per hour to c. £18 per hour, which would help ameliorate the impact of inflation on homecare. The ‘usual rate’ for Care Homes would need to be uplifted in the case of inflation in order to keep the market steady, which would have ramifications for the social care budget.
- 3.7.2 Discussions with Adult Care and Support providers have not revealed any significant concerns regarding Brexit apart from issues raised above about supply chains. The Adults’ Commissioning team have continually discussed Brexit with providers at Provider Forums and have sent out an email to the provider list regarding whether they have any concerns. No providers have proactively contacted the Council regarding Brexit and no workforce issues have been mentioned. Brexit was an item at the joint launch of the Children’s and Adults’ Care and Support Market Position Statement and no issues were brought by providers to the launch. The Quality Assurance team are making Brexit a topic at all visits and inspections over the coming months.
- 3.7.3 Staff in Care and Support have also had discussions with networks and have not had anything significant reported regarding the Care and Support market.
- 3.7.4 If there were ramifications with providers of staff, it may produce a capacity issue or would push the hourly rate up, but there would need to be some more analysis of this through communication with providers.
- 3.7.5 There have been discussions with the CCG around Brexit regarding clinical MH staff within the Trust. The NHS are currently auditing their vacancies to assess the impact and looking at the pay of some of their workers, as those that earn less than £30,000 may not qualify for skilled worker status, as outlined in the Government’s White Paper on immigration.

3.8 Child protection

- 3.8.1 Children’s Services have identified where children Looked After by the Council and Care Leavers are EU citizens and they are being supported in applying for Settled Status. No trend of significant problems has arisen with this process.
- 3.8.2 Brexit could potentially impact the recognition of EU/EEA social work qualifications. DfE guidance confirms that whilst any existing applications will be completed “as far as possible”, there is no future arrangement for mutual recognition of qualifications; just a promise, with no date attached, that EU and EEA social workers “will have a means to seek recognition of their qualifications”.

3.8.3. If there is a No Deal Brexit EU regulation on the cross-border placement of Children will no longer apply between UK and EU member states. Instead local authorities in England will need to use the '1996 Hague Protection of Children Convention'. Local authorities already use the 1996 Hague Convention for non-EU child protection cases with those countries who have signed up to the Convention. This means that the protection of children across borders will continue after Brexit. Local authorities should also seek independent legal advice on existing and new cases.

3.9 Staffing

3.9.1 We estimate less than 10% of our workforce are EU nationals.

3.9.2 A data verification exercise was planned for February 2019, however it has been delayed as it was part of a wider engagement piece with staff networks. HR is working towards completing the exercise in October or November 2019. This exercise will include a question on nationality. The reason for collecting this will be sensitively explained. As more data becomes available the Brexit Risk Register will be updated to reflect this.

3.9.3 A communication plan is in place for EU settlement scheme and support for our workforce. There is a risk of employment of illegal workers if time runs out, or there are system glitches caused by high-volume applications towards the deadline. We will need to ramp up communication to encourage uptake sooner than later. We have not identified a trend of staff having difficulties with the outcome of their Settled Status Applications.

3.9.4 Central government has now dropped fees for applying for Settled Status, so this is no longer a concern for our workforce

3.9.5 Nationality information is collected for the children's social care workforce. According to Oracle, 17 of the 231 employees in Children's care and support operations are EU nationals. Unfortunately, there are 75 records, or 32.5%, of this workforce that have a "non-disclosed" nationality, meaning there could be more than 17 EU nationals altogether, that potentially may be affected by Brexit.

3.9.6 Adecco have been asked to include nationality information for all agency workers.

3.9.7 The National Minimum Data Set (annual return <https://www.nmds-sc-online.org.uk/content/About.aspx>) will be available in mid-October, and can be used as another means to identify any potential issues for adult care workforce including directly employed staff. Last year's review concluded that there were no significant issues. For our local adult social care workforce, we previously reported:

- Percentage British Nationality – 53%
- Percentage of the Workforce EEA – 13%
- Percentage of the Workforce from outside the EEA – 34%

3.9.8 With regards to existing staff who are EU nationals, the legal stance is that the government has agreed to protect the rights of EU nationals and their family members living in the UK by EU Exit day, even if the UK leaves the EU without a deal. The above position may change; however, it is impossible to know at the moment.

- 3.9.9 We will review the European Leave to Remain (ELTR) scheme and how this would impact existing staff for example EU social workers and others that fall within this category - If the UK exits the EU without a deal, EU citizens will be subject to interim immigration rules. EU nationals who arrive in the UK will be able to remain for up to three months without a visa. During this time, they must apply for ELTR, which is valid for three years, cannot be extended, and does not lead to settled status or indefinite leave to remain. UK employers will be able to accept EU passports and national ID cards as proof of right to work until 31 December 2020. The new immigration system will begin in 2021.
- 3.9.10 Visas will change if we are looking to employ EU nationals after 2020 or, in the case of a no-deal Brexit, after the 31st October 2019. We will need to apply for certificates of sponsorship. We have an agreed sponsorship licence scheme, as we currently sponsor social workers, but we will need to review this when more information becomes available.
- 3.9.11 EU recruitment has taken place for social workers in two phases, the first group started in February and the second cohort in April. We have not been reporting any additional recruitment or retention issues since the January 2019 report or since the referendum.
- 3.9.12 'Grow our own schemes' are in place through apprenticeship and other routes for some professional staff (e.g. CIPFA, legal) and will be expanded for social workers in January 2020, nurses and potentially for teachers. It is difficult to say at this stage whether we have significant reliance on EU nationals in this group, until the data verification exercise has been completed.
- 3.9.13 Our focus is to continue to recruit and retain talent, by setting out the benefits of working for the Council, providing good management, leadership and direction. Temperature checks and Investors in People Reviews will provide insight into areas we need to address. Exit interviews and new starter surveys are undertaken to provide additional insight.
- 3.9.14 We are working on a completion date of mid-October to review all offer letters and contracts of employments that contain "right to work" clauses to support a contractual basis for change, if this is needed in the future. HR will undertake this exercise and will inform Trade Unions at the October HR/Trade Union meeting.
- 3.9.15 Recruitment training will be updated to reflect requirements and all recruitment material and recruitment policy will be reviewed by mid-October.

3.10 **Data sharing**

- 3.10.1 The UK is currently under the General Data Protection Regulation (GDPR) and has incorporated the GDPR into its domestic legislation through the Data Protection Act 2018. Regardless of which Brexit scenario comes to pass, there will be no immediate change to the UK's data protection standards. The government have expressed their intentions to bring the GDPR into UK law; the Information Commissioner would continue to be the UK's supervisory authority on data protection.

- 3.10.2 In the event of a No Deal Brexit the UK will leave the GDPR and become a 'third country'. The EU gives adequacy status third countries with sufficiently robust data protection measures, which means countries under the GDPR can share data with them. The UK will transitionally recognise the European Economic Area (EEA) as though they have been subject to an affirmative adequacy decision by the UK, and as such, personal data can continue to flow freely from the UK to the EEA. The UK will deem as adequate all countries that have adequacy status under the GDPR.
- 3.10.3 We do not currently know whether the EU will class the UK as adequate in the event of a No Deal Brexit. The EU will aim to adopt an Adequacy Decision by the end of 2020.
- 3.10.4 If the EU does not class the UK as adequate, there would be restrictions on data sent from the EEA to the UK. Additional Safeguards may be necessary for data transfers from the EEA. It will also be possible to transfer information from the EEA under derogations (exemptions), if the sharing of the data is in the public interest or in the vital interest of an individual.
- 3.10.5 The DPO is currently liaising with Elevate to identify where all data in the Council is stored. Data for Office 365 applications (Outlook and Teams) is currently being stored in France and gradually being migrated to the UK. The risk of disruption to this data is low; responsibility lies with Microsoft to take steps to safeguard data held in the EEA.
- 3.10.6 Services which work across borders, such as Children's Care and Support, are most at risk of disruption to data and need to review areas where they are receiving data from the EEA. Children's Care and Support have plans in place for reviewing and updating Data Protection Impact Assessments (DPIAs) and privacy notices.
- 3.11 Community cohesion, impact and unrest**
- 3.11.1 There are a range of potential community cohesion impacts that could derive from any form of Brexit (or the lack of Brexit). The Council is committed to its ambition that no-one should be left behind and that everyone is welcome here. We have recently published a Cohesion and Integration Strategy for the Borough in line with the Borough Manifesto's vision to make B&D a friendly and welcoming borough with strong community spirit.
- 3.11.2 At the heart of the vision for cohesion and integration is the need to reinforce the links that keep and bring people together, across opinions and beliefs, culture, ethnicity, age, sexual orientation and gender, and to ensure that no-one is left behind.
- 3.11.3 Our approach highlights the relationships between the socio-cultural, political and economic dimensions of cohesion, and proposes a number of priorities around relationships and culture, inclusion and participation, and equality of opportunities.
- 3.11.4 Many of these actions are resourced through the Connected Communities programme. Both this programme and the strategy deliver products that manage community tension and migration related issues and are therefore pre-emptive risk management strategies for community consequences of Brexit.

- 3.11.5 Through the Connected Communities Programme we have commissioned partners to:
- Reduce tensions within communities around Brexit through a range of events and activities focused on bringing people from different backgrounds together, and allowing conversations which increase empathy and understanding
 - Deliver direct support to European migrants through advice and guidance relating to their right to work and right to rent, via outreach of the Eastern European Resource Centre and Citizen's Advice Bureau
 - Promote an understanding of and access to the EU settlement scheme to communities via targeted outreach by the Eastern European Resource Centre
 - Form a more comprehensive data picture of our communities, to understand the impact of Brexit and allow for targeted messaging
- 3.11.6 Insight work includes a Place and Behaviour Change Project, providing:
- Insights into changing community composition, including those from European nations
 - Insight into community cohesion through quantitative and qualitative methods with insights on resentment around specific communities
 - Three interventions, designed in response to emerging need and research - possibly focused on resolving issues of community cohesion in specific localities
- 3.11.7 A Community Amplifier project is also underway, whereby local residents do ongoing research to gauge sentiment about cohesion and then support residents to forming their own solutions. Following a series of workshops three of these projects are now in early-formation.
- 3.11.8 Approximately 18% of Barking and Dagenham's population are EU nationals. Origins analysis shows that there have been significant increases in Romanian, Baltic (Lithuanian), Bulgarian and Polish communities in Barking and Dagenham. In 2011, the Eastern European adult population made up about 4% of the population. In 2018, this is 8%, showing a 100% increase in the size of the population. However, this figure could be higher as the School Census (2009-2015) shows a significant increase in primary school age children (4.5%).
- 3.11.9 The Council bid for further resource from MHCLG under the Controlling Migration Fund last year to specifically support regularisation of citizenship, and integration of Eastern European migrants. MHCLG rejected the proposal for greater CAB resource but supported the programme elements that allowed outreach to migrant communities.
- 3.11.10 The Eastern European Resource Centre have now been commissioned to deliver an outreach project to build bridge-networks with Romanian, Polish, Bulgarian (including Roma) families and to a lesser extent Slovak and Lithuanians locally. This work will take three phases:
- General community outreach through churches, deli shops, Saturday schools, and digital channels.
 - Discovering 'hidden' exploitation of staff in nail bars, brothels, etc.. Where mapping work discovers Albanian communities in need, referrals will pass back to Shpresa for support and advocacy.

- Advice and guidance on a variety of challenges including regularising settled status, exploitation in work; modern slavery; domestic violence; worklessness, employment vulnerability, precarious housing and homelessness. Specialist resource will also be used to support families affected by the PRS strand providing language-based support to residents dealing with difficult landlord situations

3.11.11 Where communications with the community are required the team have established relationships with VSCE partners which could be used for messaging when needed. These would sit alongside the broader community communications strategy of the Council. Key organisations would be:

- BDCVS
- Barking and Dagenham CAB
- Carers of Barking and Dagenham
- Barking and Dagenham Faith Forum and the wider faith communities
- Shpresa
- Leaping Toads - A.Faratro
- Victoria Hornby
- Refuge
- Father Young
- The Tenant Federation

3.11.12 With regard to the community tensions that might emerge the communications strategy of the Council and the community tension monitoring arrangements would be key in supporting the management of community issues.

3.12 **Capital**

3.12.1 The Council has a very significant capital investment programme – over £700m over the next five years via Be First to support a programme of building around 2,700 new homes and a c.£30m a year capital investment programme to maintain and improve the Council's existing stock of 17,000 homes.

3.12.2 The key risks arising from Brexit in relation to our programme of capital investment are:

- Labour shortages in the construction sector.
- Increased costs from imported materials (in the event of tariffs or customs delays)
- A wider economic slow-down hitting demand in the housing market, pushing up interest rates or weakening sterling.

The potential impacts of these risks would be to increase build costs and reduce housing demand (especially damaging if it slowed third party development, which generates significant income for the Council such as from New Homes Bonus and Council Tax).

3.12.3 In response, it is challenging for Be First to analyse the potential scale of these risks as each development scheme is different and requires components from different countries (and Be First are only now in the process of signing construction contracts for key schemes).

3.12.4 However, Be First have been undertaking planning activity to give itself and the Council the maximum level of preparedness possible, given all the uncertainties. This includes:

- Allocating 5% of marks in its construction framework procurement exercise to how contractors were approaching the Brexit risk. This highlighted that some have done significant analysis through their supply chains to analyse where product is sourced and where alternatives might come from.
- Exploring how the company could allow contractors to stockpile product to ensure continuity of supply.
- Assessing the likelihood of labour shortages, revealing that this is probably a limited short-term risk as EU workers already here are likely to stay. The harder to forecast risk is what impact Brexit will have on the future supply of labour from the EU.

In summary, the big risks from Be First's perspective is disruption to supply, which it is helping mitigate, and increased costs, which is very difficult to avoid.

3.12.5 It should be noted that Be First's own development programme is significantly protected from the broader economic risks associated with Brexit given its use of council land and finance and given that its core residential product is pitched to the affordable sector of the housing market. However, there could be greater resistance to leaseholders selling back to the Council if prices are fluctuating.

3.12.6 There are also some opportunities for LBBD/Be First in a falling market, given the scope to act counter-cyclically (for instance investing in the land market when demand is low).

4. Next Steps

4.1 Central Government has allocated £104k funding for use by the Council in Brexit preparations. Approximately £10k of this funding has been allocated to increase the capacity the Council has to stockpile fuel to mitigate against shortages. The remaining funding will be allocated to efforts to prepare for Brexit or to mitigate additional costs caused by Brexit across the Council's operations.

4.2 The Council will continue to assess and update its understanding of the risks posed by Brexit and take mitigating actions wherever possible.

4.3 Following this meeting of Cabinet a webpage will go live on the Council's website, supplying the necessary information for residents related to the settled status, and signposting relevant enquiries.

5. Financial Implications

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

5.1 The financial implications of Brexit are difficult to assess. This report sets out our best estimates and the financial implications are set out under the appropriate headings throughout the report.

6. Legal Implications

Implications completed by: Dr Paul Field, Senior Governance Lawyer

- 6.1 This report has identified the relevant themes arising from the impending Brexit at the end of October 2019 and plans being put in place to reduce the risk of the leaving event causing harm to the Council and the community should it take place according to the current Government's expected timetable.
- 6.2 The key point identified is the Council has a general power of competence as a local authority under the Localism Act 2011 to do anything that individuals can may do, unless specifically prohibited, to for the benefit of the Council, its area and the people resident or present in the borough.
- 6.3 The European Union (Withdrawal) Act 2018 (EUWA) repeals the European Communities Act 1972 (ECA) on the day the United Kingdom leaves the European Union. The Act ends the supremacy of European Union (EU) law in UK law, converts EU law as it stands at the moment of exit into domestic law, and preserves laws made in the UK to implement EU obligations. It also creates temporary powers to make secondary legislation to enable corrections to be made to the laws that would otherwise no longer operate appropriately once the UK has left, so that the domestic legal system continues to function correctly outside the EU.

Any question as to the interpretation of retained EU law will be determined by UK courts in accordance with relevant pre-exit Court of Justice of the European Union (CJEU) case law and general principles.

- 6.4 For environmental matters currently Defra publishes significant data on the implementation of environmental laws (e.g. waste, water quality, air quality), for scrutiny by Parliamentary committees as well as the EU. The reporting requirements post EU exit, for systematic reporting on implementation of environmental laws will be replicated with requirements for the Secretary of State to publish implementation reports and data.
- 6.5 Finally, the Government confirms that international arrangements will remain in place. In the event the UK leaves the EU without a deal, the UK would be treated by the EU in the same way as any other OECD country.

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

List of appendices: None.

This page is intentionally left blank

CABINET

15 October 2019

Title: Faith Builds Community Policy	
Report of the Cabinet Member for Community Leadership and Engagement	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Authors: Billy Crossman, Community Engagement Coordinator Monica Needs, Head of Participation and Engagement	Contact Details: monica.needs@lbbd.gov.uk 0208 227 2936
Accountable Strategic Director: Mark Tyson, Director of Policy and Participation	
Summary	
<p>In 2016, the 3000 residents involved in the Borough Manifesto consultation set out a clear vision for our community in a time of profound change: to make Barking and Dagenham a friendly and welcoming borough with strong community spirit. This ambition recognises that, while people come to the borough from a wide range of backgrounds, we must continue to nurture the spirit of belonging that has always defined our community, and talk with pride about the values that define our borough and that have made it – we believe - the greatest borough in London.</p> <p>Our borough and the context within which the Council operates has changed radically over the last decade and will continue to change for the foreseeable future. The population of the borough is larger, more transient and diverse than ever before. Overall population figures show a 25% increase between 2001 and 2016. Over the past five years, our borough has attracted nearly 11,000 more residents than have left over the same period. This is reflected in the continued growth and diversity of our faith and belief community, with new faith-based organisations (FBO's) emerging every year.</p> <p>One of the characteristics of the borough is its diversity of faiths and beliefs and the positive contribution those faith communities make locally. People of faith make up a significant part of our community, and as the community changes so are our faith communities. Faith communities provide vital support to many of their members and the wider community. However, we also know that some of the tensions in our community can be focused around some of our growing faith communities and places of religious worship. including use of buildings, parking, noise, rubbish and perceived differences, concerns centred around cultural and religious practises, hate crime and safeguarding.</p> <p>Within our ambition for a stronger and more cohesive borough sits our Public Sector Equality Duty which ensures that Councils and other public bodies must pay due regard to;</p>	

- Eliminating discrimination, harassment and victimisation.
- Advanced equality of opportunity between people who share a protected characteristic and those who do not.
- Fostering good relations between people who share protected characteristic and those who do not.

The Council is committed to the advancement of these three aims, and the faith policy seeks to advance inclusion, cohesion and participation between people who share different protected characteristics. The faith policy, alongside other policies including the LGBT position statement and in taking forward our Equalities and Diversity strategy has been developed with due regard to this.

This report sets out a policy for the borough, in line with the vision set out in the Borough Manifesto for 2037, which has been developed with faith communities and is the shared ambition and commitment of Barking and Dagenham Faith Forum, in partnership with faith communities and the Council. At the heart of the Faith Builds Community Policy is the need to reinforce the contribution of faith communities in our borough and focus on both the contribution and the challenges that we face within the broader context.

This will be delivered through seven main themes, which are fully aligned with the Council's strategic strands of Inclusive Growth; Participation and Engagement; and Prevention, Independence and Resilience and with due regard to the Public Sector Equality Duty.

The themes of the Policy are:

1. Celebrating Faith Based Social action
2. Responding to Hate Crime and Prejudice
3. Accessing Spaces and Buildings
4. Safeguarding Vulnerable People
5. Respecting Different Faiths
6. Faiths Working Together
7. Promoting Diverse Voices

An executive summary of the policy will be produced for wider circulation and the Policy will be launched during Interfaith week in November.

This Partnership Policy sits together with the VCSE Strategy adopted in February 2019 and the Cohesion and Integration Strategy adopted in May 2019– primarily within our approach to participation and engagement, with clear overlaps with the inclusive growth and prevention, independence and resilience strands. It builds on the Council's commitment to change the relationship between the citizen and the state, empowering individuals, groups and neighbourhoods to take greater control of their own lives and the shaping of their environment. The ultimate objective is to create a culture of participation in the borough, where residents automatically feel included, valued, heard and that are integral to the fabric of Barking & Dagenham.

In the following months, we will be working towards formalising our approach further through the adoption of the Participation and Engagement Strategy and broader approach to public service delivery.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the Policy; 'Faith Builds Community: Working Together for Barking and Dagenham', to make Barking and Dagenham a friendly and welcoming borough with strong community spirit as set out in Appendix 1 of the report; and,
- (ii) Note the proposed approach to faith, which has been collaboratively designed with faith organisations in the borough, and associated priorities and actions.
- (iii) Delegate authority to the Director of Policy and Participation, in consultation with the Deputy Leader and Cabinet Member for Community Leadership and Engagement, to make minor or routine amendments to this policy as the work with the Faith Forum continues to evolve, so that it can continue to be effective in supporting the partnership.

Reason(s)

Cabinet should agree these recommendations to develop the Council's approach to working with faith communities in line with the shared long-term, resident-led vision for the borough, as set out in the Borough Manifesto, with particular reference to make Barking and Dagenham a friendly and welcoming borough with strong community spirit. This is also in line with the Public Sector Equality Duty and the Council's priorities listed below.

The Council's vision, encapsulated in "One borough; One community; No-one left behind" prompts a positive and strong set of actions to work with faith communities locally:

A new kind of Council – All of the Council's actions should support its policy aims. The agreement of a shared faith policy demonstrates how these important areas of general business activity are conducted with reference to the Faith Communities.

Empowering People – As the borough focuses its services on 'up-stream' intervention, rather than responding to crisis, it becomes increasingly important that we are supporting faith communities who have many of our residents both within their community activities and worshipping communities.

Inclusive growth – As established and emerging faith communities reflect and engage with our residents the role of faith communities is noted. Faith communities have assets and resources that support community initiatives and routes into employment.

Citizenship and partnership – A key ambition for the Council is to connect people with their local community and build trust and cohesion. It is important, therefore, in a borough that 'looks out for each other', that we support people and engage with our faith communities through the Barking and Dagenham Faith Forum and more widely with a shared policy that undergirds those relationships. This is an important part of ensuring that no-one is left behind, and that communities are supported to work for everyone.

1. Introduction and Background

- 1.1. Barking and Dagenham has seen significant demographic changes over the past 20 years. The population of the borough is larger, more transient and more diverse than ever before. Population growth is projected to continue and reach an estimated 290,000 people by 2050. These changes have also shifted the landscape of religious belief in the borough. The former, mainly white British Christian population has now given way to a vastly multi-cultural, multi-ethnicity, and multi-faith population.
- 1.2. Table 1 shows a comparison between the 2001 and 2011 census information, which is the latest national data available. In 2001, the white British population made up 80.9% of the residents of Barking and Dagenham. Ten years later, this figure has dropped drastically to 49.5%, compared to the national UK figure of 86%. Across the UK, Christianity is the dominant religion with 59% of the population identifying as Christian, followed by Muslims who represent 5% of the population (2001-2011 census data). When comparing the same data in Barking & Dagenham, 56% of people identified as Christian in 2011, a decrease of 8% since 2001. Followers of other religions saw a stark increase, e.g. with the Muslim population growing 257% in the ten-year period.

Table 1: Religious affiliations, 2001-2011

	Barking and Dagenham						London	England
	2001	%	2011	%	Change 2001-2011	% Change	% change, 2001-2011	% change, 2001-2011
Christian	113,111	69	104,101	56	-9,010	-8	-5.22	-10.70
Buddhist	366	0.2	842	0.5	476	130.1	51.07	71.62
Hindu	1,867	1.1	4,464	2.4	2,597	139.1	40.86	47.39
Jewish	547	0.3	425	0.2	-122	-22.3	-0.79	1.40
Muslim	7,148	4.4	25,520	13.7	18,372	257	66.83	74.45
Sikh	1,754	1.1	2,952	1.6	1,198	68.3	21.02	28.37
Other religion	308	0.2	533	0.3	225	73.1	31.22	58.42
No religion	25,075	15.3	35,106	18.9	10,031	40	49.86	82.87
Religion not stated	13,768	8.4	11,968	6.4	-1,800	-13.1	11.49	0.73
Total	163,944	100	185,911	100	21,967	13.4	-	-

Source: 2001 and 2011 Censuses

- 1.3. We are a vibrant, diverse and changing borough, a place we should all feel proud to call home. Of course, with changes come new challenges and new responsibilities. For instance, the additional population pressure on housing and services, has had impacts on community cohesion. The 2018 Resident's Survey found that around 7 in 10 (73%) residents agree that their local area is a place where people from different backgrounds get on well together. This is still significantly lower, by 17 percentage points, than the national average (89%). Competition for suitable space, conflicting views or beliefs, displacement of former deeply situated communities, landscape changes and other socio-economic or political factors have strained relationships across the borough in the last ten years.
- 1.4. We hold dear the value that our strength lies in the diversity of our population. Despite past attempts to divide us, such as the 2006 rise of the BNP or the involvement of local residents in the 2017 London Bridge terrorist attacks, our

community has shown incredible resilience in upholding and strengthening this value. Every time we needed to, we have met these challenges head on, not shying away from our shared responsibility to build and integrate the fabric of the borough.

- 1.5. These challenges have also been met by faith organisations locally, with notable achievements being made in the borough. We have one of the UK's first ever 5-star beacon Mosques operating in the borough, a new Jain Temple being proposed and a reinvigorated and reengaged Faith Forum. Today, we have a rich and influential network of faith and belief structures, leaders and faith-based social action projects, that provide a foundation for the improvement of thousands of residents' lives.
- 1.6. The changing nature of our faith communities, as well as adding to the richness of the borough, can create some tensions and concerns both within faith communities and within the wider community. Recent high-profile cases have impacted both on our faith communities and therefore our residents and heightened some of the concerns.
- 1.7. Particular tensions include access to spaces for worship for faith communities where the requests from growing faith communities are significant, and the associated challenges as buildings are used for religious worship; with concerns around parking at times of worship; noise and health and safety.
- 1.8. Safeguarding in our community is a significant concern both from statutory partners and faith communities and keeping our residents safe is at the forefront of our work. This is seen in a range of settings and situations including: out of school settings; domestic abuse; modern day slavery; chastisement, FGM and neglect. Within the safeguarding context most recently the Council has published its Modern-Day Slavery Statement and is embedding contextual safeguarding.
- 1.9. In 2017, a study carried out by CAG Consultants, surveyed organisations of faith and profiled faith groups and meeting places across the borough. The study identified a desire (from organisations of faith in the borough) for improved, high quality, and long-term engagement with the local authority as a means to support their capacity to deliver important services to their communities, such as childcare, youth work, welfare support and advice, job clubs and inter-generational activities. The full report can be found at <https://www.lbbd.gov.uk/wp-content/uploads/2018/06/Faith-groups-and-meeting-places-Evidence-base-study.pdf>
- 1.10. The borough has a rapidly growing number of mainly smaller Faith Based Organisations (FBO's) within the wider charity sector. These groups seek to serve some of the most significantly marginalised, isolated members of the community. The Council is seeking to ensure that it is sympathetic and fair approach to engaging with FBO's, where they serve residents. Within the context of our whole community FBO's are be integral to the development of relationships, interventions and services which will affect the lives of residents.
- 1.11. Together we have a responsibility to ensure that our faith groups receive support. As a Local Authority, we have a duty under the Equality Act 2010, to communities with protected characteristics, which includes people of religion and belief. The duty states that public sector organisations must have due regard to:

- Eliminating discrimination
- Advancing equality of opportunity
- Fostering good relations between different people

- 1.12. Our Equality and Diversity Strategy sets out a vision for equality and diversity: to create a place where people understand, respect and celebrate each other's differences, where tolerance, understanding and a sense of responsibility can grow, and all people can enjoy full equality and fulfil their potential. Our approach goes even further, paying regard to socio-economic factors, and the role of equality and diversity in service design and delivery, participation and engagement, and inclusive growth.
- 1.13. The Barking and Dagenham Together; Borough Manifesto indicated that residents want "a friendly and welcoming Borough with strong community spirit" and to become "a place people are proud of and want to live, work, study and stay". The Council's new Cohesion & Integration strategy defines integration as *the process of developing equality, participation and belonging to achieve cohesion in a community*. Among other priorities, the strategy aims to cultivate a sense of belonging in the community, by encouraging harmonious interaction among people and groups, who have varied and diverse cultural, national and familial identities.
- 1.14. 'Faith Builds Community', our new faith policy helps to deliver this overall vision, by taking a collaborative approach to our shared contributions and responsibilities locally. It also helps us to address our Public Sector Equality Duty, within a constantly changing landscape, by placing an emphasis on equality of opportunity, the removal of barriers, building on existing cohesion and relationships that exist in communities and ensuring that people from protected groups can participate.
- 1.15. The borough has a strong history of community engagement and our faith-based organisations, small and large, contribute to this. Every organisation and individual within the borough, from faith-based organisations to businesses, residents and charities have a part to play in helping to deliver the ambitious targets in the Borough Manifesto. We want a borough where residents are regularly engaging in the community, volunteering and playing their part.
- 1.16. Our conviction that every agency needs to play its part, is what has inspired the Council to think about our unique way of working. Emerging from this thinking is the shaping of a new model of delivering public service and social action, one that is uniquely tailored to Barking & Dagenham. It makes reciprocity and participation, the default approach to designing and delivering public services. It also calls upon every public service, voluntary and community sector organisation, faith-based organisation, business and resident to play a part in helping us achieve our shared ambitions.
- 1.17. The principles of this model align closely with 'Faith Builds Community'. This policy is built on a common mission that unites us and is articulated through a reciprocal agreement that sets out each of our parts to play in achieving the vision; 'a better connected, faith-friendly borough, where people of all backgrounds feel safe, celebrated and included'.
- 1.18. 'Faith Builds Community' has been informed by and has itself informed the development of the early thinking for this new model in several ways:

- Firstly, it has been shaped by the firm belief that we all have a part to play in achieving the vision of the policy; ‘a better connected, faith-friendly borough, where people of all backgrounds feel safe, celebrated and included’.
- Secondly, its structure is a practical use of reciprocal policy and social action, by outlining actions equally held by the Council, faith-based organisations and others.
- Thirdly, the policy is shaped by the principles of the Council’s developing approach, particularly the conviction to work in partnership, empower through participation and focus on our own and others’ strengths rather than weaknesses.
- Finally, the policy exists within and has been shaped by the wider participation and engagement agenda and contributes to the thinking behind the emerging participation and engagement strategy. It seeks to enable and celebrate participation in the community while making effective and fair use of the Council’s assets and public services to enable our faith communities.

1.19. The Council have worked with The Faith and Belief Forum, who are a registered charity with a 20-year history of working on interfaith issues. They have completed the majority of the targeted policy engagement work done with faith organisations and helped us shape the policy actions and themes. Their interfaith connectivity work, which is MHCLG funded, will continue in the borough until June 2020.

2. Engagement & Consultation

2.1. The CAG report consultation work sought to inform planning for religious communities as Barking and Dagenham grows and planted the seeds for much of the subsequent engagement work done with FBO’s, paving the way to building a better understanding and leading to the development of the idea for ‘Faith Builds Community’ Policy. The changing local context and challenges experienced in Barking and Dagenham over the last few years both within our faith communities and more broadly have also increased the emphasis on developing a faith policy. Council officers, members and faith leadership have worked together since the report was released, to monitor and collectively develop actions which would address the needs of faith communities in the borough.

2.2. Since the autumn of 2018 the Faith and Belief Forum (F&BF) have worked closely with Barking and Dagenham Faith Forum and the Council during the development and engagement phases for the policy. F&BF also assumed administrative responsibility of the Barking and Dagenham Faith Forum, in order to better support their involvement in the development of the policy, including multiple sessions to address different themes and explore the proposed actions.

2.3. A rigorous process of engagement and development, with an extensive review of literature, previous studies, council policy, government policy and academic papers has been completed to ensure that a picture was formed of what exists in this space locally, nationally and in other local authorities. In many respects though, it needs to be noted that this policy is a trail blazer, with no other local authority currently attempting to redefine the relationship it holds with faith communities locally.

2.4. The Faith & Belief Forum spoke to over 100 people through their online survey, face-to-face meetings with faith leaders, consultation meetings with community organisations that support faith groups, hosting the three focus group workshops, and by attending existing community events and meetings.

- 51 online surveys were completed by residents from diverse faith backgrounds:
 - 51% Christian; 20% do not identify with a faith / not disclosed; 18% Muslim; 2% Pagan; 2% Sikh.
 - 51% White; 24% Black; 18% Asian; 2% Mixed; 6% not specified.
- 40 consultation meetings with local faith leaders:
 - 72% Christian; 13% Muslim; 3% Sikh; 3% Hindu; 3% Jain; 3% Buddhist; 3% Jewish.
- 5 consultation meetings were held with community organisations that support faith groups. This included an arts-based organisation, a network meeting for faith leaders, and a group of community leaders meeting to address knife crime

2.5. Many respondents in the consultations talked about the challenges faced by faith-based organisations and were welcoming of the Council's attempts to reconnect and address, what they saw, as fundamental flaws in the relationship between faith and the state. Faith leaders were candid in their responses and laid out their blueprint of future hopes (see Appendix 3: Engagement Report), which have helped shape the actions in the policy.

2.6. During the process, the consultation, engagement and co-production of actions have included;

- Oct 2018 to March 2019 – Online survey (51 responses) and face to face discussions with 40 faith leaders, alongside meetings with 5 community organisations that support faith organisations within their work. A comprehensive summary of these interactions are referenced in part 2: The Engagement Report Appendix 3).
- Oct 2018 - March 2019 – Internal engagement with relevant officers/depts and members.
- 23 April & 3 May 2019 - Lightning style workshops with faith leadership, to further explore the themes outlined
- 14th May 2019 – Faith Forum workshop on response distilled from engagement sessions, final comments for policy

2.7. The engagement period identified seven themes, which were of key concern to both faith communities and the Council. The Faith & Belief Forum, along with the Council and local Faith Forum developed a key response for each identified theme, alongside a set of co-designed actions, which can be implemented to help respond to the needs identified.

2.8. The key themes and responses are:

(Figure A)

Theme	Priority
Celebrating Faith Based Social Action	<i>The Council and faith groups should work together to raise the profile of faith-based social action and convene spaces for collaboration and learning.</i>
Responding to Hate Crime and Prejudice	<i>The Council and faith groups should work together to improve residents' knowledge of how to identify and report race and faith related hate crimes.</i>
Accessing Space and Buildings	<i>The Council and faith groups should work together to ensure that where possible there is sufficient space for residents of different faiths to worship and practice their faith, as well as to work together to ensure policies are fair and transparent and are followed by all.</i>
Safeguarding Vulnerable People	<i>The Council and faith groups should work together to safeguard vulnerable people of different faiths, including co-creating and delivering appropriate strategies for particular issues that affect LBBB residents.</i>
Respecting Different Faiths	<i>The Council and faith groups should work together to improve their understanding of different faith communities and should work together in a spirit of respect and ongoing learning.</i>
Faiths Working Together	<i>The Council and faith groups should work together to provide opportunities for residents of different faith backgrounds to meet and learn about each other, enabling further collaboration and improved understanding among groups.</i>
Promoting Diverse Voices	<i>The Council and faith groups should work together to ensure faith groups are fairly represented in borough events and programming across the year.</i>

2.8. The themes emerging from the engagement were explored at subsequent focus groups and Faith Forum meetings to discover the underlying motivations and causes for concern amongst faith organisations and the Council. It has become increasingly

clear throughout the engagement phase, that individual faith leaders, alongside the majority of faith organisations, are keen to work with the Council to explore ways to combat shared issues, although there are some tensions that need to be acknowledged. The focus groups provided the opportunity to tease out some of the issues and to enhance and develop the information gathered during the engagement phase,

- 2.9. The policy has been on a significant journey, in terms of its shaping and development. Faith and belief is an extremely challenging and complex area in which to write policy and the policy is a considerable accomplishment for the Council and its partners.
- 2.10. The Barking & Dagenham Faith Forum have been instrumental in the development of this policy, which is a shared ambition and commitment to improvement. The Faith Forum is made up of faith representatives from across the borough. At each stage of the development the Faith Forum have been involved in a deeper conversation around each of the emergent issues. This analysis also assisted the Faith & Belief Forum in teasing out areas of future focus and topics which required the development of a deeper understanding between the Council and faith community.

3. Faith Builds Community Policy

- 3.1. At the heart of the policy is the need to reinforce the contribution of faith communities in our borough and focus on the challenges faced. The overall vision is;

“A better connected, faith friendly borough, where people of all backgrounds feel safe, celebrated and included”

This speaks to the essence of what we are trying to accomplish as a borough. Our ambition, in the Borough Manifesto for 2027, is *‘to make Barking & Dagenham a friendly and welcoming borough with strong community spirit’*. Faith buildings, their attendees, worshipers, volunteers, projects and leaders have a huge part to play in helping us to realise this ambition. They ultimately provide a conduit for people to meet, interact and socialise together, through shared action and purpose.

- 3.2. This purpose is what drives the actions within the policy (see Appendix 1). Faith Builds Community is about the recognition that whilst not all groups share the same faith, they are aware of their ability to help people engage in meaningful ways. These interactions help to grow relationships and connections, foster trust and create an environment where people feel a sense of belonging to the wider community.
- 3.3. It is this sense of belonging that the policy seeks to help foster. We have many shared values, beyond those which people identify with from their faith, and our approach enables further sharing and development of these values under the themes. The fundamental aim of the policy is to engage and support the faith community, in a reciprocal agreement, which fosters greater understanding and joint enterprise.
- 3.4. In addition, the policy seeks to address some of the tensions and concerns that both faith communities, the wider community and the Council have. These include some of the tensions that arise from: the experiences of some people of faith with regard to hate crime, shared concerns around safeguarding and tensions around places of religious worship that relate to issues including planning, parking and noise nuisance.

- 3.5. The seven key themes and their associated priorities will be addressed by a set of shared actions. The Council, faith-based organisations and wider stakeholders all share responsibility for delivering these actions, with specific aims and objectives for each party to meet. As Bishop Trevor alludes to in his Foreword, these actions, which were developed in consultation with faith leaders and the Barking & Dagenham Faith Forum, are a pragmatic set of guidelines for transforming the borough into one where everyone's voice is heard and reflected.
- 3.6. Faith Builds Community Policy is in two parts:
- The policy itself (Appendix 1)
 - The engagement report (Appendix 2)
- The engagement report, which is split into two parts; Engagement with Faith Communities & Engagement with LBB Council, narrates the significant journey that we have been on to develop the policy document.
- 3.7. F&BF had rich, intense, frank and valuable conversations with faith leaders from across a wide breadth of the faith community, which are represented and highlighted in this document. Thematic conversations were also had with council staff and these are represented in the engagement report, aligned with the future hopes for collaboration, learning and development.
- 3.8. Faith Builds Community attempts to narrate the significant journey that the borough has been on and also address some of the issues that have arisen from being one of the fastest changing and most diverse boroughs in the country. We can do this by maintaining dialogue and inviting each party to the document to monitor and commit to the actions in the policy.

4. The Policy Themes

- 4.1. The seven policy themes as mentioned in the figure A (see above) are;
- 1) Celebrating Faith Based Social Action
 - 2) Responding to Hate Crime and Prejudice
 - 3) Accessing Space and Buildings
 - 4) Safeguarding Vulnerable People
 - 5) Respecting Different Faiths
 - 6) Faiths Working Together
 - 7) Promoting Diverse Voices
- 4.2. The actions attached to the policy themes have implications to several key Council services, all of which have been agreed through consultation. These implications relate to changing some of the ways that the council support faith-based organisations, in their development, functioning and in their delivery capacity. The council focused actions are summarised below and implications to protected groups are included in the Equalities Impact Assessment (appendix 3).
- 4.3. The proposed actions will have positive effects on a wide range of protected groups. The nine protected characteristics, defined by the Equality Act 2010, include faith and belief. However, because faith or belief has a significant impact in how people structure various aspects of their life, the policy has an impact in positively addressing a variety of different characteristics, by encouraging faith based organisations to promote and engage with initiatives designed to improve relationships between people from different protected groups.

- 4.4. The policy also impacts on and is informed by a number of other council strategies and policies, which are explored in depth in the attached Policies/Strategies Interactions Table (appendix 4).
- 4.5. **Celebrating Faith Based Social Action:** A large amount of community work is already undertaken by faith organisations. From foodbanks and shelters, to campaigns to raise awareness of knife crime, the work is a key way that faith based groups interact beyond their own faith community.
- 4.6. The Council will continue to support this work, by enabling strong relationship building, celebrating and supporting local initiatives, convening shared learning opportunities and identifying innovative ways to raise awareness and profile.
- 4.7. **Responding to Hate Crime and Prejudice:** Groups in the borough have expressed their concern at experiencing hate crime in the borough they call home. We know that underreporting of hate crime is a significant issue in the borough and that many times, individuals will seek out a person they trust to discuss an issue, before reporting. Groups frequently referenced a lack of understanding or stereotyping about faith, when talking about their experiences of hate crime.
- 4.8. The Council is resolute in its conviction that no resident should be the victim of prejudice, hate crime or hate related incidents. Therefore, there is a particularly strong desire to work with nominated individuals within the faith community to build confidence in hate crime reporting. Through our support of national initiatives and local training, we will ensure that communities are continuously educated on the support available. We will also ensure that a local conversation is convened with our partner, to explore the handling of hate crime incidents and why underreporting is significant issue.
- 4.9. **Accessing Space and Buildings:** The growth of both faith organisations and their attendees, means that now more than ever before, space is at an absolute premium. Suitable spaces for faith organisations are simply too few. Faith communities are clear on the practical challenges of making shared spaces for worship work. However, there is a positive movement towards the sharing of community space and indeed, some faith organisations already do this positively.
- 4.10. The Council is committed to ensuring it works with faith-based organisations to help explore opportunities to access appropriate available premises or hire spaces for events wherever possible. We will also seek to work with faith-based organisations, to resolve issues when the terms of their lease (if using council buildings), or duties from the Good Neighbour Guide are not being met including health and safety on site. We will work to improve our transparency on the rate relief policy and where significant building development is taking place, include faith-based organisations and the Faith Forum in consultation. This will be further developed through actions developed through the Local Plan, supplementary planning guidance and our statutory planning powers over the next 12 months.
- 4.11. **Safeguarding Vulnerable People:** Most faith groups had a basic understanding of safeguarding, but some groups have more access to support than others. Insight into the context in which people live their lives, and the safeguarding risks that arise, is important especially when responding to complex issues of exploitation,

chastisement, FGM, modern slavery or radicalisation. There is concern about programmes such as Prevent, with predominantly Muslim organisations feeling unfairly targeted by authorities. We will work together with faith-based organisations to safeguard vulnerable people in all contexts.

- 4.12. The Council has a duty to ensure that vulnerable people are safeguarded from harm. Training will be provided for faith leaders and safeguarding leads within faith-based organisations. A designated member of the Council's safeguarding team will support faith-based organisations with their safeguarding training, including by developing a free downloadable pack with templates that can be utilised. The Council will also explore the option of setting up a 'Safeguarding self-assessment process' for local groups.
- 4.13. **Respecting Different Faiths:** Faith groups and even individuals within faith organisations, vary between having socially progressive to socially conservative views, but all were united on ideas of love and respect for all. Many groups asked for the freedom to express their faith identity fully feeling comfortable in spaces that allowed them to do this.
- 4.14. Council actions in this space include a commitment to continuing to support, champion and connect with the activities of the Barking and Dagenham Faith Forum. Faith should also be given due consideration alongside all other protected characteristics, when designing and planning events and services, to ensure that faith-based access requirements are taken into account. We will also continue to support community events that highlight the value of faith locally and create opportunities for conversations at the intersection of faith and other strands of identity for those who want them.
- 4.15. **Faiths Working Together:** While some groups are wary of interfaith work specifically, there was an overwhelmingly positive reaction to the idea of faiths working together on shared social action. However, there was an identified lack of sustained initiatives, in which all faiths could share action and participate in.
- 4.16. Work to ensure that this theme is addressed, has already started, with the capacity building work currently being undertaken in the borough by the Faith & Belief Forum. The Council will additionally ensure that a nominated point of contact supports faith-based organisations, maintains a consistent level of engagement, and that the relationship between the Council and Faith Forum continues to flourish.
- 4.17. **Promoting Diverse Voices:** Groups have recognised and questioned a fluctuating level of engagement with faith from the Council over time and do not understand this. Faith groups also recognise that some faith groups are better connected to the Council than others and want to explore opportunities to change this.
- 4.18. The Council will ensure that it engages with faith-based organisations, faith leaders, the Barking & Dagenham Faith Forum and others, to improve the diversity of events. We will continue to mark faith-based festivals and celebrations throughout the year, with a renewed focus on underrepresented groups and create opportunities for different faith and community groups to partner with us on the delivery of them.

5. Financial Implications

N/A.

6. Legal Implications

By Dr Paul Field Senior Governance Lawyer

- 6.1 As a public authority the Council is subject to the Public Sector Equality Duty as set out in the Equality Act 2010 section 149. It must in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act and advance equality of opportunity between persons who share a relevant protected characteristic (that being age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex or sexual orientation and persons who do not share it.
- 6.2 Furthermore the Equality Act requires the Council must foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.3 The report refers to the Prevent duty. From 1 July 2015 the Counter-Terrorism and Security Act 2015 (the Act) placed a duty on specified authorities (include local authorities, NHS trusts, schools and also providers of certain services to those authorities) to have due regard to the need to prevent people from being drawn into terrorism that is the Prevent duty.
- 6.4 The policy as set out in this report and appendices addresses the duties on the Council are in keeping with the performance regime established by the Local Government Act 1999 as amended by the Local Audit and Accountability Act 2014 together with supporting legislation, requiring the Council to work to achieve continuous improvement and best value. This policy, its objectives and in time how the delivery measures up in terms of outcomes, will be one of the signifiers of a well-run local authority.

Other Implications

- **Corporate Policy and Equality Impact:**

By Rhys Clyne- Workstream Lead, Participation & Engagement

The Equality Impact Assessment developed alongside this Policy has been informed by the insight gathered through extensive consultation and engagement, and therefore accounts for tensions and equality considerations when working in partnership with the Faith community throughout the borough.

- **Adults' and Children's Safeguarding**

By Teresa DeVito – Head of Safeguarding & Quality Assurance

Effective Child Protection and Adult Safeguarding is an essential part of wider work to safeguard and promote the welfare of children and adults at risk. There is much in common about the approaches to Child Protection and Adult Safeguarding and both are underpinned on the belief that being abused, witnessing abuse or fearing abuse should never be experienced by a child or an adult.

The Children Act 1989 and 2004 is the primary legislation for Child Protection and Safeguarding and the Care Act 2014 for Safeguarding Adults at risk of abuse. These Acts place legal obligations to safeguard children and adults, promote their welfare and a provide a responsibility to communicate any concerns about them to relevant local agencies. They give every child and adult the right to protection from abuse, neglect and exploitation. The legislation also places duties on organisations to safeguard and promote the well-being of children and adults at risk. This includes ensuring all adults who work with, or on behalf of them are competent, confident and safe to do so. More recently, the Counter-Terrorism and Security Act 2015 included two measures to safeguard vulnerable people from being drawn into terrorism. The Prevent duty requires specific bodies, such as local authorities, schools and the police to have 'due regard to the need to prevent people being drawn into terrorism.' It also put in place Channel, the multi-agency programme which works to divert vulnerable people from being drawn into terrorism, on a statutory footing.

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

List of Appendices:

- Appendix 1: Draft Policy 'Faith Builds Community: Working together in Barking & Dagenham'
- Appendix 2 : Part 2 : Engagement Report (draft)
- Appendix 3: Community and Equality Impact Assessment
- Appendix 4: Policies & Strategies Table

This page is intentionally left blank

Faith Builds Community: Working Together in Barking and Dagenham

Part 1: Policy

Contents

FOREWORDS	3
VISION AND CONTEXT	5
KEY FINDINGS	10
RECOMMENDATIONS AND ACTION PLAN	14
COMMUNITY VOICES <i>TO BE DOTTED THROUGHOUT THE DOCUMENT</i>	21
COMMUNITY VOICES: <i>WHAT DO YOU ENJOY ABOUT BEING PART OF A FAITH COMMUNITY IN BARKING AND DAGENHAM?</i>	21
APPENDICES	23
APPENDIX 1: KEY TERMS	23
APPENDIX 2: THE FAITH & BELIEF FORUM'S FAITH IN BARKING & DAGENHAM PROJECT	24
APPENDIX 3: RELEVANT LOCAL AND NATIONAL POLICIES	25
APPENDIX 4: FURTHER GUIDANCE, TRAINING, AND SUPPORT	26
a. General Support	26
b. Governance	27
c. Safeguarding Vulnerable People	27
d. Responding to Hate Crime	28
e. Inclusion and Celebrating Diversity	29
f. Working Together with Other Faith Communities	30
g. Accessing Space	31
APPENDIX 5: ENDNOTES	32

Forewords

Bishop Trevor Mwamba

Chair, Barking and Dagenham Faith Forum

Vicar of St Margaret's Church, Assistant Bishop in the Diocese of Chelmsford

The Barking and Dagenham Faith Forum have enjoyed collaborating with the Faith & Belief Forum and the Council to produce this wonderful guide capturing the 'spirit of working together' that is central to our faiths. Each of us within ourselves have the ability to achieve the goals of this policy.

Our faiths teach us that to create a world without fear, we must be without fear. To create a world of justice, we must be just. To create a world of love, we must have love within. To create a world of peace, we must have peace within. To create a world of diversity, we must value and celebrate diversity. To respect and understand other faiths, we must be humble. We reflect outward what we are within. As we think so we are.

This document challenges us to look within ourselves to see the changes we need to make so we can overcome our personal and societal prejudices that make it difficult for us to work daily for the inclusion of all people. It also gives us the opportunity to create strong and positive relations between people of different faiths and beliefs and show that diversity enriches and adds value to our society.

This document aspires to connect people of different faiths and beliefs, so we can create a society which is fair to people of all backgrounds – religious and non-religious. By encouraging people to engage more across differences and learn to understand each other better.

Above all the genius of this document is that it is pragmatic in setting guidelines for how the Council and Faith groups can better work together to transform our borough into one in which everyone's voice is heard and reflected in the vision and activities of our wonderful Borough.

To this we in the Barking and Dagenham Faith Forum subscribe.

Councillor Saima Ashraf

Deputy Leader of Barking & Dagenham Council and Cabinet Member for Community Leadership & Engagement

Barking and Dagenham is a vibrant and diverse borough, where people from all different faiths, beliefs and backgrounds live, work and thrive together.

Our culture is an expression of who we are and the fact that we share different opinions, aspirations and backgrounds is what makes us unique. As people of faith or none; we are uniting to express ourselves in a multitude of ways.

Our community continues to grow and become more diverse, with the borough experiencing rapid change and growth over recent years. The pace of this change has created a unique set of challenges for the council, wider faith community and our residents. With around 170 organisations of faith in the borough, we have a responsibility to take collective action and explore solutions for addressing these challenges together in mutual interest.

Barking and Dagenham Council recognises, values and welcomes the diversity, creativity and contribution of the many organisations of faith that inhabit our borough. This policy, which has been developed in partnership with our faith community, will help to ensure that residents' needs are continually put at the forefront of our work.

This collaboratively designed policy is a first of its kind. Nothing like this has been attempted in any other local authority and it represents a brave step forward in realising the ambitious vision of a "faith friendly borough that is inclusive of all faith and belief". The Council's recent signing of the Charter for Faith & Belief Inclusion, alongside the Barking & Dagenham Faith Forum, sets out our commitment to work together to foster good relationships between people of different beliefs in communities, workplaces, and in wider society.

Barking and Dagenham Council are committed to promoting equality and tackling social exclusion, hate crime, discrimination and intolerance. This policy will help us achieve this, in cooperation with our many organisations of faith, through setting out actions to which we can all subscribe, own and act on. The Council has a part to play in helping faith organisations to be successful, but equally faith-based organisations hold a collective responsibility to the communities they serve. Their foundations are ones built on trust, shared values and community engagement. It is our desire to see these foundations thrive and ensure that all people in Barking & Dagenham have opportunities to become part of our vision for "One Borough, One Community. No-one left behind".

It is my hope that this policy helps us to enjoy a prosperous partnership with the faith community, one which positively benefits them, the Council and residents. We invite faith organisations to monitor the actions in the policy and above all, maintain their dialogue with us, so we can be sure we are doing all we can to help residents succeed, live better together and achieve a rich, fulfilling life in the borough.

“A better connected, faith friendly borough, where people of all backgrounds feel safe, celebrated and included”

Vision and Context

Vision and Aims

Working Together for Barking and Dagenham - Council and Faith Communities is a new, two-part document which has been collaboratively created by the Faith & Belief Forum (F&BF)¹, London Borough of Barking and Dagenham (the Council), and Barking and Dagenham Faith Forum (B&D Faith Forum). Together the three parties undertook extensive engagement with stakeholders in the local community and facilitated the creation of a shared action plan.

The vision of this document is a better connected, faith friendly borough, where people of all backgrounds feel safe, celebrated, and included and the invaluable contribution faith communities make to the borough is realised and amplified, faith-based needs are understood and met, and where faith-based organisations, including B&D Faith Forum, are leading voices with platforms to represent their communities.

This document recognises the role that all organisations and residents in Barking and Dagenham have in realising this vision.

This document aims to:

- Summarise the local context which impacts how faith-based organisations and the Council currently work together
- Showcase, celebrate and draw learning from the current work of Barking and Dagenham’s faith communities
- Highlight the views and experiences of residents from different faiths and beliefs about living, working and praying in Barking and Dagenham
- Set actions for faith-based organisations and the Council, including on shared issues of concern such as the use of buildings, hate crime reporting and safeguarding

Key Terms

There are some key terms that it is important to define at the beginning of the document. A fuller list of terms can be found in the Appendix.

Faith and belief: This term refers to the protected characteristic of ‘religion and belief’ in the Equality Act 2010. This includes religious and non-religious beliefs (such as atheism, secularism and humanism).²

Faith community: People who share a religious identification or affiliation and who may or may not take part in regular worship. People in the same faith community may have very different beliefs and practices and may share no connection in their daily lives.

Faith group: An individual group within a faith tradition, such as an individual church or a regular group meeting of those within a faith, or with a strong tie to a faith tradition.

Faith-based organisations: Include places of worship (church, temple or mosque) as well as voluntary and community organisations (VCS) that are to some extent grounded in a faith tradition, but which may serve the community more widely.

Interfaith: interaction and relations between groups from different faith and belief backgrounds

Intra-faith: interaction and relations between groups from the same faith and belief background (among Christians, the term used is often ecumenical).

National Context

This document fits into the wider national context of increasing engagement between local Councils and faith groups. Three challenges have driven this increased engagement: 1) understanding ethnic and religious diversity; 2) addressing poverty and deprivation through increased partnership; 3) fostering cohesive and integrated communities.

There has been rapid increase in ethnic and religious diversity nationally in the past two decades, especially in London. The Equality Act of 2010 includes 'religion and belief' as one of nine protected characteristics, which means that people cannot be discriminated against on the basis of their religion or belief.³ Therefore, there is a duty on public bodies

Persistent poverty and inequality are a pressing concern for all Boroughs, Councils and faith groups. Boroughs in London with the highest levels of deprivation also have a high percentage of faith groups.⁴ Therefore there are concerns that people from faith groups are particularly vulnerable to deprivation and social exclusion. Faith groups are also recognised for their contributions to addressing deprivation through social action, as noted by the All-Party Parliamentary Group on Faith and Society.⁵

Both the Casey Review and the national government's 'Integrated Communities Strategy' expressed concerns that different communities may be isolated and living separately.⁶ The recent increase in reported hate crime and instances of radicalisation negatively affect community cohesion.⁷ Faith groups play an important part in supporting people who are isolated and connecting communities by encouraging 'social mixing'.⁸ This social mixing can have a positive impact on reducing prejudice and improving social mobility.

Local Context and Faith Engagement

The borough has experienced rapid increase in ethnic and religious diversity, more than the rest of London. Between 2001 and 2011, the proportion of the population identifying as coming from black, Asian and minority ethnic (BAME) backgrounds increased from 15% to 50% between 2001 and 2011, while those identifying as white British reduced from 79% to 49%.⁹

As the 7th most deprived borough in London, Barking & Dagenham faces major challenges in health, housing, education and skills. The combination of rising population levels and reduction in funding from central government, means the Council must face these challenges with reduced resources.¹⁰

Rapid population change in the borough has the potential to affect community cohesion as new neighbours may not know each other. Between 2012 and 2014 approximately one quarter

of the population moved into the borough, and the same proportion moved out. This rapid change can be unsettling and can break down the trust between members of the community. Reported hate crimes against ethnic and religious minorities have risen,¹¹ raising fears that extremist groups may use social tension to further divide communities.

In response to these challenges, the Council has taken significant steps to engage with diversity, address inequality and increase participation of local communities, including faith groups.

The Growth Commission of 2016 made over 100 recommendations for generating growth in a way that benefits all borough residents, including:

- A commitment that no-one, and no ethnic group, is left behind, and that the Council will support every person and every family to fulfil their potential, through education, work and, where needed, social support.
- A renewal of the civic culture through the development of a vibrant community with high levels of volunteering, organised and empowered to underpin, support and challenge the public and private sectors.¹²

The recommendations of the Growth Commission led to The Borough Manifesto, a 20-year plan for the future of Barking and Dagenham. The vision for the manifesto is 'one borough; one community; no-one left behind'. The manifesto is a set of aspirations and targets, jointly owned by public, private, community and voluntary sector organisations, all of which will need help and support from a range of organisations (including faith groups), and the local community, if they are to be successful.¹³

In order to understand and address inequality in the borough, the Council adopted an updated Equality and Diversity Strategy in 2017, with a vision 'to create a place where people understand, respect and celebrate each other's differences; a place where tolerance, understanding and a sense of responsibility can grow and all people can enjoy full equality and fulfil their potential'.¹⁴ Faith groups are a core part of this strategy.

With the rapid growth of faith groups in the borough, provision of faith spaces is an important area of engagement. In Strategic Objective 2 of 'Planning for the Future of Barking and Dagenham: Core Strategy' a commitment was made to 'ensure provision of social infrastructure, which includes places of worship'¹⁵. In 2017 the Council commissioned an evidence base study by CAG Consultants to better understand the makeup and needs of faith groups in the borough and provide an audit of existing places of worship and other faith facilities.¹⁶ The CAG study recommended that the Council: seek opportunities for improving engagement with faith groups, including a longer-term strategy to engagement; and develop a strategy for practical challenges in engaging with faith groups.

The Council has supported the development of major projects to increase civic engagement and participation required by the Manifesto. Some strategies/projects particularly relevant to faith groups are:

- The Cohesion and Integration Strategy 2019 – 2024 sets the foundation for achieving the vision set out in the Borough Manifesto by reinforcing the links that keep and bring people together, across, opinions and beliefs, culture, ethnicity, age, and gender, and to ensure that no one is left behind. The Strategy has five priorities: 1) to increase the opportunities for people from different background to meet and interact, 2) to celebrate our culture, heritage and cultural diversity, 3) to help all residents to integrate in our

community, 4) to listen better, and 5) to create new and better jobs accessible to all and ensure a fair distribution of the benefits of regeneration across the borough.¹⁷

- The Voluntary, Community and Social Enterprise Sector (VCSE) Strategy 2019 sets a four-year vision to strengthen the VCSE sector (including small community groups running street parties, through online communities, faith communities, as well as large borough-based and national charities). The strategy champions a healthy, independent and influential VCSE working in our community for the benefit of all through achieving three goals: 1) increasing participation, 2) enabling and embedding relationships based on trust; and 3) building the sector's capacity.¹⁸
- Connected Communities is a £1.4million programme to a) generate insights into the change needed to improve social cohesion locally; b) directly improve social cohesion; c) mitigate the impacts of high levels of demographic change on services.¹⁹

Local Faith Communities

The number of faith groups in Barking and Dagenham is growing and changing. The CAG report identified 128 faith groups in the borough in July 2017.²⁰ The number of members in these groups range from 10 to 5,000, including at least four groups of Christians and Muslims numbering more than 1,000.

Christian faith groups: 109 of these groups were Christian groups, including more established denominations such as Church of England, Methodists, Baptists and Catholics, as well as newer groups such as African Christian and other Pentecostal groups. Most groups reported some growth in the last five years.²¹

Muslim faith groups: There were 14 Muslim groups identified.²² Most were formed in the past 20 years, and half were formed within the past 10 years. Most groups serve a local population and the number of regular attendees is growing.

Sikh faith groups: The Sikh population has experienced significant steady growth over the last five years. There is one large Gurdwara, which serves the Sikh populations of four boroughs.

Hindu faith groups: The Hindu population has also experienced significant steady growth over the last five years. As there is not at present a Hindu temple in Barking and Dagenham, Hindu residents largely travel to Redbridge or Newham to perform puja.

Buddhist faith groups: There are at least two Buddhist groups that meet in the borough. There is one Buddhist temple in Dagenham, the only temple serving that particular strand of Buddhism (Nicherin) in Northern Europe.

Jain faith groups: There is at least one Jain group that meets in the borough. There is one Jain temple, which is currently being redeveloped.

Baha'i faith groups: The size of the Baha'i population is understood to be relatively small, with at least one group that meets in the borough.

Jewish faith groups: The Jewish population is shrinking, with the synagogue which once operated in the borough closing in 2014.²³

It is important to note that residents do not practice their faith neatly within borough lines. There are many Barking and Dagenham residents who attend places of worship in neighbouring boroughs, and many residents of neighbouring boroughs who come to places of worship in Barking and Dagenham.

There are many faith schools and faith-based charities in the borough, and all students learn about religion in schools, supported by teachers and the local Standing Advisory Council on Religious Education (SACRE). According to the Charity Commission, there were 79 faith-based charities operating in Barking and Dagenham in 2018.²⁴

B&D Faith Forum has been running since 2011 in its current form and is led by five Trustees, with a wider membership representing Christian, Muslims, Sikhs and Jains. The Faith Forum's mission is to demonstrate that faith builds community, promote religious and racial harmony in Barking and Dagenham and promote the social inclusion of those who are excluded on the grounds of their ethnic origin, religion, belief or creed. They achieve this through:

- Educating about different religious beliefs, including an awareness of distinct features and common ground
- Promoting mutual understanding and respect of different faiths and non-religious beliefs
- Providing a local network that enables members of faith communities to participate more in the wider community
- Increasing opportunities for faith communities to engage with service providers and adapt services to better meet the needs of faith communities

Current and recent activities include supporting National Interfaith Week events in the Town Hall, fundraising for a Knife Bin which sits on Ripple Road, an Interfaith Heritage Walk, planned Interfaith Dialogue events, a learning partnership with Oxford Brookes University and work with local schools.

Key Findings

Consultation for this document, with both faith communities and the Council took place in the period November 2018 to May 2019. More than 100 people were consulted. Faith communities were consulted through: an online survey of 51 participants; 40 face-to-face meetings with faith leaders and people of faith from different faith groups; 5 consultation meetings with community organisations that support faith groups; hosting 3 focus group workshops; and attending existing community events and meetings. The Council were consulted through: more than 10 meetings and workshops with 13 members of staff from different teams. Diversity was prioritised throughout the consultation, both in terms of faith groups and diversity within faiths.

A full report on this engagement can be found in 'Part 2: Engagement Report'. The key findings from this report are summarised below. Through our engagement seven themes emerge which go on to inform the Action Plan.

a. Engagement with Faith Communities

Celebrating Faith Based Social Action

Faith groups already lead on a huge amount of community work, run by volunteers, from welcoming refugees to supporting victims of domestic violence, running foodbanks and homelessness/refuge shelters to campaigning against knife crime. Many groups noted that social action is a key way they interact beyond their own community. Some faith groups already collaborate with the Council on this work, but others operate in isolation and often don't feel recognised for the great work they are doing.

"I do think the Council could be and need to be more aware of the positive work of faith groups. It is my understanding that some in the Council think that faith groups are very narrow in their reach and their work is exclusively delivered to those within their community. This view I question but even if it were the case, faith groups are still supporting and benefitting the lives of Barking and Dagenham residents – something to be celebrated"

Responding to Hate Crime and Prejudice

Some groups, overwhelmingly Muslim, have experienced faith-based hate crime and were worried about underreporting and categorisation once reported. Those groups spoke about the importance of victims being able to speak to someone they trust before reporting. Across faiths, many more groups have experienced tension between residents of different backgrounds in local communities and online. Groups frequently referenced a lack of understanding or stereotyping about faith and wanted to do more to address this.

"I have lived in the borough for 56 years and never experienced a hate crime, but I have experienced people's lack of understanding in regard to religious customs. Hate Crime is an issue for our community and as a Faith Leader I'll do whatever I can to protect and support my community"

Accessing Space and Buildings

As noted in the CAG Report, their growing attendance and community work means faith groups see space, including parking, as key. There is a widespread acknowledgement across faith groups about the practical problems associated with shared spaces of worship between different faiths, but alongside that there is positivity towards shared community space between different faiths and shared spaces of worship between different groups of the same faith.

“When we moved to the Church, we saw that 95% of the time the building was empty, and this was a misuse of what God had provided us. We opened the Church to be a shelter twice a week, and then a foodbank came looking for a new home, an act of God! and we now house the foodbank. Three other churches and music classes now use our building too”

Safeguarding Vulnerable People

Faith groups have a basic understanding of safeguarding, but groups attached to established denominations have more access to support, and smaller independent faith groups asked for more support. There were mixed feelings in local Muslim communities about Prevent, and feelings that safeguarding work should apply equally to all community and faith groups, and not be aimed at any faith group particularly.

“With safeguarding and hate crime it can be so sensitive. It’s really important that people have someone they can speak to who they know and trust”

Respecting Different Faiths

Groups ranged from having socially progressive to socially conservative views, which differed considerably within people of the same faith, but were united on ideas of love and respect for all. Many groups, particularly Christians, wanted to be understood as individual groups with individual needs rather than ‘faith groups’ in general. They asked for freedom to express their faith identity fully and feel comfortable in spaces which allow them to do this.

“There should be rights for all groups to hold their beliefs and not be penalised for holding a conservative view. Just because we hold these views doesn’t mean we don’t love and respect others who hold a different view.”

Faiths Working Together

Some faith groups are enthusiastic about interfaith and the Faith Forum, others are more wary of overt interfaith work, however there was an overwhelmingly positive response to faiths working together on shared social action. Groups identified a lack of large scale, sustained interfaith initiatives.

“working with others can be challenging but we can come together around social issues if not spiritual issues”

Promoting Diverse Voices

Groups have noticed fluctuating engagement with faith from the Council over time and question intentions behind this. They recognise that some faith groups are much better connected with the Council than others, and that there is potential to work together to do more.

“It’s positive that the Council are wanting to do more on faith. They haven’t always got it right in the past, for example with the support of the Faith Forum, but I got involved because I respect and trust the people on the Faith Forum”

b. Engagement with the Council

Responding to Hate Crime and Prejudice

Many Council staff talked about being concerned about the high levels of prejudicial comments they see online from residents, including towards people of faith. Staff talked about the need to ensure communities are knowledgeable about what a hate crime is and reporting routes.

“We want to send the message that the Council views this as unacceptable and that we will not tolerate hate crime on any level”

Accessing Space and Buildings

Council staff mentioned that there is high demand for council premises in the borough. Staff talked about faith groups needing more support to stick to their leases. In terms of rates relief, faith groups may not be aware that only groups who do community work beyond their own faith community are eligible for 100% rates relief.

“We want faith-based organisations to help us create a sense of shared responsibility when it comes to engaging with and creating opportunities for the wider community”

Safeguarding Vulnerable People

Council staff talked about a desire to support faith groups to ensure they meet safeguarding duties. They also spoke about partnering with faith groups to improve awareness of local and national services available to vulnerable people.

“Safeguarding children and vulnerable adults is something that all of us have a duty to uphold”

Promoting Diverse Voices

Events organised by Council teams were spoken about as a key opportunity for partnering with faith groups, and some Council staff identified this as an area of improvement for the Council. Council staff spoke about a desire for training around Faith Inclusion for events and services.

“Faith groups are an amazing resource and the Council should think more about how to harness this”

c. Future Hopes

Faith groups recognised that there was lots of potential to do more work together, and saw the Faith Forum’s work as a good start. They talked about the Council as a connector and a bridge builder, who could hold directories, put faith groups in touch with each other, provide advice, accessible online information in simple English and training as well as celebrate faith and faith based social action.

Council staff talked about wanting to continue to work closely with faith groups, and to improve representation of faith voices throughout events and services. Other areas of future focus raised by Council staff included space, hate crime and safeguarding.

d. Challenges

A key tension was that faith groups expressed vastly different and often contradictory views on a number of this document’s themes. There is more evidence of these conflicting opinions in ‘Part 2: Engagement Report’. Inevitably, a policy that seeks to set a shared vision of the future risks alienating those faith groups with non-majority views. This is of particular concern given that key themes were that some faith groups currently engage with the Council much more than others, and that many faith groups would like to be treated as individuals. It is important that this policy reflects and seeks to engage those groups that currently engage with the Council less. This is a key challenge for the Council, the Faith Forum and faith groups to work together on going forward. To offer a positive vision that is broad enough to engage with

a wide range of local faith groups, who hold very different opinions and work together across these differences effectively.

A further challenge was capacity. Limits to funding and resources mean that it is difficult to see how some of the ideas suggested in engagement will be achieved. It is also important to note that the Faith Forum is made up entirely of volunteers, who all already devote a lot of time to their own communities.

Recommendations and Action Plan

The action plan below was developed as a collaboration between F&BF, the Council, B&D Faith Forum, and the more than 100 people from different faiths, beliefs and backgrounds who fed into the consultation. They relate directly to the seven themes that emerged as important to the local community.

There was wide agreement that faith was a priority in Barking and Dagenham, and that there is already impactful, inspiring faith-based work and partnerships in the community. Faith-based organisations vary greatly in terms of their size, capacity, budget, and the interfaith activities they are comfortable with. At the same time the Council have many priorities to juggle and Council teams have limited capacity, budget and remit. As such the action plan below has been developed with this diversity in mind, and the authors are hopeful that all stakeholders will be able to implement the actions in a way that is appropriate and achievable for them.

The action plan is formed of seven recommendations, each with specific actions for faith-based organisations, the Council and other stakeholders. Each recommendation is accompanied by an example of good work happening in this area. As a key partner in ensuring the delivery and legacy of this policy B&D Faith Forum have agreed to champion many of the actions set out. Specific actions have also been assigned to F&BF which will be delivered as part of their wider Faith in Barking and Dagenham project; work that is funded until June 2020.

1. Celebrating Faith-Based Social Action

The Council and faith-based organisations should work together to raise the profile of faith-based social action, and convene spaces for collaboration and learning.

Faith-based organisations will:

- Invite Council staff to social action projects and events, to showcase their work
- As well as other funding streams from outside the borough, utilise the Barking and Dagenham crowdfunding platform to raise funds from their community and beyond (see Appendix 3a)
- Through their activity and website, the B&D Faith Forum will promote the social action delivered by faith-based organisations, by theme e.g. homelessness projects, youth groups

The Council will:

- Continue to designate a team to attend the meetings of the B&D Faith Forum to ensure strong relationships are built and there is an awareness of the group's current projects
- Work with the B&D Faith Forum to share faith-based social action success stories through the Council's website and social media
- Continue to celebrate faith-based social action in the Borough Recognition Awards

- Continue to support the social action of faith-based organisations by sharing relevant funding opportunities, including youth specific funding, through the Belief in Barking and Dagenham newsletter and on social media
- Work with community organisations and the B&D Faith Forum to convene shared learning spaces for practitioners delivering faith-based social action
- Work with F&BF and the B&D Faith Forum to identify opportunities to organise an annual celebration event for residents and businesses to show support to faith-based social action

Others will:

- Businesses and press will promote some social action projects and events of benefit to their stakeholders

2. Responding to Hate Crime and Prejudice

The Council and faith-based organisations should work together to improve residents' knowledge of how to identify and report hate crimes.

Faith-based organisations will:

- Continue to educate their communities on recognising all forms of hate crime, how to report them, and signposting to support offered by local and national organisations (see Appendix 3e below)
- Faith-based organisations will nominate a member to be the first point of contact for individuals who have experienced a hate crime – offering advice on how to report and / or reporting on the behalf of others
- Work together to break down misunderstanding and stereotypes about faith communities through the educational faith events of the B&D Faith Forum, as well as local and national initiatives.

The Council will:

- Work with nominated individuals from faith-based organisations to build confidence in reporting hate crime, including exploring opportunities for training and increasing Council communications, as well as increasing discussion about hate crime within faith communities / networks of faith-based organisations.
- Ensure all teams are aware of the support offered by local and national organisations in relation to hate crime, and will signpost individuals who approach them for support
- Continue to educate local communities of the support offered by local and national organisations in relation to hate crime. This will be done through the Belief in Barking and Dagenham newsletter, by having information clearly explained on their website and through social media. The B&D Faith Forum will support the Council by signposting support on their website.
- Convene a joint conversation between the Council, the police, the B&D Faith Forum and local communities exploring feedback on current reporting processes, the handling of hate crime incidents, and whether there is / why there might be underreporting of hate crimes.

Others will:

- The police and other reporting bodies will work with local communities to ensure their services in relation to hate crime are fit for purpose and accessible. They will ensure that there are effective ways of communicating concerns with how reporting is dealt with
- The police will offer to visit faith-based organisations, including places of worship, to build stronger relationships, to inform communities about what constitutes a hate crime, how they are logged, and the role the police play in combatting hate crime
- F&BF, with the support of the B&D Faith Forum, will explore how their Schools programme could help to combat stereotyping of people of faith

3. Accessing Space and Buildings

The Council and faith-based organisations should work together to seek to ensure there is sufficient space for residents of different faiths to worship and practice their faith, as well as to work together to ensure policies are fair and transparent and are followed by all.

Faith-based organisations will:

- Continue to follow the terms of their lease, and adhere to all minimum health and safety standards and regulations for buildings, as well as following the Good Neighbour Guide (see Appendix 2 below), and communicating these duties with their communities
- Continue to follow the local parking rules and regulations, and ensure there is engagement with the wider community
- When using Council buildings, work with the Council to resolve issues when the terms of their lease or duties from the Good Neighbour Guide are not being met
- Continue to support other faith-based organisations and members of the community by considering providing / sharing space for community activities, meetings and parking. This information can be shared on the B&D Faith Forum website
- Promote sensible parking, by encouraging members to travel by public transport in the first instance, adhere to parking regulations and ensuring that pedestrian access to walkways is maintained.

The Council will:

- Work with faith-based organisations where possible to explore opportunities to access appropriate available premises, as well as to apply to hire a park or open space for events (see Appendix 3g)
- Continue to educate faith-based organisations on local venues to hire or for worship and celebration of festivals through the Belief in Barking and Dagenham newsletter and through social media
- Work with faith-based organisations to resolve issues when the terms of their lease, when using Council buildings, or duties from the Good Neighbour Guide are not being met including health and safety on site.
- Create accessible plain language guidance about setting up a new place of worship, including expectations with regards to changing the use of a building, managing noise, parking, and waste management. This information can be shared on the B&D Faith Forum website.

- Review their policy for granting 100% rates relief on buildings in order to make it transparent and accessible for faith-based organisations e.g. by giving a full definition of “religious purposes”
- When there is significant building development, include faith-based organisations and the B&D Faith Forum in community consultation so that the needs of faith communities will be considered.
- Ensure that evidence of wider community benefit is sought, in applications for planning consent, which propose change of use of light industrial sites for use by faith organisations.
- Will ensure that its planning frameworks promote community and faith engagement, and through the process ensure that faith communities are anchored in the local community.

Others will:

- Businesses and voluntary sector organisations will consider providing / sharing space for activities, meetings and parking

4. Safeguarding Vulnerable People

The Council and faith-based organisations should work together to safeguard all vulnerable people, including co-creating and delivering appropriate strategies for particular issues that affect residents. Safeguarding should be understood and addressed in the context of people’s lives, including their faith, and can include complex and difficult issues.

Faith-based organisations will:

- Create a Safeguarding Policy for children and vulnerable adults relevant to their organisation and the scope of their work, and review and update the policy every three years
- Designate a Safeguarding Lead, who should participate in online or in person training from an organisation listed in Appendix 3c
- Ensure that staff and volunteers whose role requires it has a DBS check which the Safeguarding Lead assesses
- Follow charity commission guidance²⁵ to protect people who come into contact with your charity (if applicable) through its work, from abuse or mistreatment of any kind.
- Work to ensure that trustees understand their legal duties around protecting people

The Council will:

- Provide training for Safeguarding Leads within faith-based organisations across the breadth of safeguarding concerns (for up to 60 people annually), including options that are not funded by the Home Office
- Designate a member of the Safeguarding team as a ‘Contact point’ for faith-based organisations. They will support faith-based organisations with their Safeguarding duties, including by providing a free downloadable pack for faith-based organisations with a template Safeguarding Policy
- Provide a self-assessment safeguarding checklist as part of the free pack, which will be measured against agreed standards by the relevant faith based organisation.

- When dealing with the aftermath of a report of a Safeguarding concern, the Council will support faith communities to move forward positively, ensuring they are aware of services available to them locally and nationally

Others will:

- The police and other reporting bodies will work with faith-based organisations to ensure their services in relation to safeguarding are fit for purpose and accessible. They will ensure that there are effective ways of communicating concerns with how reporting is dealt with.

5. Respecting Different Faiths

The Council and faith-based organisations should work together to improve their understanding of different faith communities, and should work together in a spirit of respect and ongoing learning.

Faith-based organisations will:

- Work together to enhance an attitude of respect among faith communities through the shared social action projects of the B&D Faith Forum
- Work together to educate wider community about the diversity of traditions, beliefs and practices in the borough through the education events of the B&D Faith Forum
- Work together to resolve challenges between and among faith communities by building relationships with other faith leaders
- Participate in shared community events and celebrations that highlight faith in the local community, like Barking Gurdwara's Nagar Kirtan, the B&D Faith Forum's Interfaith Week events, the annual Community Carols and Eid celebrations
- Seek to enhance their work by applying for funding from local and national grants and trusts.

The Council will:

- Continue to support the activities of B&D Faith Forum and explore opportunities to source funding together to increase impact
- Staff from across Council teams will participate in Faith Inclusion Training, provided by F&BF, to better understand the diversity among faith communities and their needs
- Create a mechanism for staff from across different teams to meet annually with the B&D Faith Forum to assess how they are connecting and engaging with faith-based organisations and to share good practice
- When planning events and services, each Council team will continue to assess the needs of their target audience and take into consideration basic faith-based access requirements, including²⁶:
 - Access to prayer spaces
 - Access to single gender bathroom facilities
 - Creating alcohol free spaces or hosting alcohol free events

- Clear labelling of all food and drinks, preferably indicating vegan, vegetarian, halal, kosher and alcohol- and caffeine-free options
- When worship, prayer or religious ceremony is a feature of an event, making this explicit in the advertisements and providing options for people to participate in the event without joining in.
- Continue to support community events that highlight faith in the local community, like Barking Gurdwara's Nagar Kirtan, the B&D Faith Forum's Interfaith Week events, the annual Community Carols and Eid at Eastbury. Where the Council is involved in planning, ensuring that a range of different groups from within a faith are involved in the planning and delivery of the event.
- As part of Equalities work, create opportunities for conversations at the intersections of faith and other strands of identity for those who want them e.g. faith and disability

Others will:

- F&BF will offer Interfaith Awareness training for faith-based organisations, and Faith Inclusion Training for organisations which are not faith-based
- Businesses and voluntary sector organisations will consider participating in Faith Inclusion Training to better understand the diversity among faith communities and their needs (see Appendix 3e)
- Some residents will participate in events of B&D Faith Forum, which will be advertised on their website as well as through the Belief in Barking and Dagenham newsletter and on social media
- Some schools will host interfaith school workshops for young people, and teacher training on the topic of Faith and Belief in the Classroom (see Appendix 1)

6. Faiths Working Together

The Council and faith-based organisations should work together to provide opportunities for residents of different faith backgrounds to meet and learn about each other, enabling further collaboration and improved understanding among groups.

Faith-based organisations will:

- Mark National Interfaith Week, by having an open day for residents, by publicly celebrating their own community, or by organising or participating in an interfaith activity or event
- Through their website, the B&D Faith Forum will advertise their interfaith meetings and activities in advance, as well as will host a directory of contacts of faith-based organisations
- The B&D Faith Forum will seek to maintain a diverse board of trustees, in line with the faiths and beliefs of the local population
- Work together through the educational faith events and the shared social action projects of the B&D Faith Forum
- Consider accessing Council-led community cohesion funds and initiatives to help build relationships with local community

The Council will:

- Provide a point of contact with responsibility for supporting faith-based organisations with their interfaith activities

- Use Interfaith Week to promote engagement with faith-based organisations across Council teams
- Create a system for monitoring levels of their engagement with faith-based organisations, and aiming for this to stay consistent over time
- Utilise the B&D Faith Forum as one avenue for consulting with people of faith in the borough, as well as the Belief in Barking and Dagenham newsletter and social media for reaching a wider pool of faith-based organisations

Others will:

- F&BF, in collaboration with Studio 3 Arts and local artists will design arts-based workshops for people of different faiths and beliefs to come together to explore art
- F&BF, with the support of the B&D Faith Forum, will organise a residential experience for young adults from different backgrounds to come together to explore leadership

7. Promoting Diverse Voices

The Council and faith-based organisations should work together to ensure faith-based organisations are fairly represented in borough events and programming across the year.

Faith-based organisations will:

- Engage with Council-led events, and encourage their communities to get involved
- The B&D Faith Forum will offer feedback on Council-led events they attend, particularly when there are barriers to participation for people of faith or lack of representation of different faiths and cultures

The Council will (Through the Culture, Events and Participation teams):

- Engage with faith-based organisations, faith leaders, the B&D Faith Forum, and young people of faith, to improve the diversity of new and established events, and engage them in decision making.
- Continue to mark faith-based festivals and celebrations throughout the year through social media and in-person events which are in meaningful partnership with faith-based organisations, with a particular focus on underrepresented groups, in meaningful partnership with faith-based organisations
- Create an application process for different faith and community groups to apply for partnership on the commemoration of different historical events

Others will:

- Some voluntary sector organisations will attend meeting of the B&D Faith Forum to promote their projects and events, and to seek out partnerships with faith-based organisations

Community Voices *To be dotted throughout the document when designed*

Community Voices: What do you enjoy about being part of a faith community in Barking and Dagenham?

There are many diverse faith groups, faith leaders, and residents from faith backgrounds living, working and praying in Barking and Dagenham. Here, at the beginning of this document, is a summary of quotes from residents which show the rich variety of residents' feelings about what their faith means to them:

My faith underpins what I do – my work and my home is at the centre – without my community I would be lost

My faith is the most important thing in my life – I can't imagine my life without God. The worship and having a family to depend on. All following the same belief. It provides peace, fellowship and the truth

Being able to contribute to the fabric of the community in Barking and Dagenham through social action

My faith gives me assurance that someone has my back up there and moves me to care for everybody. He wants us to work together in love

My church gives me a family, warmth, and makes me feel like I am at home – I know that people have my back and my best interests at heart – we are knitted together and can face challenges together

I enjoy the fact that Islam is a peaceful religion

The freedom to worship together with fellow Christian believers

I enjoy my faith because it means I am active in my community. Faith is being active

I like that my children can grow up with others who share their values and that I have a community of parents who I trust will nurture and also challenge my children

I like that the Gurdwara is a social, cultural, religious and political centre. There is everything from birthday parties to weddings, weekly congregations of 300 on a Sunday to religious festivals, sports classes for young people to langar. There is variety and all aspects of life revolve around the Gurdwara

Service to God and the community and seeing the broken restored

Creating peace and unity and being able to practice that in Barking and Dagenham. Helping people to create a sense of family and community in the area. Lots of people have come from other countries so it's very important!

I enjoy being part of the Jain community, its small but we always get together and celebrate our festivals. I'm also passionate about sharing Jainology's history with others

Our motivation for this church is to see the community thriving

Faith challenges us to look at social problems in our communities and do something about it. This was after all the message of Jesus. My faith gives me the satisfaction of helping, the motivation to help

We are a Japanese school of Buddhism, but we have people from all over the world who come to us to practise. Like all faith groups we are a group of people with a shared aim of improving ourselves and seeing what we can do for the people around us

My faith is everything, life changing. What I enjoy about the Salvation Army is the emphasis on serving people around us. This element of our work has helped us interculturally and means that we're not segregated. People from all backgrounds – children that are Sikh, Muslim – have come into our church and joined our programmes

Our religion teaches us discipline and how we should engage with those around us.

My religion encourages me to serve all local Muslims and Muslim communities that will grow as the borough grows.

We are a working class and fairly non-affluent community, but I am very proud of how far we have come in supporting and providing activities for our community.

Appendices

Appendix 1: Key Terms

A few key terms are defined at the start of the policy. This is a fuller list of key terms that it is helpful to define for this the document:

Faith and belief: This term refers to the protected characteristic of ‘religion and belief’ in the Equality Act 2010. This includes religious and non-religious beliefs (such as atheism, secularism and humanism).²⁷

Belonging, integration and social cohesion: These terms have been used by successive national governments since 2001 to describe notions of ‘solidarity’ and ‘togetherness’ in diverse communities.²⁸ The Council has defined integration as follows: ‘Integration, for us, means the process of developing equality, participation and belonging to achieve cohesion in a community.’

Faith community: People who share a religious identification or affiliation and who may or may not take part in regular worship. People in the same faith community may have very different beliefs and practices and may share no connection in their daily lives.

Faith group: An individual group within a faith tradition, such as an individual church or a regular group meeting of those within a faith, or with a strong tie to a faith tradition.

Faith-based organisations: Include places of worship (church, temple or mosque) as well as voluntary and community organisations (VCS) that are to some extent grounded in a faith tradition, but which may serve the community more widely.

Faith facility: A physical space used by a faith group, whether for worship or other purposes.

Worship uses: The use of a faith facility for the purpose of worship.

Community uses: A useful catch-all term for ‘non-worship’ uses (whilst recognising that some would argue that all of life can be worship), such as the provision of community services, e.g. education, childcare, social care.

Local community: The geographic local community surrounding a faith facility.

Interfaith: interaction and relations between groups from different faith and belief backgrounds

Multi-faith facility: A physical space used by groups from more than one faith, whether for worship or community uses.

Intra-faith: interaction and relations between groups from the same faith and belief background (among Christians, the term used is often ecumenical).

Intra-faith facility: A physical space used by more than one group from within the same faith, whether for worship or community uses.

Appendix 2: The Faith & Belief Forum's Faith in Barking & Dagenham Project

As the UK's leading interfaith organisation, F&BF have over 20 years' experience building good relations between people of different faiths and beliefs in schools, universities, workplaces and community groups. F&BF work with over 20,000 people every year across the UK.

During the 22-month Faith in Barking & Dagenham project, which started in September 2018, F&BF will be working towards the vision of this document – helping Barking and Dagenham become a better connected, faith friendly borough, where people of all backgrounds feel safe, celebrated, and included and the invaluable contribution faith communities make to the borough is realised and amplified, faith-based needs are understood and met, and where faith-based organisations, including B&D Faith Forum, are leading voices with platforms to represent their communities.

To achieve this vision, F&BF will be delivering a range of work, with different demographics in the borough, including:

- Supporting B&D Faith Forum to expand their good work, and to measure impact
- Using arts-based approaches, opening up conversations about faith, belief and identity in collaboration with artists from Studio 3 Arts
- Producing a creative film showcasing residents' feelings about living, working and praying in Barking and Dagenham
- Delivering a training programme for young adults from different faith backgrounds, equipping them to be confident, inclusive leaders in their communities and workplaces
- Supporting local businesses to analyse their services and workplace through the lens of inclusion of people of faith
- Running Interfaith Awareness training for local faith-based organisations to improve confidence and skills for high-quality interfaith activities
- Provide interventions for teachers and young people through interfaith school workshops, teacher training on faith, belief and identity in the classroom, and opportunities to join our Faith School Linking programme

For further information please visit: <https://faithbeliefforum.org/programme/faith-in-barking-dagenham/>

To join our mailing list, please email: lbbd@faithbeliefforum.org

Appendix 3: Relevant Local and National Policies

During the engagement phase, multiple faith leaders, the CVS and staff of the Council said that some faith groups are unclear about the expectations the Council has of them, especially when they are newly forming. Here are some existing policies, duties and opportunities relevant to faith communities.

Good Neighbour Guide

Available at: <https://www.lbbd.gov.uk/sites/default/files/attachments/Good%20neighbour%20guide%202017-28.pdf>

The Good Neighbour Guide is the product of a one year consultation with Barking & Dagenham residents. It lays out the ten most important considerations for being a good neighbour in the borough and where to find out more: manners and respect; fly-tipping; graffiti and eyesore gardens; anti-social noise; littering; getting to know your neighbours; dog mess; spitting; elderly neighbours; and crime.

Property Relief and Reductions

More info at: <https://www.lbbd.gov.uk/relief-and-reductions>

Charities are entitled to relief from rates on any property used wholly or mainly for charitable purposes. Relief of 80% of the full rate bill is given to registered charities, and the Council have the discretion to remit the all or part of the remaining 20%. If your organisation is not a registered charity but is another type of non-profit making organisation, the Council have a discretionary power to grant relief on all or part of the bill. However, discretionary 20% top up is not applicable for buildings used solely or mainly for the use of religious purposes.

Voluntary Safeguarding Code of Practice

Available at: <https://bit.ly/2UVyULM>

This is non-statutory guidance from the Department for Education (DfE). It is intended to be a voluntary resource to help providers of out-of-school settings, including religious settings which offer education in their own faith, culture, religious texts, preparation for rites of passage etc., to understand best practice for creating a safe environment for the children in their care, and to give parents and carers confidence that their child is in a safe learning environment.

Places of Worship: Security Funding Scheme

More info at: <https://www.gov.uk/guidance/places-of-worship-security-funding-scheme>

This government scheme provides funding for protective security measures to places of worship that are vulnerable to hate crime. Places of worship can submit bids for projects costing up to £70,000 for protective security measures and will be required to contribute at least 20% of the total cost of the project.

Appendix 4: Further Guidance, Training, and Support

Below is have listed some organisations faith groups can contact to access further guidance, training and support in line with areas of interest that arose in our engagement.

a. General Support

Guidance	Events	Training	Funding	
			✓	<p>Barking and Dagenham Community Fund https://www.crowdfunder.co.uk/funds/barking-dagenham-community Crowdfunding harnesses the power of the community, along with the local Council to support projects within Barking and Dagenham. The Council has put aside up to £120,000 to match funding that is raised from other sources.</p>
✓	✓	✓	✓	<p>Barking and Dagenham CVS http://www.bdcvs.org.uk/ Barking and Dagenham CVS is an umbrella organisation for local voluntary and community organisations, and individuals who want to take part in community activities. The CVS provide training and one-to-one support to help organisations run effectively. You can contact the CVS for bespoke advice and support if you are thinking of setting up a new group or community project.</p>
	✓	✓		<p>Faith in Barking and Dagenham https://faithbeliefforum.org/programme/faith-in-barking-dagenham/ The Faith & Belief Forum have started an exciting 22 month interfaith project Barking and Dagenham. Funded by the LBBD council, there will be a range of workshops, residential trainings and events which will help build good relations between residents of different faiths and beliefs.</p>
✓	✓	✓	✓	<p>Faith Action https://www.faithaction.net/members/register/ Faith Action are a national network of faith-based and community organisations seeking to serve their communities through social action and by offering services. Faith Action empower faith-based and community organisations by providing support, guidance and training, conducting research, disseminating key information, and being their voice to the Government.</p>
			✓	<p>Neighbourhood Community Infrastructure Levy (NCIL) https://barking-dagenham.objective.co.uk/portal/ncil-application Community groups can bid for up to £10,000 each. Money is usually used to fund local neighbourhood schemes, such as community projects and environmental improvements, with projects being assessed against the themes of the Borough Manifesto.</p>

b. Governance

Guidance	Events	Training	Funding	
✓				<p>Faith in Good Governance, The Charity Commission Available at: https://www.gov.uk/government/publications/faith-based-charities The Charity Commission guidance for charities established with a religious purpose. In addition to information about generic legal requirements and good practice, it draws on charities operating across the faith spectrum and includes the perspectives of some of those associated with particular faith-based charities. Available in five languages.</p>
✓	✓	✓		<p>Strengthening Faith Institutions https://www.sfitogether.org/ Strengthening Faith Institutions professionalises places of worship. And a professional, well-governed faith centre can achieve its vision and access more funding. This is a package worth £1,500, offered for free to faith institutions.</p>
		✓		<p>Training for Madrassahs and Mosques, Faith Associates</p> <ul style="list-style-type: none"> • Madrassah Quality Standards Framework: this programme is a diagnostic service to review the governance in place and other key areas for madrassahs. http://www.madrassah.co.uk/standards/ • The Mosque Diagnostic Service: this programme explores the services the mosque provides for its congregation and the wider community and offers advice and accreditation. http://www.beaconmosque.com/standards/

c. Safeguarding Vulnerable People

Guidance	Events	Training	Funding	
✓				<p>Child Protection and Adult Safeguarding Guide for Faith Based Establishments, Faith Associates Available at: http://www.faithassociates.co.uk/publications/safeguarding-guide-2016/ This guide has been developed to help faith institutions with advice and guidance in relation to safeguarding. It takes you through a six step process to ensure the necessary information, procedures and advice to ensure a safe environment for children and adults.</p>

✓				<p>Child Safeguarding in Faith Communities, NSPCC Available at: https://learning.nspcc.org.uk/safeguarding-child-protection/for-faith-communities/ This website from NSPCC Learning provides guidance on how to approach safeguarding from within the beliefs, teachings and cultural context of faith communities, including a Safeguarding checklist.</p>
✓				<p>Faith and Domestic Abuse, Faith Action Available at: https://www.faihtaction.net/download/faith-domestic-abuse-recommendations-faith-leaders/ This document has been written with input from different faith communities with different perspectives on how to deal with domestic abuse.</p>
		✓		<p>Online Safeguarding Training, Barking & Dagenham Children Board Available at: https://bdsafeguarding.org/training-development/ Online training courses include: Keep them Safe, Protect Children from Sexual Exploitation; Female Genital Mutilation (FGM); PREVENT Agenda; Preventing Extremism.</p>
		✓		<p>Safeguarding Training for Madrassahs and Mosques, Faith Associates http://www.madrassah.co.uk/level-1-child-protection-safeguarding-training/ Level 1 Child Protection Safeguarding Training will enhance your knowledge of protecting and safeguarding children and vulnerable people at madrassahs, Islamic supplementary schools and mosques.</p>

d. Responding to Hate Crime

Guidance	Events	Training	Funding	
✓		✓		<p>Barking & Dagenham Citizens Advice Bureau's Hate Crime Project http://www.bdcab.org.uk/hate-crime/ Free, confidential and independent services; Incident monitoring and mapping; Advice, info, advocacy and support; Training and awareness events and talks; Research, policy and campaign work.</p>
✓				<p>Looking after one another: The safety and security of our faith communities, The Inter Faith Network Available at: https://bit.ly/2JABICH This resource offers practical pointers for responding jointly to attacks on places of worship; working for calm in times of tension; and working to build and strengthen good interfaith relations.</p>
✓				<p>True Vision Available at: http://www.report-it.org.uk</p>

				True Vision is a police website providing information about hate crime or incidents and how to report them. Submit reports online.
✓				Tell MAMA Available at: https://tellmamauk.org/ MAMA is a secure and reliable service that allows people from across England to report any form of anti-Muslim abuse. Submit reports online.
✓				Community Security Trust Available at: https://cst.org.uk/ CST is a charity working against antisemitism and racism in British society. Submit reports online.

e. Inclusion and Celebrating Diversity

Guidance	Events	Training	Funding	
✓				Building Dementia-Friendly Faith Communities, Faith Action Available at: https://www.faithaction.net/dementia/ Faith Action have created a collection of inspiring examples of how faith communities from different traditions are promoting social interaction, healthy lifestyles, and becoming dementia friendly.
		✓		Disability Confidence & Awareness Training, Disability Rights UK https://www.disabilityrightsuk.org/how-we-can-help/training/disability-confidence-training This training helps organisations become more inclusive in their culture and practices. Content is tailored wherever possible to be as effective as possible to the needs of your organisation.
✓		✓		EDI Toolkit, the Methodist Church Available at: https://www.methodist.org.uk/for-ministers-and-office-holders/guidance-for-churches/equality-diversity-and-inclusion/edi-toolkit/ The toolkit has nine modules and the Theological Underpinning for EDI. Case studies and stories play a central role in the toolkit as they evidence real experiences, positive and negative.
✓		✓		The Enabling Church Course, Churches for All http://churchesforall.org.uk/ Churches for All help churches create and sustain an environment where people with disabilities can participate fully in church life for the benefit of all.
		✓		Faith Awareness and Inclusion Training, the Faith & Belief Forum

				Email: lbbd@faithbeliefforum.org This training upskills individuals who work with different faith communities to better understand and meet their specific needs. Recommended for Council staff and community groups which are not faith-based. Free trainings to be offered in 2019-20.
		✓		LGBT+Faith Training, the Faith & Belief Forum www.faithbeliefforum.org/lgbtfaith This training builds skills for working with and supporting LGBT+ people of faith. Recommended for faith communities interested in LGBT+ inclusion and LGBT+ groups interested in faith inclusion.
✓		✓		Mental Health Awareness Training, Mind https://www.mind.org.uk/workplace/training-consultancy/courses-for-anyone/ Improve awareness of mental health, and to understand and recognise the causes, symptoms and support options for a range of common and less-common mental health problems.
✓				More Than Welcome, Livability https://livability.org.uk/landing/more-than-welcome/ This resource is a guide to guide your church in how to deepen relationships with disabled people and build a church where everyone belongs. From welcome, to inclusion, to participation.
		✓		Workshops for Faith Leaders, the Delicate Mind https://www.facebook.com/pg/TheDelicateMindNaazukZein/ The Delicate Mind is an award winning not for profit aiming to raise awareness and practical action around mental health through exploring the prisms of faith, masculinity and identity.

f. Working Together with Other Faith Communities

Guidance	Events	Training	Funding	
	✓			Barking & Dagenham Faith Forum https://www.facebook.com/bdfaithforum/ Barking and Dagenham Faith Forum are a charity made up of local faith leaders. They run regular activities for the local community.
✓	✓			The Inter Faith Network The Inter Faith Network offers advice and information to support interfaith in the UK: <ul style="list-style-type: none"> • Faiths Working Together Toolkit: this resource contains practical tips for making contact, planning and publicising activities, and advice on key principles. https://bit.ly/2OokXih

				<ul style="list-style-type: none"> • The Inter Faith Week Toolkit: this short guide contains suggestions for marking Inter Faith Week, practical guidance and links to further information. https://bit.ly/2TUMfaQ
✓	✓			<p>Guidance for Community Events, The Great Get Together https://www.greatgettogether.org/ The Great Get Together is inspired by Jo Cox, who was killed on 16 June 2016. It is a series of events run by volunteers in local communities designed to bring people together and celebrate all that unites us. The website has tips and resources to help you take part.</p>
		✓		<p>Interfaith Training, the Faith & Belief Forum Email: info@faithbeliefforum.org This training provides a grounding in interfaith principles and tools for individuals and community groups who want to work with other faiths. Recommended for faith communities interested in working with others.</p>
			✓	<p>Small Grants, Near Neighbours https://www.near-neighbours.org.uk/small-grants The Near Neighbours programme offers small grants between £250 and £5,000, as seed funding for local groups and organisations who are working to bring together neighbours. Eligible groups and organisations must be working to develop relationships across diverse faiths and ethnicities in order to improve their communities.</p>

g. Accessing Space

Guidance	Events	Training	Funding	
✓				<p>Application for rates relief for charities and other not-for-profit organisations The Council has a discretionary power to grant relief from rates to charitable non-profit making organisations. Their policy for decision making about organisations who get 100% rates relief is here: https://bit.ly/30tPKVa The application for discretionary rates relief is here: https://bit.ly/2EkiSVE</p>
✓				<p>Events and Park Hire Guidance Pack http://bit.ly/2VSMG6v This guide provides all you need to know about using a park or open space for an event. Events with under 1000 people are now classed as 'small events'.</p>
✓				<p>Planning and building control https://www.lbbd.gov.uk/planning-and-building-control</p>

				Council information about planning and building control, including guidance and policies, planning portal, and submitting a building control application.
--	--	--	--	---

Appendix 5: Endnotes

¹ More information about the Faith & Belief Forum and their Faith in Barking and Dagenham project can be found in Appendix 1.

² For a list of protected characteristics, see UK Government (2017), The Equality Act 2010: <https://www.legislation.gov.uk/ukpga/2010/15/contents>

³ UK Government (2017), The Equality Act 2010, <https://www.legislation.gov.uk/ukpga/2010/15/contents> .

⁴ See GLA (2016). London borough profiles, <https://data.london.gov.uk/dataset/london-borough-profiles>.

⁵ APPG on faith and society (2018), <http://faithandsociety.org>.

⁶ Casey, L. (2016). The Casey Review: A review into opportunity and integration. London: Department for Communities and Local Government, <https://www.gov.uk/government/publications/the-casey-review-a-review-into-opportunity-and-integration> ; Ministry of Housing, Communities and Local Government (2018). Integrated Communities Strategy Green Paper, p. 16.

⁷ Integrated Communities Strategy Green Paper, p. 12.

⁸ The Casey Review: A review into opportunity and integration, p. 16; Home Office (2018). *Hate Crime England and Wales 2017-18 – Statistical Bulletin*.

⁹ LBBD. (2016). Barking and Dagenham Together - Borough Manifesto.

¹⁰ Barking and Dagenham Together - Borough Manifesto.

¹¹ For update statistics, see the Barking and Dagenham Social Progress Index, <https://www.lbbd.gov.uk/social-progress-index>.

¹² Growth Commission (2016). Report of the Barking and Dagenham Independent Growth Commission: No-one left behind: in pursuit of growth for the benefit of everyone, p. 7.

¹³ Barking and Dagenham Together - Borough Manifesto.

¹⁴ London Borough of Barking and Dagenham (2017). Equality and Diversity Strategy 2017-2021, p.9.

¹⁵ CAG Consultants (2017). Faith groups and meeting places: Evidence base study, p. 15-16.

¹⁶ CAG Consultants (2017). Faith groups and meeting places: Evidence base study.

¹⁷ London Borough of Barking and Dagenham (2019). We all belong: A cohesion and integration strategy for Barking and Dagenham (Draft for consultation – 7 February 2019).

¹⁸ London Borough of Barking and Dagenham (2019). Participation and partnerships: A strategy for strengthening the voluntary, community and social enterprise sector in Barking and Dagenham.

¹⁹ See Trust for London (2018). Connected Communities: <https://www.trustforlondon.org.uk/funding/connected-communities/>.

²⁰ Faith groups and meeting places: Evidence base study, p. 22.

²¹ Faith groups and meeting places: Evidence base study, p. 2

²² Faith groups and meeting places: Evidence base study, p. vi.

²³ Faith groups and meeting places: Evidence base study, p. vi.

²⁴ London Borough of Barking and Dagenham (2019). Participation and Partnerships, p. 19.

²⁵ <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>

²⁶ Faith Inclusion Training will give more detail on context and implementation

²⁷ For a list of protected characteristics, see UK Government (2017), The Equality Act 2010:
<https://www.legislation.gov.uk/ukpga/2010/15/contents>

²⁸ See N. Demireva (2017). 'Immigration, Diversity and Social Cohesion', *Migration Observatory Briefing*, <http://www.migrationobservatory.ox.ac.uk/wp-content/uploads/2016/04/Briefing-Immigration-Diversity-and-Social-Cohesion.pdf>

This page is intentionally left blank

Working Together for Barking and Dagenham - Council and Faith Communities

Part 2: Engagement Report

a. Engagement Report - Faith Communities

For engagement with faith groups, the Faith & Belief Forum conducted extensive consultation during the period November 2018 to May 2019 through an online survey, face-to-face meetings with faith leaders and people of faith from different faith groups, consultation meetings with community organisations that support faith groups, hosting three focus group workshops, and attending existing community events and meetings. Diversity was prioritised throughout the consultation, both in terms of faith groups and diversity within faiths.

- 51 online surveys completed by residents from diverse faith backgrounds:
 - 51% Christian; 20% do not identify with a faith / not disclosed; 18% Muslim; 2% Pagan; 2% Sikh.
 - 51% White; 24% Black; 18% Asian; 2% Mixed; 6% not specified.
- 40 consultation meetings with local faith leaders:
 - 72% Christian; 13% Muslim; 3% Sikh; 3% Hindu; 3% Jain; 3% Buddhist; 3% Jewish.
- 5 consultation meetings with community organisations that support faith groups. This included an arts-based organisation, a network meeting for faith leaders, and a group of community leaders meeting to address knife crime

Survey responses, as well as each conversation we had with faith leaders and community organisations were rich, sometimes tense, often lengthy and always passionate. Yet more data came from residents' views shared at the Big Conversation events in 2017, and wider meetings we attended in the local community.

This section summarises key themes that recurred in the engagement and were felt strongly by multiple faith and belief groups in the borough. Each theme is illustrated with quotes from local faith and belief groups. Each theme concludes with a 'Future Hopes' section summarising some of the thoughts, beliefs and feelings groups expressed about the future, which go on to inform the Action Plan. It has not been possible to reflect every opinion heard during the engagement, but the authors feel this is a fair summary.

Theme 1: Celebrating Faith Based Social Action

"I do think the Council could be and need to be more aware of the positive work of faith groups. It is my understanding that some in the Council think that faith groups are very narrow in their reach and their work is exclusively delivered to those within their community. This view I question but even if it were the case, faith groups are still supporting and benefitting the lives of Barking and Dagenham residents – something to be celebrated"

Current Situation

Faith groups run numerous community projects that address the needs of wider society i.e. welcoming refugees, supporting victims of domestic violence, running foodbanks and shelters, fundraising for health and wellbeing charities, encouraging and running sports activities, youth activities, campaigning against knife crime. Almost every faith group consulted is doing some kind of community work, and many are running a multitude of different projects, all resourced by local volunteers. While some groups are positively collaborating with the Council on these initiatives, others feel that they are doing this work in isolation and would like more recognition.

Attitudes towards funding differed. Some groups spoke about specific needs of their social action project e.g. wanting to add a shower facility to their foodbank and asked if this was something the Council could help fund. Others were concerned about what stipulations Council funding would come with or wanted signposting to funding that would not require them to strip out the faith element of their work.

Many faith groups mentioned that social action was where they interacted beyond their own community. Other groups reflected that where their social action was ostensibly open to everyone it was generally taken up by people from their own faith community. They wanted support to think about how to change this. E.g. One mosque running English, Math and Life skills classes for women recognise that a local Eastern European community would benefit from this work, but they aren't sure how to go about making the link.

There were also examples of events and initiatives that faith groups are organising, that would provide good opportunities for collaboration with the Council. For example, a local church leader shared how his networks put together an honours list of influential black people in the borough, which included faith leaders, during Black History Month and host an awards ceremony.

Future Hopes

- Many groups would like recognition from the Council for the community work that they're doing
- Some groups asked for financial support for social action, others asked for signposting to 'faith-friendly' funders.

Groups suggested that the Council could play a role in linking up faith based social action across the borough, particularly groups working on the same issues that might be able to advise and train each other.

Theme 2: Responding to Hate Crime and Prejudice

"I have lived in the borough for 56 years and never experienced a hate crime, but I have experienced people's lack of understanding in regards to religious customs."

"Hate Crime is an issue for our community and as a Faith Leader I'll do whatever I can to protect and support my community"

Current Situation

There is consensus amongst faith groups that there should be a zero tolerance approach to hate crime. Most faith groups we spoke to said that they hadn't directly experienced hate

crime, but those that had were disproportionately Muslim. There was a feeling from many faith groups that there is not a particular problem with hate crime in Barking and Dagenham although community tensions were referred to much more regularly. Examples from Muslim groups also suggest underreporting of faith based hate crime may be an issue.

One unreported Islamophobic hate crime was referenced off hand in a council meeting by a community member. Council staff were able to follow up and ensure the incident was reported, but this suggests similar incidents may occur. Another Muslim group spoke about two Islamophobic incidents their members had experienced, one which included threat to life, that had been categorised as 'anti-social behaviour' or a 'mental health episode' rather than a faith based hate crime. They felt this was wrong and that it had discouraged others from reporting. Others were able to reference an incident they had heard happen to someone else (for example a hate crime on a Sikh who was mistaken for a Muslim).

In terms of reporting, some faith groups said that there is not a lot of information available about hate crime. Groups are aware that hate crime could be reported to the police, but asked who the best person in the Council is to speak to for advice before reporting. Some Muslim groups said their members would prefer to report to Muslim-based third party groups rather than the police.

While fewer groups referred to specific hate crimes, many more faith groups talked about tensions between local residents of different backgrounds, not always feeling welcome in their local communities and having to go out of their way to dispel stereotypes and negative perceptions. Others mentioned seeing hurtful and hateful comments in local forums online or spoke about a 'tolerance' of racism existing in the local community. Particularly, many participants shared that they have experienced people who hold stereotypes and who don't understand religious customs and dress, for example one person commented 'being a woman wearing a headscarf is very challenging'. These experiences were voiced by Muslim, Sikh and Christian groups showing that a problem exists across faiths. A few groups mentioned a perception that there was particular fear and tension between white communities and Muslims or Christians and Muslims. Groups seemed much less clear about how to respond to these kinds of incidents, and weren't sure what should be reported. Some had gone out of their way to take action at a local level e.g. a church that experienced tensions with local residents and did community events, fun days and social action in the local area in order to actively try and change perceptions

Future Hopes

- Faith groups said they would like more information and education on what hate crime is, how many occur in Barking and Dagenham, and advice on reporting and the police process.
- Groups suggested that a trusted individual could be trained up in each faith community to be able to provide advice about reporting, and could act as a go between the reporting bodies and their community.
- Several groups raised that when a faith-based hate crime does occur, it is important that there is a timely shared response from different faith groups, showing interfaith solidarity with the affected community. This could be led by the Faith Forum.
- Some groups suggested more discussions, events and sharing about religious ritual, practice and dress. These could lessen stereotypes and build understanding.
- A joint project between faith groups going into local schools to break down stereotypes about faith.

Theme 3: Accessing Space and Buildings

“When we moved to the Church, we saw that 95% of the time the building was empty, and this was a misuse of what God had provided us. We opened the Church to be a shelter twice a week, and then a foodbank came looking for a new home, an act of God! and we now house the foodbank. Three other churches and music classes now use our building too”

Current Situation

In the CAG report, a wide range of needs for space or facilities were identified. There is a need for additional space for faith groups, particularly for Muslim groups and for Christian groups outside the traditional denominations. This need is driven by growing numbers of attendees but also by the expanding range of community activities in which these groups are engaged. Hindu and Jain groups in the borough also need space as neither of these groups have their own dedicated facility.

50 percent of groups contacted through the CAG report study who need additional space expressed a preference to purchase or extend an existing building, with only nine percent preferring a new-build facility.

Our engagement showed that there is recognition from some groups that the Council are good to them in terms of reduced rates for their buildings.

Groups were also aware of issues around noise and parking and the impact on local communities. Some groups commented that they wished their buildings could be in a quieter place so they could feel more sacred. Some groups talked about the importance of being aware of their neighbours and how balancing their worship needs with the needs of their neighbours was a challenge. Others asked that their neighbours be more considerate of their needs, or suggested that noise/parking complaints may be examples of veiled racism or anti faith sentiment. Several Muslim groups said that parking and issues around space are a particular problem in Ramadan.

Many groups brought up the idea of shared space. Significant concern was expressed about how interfaith spaces would work. Whilst intrafaith shared spaces were workable faith communities are clear on the practical challenges of making shared spaces for worship work

That does not mean that faith groups were not willing to open their doors to each other, and faith communities were positive about shared uses for community activities in particular community halls and hubs. .

In addition some community leaders expressed concern about a lack of housing for larger families, with some families in their congregation moving out of the borough.

Past Experience

People cited examples where faith groups share community buildings, a model that is already working well, for example a Muslim group using a community hall on Fridays and a Christian group using the same space on a Sunday.

There were numerous examples of groups from the same religion sharing spaces – sometimes up to 5 congregations in one space. This often leads to shared activities like an annual community day. For example, one place of worship hosts a Chinese Church, two African Churches and a Seventh Day Adventist Church. The opportunity for significant intercultural and intrafaith mixing should not be missed.

For some groups, lack of space was a constant worry. Often worshippers had to pray on the street and lack of washing facilities was also a problem. In addition, lack of funeral facilities was an issue. Some groups found it hard to perform regular religious rituals due to not having a venue in their locality and expressed frustration that they weren't able to buy more space even when they had the money to afford it, due to planning permission

Many groups referred to the need for buildings to be shared out fairly. Sometimes faith groups said they feel like they are in competition with each other for space e.g. for planning permission to extend or build new premises. Groups openly talked about feelings of resentment if they had planning permission denied, and then saw another faith group building in the local area. Groups stressed the importance of transparency of council decision-making related to planning decisions, fairness and equal access.

Future Hopes

- The Council demonstrate transparent decision making related to planning decisions, fairness and equal access
- Simpler guidance on setting up a new place of worship, and clarity around expectations from the Council
- Different needs of faith groups reflected in decision making around planning and opening hours
- Faith groups are included in any future planning consultations e.g. around new building developments
- More faith groups sharing non worship space such as community space and parking facilities

Theme 4: Safeguarding Vulnerable People

“With safeguarding and hate crime it can be so sensitive. It’s really important that people have someone they can speak to who they know and trust”

Current Situation

The majority of faith groups had an understanding of safeguarding requirements. DBS checks and Safeguarding Policies were particularly referenced. However, many groups are unsure exactly what was expected of them from the Council and didn't know where to look to get more information. Not all groups had their own Safeguarding Policy in place. In general, faith groups that are part of an established national denomination had more support with safeguarding. Indeed, one Church of England church commented that they hadn't considered that the Council could support on Safeguarding, because they know where to get

resources and templates through their denomination. But not all groups have this support. Several Muslim groups referenced working with Faith Associates, such as a positive experience of creating a Safeguarding Policy with them. However, it should also be noted that not all Muslim groups are currently working with Faith Associates.

There was a concern for several Muslim groups that safeguarding policies would be particularly targeted at Muslims. More widely, faith groups recognised that there is a current focus on safeguarding from the Council. While groups recognise that safeguarding is important and needed, they asked that this work is done alongside addressing faith groups other needs. They shared that it would go down badly if the Council are seen to be primarily engaging with faith groups for safeguarding reasons without a wider focus on other needs.

In general, it was the smaller, and more independent places of worship that had less access to safeguarding support. One group stated that they relied on the professional expertise of members of their community to lead on safeguarding. Others asked if the Council could help with DBS checks and training volunteers.

Past Experience

One person raised a concern about vulnerable people being drawn into religious groups that claim to cure cancer.

Some Muslim groups spoke about how they felt hurt, targeted and monitored by Prevent. They spoke about feelings of isolation and poor relationships between Muslims and the Council because of the way safeguarding is handled. Other Muslim groups said they didn't have a problem with Prevent as long as it was implemented fairly and correctly.

They were lots of negative comments related to safeguarding, and particularly a fear from some groups that safeguarding would result in the Council shutting things down and 'stop anything that doesn't fit with their view', rather than an understanding that safeguarding is about working together to protect vulnerable people.

Future Hopes

- Several groups stated that clear and accessible online safeguarding advice from the Council, which makes the requirements of faith groups really clear, would be a useful outcome of the policy.
- Groups wanted to be better informed about who they could speak to locally for safeguarding advice
- Several Muslim groups asked that all safeguarding work includes everyone and does not target one faith in particular.
- Groups asked that if the Council have concerns about safeguarding, they should speak to faith groups directly, as it needs to be a conversation.
- Groups stressed the importance of the Council working with faith groups on safeguarding in a transparent way and stressed the role of the Council in keeping people informed.

Theme 5: Respecting Different Faiths and the Individuality of Groups

"There should be rights for all groups to hold their beliefs and not be penalised for holding a conservative view. Just because we hold these views doesn't mean we don't love and respect others who hold a different view."

Faith groups in Barking and Dagenham clearly do hold very different views and practice their faiths in very different ways. Groups ranged from holding very socially conservative to very socially progressive views. Often within individual faith groups, there were huge differences of opinion on social issues, and several faith leaders mentioned that it was difficult to represent their whole group when views differed within their members.

Some groups spoke about wanting to be understood as individuals, or as an individual faith group, rather than collectively as faith groups in general. They felt there is often a perception in society that all faith groups have the same needs, and asked for recognition that the needs of individual faith groups are often different and specific.

Some groups went further than this, several Christian groups talked about how they perceived there to be a tension between the religious and the secular. They talked about a lack of understanding about how their lives are inspired by faith, or a feeling that faith is being sidelined. They cited examples of having to strip the faith out of their work in order to receive funding for social action as an example of 'anti-Christian bias'. One Christian group said a Council staff member said 'you don't really believe what's written in those books do you?'. Groups were keen to interact in spaces where they felt comfortable to express their Christian identity. Sometimes this was about having the freedom to hold socially conservative views, but other times it was more about feeling comfortable to talk about how their lives are inspired by faith.

In contrast other faith groups were keen to work against the idea that faith groups always held conservative views. Many groups are proud of the women who held leadership positions in their organisations, and several spoke about working towards a future with more women in leadership positions.

Groups also held contrasting views about LGBT issues, some expressed personal concerns, while others talked about wanting more work to ensure places of worship were inclusive for LGBT people. Similarly, some groups saw the need for women only spaces where others did not.

While views differed, there was consensus around working together as a community under a vision of love and respect. Many groups reinforced the idea that it was important to love and respect everyone, including those that you had very different opinions from.

Future Hopes

- More events where the Council and faith communities collaborate like the Community Carols and Eid at Eastbury that celebrate faith and encourage people of faith to feel comfortable expressing their faith identities publicly in the borough
- Ensuring a range of events and opportunities are on offer that cater for different needs and Council spaces are faith friendly
- More community projects that celebrate individuality and raise up individual voices of people of faith
- Council and faith groups working together under a vision of love and respect

Theme 6: Faiths Working Together

“working with others can be challenging but we can come together around social issues if not spiritual issues”

Current Situation

Many of the positive examples of interfaith work happening in the borough are those of an informal nature e.g. a Muslim couple volunteering at a local church lunch club. Such examples were frequent and even those respondents who were very sceptical about working with other faiths talked positively about such instances. Everyone we spoke to mentioned projects run by faith groups from homelessness and elderly support to community fetes that were open to all. Although some seemed more successful than others at genuinely drawing in other communities

In terms of more formal or intentional interfaith events lots of groups referred to the Faith Forum and several mentioned a mosque and a church in Becontree that had held a series of interfaith discussions. People were aware of and positive about the Faith Forum and often referenced events they had been to, some spanning back to previous decades. There was less knowledge of current work, but some groups were really enthusiastic and talked about the trust they had in the individuals on the Faith Forum. One concern was raised about the Faith Forum's use of shared prayer, where a Christian group stated they did not feel comfortable praying with people from other faiths. At present there are no larger scale, sustained interfaith initiatives

A lot of groups stressed the importance of social action run by faith groups being non-denominational and clear that it is open to everyone. Larger groups talked about setting up Community Interest Companies or gaining charitable status for their community work, whereas for smaller groups focussed more on an open approach. This was seen as simultaneously important for funding and to build a more connected community. Several large-scale operations in the borough like Lifeline, Harmony House, Kingsley Hall, Al Madina have infrastructure and staff. There are many other grassroots operations that may be less recognised.

Several groups who run successful social action said they'd be happy to train other faith groups in their methodology.

Several minority faith groups mentioned that schools and other groups like to engage with them in a 'limited' way – a tour, an assembly, a school visit to a place of worship. These faith groups believed this kind of engagement was a good start but that it rarely results in sustained engagement or shared action. They felt like there was a need for something deeper.

Past Experience

Some groups questioned whether an overt focus on interfaith would put people off engaging and people talked of being weary of 'interfaith for interfaith's sake' or being uncertain about the aims. There were concerns around this leading to enforced places for shared worship. Others were positive about interfaith and wanted to see more.

People who were less open to overt interfaith talked more positively about 'working alongside' people from other faiths, or being friends with people from other faiths. To our understanding this is interfaith, but it's important to understand how language may affect group's likelihood to engage.

A few groups were extremely wary of other faiths, talked about 'cultural barriers', feeling 'uncomfortable' or worried that engaging would lead to attempts at conversion.

Groups were concerned that conversation or talking was limited, and working together for the community and service delivery were more useful. However, some people talked about

not knowing how to get started. Others mentioned failed attempts at interfaith work and bad experiences of approaching other faiths. One group asked for advice about 'interfaith friendly' groups to approach.

Future Hopes

- Groups asked for a policy to provide practical recommendations of how groups could work together and engage with one another. For example, a directory could identify interested groups and encourage collaboration.
- Groups were positive about this consultation signifying a priority from the Council to encourage more working together, and were keen to get started
- A gap for a larger scale interfaith event was identified
- The Faith Forum expressed their enthusiasm for leading on a social action project based on a shared area of concern

Theme 7: Promoting Diverse Voices

"It's positive that the Council are wanting to do more on faith. They haven't always got it right in the past, for example with the support of the Faith Forum, but I got involved because I respect and trust the people on the Faith Forum"

Current Situation

The perception and knowledge of how the Council works with faith and belief differs from group to group. When faith groups referred to 'the Council' this variously referred to Local Councillors, particular individuals within the Participation and Engagement Team, the wider Council team and even local MPs. Where these different actors operate on different streams of work and are understood separately within the Council, these distinctions are not necessarily understood by faith groups.

Faith groups recognised that there was a lot of potential for working with the Council more closely, but that this potential is not always realised. Some groups already work closely with the Council, use Council space or have a personal relationship with someone in the Council. Others have little or no interaction.

Past Experiences

Positive examples of interactions with the Council that faith groups referenced included the work of the Faith Forum historically, members of Council staff attending and supporting faith-based events and festivals and Council-run trainings and workshops. Groups also talked positively about times where a member of Council staff came to visit them at their place of worship. Some faith groups spoke about a positive relationship with a particular local Councillor, that built trust between that faith group and the Council. Several faith leaders also mentioned that they had noticed an increase in emphasis for the Council on faith recently, referencing new work with the Faith Forum, or the new funding for the interfaith project, and stated that they were interested in what will happen next.

Groups saw the Council and Faith Forum as a connector and bridge builder, that could help them find out about what other faith groups are doing.

A key frustration around interaction with the Council, raised by faith groups, was the lack of consistency from the Council in faith engagement work over time. A lot of groups with a history in the borough noted how the Council previously worked with faith groups more significantly and that there was historically more interaction between faith groups and Council staff. Groups were aware that this engagement had decreased and was now increasing again. Faith groups questioned the reasons for these changes and were not aware of the context around Council funding cuts in 2010. Groups emphasised the need for consistent support and wanted to know more about the Council's motivations for faith engagement work.

Some groups raised concerns about too much consultation, and less resulting action. They asked that actions and results from consultations are implemented and clearly communicated with those that took part. Others raised concerns about whether they were being monitored.

There was also a perception mentioned that certain faith groups 'have the ear of the Council' or are 'preferred' to others. This was sometimes linked to who was invited to speak at events or work which was perceived to receive more recognition. Groups consistently asked for transparency, neutrality and a lack of bias. Some groups referenced a previous negative event, e.g. the Council shutting down a church led foodbank and suggested reparations, such as talks or an apology, were needed for them to be willing to work with the Council again.

Future Hopes

- Consistency in the support available from the Council for faith groups
- Clear and accessible guidance from the Council to be given in simple language. A section on the Council website that draws together all the support, advice and requirements for faith groups in one place
- A directory of local faith groups, detailing what they do, with the Council and Faith Forum as a connector and bridge builder.
- A designated staff member who builds relationships and trust with faith groups, signposts, connects groups and facilitates collaboration
- More diverse range of faith groups working closely with the Council
- A variety of different faith groups involved in Council events, invited to speak or sit on committees.

b. Engagement Report – LBBD Council

Engagement was carried out with council departments over five months, including those officers who work directly with faith communities in different capacities. Staff represented a wide range of different teams, including: Participation and Engagement; Equalities; Assets; Cultural Policy and Participation; Safeguarding; Domestic Violence and Violence Against Women and Girls. More extensive engagement took place between the Faith & Belief Forum and the Participation and Engagement team, who met to share their expertise ten times between November 2018 and May 2019.

Input from Council staff was varied depending on their role, but many Council staff highlighted the huge positive impact of faith communities in general, and places of worship specifically, on residents of many different backgrounds. Multiple Council staff were proud of the historic good relationship between the Council and Barking and Dagenham Faith Forum, and that the Council had recently commissioned the 22-month Faith in Barking and Dagenham project.

This section summarises key themes that emerged from conversations between the Faith & Belief Forum and Council staff. The focus of the overall engagement was with the community and although council engagement is summarised for four themes below, the council broadly supports all of the themes. For further information on the council's support, please see the associated strategies and policies as outlined below.

How the policy fits with other Council initiatives

This document fits into a range of local work to increase community participation and facilitated partnership between the Council and local community groups. In response to the challenges mentioned above, the Council has taken significant steps to engage with diversity, address inequality and increase participation of local communities, including faith groups.

The Growth Commission of 2016 brought together a team of independent experts to review potential for economic growth and to make recommendations for generating growth in a way that benefits all borough residents. The Commission offered over 100 recommendations, including:

- A commitment that no-one, and no ethnic group, is left behind, and that the Council will support every person and every family to fulfil their potential, through education, work and, where needed, social support.
- A renewal of the civic culture through the development of a vibrant community with high levels of volunteering, organised and empowered to underpin, support and challenge the public and private sectors.
- The Council commits itself to doing everything in its power to ensure that the burden of fulfilling the vision will be borne by those best placed to do so, with the community and business, as well as the Council and other public sector organisations, each playing an appropriate leading role.¹

The recommendations of the Growth Commission led to The Borough Manifesto, a 20-year plan for the future of Barking and Dagenham created in consultation with over 3,000 residents. The vision for the manifesto is 'one borough; one community; no-one left behind'. The manifesto is a set of aspirations and targets, jointly owned by public, private, community

and voluntary sector organisations, all of which will need help and support from a range of organisations (including faith groups), and the local community, if they are to be successful.ⁱⁱ

In order to understand and address inequality in the borough, the Council adopted an updated Equality and Diversity Strategy in 2017, with a vision 'to create a place where people understand, respect and celebrate each other's differences; a place where tolerance, understanding and a sense of responsibility can grow and all people can enjoy full equality and fulfil their potential'.ⁱⁱⁱ The Council also developed a Gender Equality Charter in 2016 (the first local Council to adopt such a charter in the country), with over 150 businesses, organisations and individuals signed up thus far.^{iv} Faith groups are a core part of both the strategy and the Charter.

The Council created a Corporate Plan for 2018-2022 to set key themes and priorities.^v Some of these priorities which relate to faith groups are:

- Develop place-based partnerships
- Enable greater independence and protect the most vulnerable
- Harness culture and increase opportunity
- Encourage civic pride and social responsibility
- Strengthen partnerships, participation and a place-based approach

The Council has supported the development of major projects to increase civic engagement and participation required by the Manifesto and the Corporate Plan. Five strategies/projects particularly relevant to faith groups are:

- The Cohesion and Integration Strategy 2019 – 2024 sets the foundation for achieving the vision set out in the Borough Manifesto by reinforcing the links that keep and bring people together, across, opinions and beliefs, culture, ethnicity, age, and gender, and to ensure that no one is left behind. The Strategy has five priorities: 1) to increase the opportunities for people from different background to meet and interact, 2) to celebrate our culture, heritage and cultural diversity, 3) to help all residents to integrate in our community, 4) to listen better, and 5) to create new and better jobs accessible to all and ensure a fair distribution of the benefits of regeneration across the borough.^{vi}
- The Voluntary, Community and Social Enterprise Sector (VCSE) Strategy 2019 sets a four-year vision to strengthen the VCSE sector (including small community groups running street parties, through online communities, faith communities, as well as large borough-based and national charities). The strategy champions a healthy, independent and influential VCSE working in our community for the benefit of all through achieving three goals: 1) increasing participation, 2) enabling and embedding relationships based on trust; and 3) building the sector's capacity.^{vii}
- Connected Communities is a £1.4million programme to a) generate insights into the change needed to improve social cohesion locally; b) directly improve social cohesion; c) mitigate the impacts of high levels of demographic change on services.^{viii}
- Every One, Every Day works with residents across the borough to create over 250 neighbourhood-led projects and form more than 100 new businesses over the next five years. As part of the initiative, residents share ideas for projects and community businesses they would like to create in their neighbourhoods.^{ix}
- The Neighbourhood Community Infrastructure Levy (NCIL) is part of a fee the Council charges developers who are building new housing developments in the borough. The money is set aside to specifically fund local neighbourhood projects,

such as building playgrounds, environmental improvements, healthy projects or community initiatives.^x

Theme 2: Responding to Hate Crime and Prejudice

“We want to send the message that the Council views this as unacceptable and that we will not tolerate hate crime on any level”

Many Council staff talked about being concerned about the high levels of prejudicial comments they see online from Barking and Dagenham residents, including towards people of faith. One staff member said that they heard from residents from faith communities that hate crime is seen as an everyday experience for some people of faith.

The 22-month Faith in Barking and Dagenham project was highlighted as an example of the investment the Council had recently made in projects which sought to address prejudices towards people of different faiths. Council staff also talked about the Council's history of standing up to racism and xenophobia in the borough as further evidence of their commitment to inclusion.

Regarding hate crime, the Mayor of London's Hate Crime Dashboard^{xi} shows that in the 12 months April 2018 to March 2019, there were 26 hate crime offences related to faith in Barking and Dagenham. Notably, 25 out of 26 incidents were Islamophobic offences, showing that the Muslim community is disproportionately affected. While clearly any hate crime is a serious problem, these numbers are significantly lower than the average number of reported faith related hate crimes for a London borough, which was 68, and also lower than neighbouring boroughs to Barking and Dagenham. Although reported incidents were fairly low, local residents' perceptions of hate crime being a problem were comparatively much higher; between 13% and 20% of borough residents reported feeling that “Hate Crime is a problem in their area”^{xii}.

In terms of reporting, Council staff talked about individual residents informally reporting hate crimes to trusted Council staff which hadn't been reported elsewhere. Staff talked about the need to ensure communities are knowledgeable about what a hate crime is and reporting routes, as well as who they can consult to talk through incidents.

Future Hopes

- Faith communities are knowledgeable about hate crimes and how to report them
- Local projects exist which break down prejudice towards people of different faiths

Theme 3: Accessing Space and Buildings

“We want faith-based organisations to help us create a sense of shared responsibility when it comes to engaging with and creating opportunities for the wider community”

Numerous Council staff mentioned that there is high demand for council premises in the borough, including buildings for use as places of worship. This is evidenced by the 2017 CAG report.

Council staff stated that some faith groups use Council premises, usually in a shared capacity. When this is the case, there is a lease agreement which clearly lays out conditions

of use such as payment of rent on time, keeping the premises in good repair and condition, and not using the premises for any purpose than the permitted use. Staff noted that there have been examples of faith groups breaching the conditions of their lease and then the Council having to intervene. Some staff felt that there needed to be discussions about how to deal with such situations in the future.

Beyond Council assets, the Council also have the discretionary power to grant relief from rates on any properly used by registered charities and other non-profit making organisations, including faith-based organisations, on top of the standard 80% relief offered to all registered charities. However, the Council do not grant 100% relief to “*buildings used solely or mainly for the use of religious purposes*”. Decisions about relief from rates is made on a case-by-case basis, but requests are most likely to be approved when faith-based organisations pursue projects that impact the wider LBBB community, not solely their own faith community.

Regarding planning permission, staff stated that they had heard a misunderstanding from some people of faith that faith groups are in competition for planning permission. They stressed that this is not the case as all applications are considered separately.

Future Hopes

- Faith-based organisations are aware of their responsibilities as laid out in their lease and are supported to fulfil them
- Faith-based organisations are made aware that they are most likely to be granted 100% rates relief if they use their buildings to pursue projects that impact the wider LBBB community, beyond their own faith community

Theme 4: Safeguarding Vulnerable People

“Safeguarding children and vulnerable adults is something that all of us have a duty to uphold”

Many Council staff mentioned that faith leaders and places of worship engage with residents of different ages and backgrounds, and as such should be supported in their well-placed capacity to safeguard children and vulnerable adults.

All faith groups, formal and informal, that engage with children and vulnerable adults should fulfil the following basic safeguarding requirements: they should have a Safeguarding Policy relevant to their organisation and the scope of their work; they should nominate a designated Safeguarding Lead; volunteers and staff whose roles requires it should have a DBS check which the Safeguarding Lead should assess for suitability for the role.^{xiii}

To support with the above, faith groups may wish to participate in training, either online or in person, from a relevant organisation (see Appendix 2c below). Staff agreed that they would like to make it as easy as possible for faith groups to access training in this area. One team mentioned that their team could apply for funding for training for Safeguarding Leads from faith groups, but they could only do this if there was enough interest from faith groups. Multiple staff talked about the possibility of working towards a downloadable toolkit for faith-based organisations to help them create their own Safeguarding Policy.

The Domestic Violence and Violence Against Women and Girls team talked about wanting to support faith communities with safeguarding women and girls. They talked about wanting to

continue to partner with faith groups: advising faith leaders on issues, supporting faith groups to get involved with wellness and activism, and visiting places of worship to run drop in sessions.

Future Hopes

- The Council support faith groups to access training so that they can create policies appropriate for their setting
- All faith groups who engage with children adopt a Safeguarding Policy and nominate a Safeguarding Lead
- The Council and faith groups work in partnership when it comes to safeguarding, with the Council visiting places of worship to run drop-in sessions or to promote opportunities for residents

Theme 7: Promoting Diverse Voices

“Faith groups are an amazing resource and the Council should think more about how to harness this”

Events organised by the Council are wide-ranging. There are ten annually recurring events which range from Holocaust Memorial Day to Roundhouse Music Festival to Youth Parade^{xiv}. These events already involve local communities and provide excellent opportunities for work with faith groups and people of faith.

The Equalities and Cultural Policy and Participation spoke about their interest in focusing on intersectionality, bringing the voices of people of faith into events they organise about other characteristics. Examples given were including people of faith in celebrations of Pride and Black History Month. Some staff talked about wanting training and advice themselves around faith and intersections with other characteristics.

Staff also spoke about their role in encouraging faith groups to organise their own events, and helping to build support for events being run in the community.

Staff spoke about faith as an important aspect of some residents’ cultures, and that faith and culture can be interlinked. Some staff said there is opportunity for more cultural heritage programming related to faith and belief in the borough that could be co-created with faith communities. Staff talked about the limitations of one day events for faith groups compared with ongoing programming in collaboration with faith groups. They also spoke about the sensitivities of marking cultural and faith events. Again, partnership with faith groups was emphasised as the most effective way for genuine and authentic reflection of the interests of people of faith.

Future Hopes

- There are increased numbers of partnerships between Council teams and faith groups for planning events
- Council Equalities events are intersectional and bring in the experiences of people of faith
- Faith groups are encouraged by Council staff to organise their own events, and these are promoted by the Council
- Council staff feel better equipped to promote diverse voices through increased faith awareness

-
- ⁱ Growth Commission (2016). Report of the Barking and Dagenham Independent Growth Commission: No-one left behind: in pursuit of growth for the benefit of everyone, p. 7.
- ⁱⁱ Barking and Dagenham Together - Borough Manifesto.
- ⁱⁱⁱ London Borough of Barking and Dagenham (2017). Equality and Diversity Strategy 2017-2021, p.9.
- ^{iv} London Borough of Barking and Dagenham (2018). Gender Equality Charter Progress Report.
- ^v London Borough of Barking and Dagenham (2019). Vision and Priorities, <https://www.lbbd.gov.uk/vision-and-priorities>.
- ^{vi} London Borough of Barking and Dagenham (2019). We all belong: A cohesion and integration strategy for Barking and Dagenham (Draft for consultation – 7 February 2019).
- ^{vii} London Borough of Barking and Dagenham (2019). Participation and partnerships: A strategy for strengthening the voluntary, community and social enterprise sector in Barking and Dagenham.
- ^{viii} See Trust for London (2018). Connected Communities: <https://www.trustforlondon.org.uk/funding/connected-communities/>.
- ^{ix} For more information on Every One Every Day, see <https://www.lbbd.gov.uk/news/ground-breaking-ps64m-initiative-to-create-largest-ever-participatory-project-in-barking-and> ; <https://www.weareeveryone.org/>.
- ^x For more information on the NCIL, see <https://www.lbbd.gov.uk/news/last-chance-for-groups-to-apply-for-funding-of-up-to-ps10000>.
- ^{xi} <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/hate-crime-dashboard>
- ^{xii} This question refers to hate crimes of all types, not solely faith based hate crime
- ^{xiii} It is illegal to ask a volunteer or staff member to get a DBS check if it is not required for their role. You can use this online tool to assess whether a role requires a DBS check: <https://www.gov.uk/find-out-dbs-check>. Additionally, organisations must treat DBS check applicants who have a criminal record fairly and should not discriminate because of a conviction or other information revealed.
- ^{xiv} List of Council events <https://www.lbbd.gov.uk/annual-events>

This page is intentionally left blank

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

About the service or policy development

Name of service or policy	Faith Builds Community: Working Together for Barking and Dagenham
Lead Officer Contact Details	William Crossman (William.crossman@lbbd.gov.uk)

Why is this service or policy development/review needed?

Barking and Dagenham has seen a huge pace and scale of demographic change in recent decades. This pace of demographic change has put unprecedented pressure on resident communities to integrate and share space. There is also huge demand for suitable spaces in the borough for faith organisations to operate. With fewer community assets in use across the borough, coupled with increasing private sector rental prices, there is an urgent need for faith-based organisations to explore new opportunities to work together progressively. In addition the policy seeks to address some of the challenges faced by members of faith communities and the wider impact in our broader community. “Faith Builds Community” was developed to address these challenges and to add value to our work on cohesion and integration.

“Faith Builds Community” has been developed in collaboration with The Faith & Belief Forum, who have been tasked with delivering 22 months of interfaith connectivity work and capacity building in the borough. The Faith & Belief Forum are a national interfaith charity, whose aim is to build good relations between people of all faiths and beliefs.

“Faith Builds Community” sets out an action plan to be delivered in partnership by the Council, Faith Based-Organisations (FBO’s) and other relevant stakeholders, based around seven key themes:

1. **Celebrating faith-based social action** – the Council will work with Faith Based organisations to celebrate and enable faith based social action. The Council will celebrate and promote Faith based social action through various channels, support FBOs to access relevant funding and work to convene shared learning spaces.
2. **Responding to hate crime and prejudice** – The Council will work with Faith Groups to tackle hate crime and prejudice, through training, education and evaluation of how hate crimes are currently reported and handled.
3. **Accessing space and buildings** –The Council will support FBOs in maintaining their leases where appropriate. It will also work with FBOs where possible to explore opportunities to access appropriate premises and provide guidance on setting up a new place of worship. There will be a review of the business rates relief policy.
4. **Safeguarding vulnerable people** – The Council and Faith Groups will work together to ensure effective safeguarding of children and vulnerable adults. All FBO signatories to the Faith Policy will have developed safeguarding policies and nominated safeguarding leads. The Council will provide support and training to FBOs on

Why is this service or policy development/review needed?

safeguarding.

5. **Respecting different faiths** – FBOs and the Council will work together to enhance respect among different faiths. The B&D Faith Forum will act as a vehicle for education, interfaith events and relationship building between different faith leaders. The Council will support the activities of the Faith Forum. Council Staff will receive Faith Inclusion Training and Council run events will be assessed to ensure they are accessible to different faith groups.
6. **Faiths working together** – FBOs will work together through the B&D Faith Forum to organise educational faith events and run social action projects. The Council will provide a point of contact for supporting FBOs with interfaith activity and will monitor levels of engagement with FBOs.
7. **Promoting diverse voices** – the B&D Faith forum will provide feedback on Council-led events, highlighting where diverse voices are excluded. The Council will engage with a diverse range of organisations and individuals to improve diversity of Faith events. The Council will continue to mark faith-based festivals and celebrations throughout the year.

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

Barking and Dagenham has seen a huge scale and pace of demographic change over the recent decades which has put unprecedented pressure on our established resident communities. Our population is growing fast and is highly deprived.

The ONS mid-year population estimates for 2017 estimate our total population as 210,711, which represents an increase of nearly 42,000 people during the ten years between July 2007 and June 2017. By 2020, the population is expected to grow to 223,000 and will reach 270,000 by 2041. Between July 2016 and June 2017, approximately 18,000 new residents came to the borough and roughly the same number left, meaning that the ‘turnover’ was almost a fifth of the borough’s population. In 2019, the White British population is estimated

as 35.1 percent (GLA 2016 ethnic group projections), compared with 49.5 percent during the 2011 Census and 80.9 percent a decade earlier (2001 figure).

The Index of Multiple Deprivation (IMD) is the official measure of relative deprivation for small areas or neighbourhoods in England, focusing on issues such as income, employment and housing. IMD 2015 ranks Barking and Dagenham as the 12th most deprived local authority in England and the 3rd most deprived borough in London.

In this context, the 2018 Resident's Survey found that just about 7 in 10 (73%) respondents agreed that their local area is a place where people from different backgrounds get on well together. Residents who are either 25-34, Black and/or Muslim were more likely to agree whilst those who are either over 55, retired and/or White British were less likely to agree. More than two fifths of those who responded to the survey expected to move away from Barking and Dagenham within the next five years. Surveys carried out since 2008 have systematically ranked LBBDD below the national average on questions related to community cohesion in the borough.

The 2011 census also points to the highest percentage of African Christians of any local authority in England and Wales (12.29 percent) and the seventh highest population of African Christians in England and Wales (22,842). The Muslim population in the borough has increased from 4.4% of the population in 2001 to over 13.9% in 2011, representing a 257% growth in a decade. The London Church census 2012 (Brierley, 2015) identifies 79 Christian places of worship in Barking and Dagenham. This includes 23 known Pentecostal churches alone, which represents a 77% growth since 2005, the fifth highest such growth rate for London boroughs.

A recent study, carried out by CAG Consultants surveyed organisations of faith during 2017, identified a desire (from organisations of faith in the borough) for improved, high quality, long term engagement with the local authority. The study told us that organisations of faith are keen to build a positive relationship with the local authority to support, connect and strengthen the capacity of many of these organisations who are delivering important services to their communities such as childcare, youth work, welfare support and advice, job clubs and inter-generational activities. The full report can be found at <https://www.lbbd.gov.uk/wp-content/uploads/2018/06/Faith-groups-and-meeting-places-Evidence-base-study.pdf>

The following table shows the changes in religious affiliations in the borough between the census in 2001 and the most recent 2011 census. While this data is now significantly out of date (new data is shown below) it does show that there was and still is huge diversity and change in the make-up of religious characteristics.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Table 1: Religious affiliations, 2001-2011

	Barking and Dagenham						London	England
	2001	%	2011	%	Change 2001-2011	% Change	% change, 2001-2011	% change, 2001-2011
Christian	113,111	69	104,101	56	-9,010	-8	-5.22	-10.70
Buddhist	366	0.2	842	0.5	476	130.1	51.07	71.62
Hindu	1,867	1.1	4,464	2.4	2,597	139.1	40.86	47.39
Jewish	547	0.3	425	0.2	-122	-22.3	-0.79	1.40
Muslim	7,148	4.4	25,520	13.7	18,372	257	66.83	74.45
Sikh	1,754	1.1	2,952	1.6	1,198	68.3	21.02	28.37
Other religion	308	0.2	533	0.3	225	73.1	31.22	58.42
No religion	25,075	15.3	35,106	18.9	10,031	40	49.86	82.87
Religion not stated	13,768	8.4	11,968	6.4	-1,800	-13.1	11.49	0.73
Total	163,944	100	185,911	100	21,967	13.4	-	-

Source: 2001 and 2011 Censuses

LBBB see organisations of faith as a significant area of opportunity for creating and maintaining strong, healthy and inclusive communities.

However, research from focus groups during 2017 and 2018 tells us there are tensions between established working-class communities and new, fast-growing religious organisations in the borough. The table above gives a picture of this growth, with the Muslim population growing by 257% in just 10 years, with Buddhism and Hinduism also realising significant increases in real term percentages. Also, the CAG report done in 2017 shows that the composition of the Christian community has rapidly changed, with significant numbers of newer groups outside of the traditional denominations. There has been particularly strong growth in the African Christian community, with a 307% growth between the census of 2001 and 2011. This growth is predicted to continue. For African Christian populations of over 10,000 people, of the 17 boroughs with this demographic, Barking & Dagenham has the fifth highest growth rate. Identified trends seem to suggest that after a period of significant decline in church attendance between 1989 and 2005, there has been a marked upturn in the borough (see table below).

Change in church attendance (across all churches) in Barking & Dagenham

Years	Percentage growth
1989-1998	-17%
1998-2005	-13%
2005-2012	+31%

Source: Brierly, P., 2015, UK Church Statistics 2: 2010-2010, Tonbridge: ADBC

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

<p>Local communities in general</p>	<p>X</p>		<p>The local authority (through The Faith and Belief Forum) will play an enabling and facilitation role by building capacity, upskilling faith leadership and improving the engagement of faith-based organisations (FBO's) that reflect the faith diversity of LBBD.</p> <p>We expect these FBO's to work with and between faith communities to develop a better understanding of the issues affecting their local community and to work to address them.</p> <p>FBO's can provide support networks, projects and participation initiatives which are key to helping to improve residents' health and wellbeing. The improved capacity and engagement of FBOs will promote general health and wellbeing in the borough.</p> <p>The policy will also help to define the relationship that the council and the faith sector share with a clear action plan in place to define future priorities.</p>	<p>The faith community has been engaged throughout the production of the policy. The Barking & Dagenham Faith Forum were engaged at an early stage and a survey has been used during conversations with faith leaders and online to gather the views of faith-based organisations and people who attend them.</p> <p>The actions within the faith policy, are specifically designed to service legitimate expectations between the council, faith sector and wider stakeholders. These solutions have been drawn out through the engagement phase.</p> <p>Specific issues raised have been addressed, such as the focus on preventing hate crime. Faith leaders told us that underreporting was due to a lack of information and clear pathways to report. The policy actions address this, in proposing to work closer with faith-based organisations to increase confidence in reporting hate crimes, exploring opportunities with training providers and creating space for dialogue on hate crime reporting processes and why there might be underreporting from certain communities.</p> <p>Actions within the policy will be monitored and coordinated jointly by the council, local Barking & Dagenham Faith Forum and the Faith & Belief Forum (F&BF), as long as they remain contracted to do so. F&BF have already indicated that the sphere of their work will lead them to retain a</p>
--	----------	--	---	---

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

				presence in Barking & Dagenham, post-contract, even if it is just in a digital advisory capacity. They will retain strong links with the boroughs faith organisations and will ensure that the boroughs local Faith Forum are in an ideal position to support the actions of the policy.
Protected Characteristics in general			<p>The councils Equality and diversity strategy (2017-2021) outlines our commitment to continue to improve the lives of residents by advancing equality, diversity, fairness and inclusion. The vision to create a place of understanding, respect, tolerance and understanding, is one that encompasses the whole borough and every organisation within it.</p> <p>The faith policy will further this message, by ensuring that faith organisations are aware of their duty to deliver and operate in line with current equalities legislation. It also includes actions, which will help to address issues with under-reporting of hate crime in the borough.</p>	<p>We do not currently have recent data on faith population intersected by other protected characteristics.</p> <p>Broad data will be collected on groups that do engage with policy actions, to indicate areas of focus for future reviews.</p>
Age	X	X	<p>Positive Impacts</p> <p>Young People –</p> <p>FBO’s and the Council will work together to safeguard young people. FBO’s will create safeguarding policies and designate</p>	<p>Enhancing Positive Impacts</p> <p>The Council will support FBO’s in their engagement with young people of faith, to gauge their views on interfaith celebrations and events</p>

		<p>safeguarding leads. The council will provide training for safeguarding leads and provide support to FBO's in fulfilling their safeguarding obligations.</p> <p>FBO's can provide young people with opportunities to engage with their local communities in meaningful activities. Through supporting interfaith organisations and access to assets, "Faith Builds Community" will contribute to improved outcomes for young people.</p> <p>Interfaith dialogue and understanding between young people will be facilitated through educational activities, including work in schools.</p> <p>Older People –</p> <p>FBO's are valuable sources of community activity and can help in reducing social isolation among older people. By supporting and enhancing social action projects delivered by FBO's, "Faith Builds Community" will aid in the reduction of loneliness and isolation.</p> <p>Negative Impacts</p> <p>During consultation, concerns were raised by Faith Groups about the impact of safeguarding policy..</p>	<p>The Council will support FBO's in organising community events and ensure Council-led events appeal to a range of ages.</p> <p>Mitigating Negative Impacts</p> <p>The Council will work with faith groups on safeguarding in a direct and transparent way, engaging faith groups in a conversation.</p> <p>The Council will provide safeguarding training to</p>
--	--	--	---

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

				<p>safeguarding leads within FBO's. The training will make clear that all organisations and individuals working with children and vulnerable adults have a duty to safeguard them against harm.</p>
Disability	X	X	<p>Positive Impact</p> <p>Educational events, celebrations and other events referenced in "Faith Builds Community" have the potential to provide opportunities for people with disabilities to engage in the community. FBO's have the potential to provide community support for people with disabilities.</p> <p>Negative Impacts</p> <p>There is a risk of people with disabilities being excluded from events and from places of worship if they are not sufficiently accessible.</p> <p>Parking at places of worship could potentially have an impact on the wider community, especially on people with mobility issues, if parked cars block walkways.</p>	<p>Enhancing Positive Impact</p> <p>All FBO's working with the policy make a commitment to Equality and Diversity. The council will create opportunities for conversations about intersections between disability and faith.</p> <p>The Faith Policy signposts to a variety of sources of support and information concerning disability.</p> <p>Minimising Negative Impacts</p> <p>The Council will provide support and guidance to FBO's looking to move premises or set up new places of worship, including guidance on accessibility needs for disabled people.</p> <p>FBO's will agree to encourage sensible parking at Places of Worship which does not impede public walkways.</p>

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Gender reassignment		X	<p>There may be tensions among some members faith community on the topic of gender reassignment. Some FBO's may be resistant to engaging in discussions on the topic of gender reassignment.</p> <p>There is a possibility that some individuals may use faith organisations as a platform to promote discrimination.</p>	<p>"Faith builds Community" informs FBO's of their equalities obligations. When deciding how to work and engage with FBO's, the Council will take into consideration FBO's equalities records.</p> <p>If FBO's want to engage with issues relating to gender reassignment the Council will provide support, guidance and signposting to relevant organisations.</p>
Marriage and civil partnership		X	<p>The Public Sector Equality Duty only applies to marriage and civil partnership in the context of preventing discrimination.</p>	N/A
Pregnancy and maternity	X		<p>The work of FBO's can contribute to thriving, connected communities which provide support for women during pregnancy and maternity. Social action projects run by FBO's, such as social and support groups, can benefit women during pregnancy and maternity.</p>	<p>"Faith Builds Community" provides an action plan for supporting FBO's in community involvement, with clear cross overs with the councils Health & Wellbeing strategy, it will therefore enhance work done by FBO's in supporting women during pregnancy and maternity.</p>
Race (including Gypsies, Roma and Travellers)	X		<p>FBO's play an important part in connecting communities and encouraging social mixing. By encouraging interfaith events "Faith Builds Community" will enable people from a diverse range of ethnicities to be involved in shared community events, encouraging community cohesion.</p>	<p>The Council will promote and support community events that bring diverse communities together.</p>
Sex	X	X	Positive Impacts	Enhancing Positive Impacts

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

			<p>Faith based women’s groups provide opportunities for women to become more actively involved in their communities. The Council will support FBO’s to continue with and enhance these activities.</p> <p>Negative Impacts</p> <p>Within some faith communities, there are potential tensions around understandings of sex/gender and the roles of men and women. A minority of groups may promote ideas, concepts or stereotypes about sex/gender that run contrary to the understandings implicit in the Council’s Equality and Diversity Strategy.</p>	<p>“Faith Builds Community” provides an action plan for the Council to support FBO’s community activity and social action, this includes those activities aimed at women.</p> <p>Mitigating Negative Impacts</p> <p>The Faith Policy informs FBOs of their equalities obligations. When deciding to how work and engage with FBOs, the Council will take into consideration FBOs’ equalities records.</p> <p>The Council will continue to support celebrations of women’s empowerment, including those that include, promote or celebrate women of faith.</p>
Sexual orientation		X	<p>There may be tensions among some members of the faith community on the topic of sexual orientation. There are risks around some individuals using faith organisations as a platform to promote discrimination.</p>	<p>The Council will inform FBO’s of their equalities obligations. When deciding how to work and engage with FBO’s, the Council will take into consideration it’s public sector equality duty</p> <p>If FBO’s want to engage with issues relating to sexual orientation the Council will provide support, guidance and signposting to relevant organisations.</p>
Religion or belief	X	X	<p>Positive Impact</p> <p>“Faith builds Community” includes guidance and actions for faith/belief organisations and the Council. The Council will work with FBO’s to enhance the relationship between FBO’s and</p>	<p>Enhancing Positive Impacts</p> <p>“Faith Builds Community” contains actions to support FBO’s in engaging in interfaith activities, including supporting FBO’s to access funding and providing venues when appropriate.</p>

		<p>strengthen FBO's as centres of community activity. Therefore, the policy will have a positive impact on religion and belief.</p> <p>In the borough there are 130+ organisations of faith/belief, with Christianity making up the largest percentage in the borough (according to the 2011 census). However, over the last 7 years since the 2011 census, it is evident that there has been further rapid growth and change in terms of people identifying with other beliefs. We also know, through anecdotal evidence and focus groups in 2017/18 that current community tensions are centred around issues with faith organisations.</p> <p>“Faith Builds Community” will help fulfil the public sector Equality Duty, to foster good relations between different groups, by encouraging intra/interfaith work and dialogue between FBOs.</p> <p>Council staff will also be able to participate in Faith Inclusion Training to improve their understanding of the challenges, diversities and scope of faith communities.</p> <p>When planning events, Council teams will consider faith-based access needs. This will enable better inclusion of faith groups in community events and improve cohesion.</p>	<p>Mitigating Negative Impacts</p> <p>Some groups have indicated to the council that they do not see sharing space as viable. The policy includes actions under two themes; Accessing Space & Buildings & Faiths Working Together, which encourage shared enterprise, collaboration and community relationship building. These are the building blocks of a more cohesive, effective and shared network of faith organisations. With these actions, there is every chance that future considerations could be made by faith organisations to share physical space.</p> <p>The B&D Faith Forum is committed to maintaining a diverse board of trustees. The Council will work to engage with and support a wide range of religious groups, communicating with faith groups through a variety of channels, including social media, newsletters and council publications. There will a single point of contact within the council responsible for engagement with FBO's.</p> <p>The Public Sector Equality Duty is inclusive of those with no faith or religion. Non-Faith groups, as such secular and humanist societies, will have access to the same opportunities as Faith-based organisations, such as support in accessing funding or securing new assets.</p>
--	--	---	--

		<p>Negative Impacts</p> <p>Some religious groups do not like to share spaces with organisations outside their own faith. During the engagement phase we have received positive feedback on this issue, however a number of organisations have stated that they would not be interested in sharing a place of worship.</p> <p>The distribution of assets between FBO's was highlighted during consultation as a source of intercommunity tension. Groups can feel that they are in competition for assets. Council work to support FBO's in accessing assets needs to take this into account.</p> <p>Consultations with Faith groups demonstrated the diverse and often conflicting views held by different groups and residents. "Faith Builds Community" seeks to set a shared vision of the future, which could risk alienating certain groups and leaving some viewpoints under-represented.</p> <p>Currently, some faith groups and organisations work more closely with the Council than others. There is a risk of some faith groups being under-represented relative to population size.</p> <p>There is a risk of tensions between faith and non-faith</p>	
--	--	---	--

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

			groups and the perception that non-faith groups (such as secular or humanist organisations) are being excluded from “Faith Builds Community”.	
Socio-economic Deprivation	X		<p>Positive Impacts</p> <p>FBO’s are involved in a variety of community activities that support socio-economically deprived residents and tackle poverty, including shelters and foodbanks. By supporting FBO’s to work together on social action projects, “Faith Builds Community” will enable FBO’s to improve and expand upon this work.</p> <p>Negative Impacts</p> <p>There is a risk of individuals using FBOs to defraud members of the public, for example by soliciting donations under false pretences. These may target vulnerable people, such as older residents or people with learning disabilities. The Council needs to ensure it does not promote or provide funding to organisations where financial abuse is taking place.</p>	<p>Enhancing Positive Impacts</p> <p>The Council will support FBO’s to collaborate on social action projects and gain access to the assets necessary for social action projects.</p> <p>Mitigating Negative Impact</p> <p>When awarding funding to any organisations, the Council will engage in thorough background checks and require accounting of the use of the funds. The council will not fund religious organisations for religious worship.</p> <p>For organisations soliciting donations for charitable purposes, responsibility for enforcement of regulations lies with the Charities Commission. However, where the council suspects that there is financial mismanagement, we will report this to the appropriate authority.</p> <p>The Council will provide support and signposting to FBOs on effective financial management.</p> <p>Safeguarding training will be offered to designated safeguarding leads within FBO’s. This training will include an element covering financial abuse.</p>

COMMUNITY AND EQUALITY IMPACT ASSESSMENT	
---	--

Any community issues identified for this location?				n/a	
---	--	--	--	-----	--

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 council and our contracted partner, The Faith & Belief Forum (F&BF) spent 5 months engaging with faith-based organisations (FBO's) and faith leaders, in both face to face interviews and using an online survey. The purpose of the engagement was to gather opinion and initiate a two-way conversation that explores sensitive and potentially challenging (in terms of the council and the faith sector) themes including;

- The leasing of council buildings and what is expected from faith groups
- How we work together to safeguard children and vulnerable adults
- Examples of best practice for involving and working with the wider community and recommending ways to increase this
- Responding to and preventing all forms of hate crimes together

The Faith & Belief Forum conducted extensive consultation during the period November 2018 to May 2019, speaking to over 100 people through an online survey, face-to-face meetings with faith leaders and people of faith from different faith groups, consultation meetings with community organisations that support faith groups, hosting three focus group workshops, and attending existing community events and meetings.

- 51 online surveys (see Appendix 1) were completed by residents from diverse faith backgrounds:
 - 51% Christian; 20% do not identify with a faith / not disclosed; 18% Muslim; 2% Pagan; 2% Sikh.
 - 51% White; 24% Black; 18% Asian; 2% Mixed; 6% not specified.
- 40 consultation meetings with local faith leaders:
 - 72% Christian; 13% Muslim; 3% Sikh; 3% Hindu; 3% Jain; 3% Buddhist; 3% Jewish.
- 5 consultation meetings with community organisations that support faith groups. This included an arts-based organisation, a network meeting for faith leaders, and a group of community leaders meeting to address knife crime.

The Faith & Belief Forum also ensured that internal council departments responsible for relevant areas of work were similarly consulted, including; Policy & Participation, Children's Care & Support (Safeguarding), Community Solutions, My Place, Adult Care & Support, Faith (Policy and Participation), Equalities lead, and Commissioning (Violence Against Women & Girls).

From the engagement a set of new themes emerged, which framed the policies make up. Associated priorities have been used in the development of the action plan. The themes and associated priorities are;

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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?

Theme	Priority
Celebrating Faith Based Social Action	<i>The Council and faith groups should work together to raise the profile of faith-based social action, and convene spaces for collaboration and learning.</i>
Responding to hate crime and prejudice	<i>The Council and faith groups should work together to improve residents' knowledge of how to identify and report race and faith related hate crimes.</i>
Accessing space and buildings	<i>The Council and faith groups should work together to ensure that where possible there is sufficient space for residents of different faiths to worship and practice their faith, as well as to work together to ensure policies are fair and transparent and are followed by all.</i>
Safeguarding vulnerable people	<i>The Council and faith groups should work together to safeguard vulnerable people of different faiths, including co-creating and delivering appropriate strategies for particular issues that affect LBBB residents.</i>
Respecting different faiths	<i>The Council and faith groups should work together to improve their understanding of different faith communities, and should work together in a spirit of respect and ongoing learning.</i>
Faiths working together	<i>The Council and faith groups should work together to provide opportunities for residents of different faith backgrounds to meet and learn about each other, enabling further collaboration and improved understanding among groups.</i>
Promoting diverse voices	<i>The Council and faith groups should work together to ensure faith groups are fairly represented in borough events and programming across the year.</i>

These themes will contribute to the overall policy aims, which are to;

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?

- Reflect the current make up, activity and impact faith has in Barking and Dagenham, including through best practice case studies
- Set policy on shared issues of concern such as the use of buildings, hate crime reporting and safeguarding
- Provide guidance for the Council and faith groups about how they can better work together in the future
- Demonstrate the value of local faith-based organisations and showcase their contribution

The consultation and engagement phase has included the following;

- Oct 2018 to March 2019 – Online survey and face to face discussions with faith leaders.
- Oct 2018 - March 2019 – Internal engagement with relevant officers/depts and members.
- Portfolio engagements with relevant council member
- 23 April & 3 May 2019 - Lightning style workshops with faith leadership, to further explore the themes outlined
- 14th May 2019 – Faith Forum workshop on response distilled from engagement sessions, final comments for policy
- July 2019 – Faith Policy Review Period – Faith Forum and Council

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?
Review of the Faith Policy, in line with the Interfaith Connectivity contract term.	June 2020	Participation & Engagement Team Faith & Belief Forum
Monitoring of Action Plan outcomes	June 2020	Participation & Engagement Team and Barking and Dagenham Faith Forum
Final review and evaluation	July 2024	Participation & Engagement Team

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

'Faith Builds Community' Policy helps set out a vision for the relationship between the council, wider community and faith-based organisations in the borough, whose impact and reach is numerous. The main aims of the document are to;

- Reflect the current make up, activity and impact faith has in Barking and Dagenham, including through best practice case studies
- Set policy on shared issues of concern such as celebrating faith-based social action, the use of buildings and assets, hate crime reporting and safeguarding
- Set guidelines for the Council, wider stakeholders and faith-based organisations about how they can better work together in the future
- Demonstrate the value of local faith-based organisations and showcase their contribution to achieving the overall vision

The adoption of the policy will impact all faith organisations in the borough, with a set of collaboratively designed and jointly agreed actions that will have real impact within faith/belief settings.

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
Mark Tyson	Director of Policy and Participation	

--	--	--

This page is intentionally left blank

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

Policy/Strategy/Framework	What it does	Faith Builds Community: Policy impact
<p>Participation & Partnerships Strategy</p>	<p>This strategy champions a healthy, independent and influential VCSE working in our community for the benefit of all. Practically, our vision for a strong VCSE means there are many ways in which individuals’ ideas, projects and concerns can develop, flourish and be addressed. The strategy aims to work with the social sector around three core priorities:</p> <ul style="list-style-type: none"> - Increasing participation - Enabling and embedding relationships based on trust - Building the sector’s capacity <p>As the single largest VCSE group in Barking and Dagenham, the strategy recognises the importance of faith-based organisations in the borough, and the key services they help deliver to residents.</p>	<p>Faith organisations are often also VCSE organisations. Faith organisations objectives are often charitable and help combat a wide range of societal challenges, through the delivery of faith-based social action initiatives. These initiatives practically demonstrate the values described in the participation and partnerships strategy, and contribute toward the three core priorities of;</p> <ul style="list-style-type: none"> - Increasing participation - Enabling and embedding relationships based on trust - Building the sector’s capacity
<p>Cohesion & Integration Strategy</p>	<p>The cohesion and integration strategy is a 5-year vision, which aims to lay the foundations for achieving the visions set out in the borough manifesto for 2017-2037 “to make Barking and Dagenham a friendly and welcoming borough with strong community spirit”. The strategy sets out our aim to reinforce the links that bring people and places together, regardless of opinions, culture or beliefs, ethnicity, age or gender. The policy uses a thematic approach to set out priorities and proposed actions for future development, both from an</p>	<p>The vision of the faith policy; <i>“A better connected, faith friendly borough, where people of all backgrounds feel safe, celebrated and included”</i>. The policy aims to bring people together, through a reciprocal agreement, which focuses on ensuring that faith organisations feel connected and supported. Ultimately the policy impacts the Cohesion & Integration Strategy in helping to increase the opportunities for shared dialogue, collaboration on social action, celebrations of diversity and in supporting and championing equality for all.</p>

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

	<p>outward/inward facing and collaborative approach. The three themes; Relationships and Culture, Inclusion & Participation & Equality of Opportunities look to foster an integrated, connected and cohesive society, especially important in areas where there are rapid changes in the community.</p>	
<p>No one left behind - LBBD Corporate Plan</p>	<p>The councils corporate plan focuses on the way that the organisation can help its residents improve their lives. The document sets out our challenges and ambitious targets through four themes;</p> <ul style="list-style-type: none"> • New Kind of Council • Empowering People • Inclusive Growth • Citizenship and Participation <p>The corporate plan is designed to lay the foundation for the council’s approach to service delivery, commissioning and culture, and to realise the ambition of the twenty-year borough manifesto targets. Each theme is complemented by a set of priorities which describe our approach to embedding change in the organisations.</p>	<p>The Policy has clear overlaps with the corporate plan themes and priorities, in empowering residents to take action within their faith communities, encouraging them to participate in delivering social action and change for the wider community.</p> <p>With a vast number of faith-based social action relying on volunteers, the policy seeks to further encourage civic and social participation, shaping council services and ensuring that their future is one where diversity, inclusion, faith and belief are celebrated and enhanced.</p>
<p>Equality & Diversity Strategy</p>	<p>The equalities policy sets out a number of measures to ensure the nine protected characteristics, and additional issues of poverty inequalities are taken account in council decision making. This includes ensuring that physical regeneration supports employment and skills outcomes through planning obligations; ensuring regeneration works with local communities to ensure proposed developments preserve or enhance local</p>	<p>This policy will support these objectives through championing the value of faith and belief led work, strengthening the council’s relationship with the wider faith community and improving the way that the boroughs faith leadership reviews equalities practice within their own faith-based settings.</p>

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

	social, historical, cultural, environmental, and economic characteristics; supporting social entrepreneurs in the borough to set up and grow where they can contribute to equalities outcomes, and ensuring commissioning reflects the needs of service users.	
Equalities events and Summer of Festivals	The Council has an existing events programme, which promotes strong community support, participation, cohesion and that champions the work of the boroughs potentially marginalised communities. Within this programme are a series of cultural, remembrance and celebratory events including Holocaust Memorial Day, LGBT History Month, Black History Month, and Women’s Empowerment Month. The Council also facilitates a community-led ‘donate a flag’ event to celebrate different groups and cultures within the borough.	The councils many faith-based organisations have a strong history of involvement with equalities events. A key purpose of the policy is to promote strong relationship building emanating from FBO’s with the wider community as a recipient. The goal is to make it apparent, that FBO’s have a duty to ensure that their activities don’t adversely impact communities. The promotion and support of local events, initiatives and VCS projects, is core work to many FBO’s. A Faith Policy, which is co-produced, co-owned and implemented in in a space currently occupied by specific, strategic work, will aide in fostering two-way communication and facilitate collaboration between the council, faith sector and the wider community.
Borough Manifesto	The Borough Manifesto is a collaborative, place-based, resident-led vision of the future of Barking and Dagenham. It is a set of aspirations and targets, jointly owned by public, private, community and voluntary sector organisations, setting out how the Borough should move forward over the next 20 years. It is therefore a steer for all local partners.	The Borough Manifesto has a set of jointly owned and jointly produced, ambitious targets for the development of the borough. The Faith Policy will help to address some of the challenges faced in meeting these targets, by clearly defining the expectations of the relationship between council and faith sector and influencing future delivery.
Community Solutions	A flagship transformation programme, the purpose of Community Solutions is the early resolution and solving of issues. The main purpose of the programme is to help residents to become more self-sufficient and build	We know through anecdotal evidence and conversations had during the engagement with faith-based organisations, that often FBO’s are the first point of contact for a large portion of our residents. The faith policy will provide a conduit for information sharing, collaboration and dialogue between local

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

	<p>resilience. It will tackle the multiple needs of households in a joined-up way and at an early stage. It will comprise multi-disciplinary and multi-agency teams that will collaborate closely with the voluntary and community sector and others to deliver early intervention and preventative support.</p>	<p>FBO's and the service areas provided as part of COMSOL.</p>
<p>Transformation programmes</p>	<p>Ambition 2020 was the Council's wholesale transformation plan to create a sustainable organisation that can live within its means; tackle the challenges the borough faces; respond to the Growth Commission findings and deliver the Council's vision. Ambition 2020 triggered significant re-configurations of services and functions through several transformation programmes which have moved into implementation. Managing change and transitioning to new service delivery models will require a continued, learning based approach which puts participation and engagement with the social sector at its core.</p>	<p>The main approach of the programme is that it aims to encourage increases in civic participation and engagement with a wider range of residents. Ultimately paving the way for a transition of essential historic services to new delivery models. The faith policy, with its emphasis on relationship and capacity building within faith-based organisations, their provision as a conduit for learning and engagement, promotes all the values that have been instilled in services as part of the Ambition 2020 plan.</p>
<p>Health & Wellbeing Strategy</p>	<p>One of the priority themes in the Health & Wellbeing strategy, talks about the need for residents to build individual and community strength, in order to thrive not just survive. The priorities are complemented by a set of enablers, which include pledges on; resilience, a family-based approach, safeguarding, a focus on communities where there is a large potential for impact and coproduction.</p> <p>The council want to create an</p>	<p>Faith plays a huge part in the lives of a significant majority of our residents and the opportunities presented by the support networks, projects and participation initiatives run in FBO's are key to helping to improve resident's health and wellbeing. The policy themes and actions, including; safeguarding vulnerable people, celebrating (and enhancing) faith based social action and promoting diverse voices, will directly contribute to a thriving faith sector. With faith making up an integral part of the lives of a significant proportion of our residents, it is reasonable to suggest that this will be conducive to helping to achieve the outcomes of the Health &</p>

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

	environment where all residents can meet their basic needs, while helping them to improve their financial and personal resilience.	Wellbeing strategy.
Housing Service – ASB Policy	This policy, and the accompanying strategy promote listening to residents to improve community outcomes, particularly cohesion. By addressing some of the behaviours which can drive division within communities and setting out which behaviours are unacceptable, this policy provides a baseline for behavioural change in support of cohesion outcomes.	The policy widely adopts the principles of the ASB policy. In promoting good relations between people of different faiths/beliefs, and in suggesting ways that community cohesion can be improved will help combat division in communities.
Community Safety Plan	The Community Safety Plan outlines ways in which the Community Safety Partnership can address crime and anti-social behaviour; domestic violence and sexual violence; gang and youth violence; reoffending and substance misuse; hate crime. It does this through integrated offender management; integrated victim management; and building confidence in reporting, via the Safety Partnership Board; Community Safety Partnership Sub- groups; and Local Policies and Strategies.	By encouraging faith based social action, the policy will drive engagement with the local community. This engagement builds trust, forges local links and faith-based organisations play a vital role in providing diversionary services and supporting local initiatives to tackle crime and community safety.
Barking Town Centre Strategy	Barking Town Centre is one of five growth hubs which will help to deliver a wide range of new jobs, housing across the borough and make a significant impact to the Council’s vision because of its high accessibility to Central London; offer as a cultural hub for the borough and more widely. The Strategy sets out how Barking’s potential can be realised to deliver jobs,	Although B&D has experienced an unprecedented pace and scale of change over the last two decades, many residents retain strong identity affiliation with the areas they were born and raised in. Many FBO’s operate within or in close proximity to town centre hubs, however a disjoin between businesses and the faith sector often occurs, with businesses and FBO’s often having little or no interaction with each other. The policy seeks to address this, by encouraging faith-based organisations to engage with

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

	homes, a wide range of uses which attract visitors and fulfil residents needs with a strong identity and sense of place.	the wider community, including local businesses. The policy also aims to support organisations in celebrating cultural events, including those events held in town centre spaces, by providing contact points, consultation and collaboration opportunities (through the Culture, Events and Participation teams).
Heritage Strategy	The heritage strategy highlights the rich history of the borough, celebrating this and setting out a set of measures, in line with Ambition 2020 and the Growth Commission, to ensure the better promotion of heritage culture in the borough to ensure the physical and intellectual history of place is conserved.	There is a rich history of faith and the support of faith organisations in the borough. Faith organisations play a huge part in ensuring that new stories, culture and social history can be added to the rich texture of place locally. Recent events, like the Eid event at Eastbury Manor House, have helped communities restore forgotten heritage links, explore historical sites and the links that the boroughs physical architecture has with faith.
Culture Everywhere Strategy	The culture everywhere strategy framework recognises that much of the strength of our community is borne from its diversity, which includes faith groups. It identifies that culture has a social value, as well as intrinsic value in shaping ideas and ways of seeing. It recognises the continued importance of participatory projects to improving cultural participation and development and sets out that new cultural activity should be led by residents, building confidence and expertise. It highlights the need to build capacity of cultural organisations in the borough, often part of the social sector, with a focus on collaboration partnerships, and information sharing.	The Culture Everywhere strategy is built around ten core commitments; Community Inspired, Culture Everywhere, Building Capacity, The Centre of Culture, Setting Standards, Good Partnerships, New Connections, Communications, New Talent, Culture in Place. Many organisations of faith share space, ethos and deliverables that will contribute to and enhance the core commitments of the Culture Everywhere strategy.

Partnership	What It does.	Faith Builds Community: Policy impact
-------------	---------------	---------------------------------------

Appendix 4: Policy/Strategy Framework Table – Faith Builds Community – Policy Impacts 2019

Safeguarding Adults Board	<p>The duties of the Safeguarding Adults Board (SAB), is to protect adults at risk and raise awareness of safeguarding adults, throughout the borough.</p> <p>The role of the board is to prevent and protect vulnerable residents from neglect and abuse. It plays an important role in the quality assurance of care and support services.</p>	Safeguarding Vulnerable People is one of the identified themes in the faith policy. The policy sets out a range of actions, which are designed to help encourage faith organisations meet the standards promoted by both the Safeguarding Adults Board (SAB) and Local Safeguarding Children’s Board (LSCB).
Local Safeguarding Children’s Board (LSCB)	Promotes the welfare of children and ensures co-operation between agencies of safeguarding and child protection matters.	

This page is intentionally left blank

CABINET**15 October 2019**

Title: Allocation of Community Infrastructure Levy to Strategic Projects	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Marilyn Smith, Planning Decisions Manager	Contact Details: Tel: 020 8227 5351 E-mail: Marilyn.smith@lbbd.gov.uk
Accountable Strategic Leadership Director: Graeme Cooke, Director of Inclusive Growth	
<p>Summary</p> <p>Community Infrastructure Levy (CIL) is a charge that local authorities can levy on new development. The proceeds can be spent on infrastructure to support the needs of development anywhere in the borough. £2,639,347 of strategic CIL has been collected and is currently available to be spent on strategic projects.</p> <p>At its meeting on 12 December 2017, the Cabinet agreed the process for determining the Borough's Strategic Community Infrastructure Levy (CIL) spend (Minute 71 refers).</p> <p>In line with this process bids were invited for Strategic CIL funding from infrastructure providers across the council h them. Eighteen bids were received and appraised by officers in the Inclusive Growth team, with the Local Plan Steering Group then recommending those that should be put forward for approval by Cabinet.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to agree that Community Infrastructure Levy funding is allocated to the following strategic projects:</p> <ul style="list-style-type: none"> • Kingsley Hall refurbishment project - £300,000 – (subject to further discussions to agree how this project can best meet identified social infrastructure needs for local faith communities) • Box Up Crime refurbishment of premises - £300,000 • East End Women's Museum fitting out premises -£250,000 • Becontree Centenary Estate Improvement projects - £774,789 over 3 years • Tackling litter in parks - £96,000 • Barking Riverside Thames Clipper Extension - £600,000 • Building a Green Community Infrastructure - £117,800 • Safer Parks, Healthier Communities - £84,000 over 3 years • Barking and Dagenham Local Football Facility - £160,000 	

All awards shall be subject to the Director of Inclusive Growth, *in consultation with the relevant Cabinet member*, being satisfied that the intended recipients of Strategic CIL funding operate inclusive access policies in line with the Council's equalities values.

Reason(s)

To assist the Council in achieving its corporate priorities in relation to "Encouraging civic pride", "Enabling social responsibility" and "Growing the borough".

1. Introduction and Background

- 1.1 The Community Infrastructure Levy (or 'CIL') was introduced nationally in April 2010 and is governed by the [CIL Regulations 2010 \(as amended\)](#) (external link). It allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. The money can be used to pay for a wide range of infrastructure that is needed to support new development. This can include things like transport schemes, green spaces and the maintenance of new infrastructure. The principle behind CIL is that most development has some impact on infrastructure and should contribute to the cost of providing or improving infrastructure. From 1 September 2014, all developments that create more than 100sqm of new build gross internal area or create a dwelling (irrespective of size) are liable for CIL - this includes permitted development. CIL is due upon the commencement of the development.
- 1.2 The Council is currently preparing a Local Plan, to guide future development in the borough. Infrastructure is needed to support the new development, and an Infrastructure Delivery Plan is also being prepared. This will highlight the infrastructure needed in the borough to support new development (such as schools, health facilities, leisure facilities etc.) which will support the delivery of the Local Plan. In future years, this will be used to guide and inform decisions about the allocation of Strategic CIL.
- 1.3 CIL can be used to fund a wide range of infrastructure to support development in an area, including open space improvements, transport, flood defences, education, health and social care facilities; not only the initial capital cost but also operational and maintenance costs (though it provides one off rather than on-going revenue funding). This definition allows the levy to be used for a broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities and education including academies and free schools, children's centres and nursery provision, district heating schemes and police stations and other community safety facilities. It should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. The levy can be used to increase the capacity of existing infrastructure or to repair existing infrastructure, if that is necessary to support development
- 1.4 The CIL Charging rates are set at a level which will not affect the economic viability of development in the borough. At its meeting on 21 October 2014, the Cabinet endorsed the borough's Community Infrastructure Levy Charging Schedule. It

subsequently came into force on 3 April 2015 and, to date, £5,017,933.54 has been collected. £4,014,346.84 (80%) of this is allocated to strategic projects with the remainder allocated to neighbourhood projects (15%) and administration (5%). So far £752,690.04 has been collected for Neighbourhood CIL. Last year £1,375,000 of Strategic CIL was allocated to parks projects, so there is £2,639,346.84 to be allocated in this allocation round.

- 1.5 The CIL Regulations 2010 require collecting authorities to publish a Regulation 123 list which sets out a list of those projects or types of infrastructure that it intends to fund, or may fund, through the levy. The list is attached as Appendix 1.
- 1.6 At its meeting on 12 December 2017 (minute 71), the Cabinet agreed the process for prioritisation and allocation of strategic CIL funds. The way in which this has been followed for the current allocation round is described below.

2. Proposals and Issues

- 2.1 The Council annually invites bids for Strategic CIL. This year, the process began in May 2019, when bids were sought by 14 July 2019. To seek funding, infrastructure providers were required to complete a project appraisal form. The form is clear that only projects that cannot be funded entirely from other sources, that help address the impact of new development and fall under one of the categories in the Regulation 123 list can be put forward. Inclusive Growth LBBD officers then assessed these projects against the following criteria:

- Their impact on delivering Borough Manifesto targets;
- The amount of match funding that the CIL funding unlocks;
- The robustness of the delivery strategy including how the project will be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing;
- The revenue impacts and what if any CIL is needed for maintenance and/or operational costs;
- Impact on cohesion and equalities including groups with protected characteristics.

The long list of applications was then put forward to the Local Plan Steering Group (LPSG) to agree which projects should be recommended for approval by Cabinet.

- 2.2 There is no time limit on spend for strategic CIL, with a number of the recommended bids planning to spend over a more than one year.

Total of 18 Projects submitted

- 2.3 **Bid 1 Kingsley Hall – Livewell Centre:** planning permission was given in 2017 to redevelop and refurbish the existing community facilities. The overall project will cost over £3 million, and a CIL bid has been made for £300,000, which is just under 10% of the project. £2,531,800 has already been raised, leaving a shortfall of £618,500. Should this CIL been be successful, the remaining £318,500 would be sought from further grants and fundraising. The bid includes provision of a new community café and garden room which will serve as a business meeting setting for SME's and community groups, deliver training for supported internship programmes for students with mild learning disabilities in partnership with Barking and

Dagenham College and Trident and provide a venue for healthy eating. A refurbished fitness/drama/dance theatre on the first floor will increase the capacity for healthy activities, and promote recreation for all ages, and provide an area for partners such as Arc Theatre, Box Up Crime, PHAB, Outside Youth zone, Participatory City and Right Development Foundation. A new 2nd floor roof garden will increase green space, provide a quiet space to promote health and well being, with space for reflection. The refurbished sports hall / training kitchen and workshops will enable the launch of a social supermarket for people living on a low income, restore the workshop as a trade enterprise zone for flexible skills training and trade start ups, facilitate the delivery of parent /toddler and family skills and life support skills for parents, develop a training kitchen for catering and hospitality training, and revive the sports hall for work with gangs and ex offenders in a discreet space with alternative entrance. New accessible WC and changing facilities will be provided, a new herb garden and urban allotment will be provided and an interactive heritage display to make local heritage accessible and to promote a sense of civic pride.

- 2.4 **Bid 2 Box Up Crime – premises refurbishment:** Since 2013 Box Up Crime has been serving the community of Barking and Dagenham on a voluntary basis. Working with upwards of 600 young people a week from the ages of 7-24, the team have mentored many young people transitioning from being involved in gangs and criminal activities to discovering their true sense of purpose and picking up boxing as an alternative. The council has provided Box Up Crime with a 20-year lease on the former sports pavilion in Leys Park, to use as a permanent facility to create a boxing gym and centre for mentoring young people to move away from gangs and find purpose in life. CIL funding of £300,000 is sought to do internal works to the building to make it fit for purpose. This includes installing accessible WC and showers, separate male and female changing facilities with showers and toilets.
- 2.5 **Bid 3 East End Women’s Museum – premises to be furnished:** The East End Women’s museum was conceived in 2015, to tell the story of the women who have made history in the East End of London. It seeks to record, research, share and celebrate the stories of London women past and present. Since their inception they have created pop up exhibitions and events for people of all ages, delivered schools sessions and forged collaborative partnerships with organisations across London. They have now been given the lease of a ground floor unit that is part of the residential development on Abbey Park Retail (south) and the developers will be handing it over on a shell and core basis. £250,000 is sought from CIL, as a 40% proportion of the total £600,000 cost of fit out.
- 2.6 **Bid 4 Becontree Centenary – public realm improvement projects:** £774,789 CIL is requested. This would fund six projects which are proposed to work to restore and enhance the character of the Becontree Estate over the next 20 years, as part of the Becontree centenary celebrations in 2021. The proposal is to deliver public realm improvements across the estate designed through a programme of community engagement. The kind of projects this would include are improved lighting along pedestrian areas, a range of commemorative plaques throughout the estate, a hundred plus pieces of new street furniture, a hundred plus positive way finding and information signs, greening of public amenities and verges and a new playground in Parsloes Park. All the improvements will be done following full consultation with local residents.

- 2.7 **Bid 5 New Tree Planting on Housing Amenity Land:** the project proposes to increase the number of trees in low tree population areas, specifically on housing amenity greens in and around council housing blocks and green spaces bordering roads. The bid is for £128,000 split between £96,850 to plant 650 trees in year one, followed by £31,200 for watering maintenance of the trees the following year.
- 2.8 **Bid 6 Making LBBB Greener:** LBBB are embarking on a new air quality action plan which focuses on improving air quality within LBBB between 2019-2024. £450,000 CIL is sought to develop a number of projects and initiatives across the borough that focus on improving air quality. These projects include £20,000 for additional air quality monitoring kits, £20,000 for green planting and employing a project officer and environmental protection officer. However, staffing costs cannot be funded from CIL as they are not infrastructure.
- 2.9 **Bid 7 Green Spaces – Tackling Litter and addressing infrastructure issues:** This bid aims to address anti-social behaviour of park users by removing older, smaller dog and litter bins and replacing them with fewer larger containers in more targeted areas and hot spots within the parks. All 205 old litter and dog bins will be removed and replaced with larger shared use units. These larger bins will be located at the entrances and exits, and in high use locations. The CIL funding sought for the rationalisation of all the litter bins in the next 12 months is £96,000.
- 2.10 **Bid 8 Thames Clipper – Jetty to allow for Thames Clipper Extension:** This bid for £600,000 will assist in enabling the development of the required infrastructure and improvement to the existing and currently redundant T jetty to enable use by Thames Clipper river bus services. The required T jetty will support the regeneration of Barking Riverside itself as well as the wider area, including Thames View. It is not part of the s106 obligations on the developer and will allow further development of Barking Riverside for residential and employment use by unlocking an alternative means of access to the area.
- 2.11 **Bid 9 Building a Green Community Infrastructure:** Company Drinks CIC are seeking £117,800 CIL funding for a number of projects across the borough. Company Drinks is a community led social and cultural enterprise which produces drinks with and for local residents. Linking back to the history of east London families going hop picking in Kent, the project invites all members of the community to go picking again and become part of a communal drinks production cycle. In 2017 they moved into a permanent home, the outdoor bowls pavilion in Barking Park, where they are using the building as a community space and have started to secure the outdoor space for community events and a regular growing club. The CIL bid is for £75,300 to refurbish Barking Pavilion, installing accessible WC, multifunctional classroom and sustainable heating system, £6,500 for a mobile tool kit and £36,000 for three annual local food producer markets.
- 2.12 **Bid 10 A Reimagined Eastbury (Orchard):** A Reimagined Eastbury is a project to improve the heritage and environmental value of this Grade 1 listed site. The aims of the project are to better connect the house and south lawn with the rest of the site, commission archaeological research, commission a landscape artist to provide detailed proposal for the south lawn, install a new boundary on the south side and design a detailed planting scheme for the south moat. £114,000 is sought from CIL.

- 2.13 **Bid 11 Greatfields School:** Greatfields Secondary School is being built in the Gascoigne Regeneration Area. The CIL bid is for £2,000,000 to enable the community to use the facilities to the fullest extent. Specifically, money is being sought to provide a multi-use games area (£750,000), enhancements to the sports hall (£750,000) and community access arrangements (£500,000). The funding to build the school has come from ESFA and DFE. The school is under construction and has opened to pupils. The money sought is to enhance the approved facilities and open them to community use.
- 2.14 **Bid 12 Redressing Valance:** This is a large-scale project to improve the heritage and environmental value of this Grade II* listed building. The application is to help fund the first stage of works required, including a new Vision and Masterplan for the grounds to make changes to the historic moat and lake to improve the overall visitor experience. £164,848 is sought from CIL to help fund these works.
- 2.15 **Bid 13 Biodiversity Improvements in Public Parkland:** It is proposed to make new bee meadows across the borough with a focus on increasing plant diversity, wild bee numbers and wildflower interest. £50,000 is sought from CIL, allocated at £20,000 for the first year followed by £10,000 in each of the following years.
- 2.16 **Bid 14 Room on the Broom Sculpture Trail at Eastbrookend Country Park:** £25,000 is sought from CIL to create an interactive sculpture trail based on the children's book "Room on the Broom". The sculptures would be carved by a chainsaw sculptor and would tell the story through sculptures throughout the country park encouraging families to explore and get active in the park.
- 2.17 **Bid 15 Safer Parks, Healthier Communities:** £84,000 CIL is sought to undertake measures to improve safety in parks. This project aims to provide assurance to the public through direct action and various high-profile initiatives to solve agreed safety priorities in the borough's parks and open spaces and reduce anti-social behaviour. The aim is to take measures to be awarded the Green Flag Award scheme for all 28 of the boroughs parks to take action to address key crime and ASB issues. A large part of the bid will be to develop a ParkWatch scheme for all the borough parks.
- 2.18 **Bid 16 Barking and Dagenham Local Football Facility:** The Football Association, the Premier League and Sport England are behind a national initiative to provide direct investment in existing and new football facilities. Local Football Facility Plans guide the allocation of 90% of national funds. The LFFP identifies opportunities to accurately target investment in football facilities across the local area. This bid is to support four of the 12 priority LFFP projects. These are:
- Mayesbrook Park football pavilion
 - Old Dagenham Park football pavilion
 - Valence Park football pavilion
 - Pondfield Park – multi use games park.

The cost of the works is £400,000. £160,000 is sought from CIL to be able to support a bid to the Football Foundation for the remaining £240,000.

- 2.19 **Bid 17 Healthier Safer Woodlands for the Future:** The health, wellbeing and safety of the woodlands within Barking and Dagenham relies on effective management for the woodlands to thrive. A CIL bid of £21,000 is sought (£7,000 a year over 3 years) for management of the woodlands. This would include assessing

the health of trees in the woodlands, removing any branches or trees that may be a danger to public safety

- 2.20 **Bid 18 Greening the Fiddlers:** Greening the Fiddlers is a community led transport, environmental and neighbourhood improvements project focused on reducing dominance of vehicular traffic in Becontree Heath. There are three core priorities to the work – reducing traffic dominance, transforming the public realm and facilitating active / green travel. £1.35 million is required, and £1million has been committed by TfL. £350,000 is sought from the CIL bid. The project has already commenced.

3 Options Appraisal

- 3.1 In June 2019, infrastructure providers were invited to submit projects for Strategic CIL funding. The eighteen projects outlined above were submitted. All projects fell within the criteria for CIL allocation (although some were amended during the process to remove non CIL parts of the bid).
- 3.2 Inclusive Growth officers appraised the 18 projects and scored them against the criteria listed in paragraph 2.1 above, in consultation with the Local Plan Steering Group. The scoring per bid application is provided in appendices 2-19, with the comprehensive comparison table incorporated as Appendix 20. The total amount of CIL funding requested for the top scoring 9 projects is £2,671,789 which is £32,442.16 more than the funding available in July. However, some of this funding is sought to be phased over more than one year. As CIL is received upon commencement of development, and developments that are liable to pay CIL will take place in the next year, the Local Plan Steering Group recommended that the Strategic CIL amounts be allocated to the 9 projects which top scored

Projects Recommended for Approval

- Bid 3 East End Women’s Museum fitting out premises -£250,000
- Bid 8 Barking Riverside Thames Clipper Extension - £600,000
- Bid 16 Barking and Dagenham Local Football Facility - £160,000
- Bid 1 Kingsley Hall refurbishment project - £300,000 –(subject to further discussions to agree how this project can best meet identified social infrastructure needs for local faith communities)
- Bid 7 Tackling litter in parks - £96,000
- Bid 9 Building a Green Community Infrastructure - £117,800
- Bid 4 Becontree Centenary Estate Improvement projects - £774,789 over 3 years
- Bid 2 Box Up Crime refurbishment of premises - £300,000
- Bid 15 Safer Parks, Healthier Communities - £84,000 over 3 years

3.3 Projects Not Recommended for Approval

- Bid 11 Greatfields School - £2,000,000
- Bid 18 Greening the Fiddlers Low Emission Neighbourhood £350,000
- Bid 12 Valance Visitor Attraction - £164,848
- Bid 10 Re-imagined Eastbury Visitor Attraction - £114,000
- Bid 14 Sculpture Trail and Eastbrookend Country Park - £25,000
- Bid 5 Trees on Housing Land - £128,050
- Bid 13 Biodiversity Improvements in Public Parkland - £50,000

- Bid 17 Healthier and Safer Woodlands Eastbrookend Country Park £21,000
- Bid 6 Environmental Improvements and Air Quality - £450,000

3.4 If agreed by Cabinet these 9 successful projects in paragraph 3.2 above will then be incorporated into the annual Capital Programme budget setting cycle, with delivery then monitored through the Capital and Assets Board.

4 Consultation

4.1 Infrastructure providers were invited to submit project funding bids. Consultation will be undertaken on an annual basis with all service and infrastructure providers to develop a list of projects which support the delivery of the targets in the Borough Manifesto and the Vision and Objectives of the Local Plan and the Infrastructure Delivery Plan.

4.2 The proposals in this report were considered and endorsed by the Local Plan Steering Group.

5. Financial Implications

Implications completed by: Katherine Heffernan – Finance Group Manager

5.1 The proposal is to allocate £2,689,789 of currently held Community Infrastructure Levy (CIL) funds as a contribution towards to nine Strategic projects.

5.2 Funding available to make these contributions from CIL totalled £2,639,346.84 in July 2019. CIL is received throughout the year as developments commence. Not all the projects require immediate funding, and some are phased, so it is considered that the £50,442.16 shortfall on the bids of CIL received up to July 2019 could be funded from 2020 CIL for the phased projects

6. Legal Implications

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

6.1 The legislation governing the development, adoption and administration of a Community Infrastructure Levy (CIL) is contained within the Planning Act (2008) and the Community Infrastructure Levy Regulations 2010 (as amended). The associated Government National Planning Policy Guidance is also important in guiding this process. There are other areas of law which should be considered when assessing certain developments for CIL liability and determining the appropriate sum due. These include matters relating to social housing, procurement, charitable institutions and 'state aid'. Further legislative reforms to the CIL regulations are expected shortly as part of a wider review of CIL by government.

6.2 The Community Infrastructure Levy (the levy) is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. The levy is charged on new development. Normally, this requires planning permission from the local planning authority, Levy rates are expressed as pounds per square metre. These figures are applied to the gross internal floorspace of the net additional development liable for the levy.

- 6.3 Local Planning authorities must be able to show and explain how their proposed levy rate (or rates) will contribute towards the implementation of their relevant plan and support development across their area.
- 6.4 As set out in the National Planning Policy Framework in England, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 6.5 The charges are set out in a charging schedule sets out the levy rates for the authority's area. The Schedule is produced on an evidence-based process and subject to consultation and verification by an external examiner and then approved by the full Council (the Assembly). There is an obligation to keep the CIL under review and ensure that the revenue is used to the best effect for which this report is part of the ongoing process.
- 6.6 Under the Equalities Act 2010 the Council has a "public sector equality duty" (PSED). This means that in taking decisions and carrying out its functions it must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act; to advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it; and to foster good relations between persons who share a relevant protected characteristic and those who do not share it. The Council is also required to have due regard to the need to take steps to take account of disabled persons' disabilities even where that involves more favourable treatment; to promote more positive attitudes toward disabled persons; and to encourage participation by disabled persons in public life. The implication is that the CIL bidding process and outcomes must proposed must be structured and the results be analysed within the PSED context, and in due course the recommendations be made with due regard of the duty.

7. Other Implications

7.1 Risk Management –

Risk	Probability	Impact	Priority	Action
That the agreed projects will not be delivered on time and the CIL funds are not spent.	Low	Medium	High	While there is no time limit on CIL spend, if projects are not delivered, the funds can be allocated to alternative projects.

- 7.2 **Corporate Policy and Equality Impact** - The Community Infrastructure Levy is an important source of funding to provide the infrastructure necessary to support the growth identified in the Council's emerging Local Plan (2019-2035) and Borough Manifesto.

- 7.3 **Safeguarding Children** - Projects which improve leisure and park facilities for informal and formal recreation for children, helping promote health and wellbeing as well as making the borough's open spaces safer places to visit.
- 7.4 **Health Issues** - The borough manifesto includes targets to improve healthy life expectancy, physical activity and healthy weight. These health issues all show an inequality, for example, between the most and least affluent in our borough, different age groups and ethnic groups. These projects are welcomed as they promote physical activity and have potential for a reduction in obesity. They can also support giving every child a good start in life, for example through play and increased educational attainment. These impact in turn on a healthy life expectancy. Key to realising these health outcomes in the borough, however, will be ensuring that these facilities are well maintained and accessible to those who need them or they may act to widen inequalities and impact negatively on community cohesion.
- 7.5 **Crime and Disorder Issues** - This funding will help make the borough's parks safer and more welcoming places.
- 7.6 **Community Cohesion issues** – This funding supports a number of community run projects that will bring citizens together in the implementation

8 Update on delivery against 2018 Strategic CIL allocations

- 8.1 At Cabinet in June 2018, three projects were allocated Strategic CIL. £600,000 was allocated for the Parklife project in Parsloes Park, £275,000 was allocated for Children's Play Spaces and Facilities over a period of five years, and £500,000 was allocated for the Parks and Open Spaces Strategy over a period of 5 years.

Progress on these projects is as follows:

- **Parsloes Park Parklife project**
As stated in the 2018 Cabinet report the CIL funding is supporting the delivery of the Parklife initiative and includes the construction of a new state of the art changing pavilion and three full-size artificial grass pitches with flood lighting, as well as a new park hub with toilets, facilities for disabled people, meeting rooms, a gym and dance studio, and a café. Planning permission has been granted and it is anticipated that construction will be completed in autumn 2020 and the new complex open to the public in time for the 2020/21 football season.
- **Children's Play Spaces and Facilities - £275,000 over five years**
As per the original CIL bid and Cabinet report, the funding has been used to deliver a range of play related schemes including high profile play enhancement schemes at Tantony Green (North Meets South Big Local project) and Valence Park (Love Where You Live project). To date around £50,000 has been spent. Planning for further play space and facility initiatives is underway and projects will be delivered over the period 2019/20 – 2022/23.
- **Parks and Open Spaces Strategy 2017 - £500,000 over five years**
Approximately £32,000 has been spent or committed to date on infrastructure related enhancements including park furniture, fencing, hedge laying and signage. Development of a range of park projects is underway and will be delivered over the same four year time period as stated above.

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

List of appendices:

- Appendix 1: Regulation 123 list
- Appendix 2: Kingsley Hall Score Sheet
- Appendix 3: Box Up Crime Score Sheet
- Appendix 4: East End Women's Museum Score Sheet
- Appendix 5: Becontree Centenary Score Sheet
- Appendix 6: Litter Picking Score Sheet
- Appendix 7: Thames Clipper Score Sheet
- Appendix 8: Green Community Infrastructure Score Sheet
- Appendix 9: Safer Parks, Healthier Communities Score Sheet
- Appendix 10: Local Football Facility Score Sheet
- Appendix 11: Trees on Housing Land Score Sheet
- Appendix 12: Environmental Improvements Air Quality Score Sheet
- Appendix 13: Re-imagined Eastbury Score Sheet
- Appendix 14: Greatfields School Score Sheet
- Appendix 15: Valance Visitor Centre Score Sheet
- Appendix 16: Biodiversity in public parkland Score Sheet
- Appendix 17: Sculpture Park in Eastbrookend Country Park Score Sheet
- Appendix 18: Healthier and Safer Woodlands Score Sheet
- Appendix 19: Greening the Fiddlers Score Sheet
- Appendix 20: CIL Bids ranked in order from Score Sheets

This page is intentionally left blank

Regulation 123 List (October 2014)

Regulation 123 of the Community Infrastructure Levy Regulations provides for charging authorities to set out a list of those projects or types of infrastructure that it intends to fund through the levy.

When a charging authority introduces the Community Infrastructure Levy (CIL), section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a regulation 123 list.

For transparency, the Council will publish guidance on how S106 and CIL will operate together so that it is clear how double dipping will be avoided. It will look to incorporate this into its Local Plan at the first opportunity.

The Council's regulation 123 list includes a number of generic items. To avoid double dipping Section 106 will only be sought for site-specific items where this is necessary to make the development acceptable in planning terms for example:

- Affordable housing
- Local labour and local supplier contracts
- New bus connections or services and cycle/pedestrian routes and connections through the development
- Local junction / highways improvements and access into the site
- On-site greenspace and public realm improvements
- On-site drainage and flooding solutions
- On site sustainable energy requirements

The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL. The order of the list does not imply any preference or priority.

Regulation 59 of the Community Infrastructure Levy (Amendment) Regulations 2013 requires the Council to pass 15% of its CIL receipts to the local area capped at £100 per dwelling (plus index linking). Since there are no parish or community Councils in Barking and Dagenham then the Council retains this element of the CIL receipts. However the Council is required to engage with the local community to agree how this money should be spent. The regulations make clear that the funds must be used to support the development of areas within the local authority by funding the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that development places on an area.

THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)

This list draws on information in the Council's Infrastructure Plan which sets out the infrastructure needed to deliver the growth set out in the Local Plan up to 2025

CIL will be spent on one or more of the following strategic (non-site specific) infrastructure

- **Education facilities**
- **Transport improvements**
- **Environmental improvements including hard and soft landscaping, green grid and blue ribbon**
- **Sport, leisure, parks and open spaces**
- **Health facilities**
- **Business support facilities**
- **Community safety projects**
- **Community facilities**
- **Flood defences**

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Kingsley Hall The Livewell Centre - £300,000 CIL requested

Chris Kapnisis – Kingsley Hall

Planning permission was given in January 2017 for the comprehensive redevelopment of the Kingsley Hall site, Parsloes Avenue, Dagenham. This bid is to support the implementation of redevelopment works to deliver 1,530m² of new and improved community facilities that have been given planning permission.

Specifically, the bid covers

£75,000 Ground Floor Eden Community Café and Breathe Garden Room

£75,000 1st floor Recreate Fitness / Drama / Dance Theatre

£25,000 2nd floor community roof garden

£50,00 Refurbished sports hall / training kitchen and workshops

£25,000 Installation of new accessible WC and changing rooms

£20,000 New cultural herb / edible garden and micro urban allotments

£30,000 interactive heritage

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Community Facilities

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **8**
Will help achieve the Employment, Skills and Enterprise, Health and Social Care, Community Cohesion and Arts, Culture and Leisure targets
3. Impact from new development that project addresses
Rate from 1-10 **6**
The project will satisfy elements of future demand from development in the wider area by providing more and improved community facilities to serve the whole population in a central location
4. Support from community and stakeholders
Rate from 1-10 **10**
The project is supported by the organisations who use the facility, and a number of funding agencies. The project has also been supported by the council in granting planning permission for the redevelopment

5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **10**

The community centre is open and accessible to all. The project will include providing accessible changing rooms and WC, and increasing projects for older people, children, and all sections of the community. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

The improved buildings will provide accessible facilities for all groups, and allow more programmes to aid disadvantaged citizens, through enterprise and skills workshops, meeting rooms and opportunities from those suffering from isolation and loneliness

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **10**
Total Project Cost £3,150,380
Amount of CIL requested £300,000 (9.5% of total project cost)

GLA Greater Growth Fund	£1,500,00
Big Lottery Reaching Communities	£500,000
Laing Family Trusts	£200,00
Lester Trust	£100,000
Garfield Weston Foundation	£75,000
Hobson Charity	£50,000
Kingsley Hall Centre	£100,000
Others	£6,800

Together, Kingsley Hall and Liveability have raised around £2,531,800 towards the redevelopment, leaving a funding gap of £618,500. CIL would represent almost half the remaining funding gap, and the remainder would come from other bids and public fundraising

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

The project will result in reduced revenue costs through increased energy efficiency and reduced maintenance and repair costs. Expanded community operations will unlock further revenue

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

The project sponsor is Tamara Horbacka, Cultural Policy and Commissioning Manager, LBBD. The works to deliver the whole project have been planned in phases to cause minimal disruption to the existing users. The detailed project delivery plan is included in the application

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks are well managed, with input from GLA regeneration team and Liveability financial expertise. Funding shortfall is amber on the risk register, and would be substantially reduced if the CIL funding could be secured

10. Strength of Monitoring Regime

Rate from 1-10 **8**

The aim of evaluation is continual improvement of community services, responsiveness to local need (especially around business and training opportunities for young people) and a long term approach to monitoring. Important milestones are

Young people – providing training opportunities, space to learn, and to support to avoid local crime and gang culture

Families – building strong networks and spaces for families to engage, reducing isolation and improving skills

Employment – building partners / projects to increase skills / employment options eg SME's, training kitchen etc

Growing as a hub for local business-impact of increased space, on number and quality of partners

Total Score 80/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Box Up Crime – refurbishing pavilion in Leys Park - £300,000 CIL requested

Andrew Carr on behalf of Stephen Addison Box Up Crime

This project is to refurbish the pavilion in Leys Park to make it fit for purpose as a boxing gym and centre for mentoring young people and giving them a purpose. It will create separate male and female changing rooms, and accessible WC and showers

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Community Facilities; Community Safety Project; Sport, leisure, parks and open spaces

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **10**

Will help achieve the Employment, Skills and Enterprise; Health and Social Care; Community Cohesion; Crime and Safety; Fairness; and Arts Culture and Leisure targets

3. Impact from new development that project addresses

Rate from 1-10 **6**

The project will satisfy elements of future demand from development in the wider area by providing improved community facilities to serve the youth population in a central location

4. Support from community and stakeholders

Rate from 1-10 **10**

The project is supported by the organisations who use the facility, and a number of funding agencies. The project has also been supported by the council in granting the lease and the premises

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **10**

The centre will be open and accessible to all youth. The project will include providing accessible changing rooms, showers and WC, and increasing projects for youth from all sections of the community. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

The improved buildings will provide accessible facilities for all youth, and allow more programmes to aid disadvantaged young people, through mentoring, activities and opportunities from those suffering from isolation and loneliness, to break them away from crime and give them a purpose in life

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependant on the match funding being confirmed

Rate from 1-10 **0**

There is no match funding. The council have granted the lease of the premises, and the organisation bidding for CIL to fit it out and bring it up to standard

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

The project will result in reduced revenue costs for the council, who will no longer have to maintain the building. Expanded community operations will unlock further revenue

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

The organisation would use the council to be the sponsor and deliver the works

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would be well managed, as it would be the council doing the work on the building

10. Strength of Monitoring Regime

Rate from 1-10 **8**

It is difficult to quantify, as the project is about changing the life circumstances of young people. By having a fully functioning centre the ambition is that they would be able to guide and mentor many more young people within the borough

Total Score 70/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

East End Women’s Museum – £250,000 CIL requested

Rachel Crossley, Museum Director

The East End Women’s Museum project has been granted a lease on a ground floor unit of the new residential development of Abbey Retail Park (south). The CIL bid is to fit out the premises as a museum, dedicated to women’s histories and voices

Section 2

1. Does this project support the delivery of infrastructure identified on the Council’s Regulation 123 list? If no, project will not be supported

Yes Community Facilities; Education;

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **10**
Will help achieve the Employment, Skills and Enterprise; Education; Community Cohesion; Crime and Safety; Fairness; and Arts Culture and Leisure
3. Impact from new development that project addresses
Rate from 1-10 **10**
The project will directly provide a community and education facility within a new development.
4. Support from community and stakeholders
Rate from 1-10 **10**
The project is supported by the organisations who use the expertise on offer, and a number of funding agencies. The project has also been supported by the council in granting the lease and the premises
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **10**
The EEWM has inclusion and representation at its heart. It will ensure that those who are traditionally marginalised have a voice. This includes women of colour, women with disabilities, lesbian and bi women, trans women, working class women and older women. The aim is to create a space where everyone feels welcome, including men and boys. The site will be fully physically accessible, and free to enter for LBBB residents. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependant on the match funding being confirmed

Rate from 1-10 **8**

Funding is being sought from the National Lottery Heritage fund (£100,000), other trusts and foundations (£170,000) , corporate giving (£30,000) and crowd funding (£50,000). The fit out will cost £596,568, and CIL is requested for £250,000 (40% of the cost)

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

The project will unlock income generating opportunities, from earned income, individual giving, corporate giving and trusts and foundations

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

The project sponsor is Tamara Horbacka, Cultural Policy and Commissioning Officer of LBBD. The design phase would begin in January 2020, with handover from the developer in April 2021 and opening in September 2021

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would be well managed, through the experienced staff and Board team. The main risk is insufficient funding

10. Strength of Monitoring Regime

Rate from 1-10 **10**

Success will be monitored in a number of ways. Audience feedback will be collected through exit surveys and focus groups, 4000 residents of the Abbey Retail Park will be surveyed, and they will tap in to borough wide surveys about satisfaction with the local area, educational attainment, arts participation and health and wellbeing.

Total Score 84/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Becontree Centenary - £774,789 CIL requested

Hadrian Garrard, Create London

6 projects are proposed as part of this bid to work to restore the character of the Becontree Estate over the next 20 years, as set out in the Better Placed Becontree 2040 Strategy. Specifically, the bid covers

£69,638 desire line lighting pathway through Parsloes Park

£55,154 30 commemorative plaques throughout the estate

£190,160 100 x site specific street furniture

£84,525 100 x positive way finding and information signs

£203,651 greening public amenities and verges

£171,661 new playground in Parsloes Park

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, leisure, parks and open spaces, Community Safety projects; Community facilities

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **10**

Will help achieve the Regeneration; Education; Community Cohesion; Environment; Crime and Safety; and Arts Culture and Leisure

3. Impact from new development that project addresses

Rate from 1-10 **4**

The project will improve the environment throughout the Becontree Estate, improving and upgrading access and facilities for existing and new borough residents, and generate civic pride

4. Support from community and stakeholders

Rate from 1-10 **10**

Create London has been working with the local community at the White House for the last 4 years over which time they have built a relationship with residents. The Becontree Group has been formed for the community to be instrumental in shaping the public programme. There has also been extensive discussion with

the Parks Team and Culture Team to help identify areas for public realm improvements

5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **8**

The Becontree Estate is home to a large number of social housing tenants as well as a rising number of private renters and owners. The population of the estate has become considerably more ethnically diverse with growth in representation from people with Black African, Black Caribbean, Bangladeshi, Indian and Pakistani heritage. 18.5% of residents don't have English as their first language. The aim of the projects would not be to influence popular taste, but would instead aim to foster a culture of co-design of shared spaces. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **8**

Funding of £74,700 has been granted from the National Lottery Heritage fund, and a bid will be made for £373,300 for the Stage 2 bid in November 2019

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **6**

By inviting residents to have a say and take part in the transformation of the estate, the project will contribute to creating a new civic culture which would reduce revenue costs of ongoing maintenance by citizen protection of the projects. Projects that evolve with the community are less likely to require high ongoing maintenance and repair.

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

Create London have proven that they deliver projects. They will lead on production and delivery, working with LBBD

9. Risk Management and Constraints
Rate from 1-10 (severe to mild) **8**

Risks would be well managed, through the experienced staff and Board team.
Working closely with LBBD stakeholders and local residents

10. Strength of Monitoring Regime

Rate from 1-10 **10**

Success will be monitored in a number of ways. Evaluation will be embedded throughout the project, by collecting feedback and monitoring attendees, reach and project quality

Total Score 74/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

New Tree Planting on Housing Amenity Land – £128,050 CIL requested

Colin Richardson, LBBD Parks and Environment

The proposal is to increase the number of trees in low tree population areas, specifically on housing amenity greens in and around council tenancy blocks and green spaces bordering roads. The bid is for £128,000 split in to £96,850 to plant 650 trees in year one, followed by £31,200 for watering maintenance of the trees the following year

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements including hard and soft landscaping;
Sports, Leisure, parks and open spaces;

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **2**
Environment

3. Impact from new development that project addresses

Rate from 1-10 **2**

The project will not directly address the impact of new development, as it would be located in areas of existing development. However, more tree planting would offset carbon emissions, and this indirectly responds to development

4. Support from community and stakeholders

Rate from 1-10 **4**

Whilst there is no direct input from the community for tree planting in these areas, there is general support for planting more trees, such as from the GLA, and the Trees for Cities and Arbor Day Foundation

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **2**

Tree planting would have no direct impact on cohesion and equalities groups, although there would be indirect impact from the shared environmental goal of improving the environment

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **0**

No match funding is identified. However, there may be funding for tree funding from other sources, such as the GLA

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **4**

£31,200 of the bid would be for maintenance of the trees in the year following planting. Following that, the maintenance would be limited, and pruning limited because the trees would be planted in the Right Tree Right Place practice

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **4**

The project sponsor is Paul Clark, Head of Parks and Environment of LBBD. The planting would begin in October 2019, in the autumn winter period going through to February 2020. The delivery project will be managed by Colin Richardson. With funding unlikely to be decided until mid October 2019, it is unlikely that this project can be delivered in full in the winter planting period of 2019-20

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **4**

There are risks that the number of trees cannot be planned and purchased and planted within the projected timescale. There are then risks that a proportion of the trees may die or be vandalised

10. Strength of Monitoring Regime

Rate from 1-10 **8**

Monitoring of the success of the project will be through inspections of the trees to confirm that the correct trees have been planted in the correct places and that they can survive

Total Score 35/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Making LBBD Greener – £450,000 CIL requested

Gary Jones, LBBD

CIL is sought to develop a number of projects and initiatives across the borough that focus on improving air quality. These projects include £20,000 for additional air quality monitoring kits, £20,000 for green planting and employing a project officer and environmental protection officer

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; However, it must be noted that the proposal for staffing cannot be supported by CIL

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **2**

Will help achieve the Environment target

3. Impact from new development that project addresses

Rate from 1-10 **8**

The project will monitor air quality throughout the borough, particularly the air quality management plan areas. The funding would allow a concentration of air quality monitoring in the areas subject to development pressures

4. Support from community and stakeholders

Rate from 1-10 **2**

Air quality is high on the political and public agenda, although there is no direct community involvement in the project.

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **0**

Air quality affects all residents, and this project would not specifically have an impact on one group above another

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependant on the match funding being confirmed

Rate from 1-10 **0**

No match funding has been identified

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **0**

A substantial part of the bid is for staffing costs, which cannot be supported from CIL funding.

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **0**

The air quality action plan will be launched in January 2020. There is no direct delivery plan for the project. It is proposed that a dedicated project officer be employed from the funding, to carry the project through. However, staffing cannot be supported through CIL

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **0**

No risk management has been provided

10. Strength of Monitoring Regime

Rate from 1-10 **8**

There will be regular monitoring of air quality through the new air monitoring stations

Total Score 20/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Green Spaces -Tackling Litter and addressing infrastructure issues £96,000 CIL requested

Paul Clark, LBBD

The project is to remove all the old dog and litter bins (205) in the council parks, and replace them with larger, dual use units and locate these at entrances and exits, and in high use areas.

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, leisure, parks and open spaces, Community Safety projects;

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **10**
Will help achieve the Regeneration; Community Cohesion; Environment; Crime and Safety; and Arts Culture and Leisure
3. Impact from new development that project addresses
Rate from 1-10 **10**
New development will increase the number of people living in the borough and high-density housing with limited on site amenity space will intensify the use of the public parks in the borough. The project will improve the environment throughout all the parks, reducing tipping and fly tipping, and health hazards from waste being dumped on the ground. It will improve the park facilities for existing and new borough residents, and generate civic pride
4. Support from community and stakeholders
Rate from 1-10 **8**
In the Parks and Open Spaces Strategy 2017, the consultations revealed that cleanliness, safety and the quality of the facilities for parents and children in parks were identified as the most important issues affecting enjoyment and use of parks and open spaces
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **8**
Making the parks cleaner and more attractive will increase their attractiveness to all residents of the borough. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependant on the match funding being confirmed

Rate from 1-10 **4**

The total project cost is £116,800, so CIL is being sought for just over 80% of the total cost

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

Advertisements on the bins will generate income. Revenue costs of the service should be reduced by collection of refuse being more efficient, and not scattered throughout the parks. Projects that evolve with the community are less likely to require high ongoing maintenance and repair.

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

The delivery strategy is planned to be for immediate delivery once funding is allocated

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would be well managed, through the experienced staff of LBBD

10. Strength of Monitoring Regime

Rate from 1-10 **6**

Monitoring will be through collection times, and reports of waste being scattered in the parks.

Total Score 80/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Thames Clipper extension £600,000 CIL requested

David Watkinson, Barking Riverside

The proposal will assist in enabling the development of the required infrastructure and improvement to the existing and currently redundant T jetty to enable use by Thames Clipper river bus services. The required T jetty will support the regeneration of the wider Opportunity Area and enable Creekmouth and Thames View

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Transport Improvements, Environmental Improvements; Sport, leisure, parks and open spaces;

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **10**

Will help achieve the Employment, Skills, Enterprise; Housing; Regeneration; Community Cohesion; Environment;

3. Impact from new development that project addresses

Rate from 1-10 **10**

This project will directly address development. It will allow infrastructure to be provided to unlock an additional form of access to Barking Riverside. This will remove a barrier to allow the housing and employment opportunities to be developed

4. Support from community and stakeholders

Rate from 1-10 **8**

Community engagement has shown a desire for residents of the area to have an increased access to the river and the Thames Clipper will provide a meaningful purpose to the river

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **8**

The proposal will open access to the river for all, and provide an additional means of transport for residents to access employment

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **10**

The total project cost is £3,000,000 so CIL is being sought for 20% of the total cost

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

Barking Riverside Ltd, and thereafter the CIC will be responsible for ongoing maintenance of the infrastructure needed to access the river bus services. The riverbus service will operate commercially and not need further council funding

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

BRL will be responsible for managing and monitoring the installation of required infrastructure. BRL will report progress updates to the Barking Riverside Steering Group. The Steering Group comprises of BRL and stakeholders from LBBD, Be First, Transport for London and an independent chair.

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

There would be minimal risk to project delivery, other than delays in securing planning consents and general construction risks

10. Strength of Monitoring Regime

Rate from 1-10 **8**

Monitoring will be through the BRL steering group

Total Score 82/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Building a green community infrastructure £117,800 CIL requested

Kathrin Bohm, Company Drinks CIC

The CIL bid is for £75,300 to refurbish Barking Pavilion, installing accessible WC, multifunctional classroom and sustainable heating system, £6,500 for a mobile tool kit and £36,000 for 3 annual local food producer markets

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Education facilities, Environmental Improvements; Sport, leisure, parks and open spaces; Community Facilities

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **10**

Will help achieve the Employment, Skills, Enterprise; Health and Social Care; Community Cohesion; Environment; Arts, Culture, Leisure

3. Impact from new development that project addresses

Rate from 1-10 **6**

This project will provide a new community facility in Barking Park, close to areas of regeneration and development, that will be accessible to existing residents and all new residents in the development. This will offset the minimal amenity space of the new high-density development.

4. Support from community and stakeholders

Rate from 1-10 **10**

Community engagement is ongoing with participants. Demand and need for activities from LBBB partners and schools to run workshops, requests to replicate the Grow Club model elsewhere in the borough with community groups

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **10**

All Company Drinks activities are accessible, open to all ages, and free to participate in. Projects reduce social isolation and encourage intergenerational working. The weekly Grow Club was set up to invite referrals from Vocational Support services and focuses on health and wellbeing, in particular for those needing mental health support

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependant on the match funding being confirmed

Rate from 1-10 **10**

£18,000 funding has been confirmed from Welcome Trust, £18,000 from Parks and Ranger service, £9000 from Big Lottery Community fund and the project is expected to generate income if £24,000 from sales. £72,000 is being sought from the National Lottery Community Fund / Reaching Communities

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **8**

Income can be generated from outsourced services for raining, income from venue hire, sales of produce, working with clients to commission workshops throughout London

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **8**

The project is sponsored by Tamara Horbacka, Cultural Policy and Commissioning Officer. Delivery of the pavilion refurbishment is programmed to commence in year one, and complete and open in year 2.

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would be from delays with contractors, additional building work identified, time taken for additional training of participants

10. Strength of Monitoring Regime

Rate from 1-10 **8**

There would be pre-agreed measures of success or failure with partners, consultation with participants, continuous reporting and data collection, annual reviews, self-sufficiency and sustainability of groups at the end of year 3.

Total Score 78/90

Appendix 11

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

A Reimagined Eastbury (Orchard) – £114,000 CIL requested

Lisa Rigg, Heritage Properties Manager

The aims of the project are to better connect the Grade 1 listed house and south lawn with the rest of the site, commission archaeological research, commission a landscape artist to provide detailed proposal for the south lawn, install a new boundary on the south side and design a detailed planting scheme for the south moat.

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements;

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **4**
Will help achieve the Environment; and Arts, Culture and Leisure targets
3. Impact from new development that project addresses
Rate from 1-10 **2**
The project will improve the historic environment at the house and gardens, improving facilities for existing and new borough residents, and generate civic pride
4. Support from community and stakeholders
Rate from 1-10 **4**
Surveys have been undertaken of visitors
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **4**

The project will make the south lawn more accessible for those with disabilities. The redesign of the south lawn will attract resident's attention and be an opportunity for residents to be involved in the planting and maintenance of the orchard

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed
Rate from 1-10 **6**
£87,000 funding from LBBD capital projects has been approved, as has £6000 from LBBD Ranger service

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **6**

The orchard maintenance will be undertaken by volunteers and costs will come from existing maintenance budgets

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **6**

The delivery plan will be worked up once the funding amount has been finalised. The project will be managed by Lisa Rigg, Heritage Property manager of LBBD, assisted by Gareth Winn (LBBD Ranger Service) and Carolin Gohler (National Trust).

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **6**

Risks are reputational if the works are not done in a way to conserve and better protect the heritage and environmental value of the site.

10. Strength of Monitoring Regime

Rate from 1-10 **10**

There will be regular steering group meetings, quarterly reports, visitor numbers on site will be monitored, incidents of antisocial behaviour logged, income and visitor performance review

Total Score 48/90

Section 1 – Applicant Information

Greatfields School – £2,000,000 CIL requested

Jane Hargreaves, LBBD

Greatfields Secondary School is being built in the Gascoigne Regeneration Area. The CIL bid is being made for £2,000,000 funding to enable the community to use the facilities to the fullest extent. Specifically, money is being sought to provide a MUGA (£750,000), enhancements to the sports hall (£750,000) and community access arrangements (£500,000)

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Community Facilities; Education;

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **10**
Will help achieve the Employment, Skills and Enterprise; Education; Regeneration; Community Cohesion; and Arts Culture and Leisure
3. Impact from new development that project addresses
Rate from 1-10 **10**
The school is being built to directly address school place provision as a result of regeneration and development.
4. Support from community and stakeholders
Rate from 1-10 **2**
There is support for a school in this location, and this was borne out during the consultation process for the free school. However, the school is being funded by ESFA.
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **2**
The school will be fully accessible, as required as a new school.

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed
Rate from 1-10 **8**
£40 million funding has been provided for the school itself from the ESFA. The funding being sought is for additional facilities for the school. £4 million has been provided from DfE Basic Needs funding.

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **10**

CIL would not be required for maintenance costs. Any maintenance would come from the schools budget. Income would be generated from letting the sports facilities and community rooms

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **8**

The project sponsor is Jane Hargreaves, Commissioning Director of Education of of LBBD. Phase 1 was delivered in January 2018, Phase 2a was completed in August 2019, and Phase 2b is programmed to be completed in May 2021. The project would be managed by Be First

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would come from the construction project. Existing risks already identified are disconnection and re-routing of existing services, which was not identified until construction was under way. Construction risks for the buildings would be managed by the Local Education Partnership.

10. Strength of Monitoring Regime

Rate from 1-10 **6**

The success of the project in terms of construction is monitored by Be First. Quality of teaching is monitored by Ofsted, but there are no proposals submitted as to how the success of the upgraded sports facilities and leasing rooms to the community would be measured.

Total Score 64/90

Appendix 13

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Redressing Valance - – £164,848 CIL requested

Lisa Rigg, Heritage Properties Manager

This is a large-scale project to improve the heritage and environmental value and historic setting of this Grade II* listed building. The application is to help fund the first stage of works required, including a new Vision and Masterplan for the grounds to make changes to the historic moat and lake to improve the overall visitor experience.

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported
Yes Environmental Improvements;

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **4**
Will help achieve the Environment; and Arts, Culture and Leisure targets
3. Impact from new development that project addresses
Rate from 1-10 **2**
The project will improve the historic environment at the house and gardens, improving facilities for existing and new borough residents, and generate civic pride
4. Support from community and stakeholders
Rate from 1-10 **4**
Surveys have been undertaken of visitors, and specific visitor groups
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **4**

The project will make the northern and southern moats more accessible for those with disabilities and assess important health and safety concerns. There is currently anti-social behaviour on the site affecting community cohesion, and upgrading the moat will seek to address this to improve the visitor experience

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed
Rate from 1-10 **6**
The total cost of Stage 1 of the project is £229,848, and £164,848 CIL is sought. £65,000 funding from LBBB capital projects has been approved for Stage 1, and £315,000 from LBBB Capital Funding for Stages 2 and 3. Up to £3 million could be bid for from National Lottery Heritage Fund.

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **6**

The orchard maintenance will be undertaken by volunteers and costs will come from existing maintenance budgets

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **6**

The delivery plan will be worked up once the funding amount has been finalised. The project will be managed by Lisa Rigg, Heritage Property Manager of LBBD, and Andy Johnson (LBBD Lead Commissioner - Parks)

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **6**

Risks are reputational if the works are not done in a way to conserve and better protect the heritage and environmental value of the site.

10. Strength of Monitoring Regime

Rate from 1-10 **10**

There will be regular steering group meetings, quarterly reports, visitor numbers on site will be monitored, incidents of anti-social behaviour logged, income and visitor performance review

Total Score 50/90

Appendix 14

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Biodiversity Improvements in Public Parkland – £50,000 CIL requested

Ichettira Chengappa, LBBD Leisure, Parks and Heritage

The proposal is to make new bee meadows across the borough with a focus on increasing plant diversity, wild bee numbers and wildflower interest. £50,000 is sought from CIL, allocated at £20,000 for the first year followed by £10,000 in each of the following years.

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, Leisure, Parks and Open Spaces

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **2**

Will help achieve the Environment target

3. Impact from new development that project addresses

Rate from 1-10 **2**

The project will provide improvements to habitat and ecology of the area, to offset any loss of open space and habitat from development

4. Support from community and stakeholders

Rate from 1-10 **4**

The Parks and Open Spaces Strategy 2017 showed extensive community support for parks, with higher attention to be paid to wildlife and the natural environment.

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **4**

The schemes will provide additional outdoor activities and opportunities for volunteer groups of all kinds, which will improve community cohesion generally

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **0**

No match funding exists

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it

intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **4**

There may be maintenance costs, but these would be absorbed into the Parks and Environment budget, and they would manage this along with other changes to the parks

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **6**

It is planned that the work would be carried out by March 2021. Further progress would then be staged, depending on the success of the initial scheme

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **6**

Minor delivery and reputational risks from changing management practices in some parks.

10. Strength of Monitoring Regime

Rate from 1-10 **2**

To be carried out by Parks Commissioning

Total Score 30/90

Appendix 15

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Room on the Broom Sculpture Trail, Eastbrookend Country Park – £25,000 CIL requested

Andy Johnson, LBB Leisure, Parks and Heritage

£25,000 is sought from CIL to create an interactive sculpture trail based on the children's book "Room on the Broom". The sculptures would be carved by a chainsaw sculptor and would tell the story through sculptures throughout the country park encouraging families to explore and get active in the park

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, Leisure, Parks and Open Spaces,

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **4**

Will help achieve the Environment, and Arts, Culture and Leisure targets

3. Impact from new development that project addresses

Rate from 1-10 **2**

New developments at high density will increase the demand for leisure and use of open spaces. This will add an attraction to an existing park.

4. Support from community and stakeholders

Rate from 1-10 **6**

The idea of the Sculpture Park came from consultations with the Friends of Eastbrookend Country Park

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **6**

The Sculpture Trail would be free to use and would be open to all irrespective of gender, age, ethnic background or religion.

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **2**

The project costs £30,000 and there is £5,000 funding from Freedom Group to be used on projects at Eastbrookend Park.

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it

intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **6**

The route of the Sculpture Trail is already under grounds maintenance of the park, and any repairs would come out of existing Country Pak revenue budgets

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **6**

The project will be managed by the Ranger Service. The sculptures would need to be commissioned and agreed, signage installed and the sculptures installed prior to opening

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

There are no foreseeable risks.

10. Strength of Monitoring Regime

Rate from 1-10 **6**

The number of visits to the park will be monitored for the country park 6 months before the installation and again 6 months after to quantify the difference in footfall

Total Score 46/90

Section 1 – Applicant Information

Safer Parks, Healthier Communities - – £84,000 CIL requested

Andy Johnson, LBBD Leisure, Parks and Heritage

£84,000 CIL is sought to undertake measures to improve safety in parks. This project aims to provide assurance to the public through direct action and various high profile initiatives to solve agreed safety priorities in the boroughs parks and open spaces, and reduce anti-social behaviour. The aim is to take measures to be awarded the Green Flag Award scheme for all 28 of the boroughs parks to take action to address key crime and ASB issues. A large part of the bid will be to develop a ParkWatch scheme for all the borough parks

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, Leisure, Parks and Open Spaces, Community Safety Projects

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **8**
Will help achieve the Community Cohesion, Environment, Crime and Safety, Arts, Culture and Leisure target
3. Impact from new development that project addresses
Rate from 1-10 **8**
New developments at high density will increase the demand for leisure and use of open spaces. To address the higher levels of use, the project will make people feel safer using the parks.
4. Support from community and stakeholders
Rate from 1-10 **8**
The Parks and Open Spaces Study 2017 was preceded by a detailed consultation and engagement process. Less than 50% of respondents considered the parks in Barking to be good, so improvements to parks will address the views of the community
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **8**
The parks are free to use for all members of the community. Fear of crime will prevent some groups from using parks, so this project will address this to encourage wider use and community cohesion.

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **2**

The project costs £84,000 and there is no match funding identified.

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **8**

There would be no additional revenue impacts resulting in this initiative. Any related costs would be offset by savings in reduced vandalism and ASB, Safer parks could unlock further income generation opportunities in parks

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **8**

Delivery will be managed by Parks Commissioning and in co-ordination with Parks and Environment over a 3-year period in accordance with the delivery plan. The aim will be to achieve several quick wins to build public confidence, and to engage with residents and partners to identify the key areas for action

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

There are a number of risks if this project isn't implemented. These would be reputational, risks to community cohesion, economic and health risks from increased vandalism and damage to play equipment in parks.

10. Strength of Monitoring Regime

Rate from 1-10 **8**

The annual residents survey will monitor the perception of safety in parks felt by all residents across the borough. Award of Green Flag accreditation will also be a measure of success to be monitored against

Total Score 66/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Barking and Dagenham Local Football Facility Plan (LFFP) – £160,000 CIL requested

Andy Johnson, LBBD Leisure, Parks and Heritage

The Football Association, the Premier League and Sport England are behind a national initiative to provide direct investment in existing and new football facilities. Local Football Facility Plans guide the allocation of 90% of national funds. The LFFP identifies opportunities to accurately target investment in to football facilities across the local area. This bid is to support 4 of the 12 priority LFFP projects. These are

- Mayesbrook Park football pavilion
- Old Dagenham Park football pavilion
- Valence Park football pavilion
- Pondfield Park – multi use games park.

The cost of the works is £400,000. £160,000 is sought from CIL to be able to support a bid to the football foundation for the remaining £240,000

Section 2

11. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Sport, leisure, parks and open spaces, Community facilities

Section 3

12. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **10**

Will help achieve the Community Cohesion; Environment; Health and Social Care; Crime and Safety; and Arts Culture and Leisure targets

13. Impact from new development that project addresses

Rate from 1-10 **8**

The project will improve the football facilities in 4 parks, to provide more active opportunities for the new residents coming into the borough from new development

14. Support from community and stakeholders

Rate from 1-10 **10**

The LFFP was prepared with support from partners including LBBD, Dagenham and Redbridge Community Foundation, Football Foundation, West Ham United Foundation, Essex FA, Sport England

15. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **8**

Parks are free to use and diverse, they are open to all irrespective of age, gender, ethnic background or religion. Upgrades to facilities will improve access for changing facilities for women footballers, and those with disabilities

Section 4

16. How much match funding does the project have or unlock? If CIL is being used to unlock match funding eg through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **10**

The cost of the project is £400,00, and a bid will be made to the Football Foundation for £240,000. This bid will only stand a chance of success if it is part funded, with CIL making u £160,000

17. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **8**

Improvements to the facilities will increase the potential for hire of these facilities, and therefore income generation.

Section 5

18. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **10**

The delivery strategy will be in accordance of the specifications of the Football Foundation

19. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

There is risk to reputation if the pavilions are not upgraded and the facilities are not fit for purpose. Without investment, the facilities may have to close if they are not safe for public use

20. Strength of Monitoring Regime

Rate from 1-10 **10**

Success will be monitored in a number of ways. Evaluation will be embedded throughout the project, by collecting feedback and monitoring attendees, reach and project quality

Total Score 82/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Safe Woodlands – £21,000 CIL requested

Andy Johnson, LBBD Leisure, Parks and Heritage

The health, wellbeing and safety of the woodlands within Barking and Dagenham relies on effective management for the woodlands to thrive. A CIL bid of £21,000 is sought, (£7,000 a year over 3 years) for management of the woodlands

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements including hard and soft landscaping; Sports, Leisure, parks and open spaces;

Section 3

2. Impact of project on delivering Borough Manifesto targets.

Rate from 1-10 **2**

Will help address the Environment target

3. Impact from new development that project addresses

Rate from 1-10 **0**

The project will not address the impact of new development

4. Support from community and stakeholders

Rate from 1-10 **4**

The Friends of Eastbrookend Country Park have full support of the project, as well as the support of the Parks and Environment and the Councils' Tree Officer

5. Impact on cohesion and equalities groups with protected characteristics

Rate from 1-10 **4**

Tree maintenance would have no direct impact on cohesion and equalities groups, although there would be indirect impact from the shared environmental goal of improving the environment

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **2**

£3000 match funding is identified from Land of the Fanns, to be used to train staff and volunteers to manage the woodlands. There is no revenue budget for tree maintenance

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **4**

Most of the CIL budget would be used for maintenance or operational costs

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery regarding the growth impacts the project is meant to be addressing

Rate from 1-10 **6**

The project sponsor is Andy Johnson, LBBD Leisure, Parks and Heritage. The Parks and Countryside Ranger Service would manage the project

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **4**

There are risks of reputational damage if the trees are not managed correctly and this may incur additional costs of repairs, maintenance, insurance claims etc

10. Strength of Monitoring Regime

Rate from 1-10 **4**

Monitoring of the success of the project will be through inspections of the trees to remove health and safety hazards

Total Score 26/90

Strategic CIL Project Appraisal Scoring Criteria

Section 1 – Applicant Information

Greening the Fiddlers – £350,000 CIL requested

Tim Martin, BeFirst

Greening the Fiddlers is a community led transport, environmental and neighbourhood improvements project focused on reducing dominance of vehicular traffic in Becontree Heath. There are 3 core priorities to the work – reducing traffic dominance, transforming the public realm and facilitating active / green travel. £1.35 million is required, and £1million has been committed by TfL. £350,000 is sought from the CIL bid. The project has already commenced

Section 2

1. Does this project support the delivery of infrastructure identified on the Council's Regulation 123 list? If no, project will not be supported

Yes Environmental Improvements; Transport Improvements

Section 3

2. Impact of project on delivering Borough Manifesto targets.
Rate from 1-10 **6**
Will help achieve the Health and Social Care; Environment; Crime and Safety
3. Impact from new development that project addresses
Rate from 1-10 **6**
The borough is subject to growth, with 50,000 new homes targeted for development. This increase in numbers of people living and working in the borough may increase pressure on local roads. This project will indirectly address issues of increased traffic around this junction
4. Support from community and stakeholders
Rate from 1-10 **8**
Some initial public engagement was undertaken in June 2018 which identified issues with transport and air quality in the area. There is financial support for the project from Transport for London
5. Impact on cohesion and equalities groups with protected characteristics
Rate from 1-10 **4**
The overall impact of the project will benefit all groups of society. The investment will help address the needs of those with protected characteristics under the Public Sector Equality duty

Section 4

6. How much match funding does the project have or unlock? If CIL is being used to unlock match funding e.g. through a bid, CIL contribution will be dependent on the match funding being confirmed

Rate from 1-10 **6**

Total project cost of £1.35 million. Funding of £1million has been confirmed from TfL over years 2 and 3, and the project has begun as it has been funded.

7. The revenue impacts and what if any CIL is needed for maintenance and / or operational costs; what are the revenue impacts of the project and how is it intended that this is funded? Is any CIL funding required for maintenance or operational costs?

Rate from 1-10 **6**

If there are any revenue impacts, they will be picked up in the existing highways maintenance budget.

Section 5

8. The robustness of the delivery strategy including how will the project be delivered and the timetable for delivery with regard to the growth impacts the project is meant to be addressing

Rate from 1-10 **8**

The works have already commenced. A project delivery team are already in place to oversee delivery of the project. There will be monthly updates to the steering group and quarterly meetings with the GLA and TfL to report on progress

9. Risk Management and Constraints

Rate from 1-10 (severe to mild) **8**

Risks would be well managed, through the risk register. Delays could occur through cost overruns or lack of community buy in

10. Strength of Monitoring Regime

Rate from 1-10 **8**

Success will be monitored in a number of ways over a 3-year period. Evaluation will be embedded throughout the project, by collecting feedback and monitoring data on reduction in traffic volumes, and corresponding increase in journeys by public transport, cycling and walking.

Total Score 60/90

Appendix 20

	Bid 3	Bid 8		Bid 1	Bid 7	Bid 9		Bid 2	Bid 15		Bid 18		Bid 14	Bid 5	Bid 13	Bid 17		
	EEW	Thames	Bid 16	Kingsley	Litter	Company	Bid 4	BoxUp	ASB in	Bid 11	Greening	Bid 12	Bid 10	Sculpture	Housing	Biodiver	Tree	Bid 6
	Museum	Clipper	Football	Hall	bins	Drinks	Becontree	Crime	parks	Greatfields	the	Valance	Eastbury	Trail	trees	sity	safety	Air
						CIC					Fiddlers							quality
Does project support delivery of infrastructure on 123 list	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Impact of project on delivering borough manifesto promises	10	10	10	8	10	10	10	10	8	10	6	4	4	4	2	2	2	2
Impact from new development that the project addresses	10	10	8	6	10	6	4	6	8	10	6	2	2	2	2	2	0	8
Support from community and stakeholders	10	8	10	10	8	10	10	10	8	2	8	6	4	6	4	4	4	2
Impacts on cohesion and equalities	10	8	8	10	8	10	8	9	8	2	4	4	4	6	2	4	0	0
How much match funding does the project have or unlock	8	10	10	10	10	10	8	0	2	10	6	6	6	2	4	0	2	0
What are revenue impacts and how will they be funded	8	10	8	9	10	8	6	10	8	8	6	6	6	6	4	4	4	0
Robustness of delivery strategy	10	10	10	10	10	8	10	8	8	8	8	6	6	6	4	6	6	0
Risk management and constraints	8	8	8	8	8	8	8	8	8	8	8	6	6	8	4	6	4	0
Strength of monitoring regime	10	8	10	9	6	8	10	8	8	6	8	10	10	6	8	2	4	8
	84	82	82	80	80	78	74	69	66	64	60	50	48	46	34	30	26	20
Amount of bid	250,000	600,000	160,000	300,000	96,000	117,800	774,789	300,000	84,000	2,000,000	350,000	164,848	114,000	25,000	128,000	50,000	21,000	450,000

This page is intentionally left blank

CABINET**15 October 2019**

Title: Reside – Business Plan and update on governance, including the establishment of a wholly-owned Registered Provider	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For decision
Wards Affected: All	Key Decision: Yes
Report Authors: Michael Westbrook, Head of Housing and Assets Strategy Kath Corbett, Finance and Governance Lead for Reside	Contact Details: Tel: 020 8227 3265 E-mail: michael.westbrook@lbbd.gov.uk
Accountable Strategic Director: Graeme Cooke, Director of Inclusive Growth	
Summary	
<p>At its meeting on 22 January 2019, Cabinet approved a number of recommendations relating to the reinvigoration of Reside, the Council’s municipal housing company. These related to its governance, and the potential of establishing a new company to sit in the Reside structure which could become a Registered Provider of Social Housing.</p> <p>This report updates Cabinet on progress in these areas, and seeks a number of approvals relating to the Shareholder Agreement and the establishment of the Registered Provider. It also seeks Cabinet approval for the rent and tenancy approach that will be adopted by Reside.</p> <p>The report also introduces Reside’s first Business Plan under the new governance arrangements. The Business Plan sets out the activities Reside will carry out ahead of its expansion over the coming years, as well as the financial return Reside is forecast to make to the Council between 2021/22 and 2024/25.</p>	
Recommendation(s)	
The Cabinet is recommended to:	
<ul style="list-style-type: none"> (i) Approve the Reside Business Plan attached at Appendix A to the report; (ii) Note the options appraisal and business case for Barking and Dagenham Homes Ltd to become a Registered Provider of Social Housing as set out in section 3, and agree that this company should proceed to become a Registered Provider of Social Housing; (iii) 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 register Barking and Dagenham Homes Ltd as a Registered Provider; 	

- (iv) Delegate authority to the Director of Law and Governance to authorise/execute any leases or other agreements required so that 41 units at Becontree Heath can be transferred to the Registered Provider at the appropriate time;
- (v) Approve the rent and tenancy policy framework for Reside that will govern Reside's approach in these areas as outlined in section 4; and
- (vi) Approve the revised Shareholder Agreement between the Council and Barking and Dagenham Reside Regeneration Limited, as set out at Appendix 2 of Appendix A to the report.

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 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.

The Registered Provider will primarily hold homes that have been funded through Affordable Housing Grant and let at London Affordable Rents to households on the Council's housing register.

1. Introduction and Background

- 1.1 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 Cabinet received a further report on the reinvigoration of Reside at its meeting in January 2019. This updated Cabinet on the new independent Chair of Reside overseeing a board of four non-executive directors, as well as plans to appoint a new Managing Director, who started in April 2019.
- 1.3 In January 2019 Cabinet also approved a Shareholder Agreement between the Council and Reside, and approved in principle the creation of a new company within the Reside structure which could become a Registered Provider of Social Housing (RP). This decision was subject to a more detailed options appraisal/business case being prepared. This work has been completed and is summarised in section 3.

2. Reside Business Plan

- 2.1 The initial Reside Business Plan for 2019/20 (Appendix 1) recognises that this is a transitional year for Reside, with a focus on activities that prepare for its expansion over the coming year following the appointment of a new Board and Managing Director. The priorities, therefore, are:

- setting up the organisation, creating a clear vision and business plan for its delivery that reflects Shareholder requirements,
- effectively managing the performance of the existing stock
- preparing for the new homes that are currently being developed on behalf of the Council by Be First

Activities over the next 12 months

2.2 A detailed action plan for the priorities over the next 12 months is set out in the Business Plan. The key set of deliverables to implement the vision the Council has for Reside include:

- Set up of the organisation including the development of:
 - Reside's mission, vision and values to reflect the Council's vision in the commissioning mandate
 - Establishing Reside's approach to delivering its vision
 - A Governance Manual
 - Policies and procedures
 - Residents handbook
 - Resident communications and engagement strategy and actions for its delivery
 - Developing and embedding a strong brand identity as the main provider of high quality new rented homes in the borough
 - Developing marketing and communications that reflect the brand identity, including Reside's web site and social media presence and digital functionality
 - Providing input into the development process run by Be First to influence the specification and design of the homes that are built for Reside and helping to shape the wider development programme, including plans for improved market analysis
 - Developing modelling to support decision-making and business planning, including financial modelling
 - Developing a Reside commissioning framework and approach for housing services and procurement plans, based on a robust assessment of needs, options and an effectively commissioned and procured service delivery model
 - Recommissioning service delivery to ensure Reside residents are provided with good quality housing management service throughout their tenancies
 - Establishing benchmark performance and developing a refreshed set of key performance indicators which will be aligned with tenant expectations and sector good practice
 - Establishing a Reside Team and support services to deliver the Reside Business Plan and that reflect Reside's commissioning approach
 - Building up intelligence of the local rental and sales market and consumer insights to shape its offer and to influence Council's

- housing investment / new build strategy
 - Involvement in financial health check and any simplification of the Reside structure that delivers benefits to Reside and the council
- Performance managing existing Reside stock and service providers including:
 - Ensuring that a clear “offer” for Reside residents is put in place and that the improvement plan from the current service provider, MyPlace, is delivered
 - Providing Reside residents with at least the same services and functionality as LBB council tenants, including digital services and, in future business plans, building upon this to deliver continuously improving professionally managed services
 - Engaging residents, including establishing a resident communications and engagement strategy and establishing effective engagement mechanisms
 - Developing and reporting on a refreshed, comprehensive set of KPI’s, benchmarked against good practice
 - Measuring and improving resident satisfaction
 - Developing a clear, planned approach to future management, including re-commissioning service delivery
- Working with the Council to develop a mechanism to effectively fund planned maintenance, to either allow sites to offset returns for future planned work or set aside funds for this work.
- Work with Be First to develop a detailed planned programme for the pipeline sites to refine the medium-term forecast returns from Reside
- Developing an approach to portfolio management by working with the Council to develop a mechanism to allow for sites that require cross subsidy when split into individual Reside vehicles.
- Financial health check and review of vehicles specifically to consider if it is still appropriate to retain Abbey Roding LLP and if advantageous recommending to the Council the transfer of these homes into one of the other Reside vehicles.

Reside’s financial return to the Council

- 2.3 In addition to Reside’s purpose to deliver quality affordable housing to local people, it is also expected to deliver a financial return to the council to support the delivery of wider council objectives.
- 2.4 The financial return to be delivered to the Council in 2019/20 is £886k before the deduction of a £258k for Reside operating costs (i.e. £628k net) and Reside will make a significant contribution to the Council’s Medium-Term Financial Strategy (MTFS) for 2020/21 to 2022/23, as set out below.

2.5 The financial plan contained in the Business Plan is underpinned by a number of economic assumptions. These assumptions have been fed into the Council's overall review of economic assumptions for investment planning purposes.

The 5-year financial plan

2.6 The expected return to the Council in future years is set out in the table below, along with returns from first tranche shared ownership sales and possible staircasing receipts. The returns have been risk rated as:

- Green: returns from sites currently in management
- Amber: returns from sites that are passed gateway three

Year	20/21 £'000	21/22 £'000	22/23 £'000	23/24 £'000	24/25 £'000
Green rated returns	1,817	1,978	2,184	2,290	1,347
Amber rated returns	26	361	1,048	966	1,172
Total forecast return excluding first tranche sales, staircasing and loan principal repayments	1,842	2,339	3,232	3,255	2,518
Total loan principal repayments made to the Council		-10	-73	-629	-1,918
Return after using loan repayments as a proxy for MRP	1,842	2,330	3,159	2,626	600
Interest deducted from the above paid to the Council (Council currently makes a margin on this)	1,752	3,541	5,591	5,911	5,880
Regen LLP pipeline: first tranche sales	10	-924	-734	0	0
Regen LLP staircasing surplus	0	0	0	9	98
Regen LLP Grant amortisation	17	30	88	88	87

2.7 These forecast returns are based on the projected growth in Reside's stock in the manner explained in paragraphs 2.9 to 2.16 below.

2.8 The losses in years 2022 and 2023 represent losses on the sale of first tranches of shared ownership homes at less than the initial build cost, partly as a result of current market conditions. This will become a capital cost to the Council that will result in additional council interest and Minimum Revenue Provision (MRP) costs (estimated £18k interest per annum) however RPI+1/2% rent on the equity retained by Reside / the council results in longer term surpluses from these homes and the additional interest and MRP costs are covered by Reside from these rents in the forecast.

2.9 Appendix 10 of the Business Plan shows these returns by Limited Liability Partnership / Company.

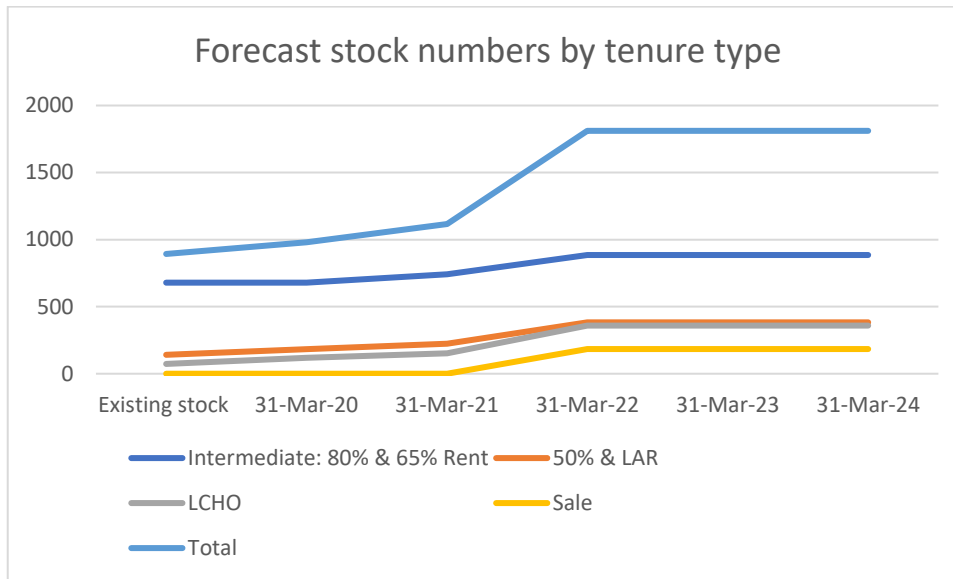
Pipeline and forecast stock numbers

2.10 There is a significant pipeline of new homes being developed by Be First which will be ultimately held and managed by Reside, and as such is expected to more than double in size over the course of the next three years.

- 2.11 For the purposes of the Reside business plan only sites that have passed gateway three, based on Be First's 30 June 2019 quarter end figures, are included in the financial forecast. That is sites where Be First have "approved the project is optimal in terms of costs, benefits and risks and approve submission of a planning application".
- 2.12 Sites that have not yet reached gateway 3 are not in the financial forecast. A programme of modelling the impact on Reside for all sites which have passed gateway 2 but not yet reached gateway 3 is underway, based on Be First's existing appraisals, to identify if there are any issues that need to be addressed when the sites are split into the various Reside vehicles. Reside will then systematically review and update this on a quarterly basis to ensure any issues are flagged up promptly to the shareholder.
- 2.13 Reside will also undertake this work when the Reside Managing Director provides advice to the council on new development proposals coming forward, as part of the gateway governance process. This will ensure that there is full visibility throughout the Council's development process of the impact on the various Reside vehicles.
- 2.14 There remains a risk that sites under development at and beyond gateway 3 may not proceed or may deliver very materially different returns to those currently being forecast. Therefore the financial forecast in 2.6 above distinguishes between the forecast return from those sites already in management (green rated) and those not yet completed (amber rated)
- 2.15 The table below summarises the sites that have passed the gateway three stage. Note that Reside's purpose is focused on housing and it has generally been assumed that commercial and community space does not transfer to Reside, the exception being House for Artists where build costs per home are high as a result of the substantial ground floor community space that forms part of this innovative project.

Pipeline sites	Forecast practical completion	Average forecast Reside purchase cost per unit	RTB 141 funding	GLA and other grant	Total no. of homes
		£'000	£'m	£'m	
Contract Awarded and under construction:					
Beacontree Heath: London Affordable rent	Feb-20	258	£0	£5.85	41
Beacontree Heath: Shared Ownership	Feb-20	277			46
Tendered and being value engineered by Be First					
Crown House	Dec-21	351	£10.50	£1.57	169
Sites through Gateway 3, not yet at Gateway 4 as of July 19					
House for Artists	Sep-20	534	£1.93	£0.50	12
Sacred Heart	Jan-21	379	£2.00	N/A	29
Gascoigne East Phase 2 Block C	Sep-21	302	£4.56	£0.17	52
Gascoigne Phase 2 Block E1 & E2	Sep-21	311	£9.58	£2.58	268
Gascoigne Phase 2 Parcel F	Sep-21	330	£5.72	£1.48	206
Sebastian Court	Feb-21	252	£4.20	£1.25	95
Total including all sites through Gateway 3			£38.49	£13.40	918

2.16 The graph below sets out Reside’s forecast stock numbers by tenure type, assuming all the above sites progress as set out above.



2.17 Appendix 9 of the Business Plan lists the sites that have progressed beyond gateway 2. This shows a further 688 homes are currently expected to go into Reside by December 2023 but work on these sites has not yet reached enough certainty to be included in the core financial forecast. Currently the 688 homes are made up of 235 at 80% rent, 225 at LAR, 26 at target rent, 48 shared ownership and 154 market rent.

3. Registered Provider

3.1 At its meeting in January 2019, Cabinet approved in principle the establishment of a new company within the Reside structure that could become a Registered Provider of Social Housing (an RP). This was subject to the preparation of an options appraisal and business case. This work has now been done, and the key findings are summarised in this section.

Options for a Registered Provider: What is the Council looking to achieve?

3.2 The key criteria for a new Council-owned RP are:

- An RP that can use the recent GLA grant allocations for affordable rented homes. This will need to be ready to take ownership of its first homes by March 2020.
- The RP must be a wholly owned subsidiary.
- The RP needs to support the wider aim of Reside to create an income stream that provides a long-term return to the Council.
- The RP needs to be able to partner with third party developers so that it can acquire affordable rented units that are built as part of section 106 requirements

Options for a Registered Provider: the options

3.3 There are three types of Registered Provider (RP) for social housing:

- Profit making
- Non-profit making
- Local Authorities (within their Housing Revenue Account)

3.4 The Council is already therefore a registered provider in terms of its Housing Revenue Account stock. Both profit making and nonprofit making RP's must register with the Regulator for Social Housing.

3.5 There are a number of benefits to registration:

- An RP can access grant from the GLA to finance social housing. Homes built with this type of grant must be owned by an RP. The current Reside vehicles cannot access this grant for affordable rented housing.
- RPs are also able to gain an exemption from Stamp Duty Land Tax (SDLT) on the purchase of land which is funded with certain forms of public subsidy.
- Although currently of less relevance to an RP that might form part of the Reside structure, there's an established lending market in the UK to RPs. These lenders have considered regulation by the Regulator for Social Housing (and its predecessor regulators, the Homes and Communities Agency, the Housing Corporation and Tenant Services Authority) as reducing a borrower's credit risk, and so have historically been willing to price funding accordingly

3.6 RP's have to comply with the Economic and Consumer standards set by the Regulator as well as submitting routine data returns to the regulator. The standards the RP must comply with are:

Economic Standards:

- Governance and Financial Viability
- Value for Money
- Rent

Consumer Standards

- Home
- Tenancy
- Neighbourhood & Community
- Tenant Involvement & Empowerment

3.7 As a local authority RP (ie pertaining to the stock held in the Housing Revenue Account) the Council must comply with the Consumer Standards, but the Economic Standards do not apply in this context. A new wholly-owned RP would need to comply with both sets of standards.

Options for a Registered Provider: appraisal

- 3.8 Within the context set out above, the following options were considered by the Council:
- a) Setting up a For Profit Registered Provider
 - c) Setting up a Not for Profit Registered Provider
 - d) Not setting up a Registered Provider
- a) Setting up a For-Profit Registered Provider
- 3.9 This was considered as in principle a for-profit registered provider would support the Council's aims identified in 3.2 above. However, recent changes in regulations mean that it is difficult to establish a for-profit RP that is controlled by the Council. These regulations resulted from the Government's desire to achieve the reclassification of RPs by the Office of National Statistics as private sector bodies, so that the borrowing of RPs could be removed from the public balance sheet. These regulations apply to all RPs, *except any not for profit RPs that are wholly owned by local authorities.*
- 3.10 The effect of the 2017 Regulations include limitations on the amount of control a local authority can have over an RP, including board membership and voting rights. This includes any voting rights held by a local authority subsidiary (for example if Reside held voting rights on behalf of LBBD). In short, then, the regulations prevent a local authority from holding/exercising voting rights for any RP, other than a not-for-profit RP which it wholly owns.
- b) Setting up a wholly owned not for Profit Registered Provider as part of the Reside structure
- 3.11 This option is achievable, as a not for profit RP wholly owned by the Council would be able to comply with all the Regulator's requirements.
- 3.12 This option would still enable the Council to generate an income stream from the Registered provider through the terms of any loans between the Council and the RP, as well as payments relating to the leases. The RP's board would need to satisfy itself that any such charges are reasonable and in keeping with the regulatory framework.
- 3.13 The RSH requires all RP's to have "appropriate" independence. The mechanisms and policies which govern independence will require careful consideration as part of the application process; that said there is nothing which will prevent the RP being wholly owned by LBBD. There are examples of other local authorities who have established wholly-owned not-for profit RPs.
- 3.14 Such an RP will be eligible to receive GLA grant (subject to the usual eligibility criteria for schemes). The Council is in correspondence with the GLA about its proposals and any amendments that may be required to agreements between the Council and the GLA.

c) Not setting up a Registered Provider

- 3.15 This option was discounted as this would not allow the new homes built using GLA grant to be within Reside.

Options for a Registered Provider: conclusion

- 3.16 A not-for-profit Registered Provider that is wholly owned by the Council is the option which best meets the Council's aims. For the reasons set out above, a for-profit RP would not meet the aims the Council has for a wholly-owned RP managed within the Reside structure.

Registered Provider: next steps

- 3.17 In line with the authorisations given by Cabinet in January 2019, officers have progressed with the initial work needed to establish the RP.
- 3.18 A new company – Barking and Dagenham Homes Ltd – has been established with the intention of this registering as a not-for-profit RP. Registration is a two-stage process, and the first stage application has been prepared. This first stage required information about the company, key housing policies it will follow and set out an intention to take the 41 affordable rented homes currently being built at Becontree Heath into the RP.
- 3.19 Once approval of the first stage application has been received from the Regulator for Social Housing the second stage or 'detailed application process' will need to be submitted. This application should give the regulator evidence that enables them to determine the new RP will meet the registration criteria. The registration criteria are set by the Regulator and currently are that the applicant:
- meets the Governance and Financial Viability Standard at the point of registration and demonstrates that it can sustain its financial viability on an ongoing basis, and
 - has in place management arrangements that enable it to demonstrate the capacity to meet the other Regulatory standards.
- 3.20 For an applicant seeking registration as a non-profit provider, there are additional criteria relating to its constitution. For all applicants, the second stage also includes an assessment that the applicant continues to meet the eligibility requirements assessed as part of the first stage application.

4. Tenancy and Rent Policy Framework

- 4.1 The intention is that Reside is given day to day operational freedom to manage its portfolio, but within a framework set by the Council. Much of the current policy framework still dates from Cabinet decisions taken in 2012, and as such needs to be refreshed. Reside will produce its own tenancy and rent policy consistent with this framework.

Tenancies

- 4.2 A key aim of Reside is that it gives much more security of tenure than the regular private rented sector. But this needs to be balanced by the requirement that Reside is able to effectively manage the blocks it manages so that they remain good places to live. Also, Reside is primarily a provider of sub-market rental homes which are let in accordance with eligibility rules around incomes. The demand for affordable housing in the borough – and in particular family-sized accommodation, means that tenancy policy needs to support the aim that Reside homes are allocated to those who most need them.
- 4.3 The way this will be achieved is by Reside being clear in its Tenancy Policy that it will take swift enforcement action against households who cause anti-social behaviour, or who otherwise do not comply with their tenancy terms and conditions. This may include eviction action as a last resort.
- 4.4 Reside will carry out tenancy reviews with tenants every three years (though there will be regular tenancy checks at least annually). The aim of these reviews is to have a conversation with the tenant to understand how their housing needs or aspirations have changed, and if these could be better supported through a different offer within the Reside portfolio.
- 4.5 For example, tenants of an 80% market rent property may be interested in Shared Ownership, and Reside can provide guidance and information to inform a decision about whether the tenant could afford this. There may also be occasions where a household needs a larger property to meet their needs, and Reside may be able to help them find a larger property within its expanding portfolio. If a tenant no longer meets the eligibility criteria for their sub-market rent home (for example if they now have a household income above the Reside eligibility threshold) they will be supported to explore alternative tenures which they afford and meets their needs, including alternative tenures offered by Reside. If there have been no significant changes, the tenancy would continue as before until the next three year review. Outside of this three year review, Reside will only take action which could lead to the end of a tenancy for the reasons expressly identified in its tenancy policy, ie non-compliance with the tenancy agreement (causing ASB, significant rent arrears etc).
- 4.6 The tenancy policy approach for the Registered Provider will follow the above as much as is possible, but there may be slight differences to tenancy terms and condition to ensure compliance with the Regulatory Framework.

Rent and service charge setting

- 4.7 The majority of the homes held by Reside will be subject to limitations around the rent levels that are set, either because they are built as affordable housing or receive external grant. The Council wants to retain the Reside affordable portfolio as affordable in perpetuity. There may be occasions where Reside wants to change the rent level of an affordable property at re-let within the intermediate rent tier. For example, a home at 80% of market rent could be reduced to 65% of market rent if this better meets housing needs in that particular context.

- 4.8 Reside will have operational freedom to make these changes, though these will need to be contained within the parameters of its Business Plan at the time, including its expected financial return. Any other changes – such as changing a property from sub-market rent to Shared Ownership – will need Council approval following consideration of any such change on the Business Plan.
- 4.9 The annual uprating of rents and service charges will be proposed by Reside and approved by the Council as shareholder.

5. Shareholder Agreement

- 5.1 A further review of the shareholder agreement has been undertaken in conjunction with the new Reside Board to ensure it clearly sets out the Council's expectations of the Board. The revised shareholder agreement is included as Appendix 1 in the attached Reside Business Plan (Appendix A). The principal changes to the agreement are:
- To delegate to Reside Board the management of the Limited Liability Partnerships which form part of the Reside structure subject to the matters reserved to the Council under schedule one of the shareholder agreement
 - To provide further clarification on the business of the company and the business planning process (section 2 of the shareholder agreement). This is now defined as:
 - (a) A social purpose landlord for rented, shared ownership homes and homes for sale to ensure local accountability, develop capacity within the community and to maximise the long-term return to the Council and community, by balancing financial returns and provision of additional affordable homes.
 - (b) To work with the Council and Be First to enable them to maximise the proportion of social rent homes and affordable tenures in new developments, helping to ensure speed and certainty of delivery; sustainability; and inputting into the development process at an early stage to help the maximisation of long term returns.
 - (c) To deliver the strategic outcomes that the Council, as the sole shareholder, wishes to achieve and, within this, to have operational policy and delivery responsibility for the way that these outcomes are achieved across the portfolio and business operations
 - (d) to assist the Shareholder in achieving its regeneration and place-making objectives;
 - (e) to operate a company and deliver the maximum achievable maintainable profit available for distribution to the Shareholder; to operate and effectively

manage the business of the LLPs and the housing stock held by in accordance with: -

- i. The Shareholder's regeneration objectives and the overall business of the Company as set out in this Agreement and having regard to the Commissioning Mandate;
- ii. The Business Plan and having regard to the Commissioning Mandate;
- iii. The governance requirements of LLPs as set out in the Limited Liability Partnership Act 2000 and the decision-making protocols in the relevant partnership agreement for the specific LLP;

6. Financial implications

Implications completed by: David Dickinson, Investment Fund Manager

6.1 The Reside Business plan includes, in 7.14 a 5-year financial plan. This includes the forecast returns based on existing homes and sites being developed by the Council / Be First which are expected to go into Reside. This income will form part of, but not all, of the Council's Investment and Acquisitions Strategy (IAS) income target of £5.125m by 2020/21. It is expected that the £5.125m will also include net treasury returns and commercial income that is not received from Reside. The Reside contribution to the IAS is the net of:

- the forecast Reside return (the expected profit in the Reside accounts) and
- the loan principal repayments that start two years after a site has handed over (5 years for Gascoigne phase one) and act as a proxy for the minimum revenue contribution required in the Council's accounts.

This gives a net contribution to the MTFs, excluding the margin the Council currently makes on interest recharged to Reside¹, of:

Year	20/21 £'000	21/22 £'000	22/23 £'000	23/24 £'000	24/25 £'000
Total forecast return excluding first tranche sales, staircasing and loan principal repayments	1,842	2,339	3,232	3,255	2,518
Total loan principal repayments made to the Council		-10	-73	-629	-1,918
MTFS return excluding staircasing receipts	1,842	2,330	3,159	2,626	600

The MTFs surplus decreases considerably in 24/25 when loan principal repayments / MRP is required for all the pipeline sites. In practice, subject to viability, it is likely that the sites that are currently between gateway 2 and 3 will have completed and will also contribute to the investment income target.

¹ Reside forecast interest payments to the Council are £4.7m by 24/25

6.2 The Reside business plan (section 7) sets out several financial risks that could potentially impact the return forecast. Only sites where the submission of a planning application has been approved by Be First / the council have been included. These numbers are subject to several assumptions and risks including:

- That Be First can build the pipeline sites at the cost and to the deadlines assumed in their June 2019 quarter end scheme viability assessments. As with any building project there is a risk that costs and / or timescales will change, especially given the additional safety requirements emerging following the Hackitt review. If costs are higher or development takes longer than forecast, then Reside will not be able to deliver the returns shown below.
- Financial allowances for planned and cyclical repairs for the pipeline sites are currently included on a straight-line basis based on Be First assumptions, i.e. an assumed annual charge of £1,440.00 starting five years after handover. There is a risk this is insufficient, and returns will be lower than forecast. The average cost per property for planned and cyclical work in the stock condition survey carried out by Bailey Garner for Weavers existing homes is £2.6k per year per home (including VAT). This is higher than the Be First assumptions for the pipeline. Further work is needed to develop planned repair assumptions by archetype for homes in the existing development pipeline to enable more accurate modelling of returns as well as to develop a detailed planned and cyclical repair programme for all Reside homes to manage returns. This may reduce the longer term (5+ years) returns).
- The financial return is sensitive to changes to rent assumptions, if rent increases or the market rents used as a basis for the affordable rented homes are lower than assumed then the return will be lower than forecast. Specifically:
 - Rent increases for Reside Ltd have been assumed at RPI+1/2%¹ for the life of the business plan. For Weavers LLP and Abbey Roding LLP increases have been assumed at CPI+1% until 26/27 at which point a CPI rent increase has been assumed. There is a risk that market rents may not move in line with this assumption, especially given the uncertainty around Brexit, and that therefore these increases will not be able to be applied, especially to the 80% rents.
 - Be First current assumptions have been used for the rent for the pipeline sites for homes let at 80% of market rent indexed as above, the actual charge will depend on the local rent market at the point of handover. Reside is jointly commissioning with Be First regular updated rental valuations for these sites on a six monthly basis going forward to ensure any issues with income are highlighted promptly, the first report is expected this autumn.
 - The numbers are sensitive to changes in sales values for shared ownership homes. Sales values are affected by the housing market in London and other macro-economic factors. Any reduction in sales values both reduces the initial surplus / increases the loss made on the initial shared ownership sale and the

amount of rent charged on the retained equity (shared ownership rent is assumed to be 2.75%² of the value of retained equity so a lower sale price means less rent).

- Specifically market factors have impacted on both sales values³ and speed of sales on Gascoigne Phase one. Given current market conditions Reside are working with Be First and the Council on alternative tenure options including market rent for phase two and no surplus from outright sales has been included in the numbers.
- The financial returns have been modelled based on the existing management costs charged to Reside by MyPlace and BDMS. There's a risk real costs maybe lower or higher than these recharges and an accurate understanding of the real cost of delivering these services in the future to Reside is required to ensure the Council fully understands and maximises returns⁴.
- Reside is currently unable to reclaim its VAT, the forecast return assumes this continues to be the place, Advice has been commissioned to see if efficiencies can be found especially on the cost of planned and cyclical works where the VAT costs are significant.

7. Legal Implications

- 7.1 The “general power of competence” under Section 1 of the Localism Act 2011, 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.
- 7.2 The Housing and Regeneration Act 2008 (HRA 2008) established the regulator of social housing 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.
- 7.3 The registration requirements under Section 112, HRA 2008 and the regulatory standards set out the requirements 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.

² This is the percentage rent used on the recent shared ownership sales at Gascoigne Phase one and Kingsbridge

³ The revised values are reflected in the financial forecast in this business plan

- 7.4 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.
- 7.5 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.

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

List of appendices:

- Appendix A – Reside Business Plan 2019/20

Draft**Reside Initial Business Plan 2019/20****1. Executive Summary**

- 1.1 Reside's vision is to be *an exemplar of a social purpose local housing company*.
- 1.2 Reside's aim is to continue to take forward the council's ambitious plans to improve access to affordable housing through providing a range of tenancies for all its residents and to encourage strong and resilient communities. Both existing and new developments are there to widen the housing choice for residents - making sure no one is left behind.
- 1.3 Since its launch in 2012, Reside is now a significant landlord in the borough with almost 900 properties, with over 70 shared ownership properties on its books. Over the next five years there is an opportunity to increase the number of homes by a further 1,606.
- 1.4 Most of the properties are rented at 80 per cent of market rent, with a small number at 65 and 50 per cent. Priority is given to local people who are in employment, with the aim of helping people who can't afford a deposit to get onto the housing ladder but are also not able to qualify for council housing. Some of the homes are also available at 50 per cent of market rent, and these are allocated in the same way as council housing.
- 1.5 The next 12 months are a year of transition for Reside, following the appointment of a new Board and Managing Director. The focus is therefore on setting up the organisation, creating a clear vision and business plan for its delivery that reflects Shareholder requirements, effectively managing the performance of the existing stock and preparing for the new homes that are currently being developed on behalf of the Council by Be First.
- 1.6 One of Reside's key aims over the period of the business plan will be to develop a strong brand identity around its unique qualities, products, services, specific groups of customers served, and the benefits to them. The expression of the council's vision provides Reside with the opportunity to define a related business mission and values, which includes objectives and intentions for the future. Reside aims to be a landlord of choice in the borough, providing great quality homes and services to local people along with a commitment to delivering social value and promoting equality, diversity and inclusion, including through working with the council's charity, Barking and Dagenham Renew.
- 1.7 Engaging tenants and understanding their needs and aspirations is essential to this. Reside has commissioned work to understand more about its current tenants, exploring their experiences across a range of customer journeys, such as sales, lettings, and repairs, asking questions about what they want, and what they consider to be a great service. This work will help define the levels of service Reside wishes

to offer and how these can best meet existing and future tenants needs. Part of this will be the development of a digital offer to ensure that resident needs are enabled by digital and technological solutions such as for paying rent and raising repairs – putting the customer first and working the technology around them.

- 1.8 This links the aim of continually driving up the quality of services experienced by tenants, which is a key priority for Reside. The Board monitor and scrutinise performance at each meeting using a balanced scorecard covering key customer, housing management, asset, financial and risk metrics. An example scorecard from the September board meeting is provided in Appendix 18, this shows strong performance in the areas of income collection, void turnaround, and health and safety compliance. It also shows that a continued focus is needed to drive improvements in repairs and maintenance, health and safety reporting and customer satisfaction. Performance 'deep dives' are also undertaken by the Board to support this focus, where root issues are explored and discussed, and improvement actions are agreed with commissioned service providers. An Improvement Plan for core services, including repairs and maintenance, has been agreed with MyPlace, the current provider of most of Reside's housing management services, which is being closely monitored by Reside's Managing Director on behalf of the Board.
- 1.9 Additionally, a key part of improving performance over the next 12 months will be carrying out a benchmarking exercise against current performance and sector good practice, and developing a refreshed set of key performance indicators and deliverables which will be used to monitor and measure the improvement that Reside is making on behalf of its tenants and stakeholders. Appendix 17 contains some of the key measures in draft, which will be finalised over the coming months.
- 1.10 The business plan in section 7 also sets out the financial forecast for Reside. This includes existing homes and sites being developed by the Council / Be First which are expected to go into Reside. Only sites where the submission of a planning application has been approved by Be First / the council have been included. These numbers are subject to several assumptions and risks:
 - That Be First can build the pipeline sites at the cost and to the deadlines assumed in their June 2019 quarter end scheme viability assessments. As with any building project there is a risk that costs and / or timescales will change, especially given the additional safety requirements emerging following the Hackitt review. If costs are higher or development takes longer than forecast, then Reside will not be able to deliver the returns shown below.
 - Financial allowances for planned and cyclical repairs for the pipeline sites are currently included on a straight-line basis based on Be First assumptions, i.e. an assumed annual charge of £1.44k starting five years after handover. There is a risk this is insufficient, and returns will be lower than forecast. The average cost per property for planned and cyclical work in the stock condition survey carried out by Bailey Garner for Weavers existing homes is £2.6k per year per home (including VAT). This is significantly higher than the Be First assumptions for the pipeline. Further work is needed to develop planned repair assumptions by archetype for homes in the existing development pipeline to enable more accurate modelling of returns as well as to develop a detailed

- planned and cyclical repair programme for all Reside homes to manage returns. This may reduce the longer term (5+ years) returns).
- The financial return is very sensitive to changes to rent assumptions, if rent increases or the market rents used as a basis for the affordable rented homes are lower than assumed then the return will be lower than forecast. Specifically:
 - Rent increases for Reside Ltd have been assumed at RPI+1/2%¹ for the life of the business plan. For Weavers LLP and Abbey Roding LLP increases have been assumed at CPI+1% until 26/27 at which point a CPI rent increase has been assumed. There is a risk that market rents may not move in line with this assumption, especially given the uncertainty around Brexit, and that therefore these increases will not be able to be applied, especially to the 80% rents.
 - Be First current assumptions have been used for the rent for the pipeline sites for homes let at 80% of market rent indexed as above, the actual charge will depend on the local rent market at the point of handover. Reside is jointly commissioning with Be First regular updated rental valuations for these sites on a six-monthly basis going forward to ensure any issues with income are highlighted promptly, the first report is expected this autumn.
 - The numbers are sensitive to changes in sales values for shared ownership homes. Sales values are affected by the housing market in London and other macro-economic factors. Any reduction in sales values both reduces the initial surplus / increases the loss made on the initial shared ownership sale and the amount of rent charged on the retained equity (shared ownership rent is assumed to be 2.75%² of the value of retained equity so a lower sale price means less rent).
 - Specifically, market factors have impacted on both sales values³ and speed of sales on Gascoigne Phase one. So, given current market conditions, Reside are working with Be First and the Council on alternative tenure options including market rent for phase two and no surplus from outright sales has been included in the numbers.
 - The financial returns have been modelled based on the existing management costs charged to Reside by MyPlace and BDMS. There's a risk real costs maybe lower or higher than these recharges and an accurate understanding of the real cost of delivering these services in the future to Reside is required to ensure the Council fully understands and maximises returns⁴.
 - Reside is currently unable to reclaim its VAT, the forecast return assumes this continues to be the place, Advice has been commissioned to see if efficiencies can be found especially on the cost of planned and cyclical works where the VTA costs are significant.

¹ The increase assumed as part of the original modelling when the scheme was approved, in Barking and Dagenham Reside Ltd most of the costs, including the rent payment to the funder are indexed by RPI each year. If a lower rent increase is applied then this company rapidly moves to a loss making position.

² This is the percentage rent used on the recent shared ownership sales at Gascoigne Phase one and Kingsbridge

³ The revised values are reflected in the financial forecast in this business plan

⁴ As the charges to Reside are currently subject to VAT

2. Introduction

- 2.1 Set up in November 2012 by the London Borough of Barking & Dagenham (LBBB), Reside was initially created as a structure to develop and manage affordable housing, primarily for economically active people, at William Street Quarter and Thames View East.
- 2.2 Today, Reside is a significant landlord in the borough, it has over 800 homes at affordable rent levels and over 70 shared ownership homes on its books. The Council is committed to further growth, it has plans in place to increase Reside's portfolio to 3,000 homes by LBBB commissioning its regeneration company Be First to build the new homes. The Council's vision is that Reside will become:

An exemplar of a social purpose local housing company, becoming a landlord of choice which provides high quality affordable homes and excellent housing services for local people, while making a financial return for the council

- 2.3 To enable this future growth, Reside has been undergoing a period of reinvigoration. This has included the appointment of Independent Company Directors for the Reside entities, who form an Independent Board, to secure a range of specialist skills and capabilities to drive forward the organisation and the provision of new homes in a commercial way, while maintaining high standards of integrity, governance and social purpose.
- 2.4 This initial business plan sets out the Board's plans to further reinvigorate Reside and make the changes needed to ensure Reside can deliver on the proposed growth and the Council's vision for Reside. This will include further development of Reside's mission, vision and values.

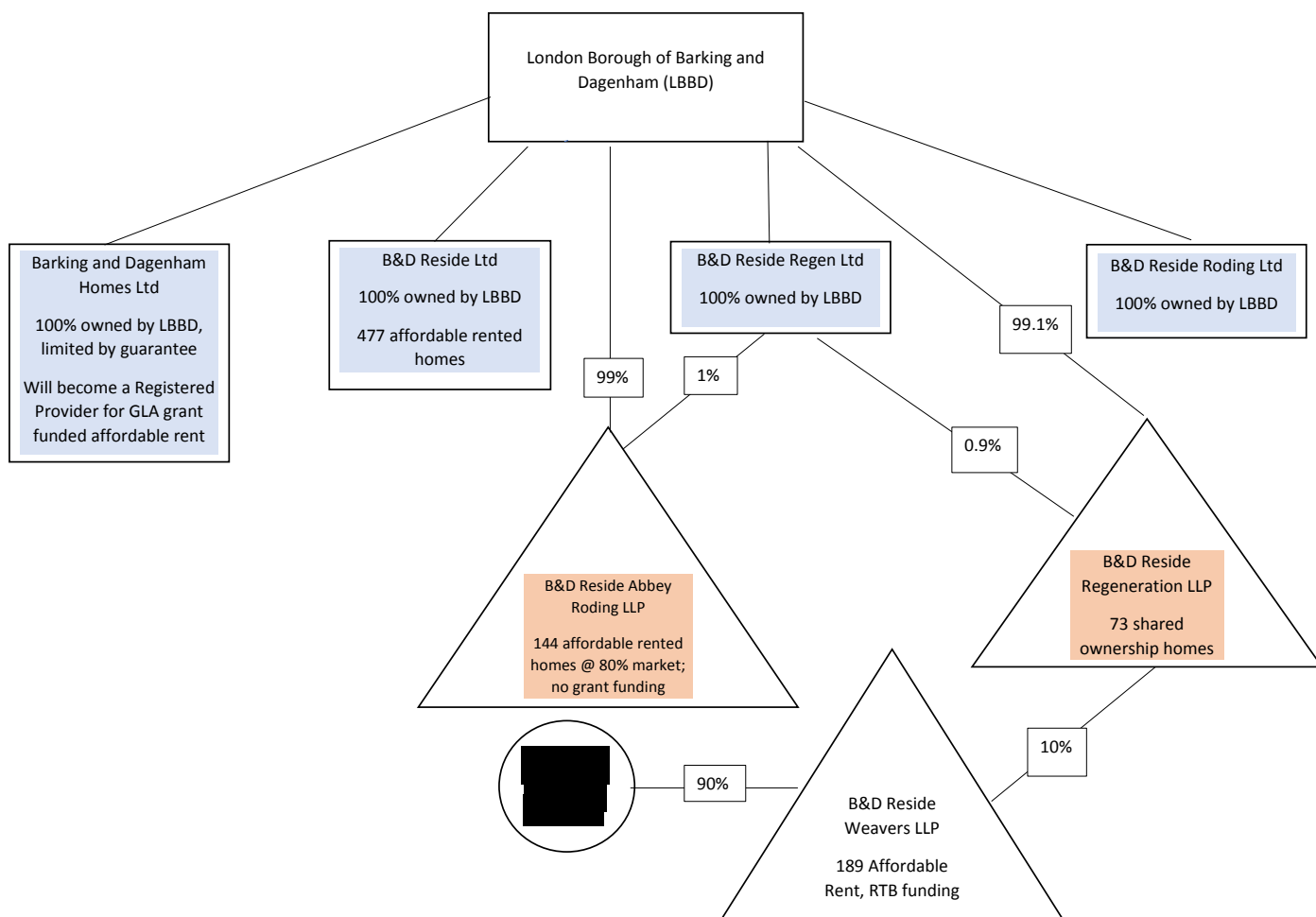
3. What is Reside

- 3.1 Reside currently consists of six⁵ limited liability partnerships and limited companies with differing financial arrangements, together with a new company; Barking & Dagenham Homes Ltd which is currently being set up as a new Registered Provider.
- 3.2 The Council as Shareholder and Commissioner has set the Articles for the Companies, a Shareholder Agreement and an initial commissioning mandate.
- 3.3 Reside is governed principally by the Reside Board, working on B&D Weavers LLP with the Barking Renew Charity, under the terms of the:
- Shareholder Agreement (Appendix 2) which sets out the management responsibilities the Council has delegated to the Reside Board for both the Companies and the Limited Liability Partnerships.
 - Commissioning Mandate (see Appendix 1, "the Mandate") which seeks to translate the Council's strategic objectives regarding the provision and management of new affordable homes into specific outcomes expected of Reside and sets out how the council will manage Reside's performance. This will be subject to an annual refresh.

⁵ Four of these hold homes for rent or shared ownership

- Leases between the Council and Reside for specific schemes and
- Requirements relating to planning or the conditions attached to the use of external grant or capital receipts.
- Reside’s input into the Council’s gateway process⁶ for development sites, this is set out in Appendix 17.

3.4 The current legal structure is summarised on the next page with further details contained in Appendix 3



3.5 The council views 2019/20 as a year of transition for Reside, following the appointment of a new Board and Managing Director. In this context the council expect Reside’s business plan and activity to focus on three broad areas;

- Set up of the organisation, establishing the mission, vision and values

⁶ This is the process the Council uses to approve its developments

- Progress in delivering on the vision the council has for Reside
- Performance in managing existing Reside stock

3.6 This initial business plan sets out how Reside plan to address the initial Commissioning Mandate. The diagram in Appendix 4 summarises the Governance of Reside.

4. **Market Analysis**

4.1 The Housing Market in LBBD

4.1.1 Appendix 15 sets out the overall position of the current rented and private rented sector market in the borough, as well as an assessment around affordability.

4.2 Reside's position in the market

4.2.1 The initial company, Barking and Dagenham Reside Ltd, decided to let 20% of their new homes at 50% Market rent, 6% at 65% market rent, and 74% at 80% of Market rent. The decision about the proportion of the different price points was a balance between meeting the local need, and the need for the company to cover the cost of development. The aim is to maximise the housing provided for those in need but recognising that this is across a range of household income types. It is likely that the decisions on future rent levels will also be made on the same basis.

4.2.2 Barking and Dagenham workers tend to have fewer jobs in senior positions and in well-paid occupations than the London average. This means that average earnings of £30,167 are below all contiguous authorities except Newham, and are below the London median (£34,752). Relevant to this below average profile is a work-force with a mid-level educational attainment, with fewer residents with degree level or higher qualifications (21%) than the London average of 38%, and more with no qualifications (28% v. 18%)⁷.

4.2.3 We recognize that the need for housing is greatest at the lowest income levels, for households who have very few choices; but the need to ensure that the scheme can be developed at all is dependent on a healthy income stream which normally means having a range of pricing points. A range of pricing points is also required to create more mixed communities, households who are working and bring income into the local economy, support retail, industry and the arts in the Barking and Dagenham area.

4.2.4 Reside's primary market position is therefore to provide a range of housing for Barking & Dagenham residents in the mid-range of income with good quality standards, good design and space standards.

4.2.5 Reside is keen to ensure that the tenants whom it houses, can afford the accommodation that they are taking on. The policy is therefore that where households are applying for housing at either 65% or 80% Market Rent, then the household must be working and the rent must not amount to more than 40% of the net joint income.

⁷ Source Cobweb report

This enables households with lower incomes to be able to access the 65% Market Rent housing, and for households with a higher income to access the 80% market rent. The Social Lettings Agency carry out checks on all the households applying for 65% and 80% market housing, verifying income before an offer is made.

4.2.6 All the 50% MR housing is allocated through the Council's Housing Register, and are not required to be in employment.

4.3 Further market intelligence

4.3.1 Reside will commission research to help inform their input to the Council and BeFirst's housing delivery strategy, which includes a 3,200 home development programme. One of the main requirements is to ensure that Reside have relevant and up to date market intelligence which they are able to use to its full potential.

4.3.2 The areas of analysis required will include:

- The competition that the development programme will face over the specific delivery timeline
- Who is likely to live in Barking and the drivers for this
- The types of properties and tenures that should be built/provided
- The sales rates can be expected at the desired price points, as well as the value uplifts that could be achieved and how these might be phased
- Learning from other placemaking areas when compared to Barking, in order to influence how placemaking investment could be prioritised

4.3.3 Other areas for further investigation will also include:

- *Pricing and transactions* e.g. current values, historical growth, new build premium, volumes
- *Supply* e.g. development status, number of units, location, likelihood of delivery
- *Demand* e.g. number of households, characterising households, affordability, demographics
- *Tenure and Type* e.g. private, affordable, intermediate
- *Outlook* e.g. capital value forecasts, rental value forecasts

4.3.4 Further to the above strategy reporting, there will be the need to provide more regular reports showing the state of the London and local residential market, and including the following:

- Rental values and rental growth
- Sales values and house price growth
- Number of transactions (new and second hand)
- New housing delivery including competition and timeline update

5. **The year ahead**

5.1 A detailed action plan for the priorities over the next 12 months is set out in Appendix 7. The following paragraphs set out a summary of these priorities.

5.2 A key set of deliverables is the progress planned on the vision the Council has for Reside including:

- Set up of the organisation including the development of:
 - o Reside’s mission, vision and values to reflect the Council’s vision in the commissioning mandate
 - o Establishing Reside’s approach to delivering its vision
 - o A Governance Manual
 - o Policies and procedures
 - o Residents handbook
 - o Resident communications and engagement strategy and actions for its delivery
 - o Developing and embedding a strong brand identity as the main provider of high quality new rented homes in the borough
 - o Developing marketing and communications that reflect the brand identity, including Reside’s web site and social media presence and digital functionality
 - o Providing input into the development process run by Be First to influence the specification and design of the homes that are built for Reside and helping to shape the wider development programme, including plans for improved market analysis
 - o Developing modelling to support decision-making and business planning, including financial modelling
 - o Developing a Reside commissioning framework and approach for housing services and procurement plans, based on a robust assessment of needs, options and an effectively commissioned and procured service delivery model
 - o Recommissioning service delivery to ensure Reside residents are provided with good quality housing management service throughout their tenancies
 - o Establishing benchmark performance and developing a refreshed set of key performance indicators which will be aligned with tenant expectations and sector good practice
 - o Establishing a Reside Team and support services to deliver the Reside Business Plan and that reflect Reside’s commissioning approach
 - o Building up intelligence of the local rental and sales market and consumer insights to shape its offer and to influence Council’s housing investment / new build strategy
 - o Involvement in financial health check and any simplification of the Reside structure that delivers benefits to Reside and the council

- Performance managing existing Reside stock and service providers including:
 - o Ensuring that a clear “offer” for Reside residents is put in place and that the improvement plan from the current service provider, MyPlace, is delivered
 - o Providing Reside residents with at least the same services and functionality as LBBB council tenants, including digital services and,

- in future business plans, building upon this to deliver continuously improving professionally managed services
 - Engaging residents, including establishing a resident communications and engagement strategy and establishing effective engagement mechanisms
 - Developing and reporting on a refreshed, comprehensive set of KPI's, benchmarked against good practice
 - Measuring and improving resident satisfaction
 - Developing a clear, planned approach to future management, including re-commissioning service delivery
- Working with the Council to develop a mechanism to effectively fund planned maintenance, to either allow sites to offset returns for future planned work or set aside funds for this work.
 - Work with Be First to develop a detailed planned programme for the pipeline sites (post gateway 3) to refine the medium-term forecast returns from Reside
 - Developing an approach to portfolio management by working with the Council to develop a mechanism to allow for sites that require cross subsidy when split into individual Reside vehicles.
 - Financial health check and review of vehicles specifically to consider if it is still appropriate to retain Abbey Roding LLP and, if advantageous, recommending to the Council the transfer of these homes into one of the other Reside vehicles.

6. Risks

6.1 Strategic risks

6.2 Reside have a strategy which sets out its commitment to risk management and how it identifies, prioritises and manages strategic risks and other areas of risk to the business to achieve its key objectives. The Risk Register is set out in Appendix 13.

6.3 Reside's approach to risk management takes account of financial and non-financial impacts in order to:

- Identify the largest risks and prioritise them for action
- Aggregate risks to a total that can be compared with the agreed risk appetite
- Create a strong link between the risks and the Reside's business plan by using the plan as the basis for assessing risk impacts, including financial loss, regulatory action, decline in growth / business volume and the effect on residents / communities.
- Work closely with the Council and Be First to mitigate risk, for example developing a plan to mitigate sales risk.

7. The Financial Plan

- 7.1 Reside's purpose is to deliver quality affordable housing to local people and to deliver a financial return to the council, to support the delivery of wider council objectives; supporting the creation of a vibrant and sustainable community, and supporting vulnerable people. The financial return to be delivered to the Council in 2019/20 is £886k before the deduction of a £258k for Reside operating costs (i.e. £628k net) and Reside will make a significant contribution to the Council's Medium Term Financial Strategy (MTFS) for 2020/21 to 2022/23.
- 7.2 The financial plan below is underpinned by a number of economic assumptions which are set out in Appendix 8. These assumptions have been fed into the Council's overall review of economic assumptions for investment planning purposes.

7.3 Pipeline and forecast stock numbers

- 7.4 The Council has commissioned its development company, Be First to build new homes for Reside. There is a significant development pipeline and Reside is expected to more than double in size over the course of the next three years.
- 7.5 For the purposes of the Reside business plan only sites that have passed gateway three, based on Be First's 30 June 2019 quarter end figures, are included in the financial forecast. That is sites where Be First have:

'Approved the project is optimal in terms of costs, benefits and risks and approve submission of a planning application'.

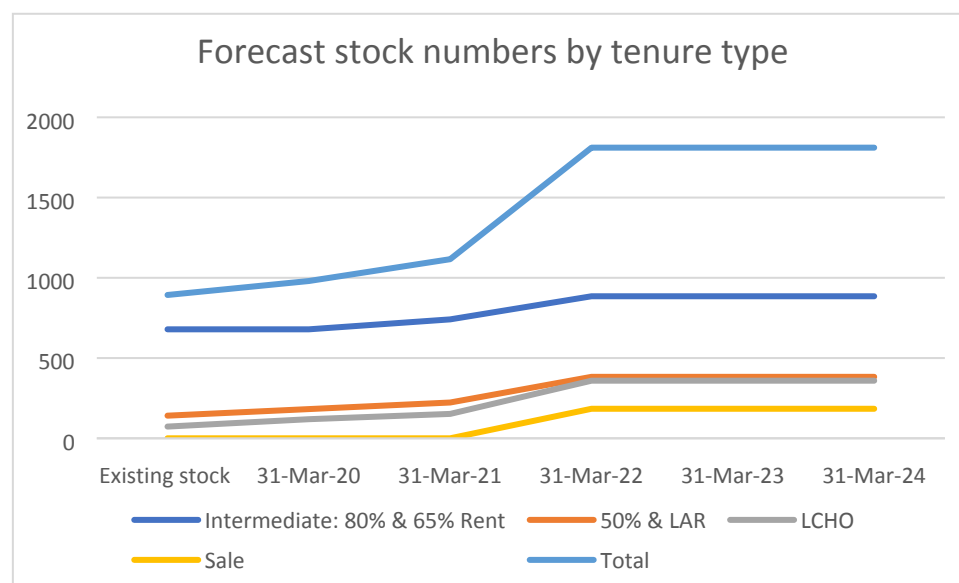
- 7.6 Sites that have not yet reached gateway 3 are not in the financial forecast. A programme of modelling the impact on Reside for all sites which have passed gateway 2 but not yet reached gateway 3 is underway, based on Be First's existing appraisals, to identify if there are any issues that need to be addressed when the sites are split into the various Reside vehicles. Reside will then systematically review and update this on a quarterly basis to ensure any issues are flagged up promptly to the shareholder.
- 7.7 Reside will also undertake this work when the Reside Managing Director provides advice to the council on new development proposals coming forward, as part of the gateway governance process. This will ensure that there is full visibility throughout the Council's development process of the impact on the various Reside vehicles.
- 7.8 There remains a risk that sites under development at and beyond gateway 3 may not proceed or may deliver very materially different returns to those currently being forecast. Therefore, the forecast below distinguishes between the forecast return from those sites already in management (green rated) and those not yet completed (amber rated)
- 7.9 The table below summarises the sites⁸ included in the financial forecast included in paragraph 7.14. Note that Reside's purpose is focussed on housing and it has generally been assumed that commercial and community space does not transfer to Reside, the

⁸ Note homes normally currently transferred to Reside at the build cost (including on costs). The table assumes this continues to happen but this may need to be reviewed for some sites such as House for Artists

exception being House for Artists where build costs per home are high as a result of the substantial ground floor community space that forms part of this innovative project.

Pipeline sites	Forecast practical completion	Average forecast Reside purchase cost per unit	RTB 141 funding	GLA and other grant	Total no. of homes
		£'000	£'m	£'m	
Contract Awarded and under construction:					
Beacontree Heath: London Affordable rent	Feb-20	258	£0	£5.85	41
Beacontree Heath: Shared Ownership	Feb-20	277			46
Tendered and being value engineered by Be First					
Crown House	Dec-21	351	£10.50	£1.57	169
Sites through Gateway 3, not yet at Gateway 4 as of July 19					
House for Artists	Sep-20	534	£1.93	£0.50	12
Sacred Heart	Jan-21	379	£2.00	N/A	29
Gascoigne East Phase 2 Block C	Sep-21	302	£4.56	£0.17	52
Gascoigne Phase 2 Block E1 & E2	Sep-21	311	£9.58	£2.58	268
Gascoigne Phase 2 Parcel F	Sep-21	330	£5.72	£1.48	206
Sebastian Court	Feb-21	252	£4.20	£1.25	95
Total including all sites through Gateway 3			£38.49	£13.40	918

7.10 The graph below sets out Reside’s forecast stock numbers by tenure type, assuming all the above sites progress as set out above.



7.11 Appendix 9 lists the sites that have progressed beyond gateway 2⁹. This shows a further 688 homes are currently expected to go into Reside by December 2023 but work on these sites has not yet reached enough certainty to be included in the core financial forecast. Currently the 688 homes are made up of 235 at 80% rent, 225 at LAR, 26 at target rent, 48 shared ownership and 154 market rent.

7.12 Returns to the Council

7.13 The 5-year financial plan

7.14 The expected return to the Council as rent payments under the leases, based on the current assumptions on sites which have progressed to gateway three or beyond are set out in the table below, along with returns from first tranche shared ownership sales and possible staircasing receipts. The returns have been risk rated as:

- Green:
 - returns from sites currently in management.
- Amber:
 - returns from sites that are passed gateway three

Year	20/21 £'000	21/22 £'000	22/23 £'000	23/24 £'000	24/25 £'000
Green rated returns	1,817	1,978	2,184	2,290	1,347
Amber rated returns	26	361	1,048	966	1,172
Total forecast return excluding first tranche sales, staircasing and loan principal repayments	1,842	2,339	3,232	3,255	2,518
Total loan principal repayments made to the Council		-10	-73	-629	-1,918
Return after using loan repayments as a proxy for MRP	1,842	2,330	3,159	2,626	600
Interest deducted from the above paid to the Council (Council currently makes a margin on this)	1,752	3,541	5,591	5,911	5,880
Regen LLP pipeline: first tranche sales	10	-924	-734	0	0
Regen LLP staircasing surplus	0	0	0	9	98
Regen LLP Grant amortisation	17	30	88	88	87

7.15 Appendix 10 shows these returns by LLP / Company. The losses in years 2022 and 2023 represent losses on the sale of first tranches of shared ownership homes at less than the initial build cost, partly as a result of current market conditions. This will become a capital cost to the Council that will result in additional council interest and Minimum Revenue Provision costs (estimated £18k interest per annum), however, RPI+1/2% rent results in longer term surpluses from these homes and the additional interest and MRP costs are covered by Reside from these rents in the forecast.

⁹ Gateway 2 validates that a project is a feasible and investable proposition and commits funding to pre development costs up to gateway 4

- 7.16 In addition to the above returns Reside also pays the Council the principal and interest on loans and management costs.
- 7.17 The Council makes a margin on the interest costs paid by Reside of around 0.5% of the amount loaned depending on tenure and actual rates at the time of borrowing.¹⁰ Forecast interest payments made by Reside to the Council are £1.7m in 20/21 rising to £4.6m in 2024/25.
- 7.18 The financial forecast has highlighted a number of issues that will need careful management and working through by Reside and the Council:
- The financial forecast assumes that the sites within Weavers LLP are able to cross subsidise each other but the legal form of the current leases does not allow for this. The Council and Reside will need to work together over the course of the next year to either remove the requirement for cross subsidy and / or develop a mechanism which allows this. This is especially important in Weavers LLP where the majority Member is the charity who would be unable to provide letters of support for any accumulated losses.
 - The forecasts are very sensitive to changes to the rent and sales assumptions.
 - Rent increases for Reside Ltd have been assumed at RPI+1/2% for the life of the business plan. The homes under the original planning permission must be let at affordable rents, 354 of the 477 homes are let at 80% of market rent and 27 are at 65% market rent with the remainder being at 50%. This means there is very little scope for increasing income by changing the tenure type on re-let if the Council decides to miss a rent increase, apply an increase that is lower than RPI+1/2%, or if market rents and the applicable rent required to meet 'affordable rent' requirements are lower than RPI +1/2%. The Council as the Shareholder, has reserved the decisions to set the rent policy, which defines the rent payable, and to decide what schemes are included in all Reside entities, which defines which properties will be included and on what terms. For example, simply not having an RPI+1/2% increase on the 80% and 65% homes this year will result in a loss in 20/21 of £142k. Generally, an organisation would seek to recoup this by reducing costs, however specifically for Reside Ltd costs are fixed in the legal agreements and inflate at RPI, they include a specific contribution each quarter to a lifecycle cost account to use for planned works¹¹.
 - Rent increases in Weavers LLP and Abbey Roding LLP have been assumed at CPI+1% until 26/27 at which point a CPI rent increase has been assumed. The return to the Council is very sensitive to changes in these rent increase levels.
 - Be First current assumptions have been used for the rent for the pipeline sites for homes let at 80% of market rent, again the actual charge will depend on the local rent market at the point of handover. Rent increases are assumed at CPI+1% until 26/27 at which point a CPI rent increase has been assumed.

¹⁰ Interest rates charged to Reside are currently 3% for affordable rented homes and 2.75% for shared ownership homes, the council is currently able to borrow at circa 1.9% from Public Works Loan Board, 0.5% allows for variances in average borrowing costs. The margin assumes the Council funds the Reside loans from borrowing, in practice sometimes the return to the Council may be higher if the loan is financed from cash flow.

¹¹ The contribution each quarter is set out in the Cash Management Agreement, it is priced at 2012 levels and indexed by RPI. Generally the unindexed contribution required to the lifecycle account increases over time.

Reside is jointly commissioning with Be First regular updated rental valuations for these sites on a six-monthly basis going forward to ensure any issues with income are highlighted promptly to support the Council's decisions about rent increases it wishes to apply and the respective income targets that can be expected from Reside.

- Sales values:
 - the recent formal valuation for Becontree Heath and current sales values for Gascoigne East have been used for these sites, no sales inflation has been included prior to hand over.
 - Be First have supplied sales values for the remaining sites at the point of completion. Reside is jointly commissioning with Be First regular updates for these every six months¹² going forward to ensure any issues with income are highlighted promptly.
 - The forecast is very sensitive to changes in sales values for shared ownership homes. Sales values are affected by the housing market in London and other macro-economic factors. Any reduction in sales values both reduces the initial surplus / increases the loss made on the initial shared ownership sale and the amount of rent charged on the retained equity (shared ownership rent is assumed to be 2.75%¹³ of the value of retained equity so a lower sale price means less rent).
- The figures assume no surplus on the outright sales currently planned for Phase 2 of Gascoigne East and that any net build costs for these homes after sales income is absorbed by the other tenure types on the site. The wider sales market and macro-economic conditions have impacted on both sales values¹⁴ and speed of sales on Gascoigne Phase one. So given current market conditions Reside are working with Be First and the Council on alternative tenure options including market rent for these homes.

7.19 Operating Costs

- 7.20 The management and day to day maintenance costs currently charged to Reside by MyPlace for management of the homes are set out in Appendix 12. Benchmarking of these numbers will be carried as part of the work on Reside commissioning as from April 2020 Reside will have the ability to commission from external service providers, subject to shareholder approval. The financial forecasts are based on the current costs charged to Reside by MyPlace and these may change as a result of the current work commissioning and specifying Reside services, or as a result of work understanding the true cost of service in MyPlace. In addition, the Reside operating structure incurs a number of operating costs, the detailed forecast for these is set out in Appendix 11.
- 7.21 It is important that Reside ensure that effective housing and estate management, responsive repairs and planned and cyclical maintenance services are delivered.

¹² May be more often in a volatile market or as marketing of each site approaches

¹³ This is the percentage rent used on the recent shared ownership sales at Gascoigne Phase one and Kingsbridge

¹⁴ The revised values are reflected in the financial forecast in this business plan

Keeping Reside's (and ultimately the council's) assets safe and secure, in a good state of repair, and kept clean and well-managed are an essential part in making sure that the stock remains attractive with a strong rental demand now and into the future (especially as Reside will be in competition with a variety of other landlords). In order to deliver this and to improve standards generally, operating costs have increased, primarily to put in place a staff team to appropriately commission services, effectively manage the handover of new homes, and drive the needed service improvements. To ensure value for money is delivered, one of Reside's objectives is to set out a commissioning strategy for key services, which will set out a clear approach to quality and cost, improve standards and monitor and control future spend.

- 7.22 The various Reside entities are not part of the same VAT group, this means that charges between Barking and Dagenham Reside Regeneration Ltd, the Council and the other vehicles for operating costs result in unrecoverable VAT costs, in addition charges to Barking and Dagenham Reside Ltd are restricted under the terms of their legal and funding agreements. One of the tasks of the financial health check will be to see if the VAT loss can be minimised whilst retaining Reside's organisational flexibility to support the delivery of its vision.

7.23 The 30 year plan and the future investment requirements

7.24 Planned and cyclical repairs:

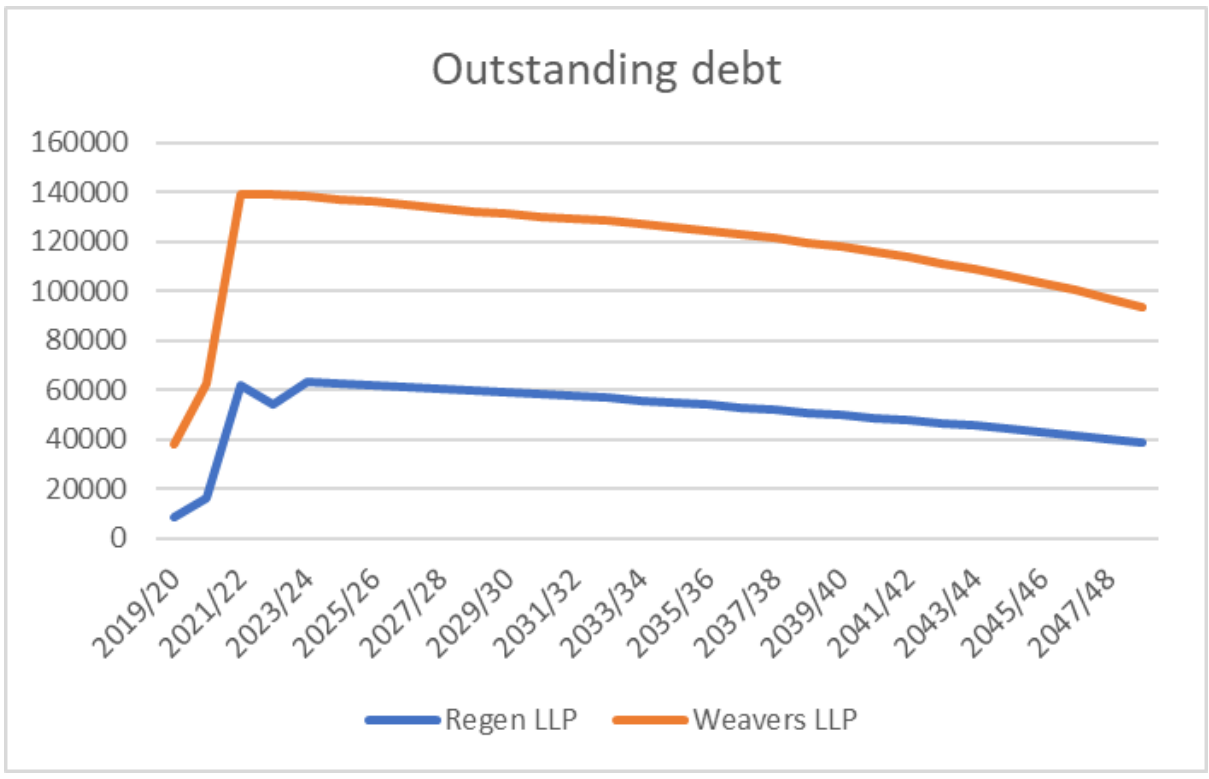
- 7.25 A stock condition survey for the existing homes has been prepared for Reside by Bailey Garner. While this has been fed into the financial plan it's important to note that the numbers in the stock condition survey for existing homes are averaged over a number of years. In addition, financial allowances for planned and cyclical repairs for the pipeline sites are currently included on a straight line basis based on Be First assumptions, assuming an annual charge starting five years after handover.
- 7.26 This is not how the planned and cyclical repairs will happen in practice and as the majority of the sites in Reside are relatively new there is a risk that, without careful programming, there will be some years when significant investment in the homes is required which may exceed not just the returns from each individual sites but those from some individual stock holding vehicles potentially resulting in residual losses even if cross subsidy is possible¹⁵. Confirming the detailed future planned and cyclical repair requirements for the pipeline sites along with a detailed programme for the current sites is a key task for Reside this year as it will be important that funds are set aside either in Council budgets or in the individual Reside vehicles as appropriate. Current forecasts show that loans may need to be taken out to cover planned works for both existing homes and some of the pipeline schemes. This needs to be worked through in parallel with the detailed programming of the repairs and financial forecasting.
- 7.27 Funds will particularly need to be set aside for future investment in the existing homes in the proposed Registered Provider to comply with the Regulators expectations. It should be carefully considered if this approach is also required for B&D Weavers LLP where the charity Barking & Dagenham Renew is the majority Member as they would

¹⁵ This will also depend on repairs capitalisation policies in the individual vehicles

likely be unable to support a loss making LLP. Further work will be needed on this and again a mechanism for sites to cross subsidise each other within a single vehicle or a way of setting funds aside for future investment needs on a site specific basis needs to be developed and tested this year by the Council and Reside.

7.28 Loan Repayments

- 7.29 Most sites in the current programme repay their individual loans, however as noted above some sites, based on current forecast build costs, do not do this or they require extra financing to fund planned repairs.
- 7.30 These sites have been included in the financial plan based on the Be First current assumptions, it has been assumed the sites are transferred at net build cost and the forecast numbers assume that returns from other site subsidise their debt.
- 7.31 This is not how the current leasing structure works so this assumption may not be correct, varying these assumptions to make each site balance (for example reducing the amount Reside pays as a lease premium) or retaining funds in the Reside vehicles to fund planned repairs will change the financial forecasts. The Council, with Reside, will need to give thought to mechanisms it wishes to use to subsidise these sites to improve the likely accuracy of the financial modelling if they still require subsidy after value engineering.
- 7.32 Loans from the Council to the various Reside vehicles are generally for 52 years, with principal repayments starting after the second year. The council has structured these debts based on clear business cases. However, it must be recognised that long term decisions are inevitably based on modelling and the assumptions within these can change. Many housing providers work on a loan repayment period of 25-30 years. The chart below shows how debt balances in the financial forecast move over the 30 year period of the business plan and how if a portfolio approach is taken they repay.



Appendixes to the Business Plan:

- Appendix 1: LBBD Commissioning Mandate
- Appendix 2: Shareholder Agreement
- Appendix 3: Summary of Reside legal vehicles
- Appendix 4: Summary Governance diagram
- Appendix 5: Board membership
- Appendix 6: Officers
- Appendix 7: Detailed action plan for the next fifteen months
- Appendix 8: Economic Assumptions
- Appendix 9: Sites in pipeline between gateway 2 & 3
- Appendix 10: 5 year forecast returns by vehicle
- Appendix 11: Forecast Reside operating costs
- Appendix 12: MyPlace costs
- Appendix 13: Board Forward Plan
- Appendix 14: Risk Register
- Appendix 15: The Housing Market in LBBD
- Appendix 16: DRAFT Proposed Performance Measures
- Appendix 17: Reside Board involvement in the gateway process¹⁶

¹⁶ The gateway process is the process the Council uses to approve developments

Appendix 1:

2019/20 Reside Commissioning Mandate

1. Purpose

- 1.1 This commissioning mandate seeks to translate the Council's strategic objectives regarding the provision and management of new affordable homes into specific outcomes expected of Reside, and sets out how the council will manage Reside's performance.
- 1.2 Reside is a company wholly-owned by the Council, whose primary purpose is to provide good quality, secure and affordable housing for local residents. As a wholly-owned company, Reside is operationally independent of the Council and is accountable to its board of directors.
- 1.3 This commissioning mandate sits alongside a number of other documents which set out the parameters for Reside's operations and its relationship with the council. These documents include the Shareholder Agreement, leases between the Council and Reside for specific schemes and requirements relating to planning or the conditions attached to the use of external grant or capital receipts.
- 1.4 The council will refresh this commissioning mandate annually as part of the business planning process. Reside will be expected to respond to the mandate through an annual refresh of their own business plan. The timescales for this will be set out by the council annually, and the process will be managed by the Inclusive Growth team.

2. The Borough context and vision for Reside

- 2.1 The council has ambitious plans to support the delivery of up to 50,000 new homes and 20,000 new jobs in the borough over the next 20 years. In order to accelerate the pace of change the council has transformed the way it operates.
- 2.2 As part of this transformation, Be First was set up as a wholly-owned regeneration company, operationally independent of the Council and tasked with accelerating the pace and scale of growth in Barking and Dagenham.
- 2.3 A central aspect of Be First's role is to implement a development programme on council-owned sites which will deliver almost 3,000 new homes over the next five years. This provides the opportunity to deliver a step change in the supply and quality of housing available in the borough, while protecting affordability.
- 2.4 The council's strategy is for the general needs housing developed through this investment and development programme to be held within Reside, as part of promoting an offer of high-quality affordable homes for local people (as an alternative to existing models of both social and private rented housing).
- 2.5 The council recognises that this will require a different approach and different expertise from that which is typically found in local government. Reside has been set-up in order to design, develop and operate that new approach, via a company wholly owned by council but operational independent from it.
- 2.6 The council's vision for Reside is that it becomes an:

'exemplar of a social purpose local housing company, becoming a landlord of choice which provides high quality affordable homes and excellent housing services for local people, while making a financial return for the council'

3. Outcomes Framework

3.1 The council views 2019/20 as a year of transition for Reside, following the appointment of a new Board and Managing Director. In this context the council expect Reside's business plan and activity to focus on three broad areas;

- Set up of the organisation
- Progress in delivering on the vision the council has for Reside
- Performance in managing existing Reside stock

Set up of the organisation

3.2 There will be a significant increase in the number of units being handed over to Reside in 2020/21, therefore over the next year the council expects a significant focus for Reside will be on setting itself up to deliver this step change in the scale of its operation.

3.3 In general terms the council expects that activity to focus on ensuring Reside is organised in a way which allows it to discharge the legal, financial and other regulatory requirements which govern its operation.

3.4 Reside should ensure that its governance arrangements are in line with good practice, such as the National Housing Federation's Code of Governance or other appropriate code of governance suitable for an organisation of Reside's scale and responsibilities.

3.5 Reside should set out its approach in a governance manual, which will be shared with the council. This manual should set out the details of Reside's governance model and outline how decisions are made by Reside.

3.6 The Reside board should agree and then develop policies which they need to implement as a landlord. The list below sets out a suite of those which the council considers core requirements, however it expects Reside to take its own view on the full suite of appropriate polices.

- Tenancy Management policy which is line with the vision set for Reside
- Rent policy
- Finance and delegations
- Health & Safety
- Information Management and Data Management
- Customer Service & Complaints
- Commissioning framework
- Risk Management
- Internal Audit
- Anti-Fraud and Whistleblowing
- Equality, diversity and inclusion
- Safeguarding
- Resident engagement

3.7 The design of a number of these policies will be governed by legislation and other legal agreements that Reside have entered into with the council. Reside will be able to consider adopting existing council policies in these areas, where they are satisfied they meet their purpose, or to design their own polices.

3.8 The council has some specific expectations regarding the approach Reside takes to developing its tenancies and tenancy policy which are set out here.

3.9 For Reside properties allocated to those from the Council's Housing Register, the tenancy must be for a period of at least three years. This should be preceded by an introductory tenancy of one year. At the end of the period, it is expected that the household's tenancy will be renewed if they still meet the allocations criteria and have complied with the terms of the tenancy agreement. For these homes, Reside cannot collect a rent deposit.

- 3.10 For Reside properties let at either intermediate rents or full market rents (of which there are currently none), the Council expects that all tenancies offered by Reside will be for a period of three years, with an introductory period of one year. At the end of the period, it is expected that the household's tenancy will be renewed if they still meet the allocations criteria and have complied with the terms of the tenancy agreement.
- 3.11 Reside should also develop its own tenancy agreements, which are legally compliant and make clear what rights and obligations individual's have as Reside tenants. Reside should consider producing a tenant handbook which sets these out in a 'plain English' guide.
- 3.12 The council expects Reside to have a proportionate but robust tenancy management policy, which ensures that effective systems and procedures are in place to address any issues which may emerge. The council supports Reside in taking an active approach to tenancy management to uphold high expectations of those living in its properties, with clear consequences if these are not met (e.g. in relation to paying the rent, looking after the property, being a good neighbour etc). Policies should encourage the development of good relationships within the community to make Reside properties places where people choose to live, and which support strong and supportive neighbourhoods.

Progress in delivering on the vision the council has for Reside

- 3.13 The council wants Reside to develop a position in the local housing market which goes beyond the traditional role of a social landlord and provides an alternative to the current private sector provision in the borough.
- 3.14 In the period covered by this mandate (and Reside business plan) it is expected that most of the activity in delivering this outcome will be around Reside establishing its approach to delivering on that vision. This work should be carried out in collaboration with the inclusive growth commissioners and the wider inclusive growth system.
- 3.15 The list below sets out some examples of the kind of business development issues which the council expects Reside to consider through their business plan. This list is not exhaustive and Reside should develop their own approach to delivering the vision.
- How they will develop a strong brand identity as the main provider of high quality new rented homes in the borough
 - Building up intelligence of the local rental market and consumer insights to shape its offer and to influence Council's housing investment / new build strategy
 - Provide input into development process run by Be First to influence the specification and design of the homes that are built or Reside
 - Ensuring Reside tenants are provided with a first class housing management service throughout their tenancies
- 3.16 Reside forms part of a wider eco-system of council owned entities or service blocks engaged in the delivery of inclusive growth outcomes in the borough. Reside will need to cooperate with all of these entities in order to maximise its impact in delivering its own outcomes.
- 3.17 While the council will set the overall parameters for how the system will operate, Reside will need to set out the way it intends to commission activity which is linked to the delivery of its own outcomes and how it will build relationships across the system. Specifically, the council expects Reside to develop a commissioning framework for the housing services it requires to meet its obligations and deliver its business plan on behalf of its tenants.
- 3.18 The council has commissioned Be First to deliver a development programme to build new housing which Reside will then manage on behalf of the Council. While Reside are not the commissioners of the development programme, the council fully expects Reside to provide input across the life-cycle of the development process;

to support the delivery of high quality assets which local people want and which Reside will be able to let and maintain on a long term basis, and in doing so achieve a surplus which can be reinvested in council services.

- 3.19 This will be enabled through Reside representation on the following governance boards to ensure they have the opportunity to contribute to decision making:
- Gateway review meetings
 - Investment Panel (as a non-voting attendee)
- 3.20 Beyond this the council wants Reside to develop a wider role in helping to shape the future development programme. One important element of this will be Reside developing market and consumer intelligence which will inform the future shape of the Be First development programme, particularly in regard to tenure mix and unit sizes required to meet demand.
- 3.21 My Place currently provides housing management services for the Reside portfolio. The council's approach in relation to its new wholly owned companies has been to require them to draw on in-house services for an initial two-year period. As such, the council expects Reside to continue its arrangement with My Place for core housing management services for the remainder of 2019/20.
- 3.22 Over the coming year, the council expects Reside to devise a commissioning framework that articulates its requirements for its properties and tenants. This will enable the company to more effectively performance manage My Place and support improvements in the quality of service provided for Reside tenants.
- 3.23 Reside will be able to run an open tender process for the services it requires on behalf of its tenants and its properties beyond April 2020, in accordance with its desired specification. In advance of this date, Reside will not be obliged to procure any additional or specialist services from the council, beyond that which My Place are already providing the company.

Performance in managing existing Reside stock

- 3.24 Reside currently has responsibility for the management of approximately 800 properties. The indicators which the council will use to assess Reside's effectiveness in performing this role over the next year are focused on those which impact on financial performance, tenant satisfaction and asset management. However, it is expected Reside will develop a more comprehensive suite of performance indicators which they will use within their organisation.
- 3.25 Currently there is no data available on satisfaction of current Reside residents. Therefore in 2019/20 Reside should conduct a resident satisfaction survey of their existing tenants. The results of this survey would provide Reside with intelligence that helps them to identify any immediate improvements required to improve the service to their current tenants, while also providing them with a baseline against which future satisfaction can be measured.

4. Reside operating parameters

- 4.1 Reside operates within a legal and policy framework which is currently set out in a number of places;
- Shareholder agreement
 - Leases, loan agreements and other associated legal documents
 - Grant agreements

This is now being supplemented, and drawn together, in this commissioning mandate.

- 4.2 The table on the next page summarises where the main controls are found:

	Obligation	Where this is set out
1	Take on the management of new homes which have/will be developed by Be First on behalf of the council, after contributing to the development process	Shareholder Agreement – Schedule 1
2	Let homes at the tenure mix and rent levels agreed with the Council as part of the development / investment process, with any changes to rent policy agreed with the Council	Shareholder Agreement – Schedule 1, Clause 28 &29
3	Allocate properties in line with the Council's Allocations Policy	Commissioning mandate
4	Provide tenancies of a minimum period set by the Council	Commissioning mandate
5	Manage and maintain the properties in line with statutory requirements (including ensuring health and safety compliance)	Leases for specific properties Commissioning mandate
6	Do not sell any properties or take on borrowing etc without Council permission	Shareholder Agreement Schedule 1
7	Subject to obligations 1-5 inclusive listed above, deliver a surplus to the council on an annual basis.	Shareholder agreement section 5 and agreed business plan

5. The Council's obligations to Reside

- 5.1 While Reside is an independent company, the council is committed to supporting the company to deliver on the objectives which it has been set through the shareholder agreement, this mandate and any other agreements which Reside has entered into with the council.
- 5.2 In general terms the council will work to establish and maintain the conditions for effective collaboration and strong working relationships across the inclusive growth system, to enable Reside to deliver its business. This will include tools which support effective decision making, engagement and communication between entities.
- 5.3 The council will also ensure appropriate mechanisms are in place in the event of disputes between entities within the system, although the focus will be on trying to resolve issues informally through good relationships wherever possible.
- 5.4 The council has set Reside a target to achieve a surplus which can be returned to the council to protect and support the delivery of wider services. While the Reside board are responsible for achieving this, the council recognises that any changes to the costs or profiling of the Be First development programme may impact on Reside's ability to achieve this target, and that these changes would be outside of Reside's direct control, as they would be agreed by the council.

- 5.5 The council will therefore ensure that Reside are able to contribute to any decisions which are made relating to the planning and delivery of the development programme, including significant changes post-approval, so the impact on its own financial position and ability to generate the surplus target is fully understood.
- 5.6 This will include ensuring that the Reside managing director is part of the gateway review process which steers individual development decisions. Ultimately the council is responsible for taking decisions regarding whether or not to proceed with a proposed development, and will do so having considered input from across the interested parties.
- 5.7 Reside are developing a series of Service Level Agreements with departments in the 'core' of the council to provide operational support services such as HR, ICT and finance. Reside will be responsible for finalising and managing these agreements directly with the services, however the council corporately will ensure that these services are appropriately resourced in order to ensure they provide the level of service which Reside have agreed. Reside must maintain these arrangements until at least April 2020, and in addition it must give the council six months notice of any intention to move away from these arrangements.

6. Performance management

- 6.1 The council expects to have a close working relationship with Reside and there should be an ongoing dialogue between the Inclusive Growth commissioners and Reside, meaning any performance concerns or issues can be addressed promptly through a collaborative approach.
- 6.2 This approach will be supplemented through two formal reporting processes which the council has in place to ensure effective performance management takes place. The first is the council's shareholder panel which meets quarterly and the second will be through regular liaison meetings between Reside and commissioners from Inclusive Growth.
- 6.3 The role of the Shareholder Panel is to ensure the effective governance and financial viability of Reside. The Reside Shareholder agreement sets out the expectations that the council as shareholder has for Reside, and the role of the panel is to ensure Reside is delivering its business plan within the parameters of that agreement. The Managing Director of Reside will be expected to attend these meetings and submit any information the panel requests in order to ensure robust governance.
- 6.4 The inclusive growth commissioning liaison meetings will be a forum where the Reside Managing Director meets with the Head of Commissioning and Programmes and Head of Housing and Asset Strategy from Inclusive Growth. This meeting will provide the formal opportunity to discuss progress and issues related to delivery of the business plan. It will be an opportunity for Reside to raise any issues of concern with the council and for the council to discuss any performance concerns it may have.

Appendix 2

Dated

2019

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
5. Dividend policy
6. Matters requiring Shareholders Consent
7. Finance for the Company
8. Production of accounts
9. Anti-corruption
10. Directors
11. Termination
12. Status of this agreement
13. Confidentiality
14. Assignment and other dealings
15. Entire agreement
16. Variation and waiver
17. Costs and expenses
18. No partnership or agency
19. Notices
20. Severance
21. Third party rights
22. Counterparts
23. Governing law and jurisdiction

Schedules

1. Matters requiring Shareholder Consent
2. Commissioning Mandate

This deed is dated

2019

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- **(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 the purpose of supporting the Shareholder to promote the development and management of affordable housing.

(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.

(D) The Company's course of business and obligations include operating and managing a number of LLPs of which the Shareholder and / or the Company are members. Where the business on any agenda item of the Board also requires the consent of the LLP Representative/s, this Agreement provides for a process to enable decision making such that both Directors' Meeting and LLP Meeting/s take place in immediate succession.

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

Be First : means Be First (Regeneration) Ltd Company number 10635656 a wholly owned company of the London Borough of Barking and Dagenham.

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;

Commissioning Mandate: means the commissioning principles and protocols of the Shareholder as set out in Schedule 2 and revised annually as part of the business planning process to reflect the requirements of the Shareholder from time to time, to which the Company will have regard in carrying out its business in accordance with its obligations in this Agreement_.

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

LLP: any limited liability partnership of which the Shareholder or the Company or some other party is a member and which has been or may be created pursuant to the Limited Liability Partnerships Act 2000 for the primary or incidental purpose of delivering or supporting the Business Plan, the Shareholder's

regeneration/housing objectives and the course of business of the Company as set out in Clause 2 of this Agreement, which LLP partnerships for the time being are:

Name of LLP	Companies House Registration Number	LLP Member's capital contributions
Barking and Dagenham Reside Regeneration LLP	OC400585	Barking and Dagenham Reside Regeneration Ltd: £1 LBBD: £999
Barking and Dagenham Reside Abbey Roding LLP	OC399130	Barking and Dagenham Reside Regeneration Ltd: £1 LBBD: £99
B&D Reside Weavers LLP	OC416198	Barking and Dagenham Renew (previously known as Barking Renew): £9 B&D Reside regeneration LLP: £1

LLP Agreement: means any limited liability partnership governing the relationship between members of an LLP;

LLP Meeting: A meeting of LLP Representatives which shall take place immediately following a Director's Meeting of the Board in circumstances where any agenda of the Board requires LLP Member Decisions to be made and consent given by the LLP members, including the Shareholder and the Company;

LLP Members : means the members who are a party to the Limited Liability Partnership Agreements dated the 17th December 2015 and 29th March 2017

LLP Member Decisions: means the non-exhaustive list of decisions as set out under Schedule 1 or such other decisions as may be notified in writing by the Shareholder from time to time which require the consent of LLPs and which will be taken by LLP Members acting through their LLP Representatives. For the avoidance of doubt the Board may influence these decisions, but ultimate control over those decisions remains with the LLPs and / or Shareholder acting through their LLP Representative.

LLP Shareholder Representative: a representative nominated and authorised by the Shareholder from time to time to act on its behalf as member or designated member of each LLP, whose role includes (without limitation) attendance at LLP Meetings, diligently representing and voting on behalf of the Shareholder and / or in a manner instructed by the Shareholder on any agenda item or business requiring the Shareholder's consent under any LLP Agreement (which for the avoidance of doubt does not include giving Shareholder consent for Reserved Matters in Schedule 1 of this Agreement)

LLP Representative/s: a representative nominated and authorised from time to time by any other member or designated member of an LLP to act in its place at any LLP meeting

Observer means a natural person to nominated by the Shareholder to the Board of Directors of the Company to act as an observer on behalf of the Shareholder in accordance with Clauses 10.4 and 10.5 of this Agreement;

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)** A social purpose landlord for rented, shared ownership homes and homes for sale to ensure local accountability, develop capacity within the community and to maximise the long-term return to the Council and community, by balancing financial returns and provision of additional affordable homes.
- (b)** To work with the Council and Be First to enable them to maximise the proportion of social rent homes and affordable tenures in new developments, helping to ensure speed and certainty of delivery; sustainability; and inputting into the development process at an early stage to help the maximisation of long term returns.
- (c)** To deliver the strategic outcomes that the Council, as the sole shareholder, wishes to achieve and, within this, to have operational policy and delivery responsibility for the way that these outcomes are achieved across the portfolio and business operations
- (d)** to assist the Shareholder in achieving its regeneration and place-making objectives;
- (e)** to operate a a company and deliver the maximum achievable maintainable profit available for distribution to the Shareholder; to operate and effectively manage the business of the LLPs and the housing stock held by in accordance with: -
 - i. the Shareholder's regeneration objectives and the overall business of the Company as set out in this Agreement and having regard to the Commissioning Mandate;
 - ii. the Business Plan and having regard to the Commissioning Mandate;
 - iii. The governance requirements of LLPs as set out in the Limited Liability Partnership Act 2000 and the decision-making protocols in the relevant partnership agreement for the specific LLP;

Without prejudice to the generality of the foregoing, to ensure that any Directors' Meeting(s) with agenda items or business for decision which includes or overlaps with LLP Member Decisions and therefore requires the decision and / or consent of LLP Representatives are immediately, unless agreed otherwise by the parties, followed by an LLP Meeting to enable the requisite decisions of the Board to be effectively taken and executed at any time;

subject to variation from time to time in accordance with the provisions of this agreement and with the express agreement of the Shareholder in accordance with clauses 2.2 and 2.3 below (the **Business**).

2.2 The initial Business Plan shall be produced by the Company for the Shareholders approval before the 30th September 2019, the first Business Plan shall be produced by the Company for the Shareholders approval before the 31st December 2020 and thereafter the Company shall submit annual revisions or updates to its Business Plan no later than 31 December in each year of operation. The Business Plan shall unless agreed otherwise [by the parties] undergo an iterative process of preparation in the manner set out in this Clause;

2.3 Any subsequent iterations of or revisions to the Business Plans shall be substantially prepared and circulated by the Company no later than the 31st December before the commencement of the annual review inviting the Shareholder to provide comments on the proposed Business Plan or the Shareholder's approval of the proposed Business Plan.

2.4 The Shareholder will use reasonable endeavours to provide a response by the end of the following February and may require officers of the Company to coordinate working groups for the purpose of facilitating iterative discussions and consensus on the Business Plan. Subject to the receipt of Shareholder's approval, 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 at a Directors' Meeting. No adoption, variation or replacement of any Business Plan shall take effect unless such adoption, variation or replacement has received Shareholder's consent.

2.5 Each Business Plan shall substantially adopt the format of the first Business Plan and must be financially modelled on the basis of at least a 30 year period with subsequent annual reviews by the Shareholder.

2.6 Notwithstanding any other provision of this clause 2, following the requisite approval by the Shareholder and the Board' of a new Business Plan such updated Business Plan shall become the adopted Business Plan for the relevant Accounting Periods. For any period when a proposed Business Plan presented under clause 2.3 has not been approved by the Shareholder or adopted by the Board in accordance with this Agreement, the existing Business Plan for the preceding Accounting Period shall continue to be the Business Plan of the Company until the Shareholder and the Board succeed in agreeing and adopting a mutually satisfactory Business Plan.

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

3 COMPANY OBLIGATIONS

3.1 The Company shall not take any of the actions set out in Schedule 1 without Shareholder Consent and shall procure that no Group Company or LLP does so without the requisite 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 Board provided that the Board procures the

consent of LLP members acting through LLP Representatives (unless otherwise specified by any LLP member) to any LLP Decisions which also form the subject matter of decisions of the Board. The Directors shall be responsible for the management of the Business in accordance with the obligations in this Agreement and (without prejudice to the generality of the foregoing) within the terms of the Business Plan and guided by the Commissioning Mandate.

3.3 Without prejudice to the generality of the foregoing clauses, the Directors will determine the general policies of the Company and the way its 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.

3.4 Without limitation to the generality of the foregoing clauses, the Directors 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 to through the exercise of such rights and powers) that, at all times during the term of this Agreement, the Company shall:

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

3.4.2 transact all its business on arm's length terms.

3.5 The Company shall not carry out any activity which would render the holding of Shares by the Shareholder 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.

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

3.7 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.

3.8 All books, records, accounts and documents relating to the business and the affairs of the Company shall be open to the inspection of the Shareholder's designated officers and executives at any time, who shall be entitled to make any copies as he or she deems appropriate to keep the Shareholder properly informed about the business and affairs of the Company or to protect the Shareholder's interests. Any information secured as a consequence of such inspections, 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.

3.9 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

(including for the avoidance of doubt the management of the LLPs) 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.

3.10 The Company agrees to collaborate with any of the Shareholder's wholly owned companies or LLPs where it is in the interests of the Shareholder or the commercial interest of Company to do so.

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

4 SHAREHOLDER OBLIGATIONS

4.1 The Shareholder shall (so far as is lawfully possible in the exercise of his rights and powers as a shareholder of the Company) use all reasonable endeavours to carry out the actions set out in Schedule 1 and provide reasonable assistance and information to the Company pursuant to the objectives as set out in Schedule 2.

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 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:

5.2.1 without Shareholder Consent;

5.2.2 which is or would be prohibited by the Act

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

6.1 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 and 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 no 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 contemplated activity falls within the Business Plan and 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 prepare a balance sheet of the Company including Group Members, 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. Draft Statutory Accounts are to be presented to the Shareholder within 31 days after the end of the period to which such accounts relate and audited statutory accounts are to be presented to the Shareholder within 4 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:

9.1.1 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;

9.1.2 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

9.1.3 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 minimum number of Board of Directors shall consist of 5 Directors. The quorum for directors meeting shall ,subject to articles 6.2 , be three 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 be entitled to nominate (and remove subject to notice period as set out in the Director's Service Contract if any) by notice in writing to the Company (copied to the Directors) from time to time a person, including an observer (the Observer) at meetings of the Board of Directors.

10.5 The Observer shall: -

(a) be entitled to notice and minutes of meetings of the Board of Directors as if s/he were a Director of the Board at the same time and in the same manner as Directors of the Company;

(b) have no right to vote at Directors' Meetings of the Board, but shall have the right to speak and contribute at a Board meeting;

(c) Be entitled to receive all information, other than sensitive personal information (as defined in the Data Protection Act 1998), provided by the Company or made generally available by the Company to Directors and the Company shall send such information or make such information available to the Observer;

(d) be at liberty from time to time to discuss the proceedings of Directors' meetings or of meetings of any committees of the Board of Directors with other officers and elected members of the Shareholder;

(e) observe the provisions of Clause 13 as to confidentiality.

10.6 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.

10.7 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.

10.8 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:

11.1.1 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

11.1.2 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;

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:

11.4.1 all existing contracts of the Company are performed to the extent that there are

sufficient resources;

11.4.2 the Company shall not enter any new contractual obligations;

11.4.3 the Company's assets are distributed as soon as practical; and

11.4.4 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):

13.1.1 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

13.1.2 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:

13.3.1 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

13.3.2 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).

14.2 Each party confirms that he is acting on his own behalf and not for the benefit of any other person or corporate body.

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

17.1 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

18.1 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:

19.2.1 In the case of the Company:

address: Barking Town Hall, Town Hall Square, 1 Clockhouse Avenue, Barking,
London IG11 7LU

19.2.2 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

20.1 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

SCHEDULE 1
Shareholder Reserved Matters

- 1 vary in any respect its articles of association or the rights attaching to any of its shares;
or
- 2 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
agreement 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 take new homes into the LLP / Company which have/will be developed by Be First on
behalf of the council, except as is expressly contemplated by the Business Plan; or,
after the Company has contributed to the development process or
- 13 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
- 14 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
- 15 amalgamate or merge with any other company or business undertaking; or
- 16 alter its name or registered office; or
- 17 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

- 18 enter into any arrangement, contract or transaction outside the normal course of its business or otherwise than on arm's length terms; or
- 19 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
- 20 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:
- 21 adopt or amend its annual or initial Business Plan; or
- 22 change its financial year end; or
- 23 appoint its auditors : or
- 24 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
- 25 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
- 26 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
- 27 factor or assign any of its book debts; or
- 28 determine the tenure mix and rent levels as part of the development / investment process; or
- 29 adopt or amend its Rent Policy; or
- 30 appoint, remove or dismiss any director or company secretary; or
- 31 adopt or amend its Remuneration Policy; or
- 32 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
- 33 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
- 34 approve any matter that is reasonably likely to have an adverse effect on the reputation of the Council; or
- 35 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
- 36 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

- 37 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 except as is expressly contemplated by the Business Plan; or
- 38 grant rights (by licence or otherwise) in or over any intellectual property owned or used by the Company.

SCHEDULE 2

2019/20 Reside Commissioning Mandate: see Appendix 1 of the business plan

Appendix 3

Summary of Reside's legal vehicles

Name of Vehicle	Companies House Registration Number	Members capital contributions	Purpose
Barking and Dagenham Reside Ltd	07706999	1 £1 share LBBB	477 affordable rented homes William Street Quarter (201 mix of 50% and 80%) and Eastern End of Thames View (276 mix of 50%,65% and 80%) under a debenture agreement
Barking and Dagenham Reside Regeneration Ltd	09512728	100 £1 shares LBBB	The Company that manages Reside, it includes the management costs, employs Officers and is party to the shareholder agreement that enables the Reside Board to have operational responsibility for the LLP's on behalf of the Council
Barking and Dagenham Homes Ltd	12090374	Limited by guarantee	The proposed Registered Provider. Will own affordable rented homes funded by GLA grant currently in the pipeline.
Barking and Dagenham Reside Roding Ltd	09512722	100 £1 shares LBBB	Designed to hold homes sold outright as long leasehold and any private rented (at full market rents). Used historically for homes on Gascoigne phase one that were sold on a long lease to L&Q
B&D Reside Regeneration LLP	OC400585	Barking and Dagenham Reside Regeneration Ltd: £1 LBBB: £999	Holds 73 shared ownership homes on long lease from LBBB, not all sold to shared owners at date of writing (September 19). Also has head lease from LBBB on the affordable rented homes currently leased by B&D Reside Weavers LLP Takes on new shared ownership homes including those funded by GLA grant
Barking and Dagenham Reside Abbey Roding LLP	OC399130	Barking and Dagenham Reside Regeneration Ltd: £1 LBBB: £99	Holds 144 homes let at 80% rent that are on a 998 year lease from LBBB No Grant funding
B&D Reside Weavers LLP	OC416198	Barking and Dagenham Renew (previously known as Barking Renew): £9 B&D Reside regeneration LLP: £1	189 units Weavers Quarter on 130 year lease from LBBB via an underleases from B&D Reside Regeneration LLP 10 homes on Eastman Road currently in process of being leased from the Council. Takes on new homes funded by Right to Buy one for one money

Appendix 4

Summary of Reside Governance



Appendix 5

Board membership

Main Reside Board:

Covers:

Barking and Dagenham Reside Ltd

Barking and Dagenham Reside Regeneration Ltd

Barking and Dagenham Reside Roding Ltd

And manages under the terms of the Shareholder Agreement on behalf of the Council:

B&D Reside Regeneration LLP

Barking and Dagenham Reside Abbey Roding LLP

B&D Reside Weavers LLP

Membership

Chair: Sonia Davidson-Grant

Directors: Councillor Cameron Geddes (resigned 9th September 2019), Brian Hamm, Fiona Penhallurick, Symon Sentain, Jeremy Grint (appointed 9th September 2019).

Proposed Registered Provider: Barking & Dagenham Homes Ltd:

Chair: Sonia Davidson-Grant

Directors: Fiona Penhallurick, Michael Westbrook

Two independent directors are currently in the process of being recruited.

Appendix 6

Officers:

Managing Director: Kristian Melgaard

Appendix 7

Action plan

Action Ref	Action	Category	Owner	Start Date	Target Date	Status
BPA01	Collaborate on the financial health check of legal and financial structure of Reside, taking forward and delivering on any actions identified.	Governance	Finance and Governance Lead (Reside)	Jul-19	Dec-19	In Progress
BPA02	Put in place a suite of key policies, procedures, rules and delegations (financial and contractual), and set out a timetable for review.	Governance	Finance and Governance Lead (Reside)	Apr-19	Mar-20	In Progress
BPA03	Provide input into the Inclusive Growth Systems Review - including the overall Gateway Process, Employers' Requirements, Client Brief and Handover Process.	Development	MD Reside	Jun-19	Mar-20	In Progress
BPA04	Carry out a performance deep dive and value for money review of the repairs and maintenance service currently delivered by BDMS / MyPlace (including planned/cyclical works and statutory compliance/M&E), commissioning external support where this is required. Review to incorporate feedback from the funders' review of Reside Ltd and make recommendations for commissioning of specific services into 2020/21.	Operations	MD Reside	Jul-19	Nov-19	In Progress
BPA05	Develop a new template Property Management Agreement (PMA) to be used for new developments and added retrospectively to existing schemes.	Finance & Legal	MD Reside	Jul-19	Oct-19	In Progress
BPA06	Carry out an analysis of the existing MyPlace Management Fee, developing an understanding of the constituent parts and the value for money it provides, and commission external support where this is required.	Finance & Legal	MD Reside	Jul-19	Dec-19	In Progress
BPA07	Scope out and commission a more strategic and holistic approach to sales and marketing across the portfolio over the next 5 years, and as a priority agree a sales and marketing strategy and commission legal services for the shared ownership units at the Becontree Heath development.	Sales & Marketing	MD Reside	May-19	Oct-19	In Progress
BPA08	Conduct a resident satisfaction survey of Reside tenants to identify any immediate improvements required to improve the service and providing a baseline against which future satisfaction can be measured.	Operations	MD Reside	Apr-19	Nov-19	In Progress
BPA09	Agree an operating budget for 19-20 and recruit to posts identified.	Operations	Finance and Governance Lead (Reside)	Apr-19	Oct-19	In Progress
BPA10	Compile a register of legacy housing management issues and ensure all are resolved over the initial business period.	Operations	MD Reside	Apr-19	Mar-20	In Progress
BPA11	Commission a piece of work to deliver market intelligence of the local rental and sales market, as well as bringing in consumer insights to shape the Reside offer and influence Council's housing investment / new build strategy	Sales & Marketing	MD Reside	Jun-19	Oct-19	In Progress
BPA12	Set out a clear vision and set of values for Reside. Also commission external (as well as council) support to help develop the Reside "brand" which aligns with this.	Governance	MD Reside	Jun-19	Dec-19	In Progress
BPA13	Work with MyPlace to develop and agree a new "Offer" for the Reside Portfolio, along with a comprehensive improvement plan to be delivered over the initial business plan period.	Operations	MD Reside	Jul-19	Mar-20	In Progress
BPA14	Set out an approach to re-commissioning services for post April 2020, articulating the requirements for properties and tenants and allowing Reside to more effectively performance manage the service providers to the portfolio, as well as actions to recommission services in line with the agreed Commissioning Strategy and Plan.	Operations	MD Reside	May-19	Dec-19	In Progress

Action Ref	Action	Category	Owner	Start Date	Target Date	Status
BPA15	Deliver the new approach to commissioning, in line with procurement requirements.	Operations	MD Reside	Dec-19	Sep-20	Not Started
BPA16	Finalise the Shareholder Agreement with the Council, incorporating the agreed Commissioning Mandate and Delegations.	Governance	Finance and Governance Lead (Reside)	Apr-19	Sep-19	In Progress
BPA17	Commission a stock condition survey to provide a robust set of figures to be fed into the 30-year business plan, and to also help finalise a costed planned maintenance programme.	Finance & Legal	Finance and Governance Lead (Reside)	May-19	Sep-19	In Progress
BPA18	Support the bringing back in-house of Elevate's income management services, subject to a satisfactory business case, reviewing and refreshing policies and procedures.	Operations	MD Reside	Oct-19	Mar-20	Not Started
BPA19	Carry out a review of the contract with Mainstay at the Weavers Qtr development, implementing recommendations which may involve alternative commissioning arrangements.	Operations	MD Reside	Jun-19	Sep-19	In Progress
BPA20	Ensure effective working relationships and involvement with the borough's charity, Renew, holding regular (joint) meetings with them and the council to ensure a collaborative approach to inclusive growth and housing provision, as well as proactive measures to support community cohesion and social inclusion.	Community	MD Reside	Jun-20	Dec-20	In Progress
BPA21	Conduct strategic round table events with the council and other key stakeholders to forward plan future housing needs and Reside's contribution to this, and to undertake sensitivity analysis around housing need, demand, provision and viability assessment.	Development	MD Reside	Dec-19	Dec-20	Not Started
BPA22	Develop an action plan to improve our approach to embedding a positive and proactive health and safety culture across Reside and its supply chain's operations and working practice.	Health & Safety	MD Reside	Oct-19	Dec-19	Not Started
BPA23	Develop an action plan to drive a positive equality, diversity, and social inclusion culture across Reside and its supply chain's operations and working practices.	Equality & Diversity	MD Reside	Oct-19	Mar-20	Not Started
BPA24	Assess Board Member and Reside Officer skills and training and development needs, and put in place appropriate training and development provision to meet these and ensure that Reside continually develops and contributes to thought leadership within the sector.	Governance	Finance and Governance Lead (Reside)	Nov-19	Mar-20	Not Started
BPA25	Define Reside's approach to corporate social responsibility and social value; ensuring that through its own and its supply chain activities Reside is able to make a positive contribution to investing in local people, local places and the local economy.	Community	MD Reside	Nov-19	Jun-20	Not Started
BPA26	Ensure that Reside is outwardly facing; engaging in sector level thought leadership, continuous improvement and sharing this learning within the borough for the direct benefit of our residents and the communities served.	Communications & PR	MD Reside	Oct-19	Dec-20	Not Started
BPA27	Carry out a cost and quality benchmarking exercise to compare existing performance against good practice, and then develop a new set of key performance indicators across customer service, housing management, and repair functions which are aligned with the business plan aims and customer expectations.	Operations	MD Reside	Sep-19	Dec-19	In Progress

Appendix 8 Economic Assumptions

CPI ¹⁷		
From Year		%
2	01-Apr-2020	1.90%
3	01-Apr-2021	2.00%
4	01-Apr-2022	2.00%
5 onwards	01-Apr-2023	2.00%

RPI		
From Year		%
2	01-Apr-2020	2.60%
3	01-Apr-2021	2.90%
4 onwards	01-Apr-2022	3.00%

**Management & Service Costs Real Increases / (Decreases) over CPI
Based on continuing to use the current provider
Modelling allows for an additional unit cost for new homes as they are put into
Reside**

From Year		%
2	01-Apr-2020	0.00%
3	01-Apr-2021	0.25%
6 onwards	01-Apr-2024	0.00%

**Business Plan Repairs & Maintenance Costs Real Increases / (Decreases)
Based on current provider costs, modelling allows for additional unit cost for new homes as they
are put into Reside**

		Responsive	Cyclical	Planned Maintenance	Catch Up Repairs
From Year		%	%	%	%
2	01-Apr-2020	0.00%	0.00%	0.00%	0.00%
3	01-Apr-2021	0.50%	0.50%	0.50%	0.50%
6	01-Apr-2024	0.00%	0.00%	0.00%	0.00%

Real Rent Increases - Development LAR/50%/target rent Shared Ownership 80% rent

RPI+1/2% throughout for Reside Ltd,
All other Reside vehicles: CPI+1% until 26/27 when it becomes CPI

Funding for future developments

Shared Ownership	01-Apr-2020	2.75%
All other loans		3.00%

All funding facilities are from the Council and principal repayment starts 2 years after loan start.
Interest is not charged on facilities for shared ownership until the last sale happens

Shared Ownership Sales

Percentage First Tranche Sale	30%
Rent on retained Equity	2.75%

¹⁷ CPI and RPI forecast are based on the Office of Budgetary Responsibility forecasts

Appendix 9

Council / Be First development pipeline for Reside:

Post Gateway 2 and pre Gateway 3						
Site	Forecast practical completion	Average forecast Reside purchase cost per unit	RTB 141 funding	GLA and other grant	Total no. of homes	Tenure mix
		£'000	£'m	£'m		
Sites passed gateway 2 not yet at gateway 3						
Oxlow Lane	Dec-23	£274	2.5	2.1	60	39 80% rent, 21 LAR
Rainham Road	Dec-23	£336	2.35	2.8	64	15 80% rent, 20 LAR, 29 LCHO
Roxwell Road	Dec-23	£271	3.4	3.4	82	48 80% rent, 34 LAR
200 Beacontree	Dec-20	£352		0.7	19	100% LCHO
12 Thames Road	Apr-22	£342		7.5	150	75 PRS, 75 LAR, under review
Woodward Road	Oct-22	£355	3.59	1.7	56	39 80% rent, 17 LAR
Royal British Legion	Dec-23	£328	2.58	2.8	56	28 80% rent & 28 LAR
Gascoigne West Phase 1	Jul-22	£352	7.3	3	201	66 80% rent, 30 LAR, 79 PRS, 26 target rent
Total between gateway 2 & 3			21.72	24	688	
Add in Homes passed gateway 3 as set out in detail in paragraph 7.9 above			38.49	13.40	918	
Total development pipeline currently proposed for transfer to Reside entities			60.21	37.40	1,606	

APPENDIX 10

5 year returns by Reside Vehicle ¹⁸

Year	20/21 £'000	21/22 £'000	22/23 £'000	23/24 £'000	24/25 £'000
Abbey Roding LLP	1,564	1,612	1,662	1,704	1,257
Reside Ltd	7	19	113	124	129
Weavers LLP existing stock	486	538	591	634	142
Weaver LLP pipeline	-2	83	698	822	959
Regen LLP existing stock before staircasing	146	189	205	221	235
Regen LLP pipeline: ongoing income	47	294	360	151	202
Reside Costs	-406	-396	-396	-400	-404
Total forecast return <u>excluding</u> first tranche sales, staircasing and loan principal repayments	1,842	2,339	3,232	3,255	2,518
Total loan principal repayments made to the Council	0	-10	-73	-629	-1,918
Regen LLP pipeline: first tranche sales	10	-924	-734	0	0
Regen LLP staircasing surplus	0	0	0	9	98
Regen LLP Grant amortisation	30	88	88	87	85

Note on First Tranches Sales:

Sales value assumptions are as follows:

- Gascoigne East Phase 2: Assume no sale price inflation, values used are those currently being achieved on phase one
- Sebastian Court & Crown House: based on values provided by Be First
- Becontree: based on the recent Savills valuation, first tranche sales are being marketed this autumn

The following sites show deficits on first tranche sales:

- Becontree (£224k)
- Gascoigne East Phase 2: note the costs for this site currently include those for the creation of the new park (£1,644k)
- Crown House (£105k)

The deficit on first tranche sales is a capital cost to the Council, this means that in terms of the Council's MTFs the additional cost to it is the cost of the additional amount of borrowing required, e.g £924k at 1.9% is an additional cost of £17.55k per annum plus MRP. This additional borrowing forms part of the loan passed onto Regen LLP and as such is covered by interest income from Regen

¹⁸ No allowance for the marginal cost of taking on additional homes has been allowed for over and above what will be payable to MyPlace as part of additional management costs. Any impact will be assessed as part of future business plans. Marginal lifecycle repair costs are also allowed for in the above numbers

LLP. Over the lifetime of the sites this is more than offset by the surpluses made on the rental income the Council makes on the retained equity.

Staircasing Surpluses This is a capital receipt from shared owners who buy additional shares. This is the net surplus compared to the original cost of building the percentage purchased.

Grant Amortisation: This is an accounting adjustment that will happen in Regen LLP's accounts to take the GLA grant to revenue over the lifetime of the scheme. It is not cash.

Appendix 11

Forecast Operating Costs

Year Ending March	2020	2021	2022
Staff and Board Costs	237,399	339,788	338,835
Recruitment costs	5,000	0	0
Conferences and training	5,000	5,000	5,000
Comms &PR including Website design	15,000	15,000	5,000
VFM review of management costs (HQN) and other consultancy	10,000	10,000	10,000
Legal	5,000	10,000	10,000
Business Plan Model	0	3,668	3,742
CIH and subs and publications	500	500	500
Audit Fee	2,365	2,410	2,458
HR SLA	6,850	7,028	7,232
IT SLA	7,500	0	0
Payables SLA	0	0	0
Finance SLA	13,000	13,247	13,512
Total	312,614	406,641	396,279

No allowance for the marginal cost of taking on additional homes has been allowed for over and above what will be payable to MyPlace as part of additional management costs. Any impact will be assessed as part of future business plans.

Staffing and Board Costs breakdown for 20/21	Total
Managing Director	112,324
Commissioning Manager (Career Grade)	68,171
Executive Assistant (SO2)	25,279
Resource for business planning and operational management	60,000
Staffing Costs	265,774
Chair	32,928
Board Member	9,029
Board Member	9,029
Board Member	9,029
Board Member (payment to Barking Renew Charity)	9,000
Company Secretary (£500 per meeting)	4,500
Board member Expenses ¹⁹	500
Board and Company Secretary	74,014
Total staff and board costs	339,788

¹⁹ Board members do not receive expenses for attending normal business meetings at Barking Town Hall, the expenses allowance is for off site meetings based on Barking Town Hall being the normal place of work.

Board costs for 20/21 are at the same level as 19/20. A large number of new homes will be handed over in the next few years (currently forecast at 819 for 2021 alone), the Board reflects the skill set (and therefore cost) required to achieve this.

Additional costs in 20/21 for staff are:

- Full instead of part year staffing budget for the Commissioning Manager and Executive Assistant (roles created part way through 2019/20)
- A part time resource to support business planning and operational management, including essential work to establish the new Registered Provider, the cost of which is currently covered by the Council from the Inclusive Growth Budgets.

Appendix 12

MyPlace costs

<p><u>William Street Quarter & Eastern End Thames View</u></p> <p>Total Units = 477 (112 Houses and 265 Flats)</p> <p>WSQ = 40 Houses & 76 High Rise Flats & 84 Med Rise EETV = 105 Medium Rise Flats & 72 Houses</p> <p><u>Services Provided:</u> Insurance / Rent Collection / Housing Management / Estate Services / Responsive Repairs / Planned Maintenance</p>	<p><u>Abbey Roding</u></p> <p>Total Units = 144 Mill Point & Timber Court (144 High Rise Flats)</p> <p><u>Services Provided:</u> Insurance / Rent Collection / Housing Management / Estate Services / Responsive Repairs / Planned Maintenance</p>	<p><u>Weavers Quarter</u></p> <p>Total Units = 189</p> <p>Houses = 10 Medium Rise Flats = 179</p> <p><u>Services Provided:</u> Rent & Service Charge Collection / Housing Management / Internal Responsive Repairs</p>	<p><u>Elmtree House</u></p> <p>Total Units = 10 8x 2 bedroom flats 2x 1 bedroomed flats</p> <p><u>Services Provided:</u> Insurance / Rent Collection / Housing Management / Estate Services / Responsive Repairs / Planned Maintenance / Gardening</p>
<p><u>WSQ & EETV:</u> Current Annual Charge (Scheme) = £583,117.28 Current Annual Charge per unit = £1222.47</p>	<p><u>Abbey Road:</u> Current Annual Charge (Scheme) = £174,951.00 Current Annual Charge per unit = £1,214.94</p>	<p><u>Weavers Quarter:</u> Current Annual Charge (Scheme) = £286,524.00 Current Annual Charge per unit = £1516.00</p>	<p><u>Elmtree House</u> Total Grounds maintenance & Caretaking Charge for the whole site (Not per unit) £4,656.60</p>

APPENDIX 13

Forward plan

Forward Plan			
Meeting Date	14/10/2019	18/11/2019	16/12/2019
Papers due for review and collation	02/10/2019	06/11/2019	04/12/2019
Strategic	Health & Safety and risk update	Health & Safety and risk update	Health & Safety and risk update
	Update on Reside Commissioning and handover processes (verbal)	Update on Reside Commissioning and handover processes (verbal)	Update on Reside Commissioning and handover processes (verbal)
	Update on set up of registered Provider (verbal)	Update on set up of registered Provider (verbal)	Update on set up of registered Provider (verbal)
	Resident Engagement proposals (Lead Symon) (Moved from July) - also to include representation from LBBD resident participation team (new).	Reside Commissioning Strategy. (Lead: Sonia) (include size of packages etc) (moved from October - was September)	Placeholder: Discussion and agreement of key performance indicators for 2020/21 (new)
	Policies and Procedures - (moved from September)	Placeholder: Initial Marketing Report (Rent tenure's, price points, marketing new and existing homes) (moved from September)	Policies and Procedures - Rolling Review
	Anti-Fraud and Whistleblowing (adoption of Council policies?)		
	Equality, diversity and inclusion (adoption of Council policies?)		
	Information Management and Data Management		
Risk Management	Governance Manual (Moved from September - was July)		
Roundtable / workshop on marketing / sales (separate to Board meeting but on same day) [MAY NEED TO HAVE AS AGENDA ITEM NOT WORKSHOP]			
	Policies and Procedures - (moved from October)		
	Internal Audit		
	Resident engagement		
Update on development schemes and pipeline update as required	Commissioning policies which set out how Reside will work with My Place and Be First	Management Agreements, current arrangement and expectations (moved from October - was July) - to include discussion/sign-off of new Property Management Agreement.	
	Customer Service & Complaints		
	Placeholder: Discussion of expectations around customer experience and work to date on aftercare - rep from Business Transformation team to attend. (new)		
	Placeholder: Presentation/discussion of BeFirst approach to quality. (new)		
	Quarterly Portfolio review: Update on development schemes and pipeline update as required		
Operational	Performance Management framework and Balanced Scorecard (includes finance monitoring)	Performance Management framework and Balanced Scorecard (includes finance monitoring)	Performance Management framework and Balanced Scorecard (includes finance monitoring)
	Risk Management	Risk Management	Risk Management
		Statutory accounts for approval	
	Repairs and maintenance deep dive, including cyclical/planned and landlord compliancy/M&E (moved from July) - this is part of MyPlace improvement plan which will	Resident Engagement deep dive (moved from September) - we will have STAR survey results by this point which will aid discussion.	
Governance	Minutes of Previous Meeting	Minutes of Previous Meeting	Minutes of Previous Meeting
	Matters Arising	Matters Arising	Matters Arising
	Forward Plan	Forward Plan	Forward Plan
	Action log (at end of meeting with forward plan)	Action log (at end of meeting with forward plan)	Action log (at end of meeting with forward plan)
	Agree Board Meeting dates for 2020		

APPENDIX 14

Risk Register

Risk	Strategic Risk	Current Risk			Status	Owner	Mitigation Strategies / Actions	Residual Risk		
		Probability	Impact	Severity				Probability	Impact	Severity
BDR01	Failure to manage assets to produce the required financial and social returns, and to comply with agreed standards	3	5	15	Open		Business plan to set clear targets for financial and social returns, with monitoring by Board. Work closely with the Council to mitigate specific risks identified such as sub market and market sales income, especially on pipeline sites.	3	4	12
BDR02	Insufficient planned contribution to housing supply	3	4	12	Open		Reside input to the development Gateway process set out and defined as part of the IG Systems Review.	2	4	8
BDR03	Failure to comply with health and safety obligations as a landlord.	3	5	15	Open		Quarterly H&S and landlord statutory compliance reports brought to Board, with regular H&S items picked up as a standing item.	2	5	10
BDR04	Rent arrears / loss of rent due to bad debts greater than planned / greater than expected cost of rent collection	3	4	12	Open		Adoption of Council's Income Policy (including for write-offs), performance reporting to Board, and monthly performance meeting between Reside MD and Heads of Services (Elevate). Benchmarking of rent levels as part of wider market	2	4	8
BDR05	Failure to effectively monitor, anticipate and respond to changes in the external environment	3	4	12	Open		External commission of a wider market intelligence piece, providing analysis of competition, demand, and market forces/changes, now and into the future.	2	4	8
BDR06	Failure to deliver the planned development programme to agreed quality and timescale, within agreed resources	4	3	12	Open		Reside input and challenge into the development appraisal process, and the Gateway approval process via the council's representative, as well as update workshops with BeFirst at an individual scheme and programme level.	4	3	12
BDR07	Failure to comply with loan covenants	2	5	10	Open		Findings/outcomes from funder's audit report to be fed into wider review of R&M for Reside.	2	5	10
BDR09	Failure to deliver required improvements in efficiency	2	4	8	Open		Value for money review of MyPlace/R&M a business plan action for 19/20.	2	4	8
BDR10	Failure to demonstrate an effective risk management / internal control system	2	4	8	Open		Risk register and controls reviewed by board quarterly.	2	4	8
BDR11	Failure of governance (including medium and long-term financial control)	2	4	8	Open		Governance manual to put in place.	2	4	8
BDR12	Failure to maintain a strong and positive relationship with key stakeholders, including local government and MPs	2	4	8	Open		Reside representation at shareholder panel and other LBBD boards and forums.	2	4	8

BDR13	Surplus from sub-market home ownership sales, including first-tranche sales, rent-to-buy and staircasing, less than planned	2	4	8	Open		Forecasting part of the business plan, with quarterly review of anticipated returns. Marketing and sales of shared ownership units externally commissioned.	2	4	8
BDR14	Failure to provide a repairs and maintenance service that meets relevant standards, within agreed resources	3	3	9	Open		Systems review of client brief, employer's requirements, and handover processes to improve processes between BeFirst/LBBD/Reside/MyPlace.	3	3	9
BDR15	Failure to recruit and retain a staff team that is skilled, motivated and productive within agreed resources	3	3	9	Open		Adoption of LBBD's HR and recruitment policies, to ensure robust processes followed with regard to recruitment.	2	3	6
BDR17	Rental income receivable less than planned	3	3	9	Open		Reside Rents Policy to be agreed with LBBD.	3	3	9
BDR18	Failure to maintain an ICT service that meets the needs of the business, and its customers, within agreed resources	3	3	9	Open		IT SLA to be put in place.	3	3	9
BDR19	Failure of improvement plans or programme of corporate projects to deliver expected benefits within planned costs and timescales	3	3	9	Open		MyPlace improvement plan shared with Board, along with regular progress updates and exception reporting.	3	3	9
BDR22	Failure to avoid or effectively mitigate the financial failure of a contractor	3	3	9	Open		Majority of services are commissioned from LBBD.	2	3	6
BDR27	Failure to prevent or recover quickly and effectively from disasters affecting the housing stock	1	4	4	Open		MyPlace providing out-of-hours service and support in case of fire, flood, and other events.	1	4	4
BDR28	Failure of the management team to demonstrate strong and effective leadership	1	4	4	Open		Weekly meetings between Chair and MD, and MD involved with key LBBD working groups and boards relevant to Reside (development, finance, systems etc).	1	4	4
BDR29	Failure of the Board and the management team to define the role and culture of the association and to set an appropriate strategic direction	1	4	4	Open		Visioning session with Board arranged for September meeting.	1	4	4
BDR31	Failure to raise sufficient finance at planned costs to maintain liquidity and meet business plan commitments	1	4	4	Open		LBBD finance/treasury resource supporting Reside board and MD, with additional interim governance and finance support resource in place.	1	4	6
BDR33	Greater than expected liabilities arising from finance leases and other financial instruments, including stand-alone derivatives	1	4	4	Open		Reside business plan assumptions regularly reviewed and any potential changes brought to quarterly shareholder panel.	1	4	4
BDR35	Failure to provide housing management services that meet agreed standards within planned resources	2	3	6	Open		Elevate SLA renegotiated to include contact for Reside homes. Repairs enquiries part of arrangements for new call centre.	2	3	6

APPENDIX 15**The Housing Market in LBBD**

1. Barking and Dagenham, as with all London local authorities is an area of high demand for housing. The Strategic Housing Market Assessment carried out on behalf of all the East London Boroughs, provided objectively assessed housing requirements for the borough over a period of 22 years: 2011 to 2033. This is set out below:

Barking & Dagenham		
Market Housing		Annual
1BR	1400	64
2BR	3300	150
3BR	8300	377
4BR	-200	-9
5+ BR	-200	-9
	12600	573
Affordable Housing		
1BR	1200	55
2BR	5600	255
3BR	6700	305
4BR	1400	64
5+ BR	300	14
	15200	691

2. This suggests that there is an annual need for 573 market homes, and 691 affordable homes each year. This total housing need of 1,264 is close to the London Plan annual target of 1,236 home each year. London Plan targets do not correlate exactly to need, but also take into account capacity.
3. During the period when this SHMA was drafted and revised, the National Planning Policy Framework (NPPF) and Planning Practice Guidance changed, although the Objective Need Assessment (OAN) prepared under previous guidance has been retained.
4. In the case of household projections, household growth of 35,355 households is predicted over the 2016-2039 period, a rise of 46%, or on average 1,537 households per annum.
5. GLA has also produced population and household projections for Barking and Dagenham. The central migration trend option within its most 2016-based household projections show household growth of 31,484 (41%), or on average 1,369 per annum.
6. GLA's most recent employment projections covering the 2016-2050 period show relatively limited employment growth in the borough from 58,000 jobs in 2016 to 65,000 in 2050. A recent employment study commissioned by the borough looks at the potential for much higher rates of employment growth in the range 18,000-24,000 jobs. If adopted, the

creation of this level of employment would clearly require additional dwellings to avoid the need for inward commuting.

7. On this basis, the Objectively Assessed Need (OAN) for Barking and Dagenham before taking account of market signals was 1,523 dwellings per annum over the period 2016-2039, including provision for vacant and second homes in the additional stock.
8. The dwelling size breakdown of the OAN was dependent on assumptions about future occupancy rates. Assuming that private sector occupancy rates (which include significant levels of under-occupancy) remain as at present, the required size breakdown of the housing stock in the borough in 2039 will be 39% one bedroom dwellings, 27% two bedroom dwellings, 25% three bedroom dwellings, and 10% four bedroom dwellings.
9. Affordability in LBB
 - 9.1 The need for affordable housing differs from total housing need or the Objectively Assessed Need for Housing (OAN). Assessed need, as calculated either through the standardised methodology or the former OAN process is an assessment of the amount of additional housing stock required to cater for future household growth. The affordable housing requirement estimates the total amount of affordable housing required, which could be met in a variety of ways in addition to building more homes (for example, by acquiring private stock for use as affordable housing).
 - 9.2 Combining household estimates drawn from the Planning Practice Guidance, with the numbers of newly forming households and the number of existing households falling into need, there is a potential annual need for housing of 3,163 households, before taking account of the ability of these households to afford market housing.²⁰
 - 9.3 To assess the number of these households unable to afford market housing, estimates of were obtained of the distribution of household incomes in the borough, and of the incomes of the specific groups defined in Guidance as potentially in need. Household incomes were compared with the threshold entry cost for market housing, namely the lower quartile market rent, to give an estimate of the number of households in need of affordable housing, broken down by bedroom requirements. An estimated 2,067 households per annum could not afford to pay the market entry threshold cost and therefore needed affordable housing.
 - 9.4 Four other affordable housing thresholds were also identified. The lowest cost threshold was based on current actual average rent levels in the social rented sector in Barking and Dagenham. 601 households, or very broadly about one third of those unable to afford the market threshold, could not afford a rent threshold of 50% of the lower quartile private rent, and so would require social rented housing at

²⁰ Source Cobweb report

around current average rent levels.

- 9.5 The next threshold was set at 66% of the lower quartile market rent. 625 more households, roughly another third, could afford rents at 50-65% of this level.
- 9.6 The next threshold was set at 80% of the lower quartile market rent. 363 more households, very roughly one sixth of those unable to afford market housing, could afford rents of 66-79% of the lower quartile threshold market rent.
- 9.7 This leaves another 479 households who could afford 80-99% of the market threshold rent. These proportions are not exact but give a rough indication of the breakdown of affordable need.
- 9.8 The annual supply of affordable housing units is estimated at 510 units, and deducting this from gross need provides a net annual requirement for affordable housing of 1,557 units.
- 9.9 The Private Rented Market in LBB
- 9.10 The private rented sector (PRS) in LBB increased from 5% in 2001 to 18% in 2011²¹, is now likely be at least a quarter of the stock²² and is estimated to still be growing quickly. The 2011 census showed nearly 5,000 fewer owner occupiers than in 2001.
- 9.11 There has been a Borough wide Private Sector Licensing Scheme in operation since September 2014 that has recently been renewed for a further 5 years until 2024. This requires all private rented homes to have a licence.
- 9.12 The Private Rented Sector in Barking and Dagenham is estimated to include 9,000²³ Houses in Multiple Occupation. The overall condition of the private rented sector is poor, and poorly managed. There are an estimated 4,000+ landlords operating in the sector. Only 23% of private rented property is managed professionally.
- 9.13 Official guidance makes it clear that private rented housing is not affordable housing, but the private rented sector could play a part in meeting affordable need, supported by Local Housing Allowance, mainly perhaps on a short-term basis for any individual household.

²¹ 2011 census data

²² Different data sources give different estimates. The Cobweb research which was based on extrapolating the 2011 census data using historic trends estimates 24% of homes are private rented. The Community impact statement in the January 2018 report to Cabinet on the Private Rented Property Licensing scheme states "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"

²³ Source <https://www.lbbd.gov.uk/property-licensing>

However, in the longer term, it seems that landlords are orienting themselves to higher ends of the market, to cater for working and professional households, who can pay the higher rent the market can command.

- 9.14 There is evidence that the private rented sector is both in poor condition, and poorly managed. This is a strong motivator for the Council to encourage a more professional, and well managed private rented sector.

APPENDIX 16:

DRAFT PROPOSED PERFORMANCE MEASURES

1: Action plan from the business plan – the response to the mandate on developing the Reside business

Business plan Deliverables	Target for completion /progress expected over the next 12 months	Progress update
<i>Governance and business planning</i>		
Produce a governance manual for Reside.	Manual produced by December 2019	
Conduct a financial health check of Reside which supports the long term delivery of financial return	Health check completed by December 2019	
Develop an approach to refreshing the business plan to reflect any changes to the development pipeline	Approach agreed and implemented by the end of Q4	
<i>Brand identity and external comms</i>		
Developing Reside's vision, mission and values based on the Council vision in the commissioning mandate		
Developing a strong brand identity as the main provider of high quality new rented homes in the borough	External comms channels – current and perspective tenants	
<i>Lettings, sales and marketing strategy</i>		
Develop Reside's contribution, as part of the inclusive growth system, to the development and delivery of the New build programme, through formal and informal engagement across the development cycle.		
Develop an approach to providing market intelligence that informs the		

New Build development programme, based on an understanding of the local housing market context, trends and wider market influences and other place making factors which will maximise the desirability of Reside properties.		
Lead the planning across the system for the handover and occupation of the Reside properties in the pipeline	Planning to be in place for April 2020	
<i>Providing first class housing management services</i>		
Carry out a commissioning review to inform decision making around the future options for the delivery of housing management services for Reside	Commissioning review should be completed by April 2020	
Develop a comprehensive set of performance indicators which will enable Reside to know it is delivering a first- class housing management service.	Developed by April 2020	

2: Housing management Key Performance Indicators

Proposed Measure	Current Performance	Benchmark	New Target	Reporting frequency	By ENTITY	By TENURE
Rent collection rate as % of total rent due	99.71%			Monthly		
Void rate as % of all stock	0.23% (void loss)			Monthly		
Average number of days to let a void property	6.20 (target 5 days)			Monthly		

% of new lets or Re – lets which are made to B+D residents	90%			Monthly		
% off Reside residents who are satisfied with the service they receive	58%			Yearly		
% of responsive repairs completed within X number of days	85.71% (9 day target)			Monthly		
% of responsive repairs completed on first visit	TBC			Monthly		

3: Financial performance (rent) – the Reside contribution to the delivery of MTFS should be updated monthly

Reside Entity	Barking & Dagenham Reside Ltd	Barking and Dagenham Abbey Roding LLP	B&D Weavers LLP	Barking and Dagenham Regeneration Ltd	Total for Reside
MTFS target (19/20)	£225k	£426k	£235k	(£258k)	£628k
Year to date income					
Full year Management costs					
Projected income for year end	£225k	£426k	£380k	£(312k)	£719k
Projected variance to MTFS target (Surplus)	0	0	£145k	£(54k)	£91k

Appendix 17:Reside Board involvement in the Gateway process

Step No.	Gateway	Process
1	Gateway 1	Reside MD to attend Client Brief workshops to contribute to the requirements of the sites from a Reside perspective. Reside MD to comment on the client brief, before the Director of Inclusive Growth formally signs off the brief on behalf of the shareholder. The Reside MD should informally consult Reside Board members as appropriate during this time in line with the gateway process timescales, regarding any specific issues or aspects of the proposed client briefs.
2	Gateway 2	Reside MD should input into the Gateway Panel and Investment Panel meetings and paperwork, by attending pre-meetings held by the Commissioner. Contributions from the Reside MD should input and steer Commissioner meetings with Be First. After Investment Panel have agreed a proposal at Gateway 2 the Investment Panel Report and an accompanying presentation to be taken to the next available Reside Board. The scheme will be presented by the Reside MD with the support as required from Be First. The Board will make formal recommendations as appropriate to the Commissioner. The Commissioner will consider the recommendations and feed them back as appropriate to the Council as a shareholder and Be First. The Council will respond formally to the Board's recommendations.
3	Post Reside Board formal recommendations through gateway 3 (planning) to Gateway 4	Quarterly Portfolio Update Reports will provide the Reside Board with a mechanism for ongoing dialogue with the Council. These will include information about any change control requests that have been agreed by the Council since gateway 2. The reports will be led by the Reside MD (the Council will provide the Reside MD with the relevant information) and presented by him/her to the Reside Board on a quarterly basis. The Board will formally feedback any significant concerns to the Council. It's expected that finalising the s106 that needs to be signed at this stage will be delegated to the Reside MD.
4	Post Gateway 4	Land and Legal Transfer, the Council approve the site being taken into management and approve its transfer into Reside. Reside Board take a formal decision to accept the site, as part of this process they delegate the detailed arrangements to take handover to the Reside MD. If Reside Board do not decide to accept the site, the shareholder can over-rule them and put the site into the relevant Reside Vehicles. All three aspects (land, legal and delegation of detailed handover to the Reside MD) should be synchronised and completed in one action.
5	Gateway 5	At this stage the site is formally handed over, with approvals to take into management having been agreed at stage 4, with the detailed handover being delegated formally to the Reside MD. At this stage the Reside MD as part of reporting on his/her use of delegations, will confirm he has undertaken all the steps required to take formal handover.
6	Lessons Learnt	Reside Board to formally contribute to the lessons learnt process which takes place a year after official handover.

Appendix A

Below is the current list of Reside sites and where they are in the Gateway Process

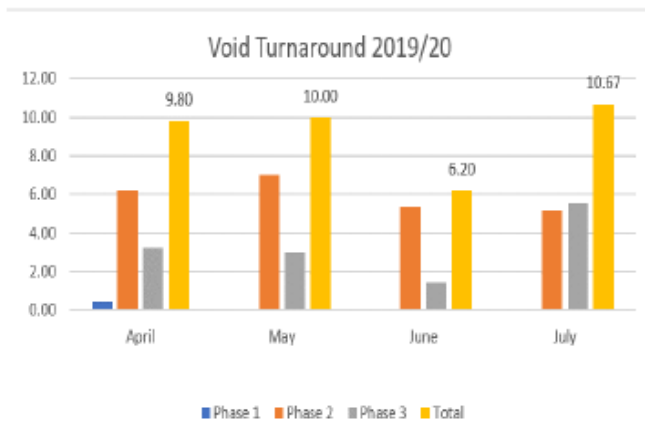
<i>Sites due to come to Gateway 2 in the next twelve months</i>	<i>Name of Site</i>
	<i>Gascoigne East Phase 3</i>
	<i>Padnall Lake</i>
	<i>Stour Road 90</i>
	<i>Gascoigne West Phase 2</i>
<i>Sites currently between gateway 2 and 4 (to be covered as part of the quarterly update report)</i>	<i>Sacred Heart</i> <i>Sebastian Court</i> <i>Gascoigne West Phase 1</i> <i>Gascoigne East Phase 2</i> <i>200 Becontree</i> <i>12 Thames Road</i> <i>Royal British Legion</i> <i>Oxlow</i> <i>Roxwell</i> <i>Woodward Road</i> <i>Rainham Road South</i>

APPENDIX 18:

EXISTING PERFORMANCE DASHBOARD

RESIDE PERFORMANCE DASHBOARD				
Key Performance Indicators			2018/19	
STAR Survey - Overall Satisfaction			58%	
STAR Survey - Rent is VFM			47%	
	May	June	July	
Complaints (answered in 7 days)	n/a	n/a	n/a	
Repairs Turnaround (in days) [target 9 days]	11.24	13.34	10.26	
Repairs completed in target	82.61%	80.95%	85.71%	
Voids turnaround (in days) [5 days]	10.00	6.20	6.20	
Financials (July 2019)				
	WSQ / EETV	ABBEY	WEAVERS	
Rent Collection %	99.76%	99.86%	98.19%	
Current Arrears £	£63,369	£8,720	£41,505	
	WSQ / EETV	ABBEY	WEAVERS	
Void Loss % (19/20)	0.27%	0.17%	0.24%	
Void Loss £ (19/20)	£5,097	£978	£1,721	
	WSQ / EETV	ABBEY	WEAVERS	
Bad Debt	£303,741	£10,741	£5,449	
Projects & Programmes:				
The new offer has been agreed by the Director of My Place. The next stage is to take the proposal to Improvement Board, CSG and LAG for approval it is anticipated that this will happen by the end of September 2019.				
An improvement project on BDMS's services is due to commence in September which will see an improvement in service delivery.				
Key Narrative:				
Weavers				
Security remains an issue on Weavers with the homeless and drug users using the bin / bike sheds to sleep, take drugs. We have instructed security from 6pm to 6am and all over the weekend. This is proving successful. Be First have agreed to enhance security on all doors with an additional magnetic lock. The installation will be complete by the end of August.				
Personal injury claim				
A personal injury claim has been received from a tenant at EETV having fallen down the stairs and damaged her teeth. My Place were able to defend the case as they visited the property on the same day as the fall and took pictures which allayed the allegations of loose carpet and defective handrails. Insurers are investigating the claim.				
Complaint				
No formal complaints received in July.				
William Street Quarter Hot Water				
The leak in the communal water system has been located by a specialist leak tracing firm. Hot water has been shut down for 2 x 2 days to allow the system to cool and allow tracing. Significant communication was sent to residents with staff on site, no complaints received as a result. The repair will take around three hours with no impact on residents. The leak has been going on since the development was handed over from contractors.				
Compliance				
Lifts, legionella, emergency lighting, fire risk assessments, sprinkler systems, smoke control systems are 100% compliant.				

Void Reporting:



	Phase 1	Phase 2	Phase 3	Total	No. Let
April	0.40	6.20	3.20	9.80	5
May	0.00	7.00	3.00	10.00	2
June	0.00	5.40	1.40	6.20	5
July	0.00	5.11	5.56	10.67	9
August					
September					
October					
November					
December					
January					
February					
March					

Monthly Lettings

Scheme	Children	Bedrooms	Profession	1st Applicant	2nd Applicant	Live B&D	Work B&D		
Weavers	2	3	Mental Health Nurse	£36,000	Healthcare Assistant	£20,000	£56,000	Yes	No
Abbey	0	1	Sports Direct - Assistant Manager	£35,000	Single		£35,000	Yes	Yes
Thames View	4	4	Security Officer	£30,000	Healthcare Assistant	£22,500	£52,500	Yes	No
WSQ	2	4	Regional Manager	£34,000	IT Consultant	£25,000	£59,000	Yes	No
Thames View	3	3	Dispensary Assistant	£19,000	Cleaner	£12,000	£31,000	Yes	No
WSQ	0	1	Social Worker	£42,000	Single		£42,000	Yes	No

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
Ave Repair Turnaround (Days)	9.60	11.24	13.30	10.26									11.22
% of Jobs Completed on Time	87.09%	82.61%	80.07%	85.71%									83.73%
Number of Jobs Completed	364	414	286	308									1372

RESIDE FINANCE DASHBOARD				
Revenue				
19/20 Surplus Rent Target to LBBD in MTFS	Target	Prediction to 31/3/20	Variance	Comment
B&D Reside Ltd	£224,883	£224,883	£0	The rent increase has been revised to RPI+1% since last months forecast in line with the original assumptions used to model the scheme. However there remains a risk that current market conditions may restrict this. The business plan is very sensitive to rent increases of less than RPI+1% for this company as the majority of its costs increase each year under the legal agreements by RPI, so any lower rent increase has a significant impact on both the current and future years out turns. A rental valuation is being requested from Savills to inform the rent increase proposals.
B&D Reside Abbey Roding LLP	£426,000	£426,000	£0	On target
B&D Reside Weavers LLP	£235,196	£380,647	£145,451	Additional income predicted due to re-allocation of management costs
B&D Reside Regeneration Ltd	-£258,000	-£360,891	-£102,891	Additional cost will be incurred to fund service improvements, however the overall income target will still be met/ exceeded. The costs for this Company will be distributed on a unit basis to the other Reside Companies.
B&D Reside Regeneration LLP	£0	£0	£0	Breakeven is predicted. Losses as a result of void service charge costs because of slow sales are offset by reduced interest costs as no interest is due on each loan until a subphase is fully sold which means that rental income on the sold properties should offset the cost of the void units. We are still confirming the recoverability of in year service charges and there is a risk of further unrecoverable service charges.
Total	£628,059	£670,619	£42,560	
Capital				
19/20 Capital Repayments due to LBBD	Target	Paid to Date	Variance	Comment
B&D Reside Regeneration LLP	N/A	£1,239,250	N/A	There are 46 shared ownership units that are sold/ in the process of being sold on the Weavers Quarter Development. There are two subphases, A1, which has 26 units and A2 which has 20 units. The initial sales are paid up to the Council as they are received and used to offset the loan (less sales and legal fees). Of the 46 units, 27 have been sold (11 in this financial year), 8 are in the process of being sold and 11 are still available. Sales are slower than expected and it is predicted that some of the units may not be sold in this financial year. Promotions and financial Incentives are being offered to improve sales in line with those offered by L&Q. The loan interest is not due until a subphase is fully sold therefore although the Company will be incurring costs for service charges and utilities on void properties, the rental income should offset these costs this year to a breakeven position. There are 27 shared ownership units at Kingsbridge, 26 units have been sold and the last one has been reserved and are all expected to be sold. Sales receipts, income and expense are passed through to the Council as part of the lease agreement, therefore there is no budget target currently in Reside for these units.

CABINET

15 October 2019

Title: Delivery of 'Made in Dagenham' Film Studios	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For decision
Wards Affected: Eastbrook	Key Decision: Yes
Report Author: Stephen Hursthouse, Senior Development Manager, Be First	Contact Details: E-mail: stephen.hursthouse@befirst.london
Accountable Strategic Director: Graeme Cooke, Director of Inclusive Growth	
Summary	
<p>Film/TV studios and associated media related activity at the former Sanofi site at Dagenham East have been progressing for a number of years with significant land holdings being acquired to facilitate the delivery of London's largest studios for 25 years.</p> <p>Last year a competitive procurement was undertaken to seek an organisation to purchase a long leasehold of the land and deliver and operate studios. US firm Pacifica Ventures were selected as preferred bidder due to their track record in delivering successful studios in the US. Unfortunately, Pacifica Ventures have not performed, and their exclusivity period has now lapsed. The evidence of demand for production companies to rent studio space remains very strong so Be First working with organisations involved in the industry have produced a Business Plan for delivery and operation of the studios to inform decision making on getting the studios built.</p> <p>The Business Plan shows a proposal which addresses the needs of the industry and would fund the borrowing costs of the land assembly and construction costs and make a further return to the Council in the medium term. The Business Plan sets out a range of delivery options from the Council fully funding the build and then running the studios (maximum intervention) through to selling the site following planning approval (minimum intervention) with a range of options between those. Appendix 1 consists of the proposed masterplan for the site.</p> <p>Whilst the Business Plan sets out the details for the full build out of the studios and its operation, at this stage the Council is not being asked to commit to a particular delivery option – that would be subject to a further report - just to commit to fund a planning application and design work recognising there is a viable business case and a range of delivery options. Industry concerns about planning are significant given high profile failures to secure planning elsewhere. Therefore, securing planning approval for the studios would be a major step forward in giving the industry confidence about Dagenham. This would encourage greater interest from potential funders/Joint Ventures partners and greater certainty of lettings potentially including an anchor tenant. During the planning process Be First will continue discussions with industry players to better inform decision making regarding the future delivery option.</p>	

The Business Plan for the proposed Film studio development is in line with the emerging vision for the wider Dagenham East area which will be produced over the coming months – key initial elements of which are presented in Appendix 3.

Recommendations

The Cabinet is recommended to:

- (i) Delegate authority to the Chief Operating Officer to appoint a design team in accordance with the Council's Contract Rules to work up and submit a full planning application along the lines of the site masterplan shown at Appendix 1 on behalf of the Council;
- (ii) Agree to allocate up to £3.4million to cover pre-development costs from the Investment and Acquisition Budget to allow the project to seek planning approval and to take Phase 1 of the scheme (shown in Appendix 2) through to RIBA Stage 4 design;
- (iii) To note that a future Cabinet report will seek approval for the delivery option with the Business Plan highlighting a range of options;
- (iv) Authorise the Chief Operating Officer in consultation with the Director of Law and Governance to negotiate and award any agreements to give effect to recommendations (i) and (ii), and
- (v) Authorise the Director of Law and Governance, or an authorised delegate on their behalf, to execute all the legal agreements, contracts and other documents on behalf of the Council in relation to recommendations (i) and (ii).

Reason(s)

- Regeneration and development of the borough through very high profile project
- Potential to generate a long term income source for the Council
- Transformation of local economy and image of the borough
- Extensive range of employment, community and social benefits delivering Borough Manifesto objectives.

1. Introduction and Background

- 1.1 Largely due to the work of the Council's Film Unit, film and television location shoots in the borough have grown substantially over the last 5 years. This established extremely good links with the industry and highlighted the challenges the sector is facing in terms of shortage of studio space in London. As a result, the Council and Greater London Authority (GLA) jointly funded a feasibility study appointing consultancy SQW working with BBP to carry out the work engaging with a very wide range of stakeholders and industry leaders as well as local stakeholders. The study also attempted to quantify the benefits achievable both locally and regionally and how these can be maximised. The studios would have a major impact on changing perceptions of Dagenham, encouraging civic pride as well as raising aspirations of people in the Borough including through ensuring local training providers align services to meet the needs of the industry. The report concluded "Dagenham East represents a rare chance to build a world-class film studio within the boundaries of Greater London."

- 1.2 As a result of this work initially the Council and now Be First have progressed land assembly which resulted in the decision for the Council to purchase c.9 acres of land in November 2016 (completed) and a further c.11 acres in January 2018 (which completed in January 2019). Subsequently, the Council made the decision to purchase the entire LEUK site (completion January 2019) through a company purchase by Barking Dagenham Trading Partnership (BDTP). Part of the LEUK site includes c.3 acres of undeveloped land (Plot 3 on page 9 of Business Plan) which is agreed would form part of the film development. These acquisitions complete the necessary land assembly to deliver the film studios and associated facilities required.
- 1.3 Cabinet in January 2018 agreed to Be First commencing a process to select a partner to deliver the studios – through the selling of a long lease for the whole site for film studio development. This involved national and international promotion. The film studio operators' market is extremely limited with many studios in the UK run/owned by Local/regional Authorities including Bristol and Manchester. There is a small pool of organisations that fund, build and operate studios. As such the response was limited – US firm Pacifica Ventures were selected as preferred bidder based on their track record of building successful studios in the US. Be First entered into a time limited exclusivity agreement with Pacifica Ventures but unfortunately, they did not progress matters sufficiently and their exclusivity has now lapsed.
- 1.4 The demand for film studios remains strong; however, it is recognised the industry has concerns over planning issues given high profile planning battles and that further de-risking by securing planning approval would generate significantly more confidence and greater opportunities.
- 1.5 Rather than securing a one-off capital receipt (which would be likely to be in excess of the land assembly expenditure made), there is the opportunity for the Council to gain a long term rental income from the studios if delivery is not via a land sale. To inform decision making on the way forward, Be First has led on the production of a Business plan for the studios. To ensure the robustness of the Business plan the following experienced companies/organisations have contributed:
- 1) Lambert Smith Hampton (LSH) - One of the leading consultancies for film/TV studio property issues. They produce a regular, well respected, research report on studio demand¹ and have advised studio development and expansion across the U.K.
 - 2) PRP architects - Worked extensively on the designs for the new film studios in Manchester (Space Project) and clearly know the industry's requirements.
 - 3) Knight Frank - Operate the 3 Mills Studios for the London Legacy Development Corporation and therefore have detailed and first hand knowledge of operating costs and revenues as well as occupiers' requirements.
 - 4) Film London - The Capital's screen industries agency to sustain, promote and develop London as a global content production hub.
 - 5) LBBB Film Unit - The film unit has attracted significant locational filming in the borough and established good and candid relations with key industry players.

¹ https://www.lsh.co.uk/-/media/files/lsh/research/2018/2018_06_10392_film-studios-research-report-print.ashx

- 1.5 The Film Studios form one element of the wider former Sanofi site and a Dagenham East vision document is being produced setting out how Dagenham East is the focus for repositioning the local economy away from traditional manufacturing towards growth sectors where we can become known regionally, if not nationally, as a centre where the fusion of film/media, science, data, research and learning supports economic growth, delivers thousands of new jobs and training pathways for local people as well as providing associated facilities which support the centre's growth and benefit residents. Emerging extracts are attached as Appendix 3.
- 1.6 It is proposed to exclude the c.3 acre frontage plot (shown in Appendix 3) for future development which presents an opportunity for a strong public frontage to the site recognising that the dotted red line shown on the plan around the film studios will be a secure boundary with limited public access. Leaving this site for the last phase of development makes sense it as gives the Council the chance to maximise the benefits and returns following the successful delivery of the studios and other developments on the rest of the Dagenham East site. However, Be First are currently exploring the opportunities for temporary/meanwhile uses which present a 'public face' to the site and provide facilities of benefit to Dagenham East occupiers as well as local residents.

2. Proposal and Issues

- 2.1 One of the key objectives for the development is maximising local job opportunities and inspiring people to take up employment in a growth sector which over time will change the nature of the Dagenham economy. As such this is probably the Be First project with the potential for the biggest impact on the Borough. Local residents can be encouraged to seek the skills required to secure creative industry employment seeing that there are local employment opportunities available. The screen industries are superb for a wide range of employment opportunities from construction works (building stage sets, electrical, carpentry), textile industries, hair and beauty through to film specific roles. It will be important to maximise the full range of opportunities and build links with the wide range of organisations involved in creative industries skills development. Officers at Be First and the Council are engaging with existing and potential training providers in the borough and getting Screenskills² to carry out a specific piece of work in this area to ensure the opportunities from the proposal are fully maximised.
- 2.2 A detailed business plan and masterplan have been produced based on the extensive experience of the team and considerable engagement with organisations in the industry. The Business Case sets out how and why the proposed layout meets the industry's requirements. The masterplan is shown as Appendix 1.

The case for action includes achieving the following:

Place making/Perception Changing

- Dagenham becomes identified clearly and positively for the screen industries with the studios becoming a nationally recognised facility.
- Delivering the planning permission shows a clear intent and commitment by the Council to the studios and generates more confidence in both the industry and potential investors/partners.

² <https://www.screenskills.com>

- Productions companies need to see a derisked pathway to the delivery of the studios which essentially shows a delivery date for them becoming operational before they will commit to utilising them. Securing planning consent is a significant step in being able to demonstrate that to these end users.
- There could be potential to brand the studios as the most sustainable film studios in the UK given the increasing focus on this area in the industry and the chance to establish a clear unique selling point.

Financial/Commercial

- A commercial long term return for the Council reflecting the investment made.
- Generate new income for the Council through increased business rates received estimated to be over £500,000 per annum.

Employment, Skills and Business

- Delivering significant on-site employment across a range of skills levels as well as in-direct employment/supply chain employment
- Maximising scope for local employment and training opportunities during construction but most importantly in establishing a long term vision for permanent employment where local residents are inspired to seek employment in the industry and secure the skills required at local facilities. The Council will facilitate local providers to address skills requirements.
- The studios play a key role in the local economy and community becoming actively involved in local partnerships.

- 2.3 The Business Plan sets out a phasing option whereby a first phase could be delivered consisting of 3 high end sound stages, a standalone office/gatehouse reception and the provision of the necessary ancillary workshops including the conversion of the existing Unit C for workshops. A second phase would deliver a further 3 sound stages, the conversion of the existing Unit A to workshops and additional workshop space. The phasing plan is shown as appendix 2.
- 2.4 Funding is sought to develop and submit a planning application for the site. This would cost £1.8m. Be First would appoint architects through its DPS framework in line with Be First's scheme of delegation.
- 2.5 In addition a further £1.6m is sought to progress the detailed design of Phase 1 to sufficient detail for a building contract (RIBA stage 4). This would enable much firmer construction price. This would give the market much greater confidence of delivery and speed up the timetable regardless of which delivery option is chosen.
- 2.6 Secret Cinema are currently utilising Unit A for the current 'Casino Royale' show which has attracted c.1500 people per night to Dagenham further raising the site's media profile. So far, their presence has brought over 115,000 people to the site. Secret Cinema are discussing an extension to their tenancy which would work with the proposed two phase development set out in the Business plan.
- 2.7 Section 10 of the Business Plan sets out the planning issues for the film studios in significant detail. In order for productions to win a Bafta award, the studios used need to achieve a specific environmental accreditation³. The design will look to

³ <https://wearealbert.org>

address these requirements with the new studios likely to be one of the most sustainable in the country.

3. Options Appraisal

- 3.1 The regeneration case for film studios at Dagenham East was set out in the LBBD/GLA funded feasibility study by SQW and has been the basis of the Council's land assembly to date. The Business Plan takes this much further setting out in considerable detail the capital and operating costs and revenues for studios designed with industry input.
- 3.2 The Business Plan focusses solely on delivery of film studios and related activities – it does not set out options for alternative land uses. The site has a restrictive covenant against residential uses. Clearly the site has planning approval and existing warehouse buildings and could be progressed as a logistics park. There would be a lower capital cost for completion of and it would generate reasonable rents with strong demand - however it would not achieve the benefits set out in paragraph 2.2 above.
- 3.3 Whilst the Business Plan sets out a single masterplan for the site (shown in appendix 1), this has been developed following over 20 iterations gaining feedback from the industry to come up with a layout that works for the widest range of potential occupiers and addresses lessons learnt from a number of other studios. Significant consideration was given to whether to reuse the two existing warehouse units on site (Units A and C – shown in dotted black lines in appendix 1) and the conclusion was that it was uneconomical to bring them into use as soundstages which meet industry requirements but they were suitable for lower cost conversion to workshops which are an essential part of the studio facilities. This reduces the overall capital requirement compared to a complete new build and then sets further parameters on the site layout.
- 3.4 The 'Do Nothing' option means the studios proposals would not progress having a very negative political and perceptual impact with the Council still having the associated borrowing costs from land assembly.
- 3.5 A future Cabinet report will seek to secure approval for a specific delivery option addressing procurement requirements. The Business plan sets out the range of options available which can be further defined as discussions continue with industry players.
- 3.6 Separately the project team are also exploring options as to whether it makes economic sense to deliver temporary soundstages within the site boundary or as a meanwhile use for the frontage plot.
- 3.7 A sensitivity analysis forms part of the Business Plan assessing the impact of increases/decreases in construction costs and operating costs.

4. Consultation

- 4.1 The proposals for film studios have been widely publicised including stories in the national press. There is strong support for the project, and it has been referenced in Borough Manifesto and other more general public consultations.

- 4.2 The Business Plan work involved intensive consultation with the Film/media industry to seek to ensure the design/layout/facilities achieve as many of the industry's requirements as possible which can be viably delivered. These discussions will continue throughout the detailed design process.
- 4.3 As part of the planning process it would be proposed to have public consultation prior to the planning application being submitted as well as the usual planning consultation processes.
- 4.4 The Dagenham East Regeneration Steering Group (DERSG) has been paused for the last 18 months but it has been reconvened with a meeting held on 23 September. The DERSG involves all key stakeholders at Dagenham East (Be First, BDTP, NTT, Travelodge/Costa, Unite, Secret Cinema, Elutec, M&B Sports Club, The Pipe Major etc) along with Eastbrook Ward Councillors and the Cabinet Member for Regeneration and Social Housing. This gave the opportunity to discuss the proposals in this report which were supported.

5. Equalities

- 5.1. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Section 149 of the Equality Act 2010 places the Council, as a public authority, under a legal duty ("the public sector equality duty"), in the exercise of all its functions, to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - Advance equality of opportunity between persons who share a "relevant protected characteristic" (i.e. The characteristics referred to above other than marriage and civil partnership) and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2. An equalities impact assessment has previously been undertaken as part of setting the planning policy framework for the Borough. The planning application for the development will assess the potential impact on equalities and social cohesion.

6. Financial Implications

Implications completed by David Dickinson, Finance & Investment Manager

- 6.1 The paper requests £3.4million to cover pre-development costs to allow the project to secure planning approval and to take Phase 1 of the scheme through to RIBA Stage 4.
- 6.2 Of the £3.4m requested, £1.8m is required to develop and submit a planning application for the site, with an additional £1.6m sought to progress the detailed design of Phase 1 to sufficient detail for a building contract (RIBA stage 4).

- 6.3 Obtaining planning and a phase 1 detailed design for the site will give the market much greater confidence of delivery and speed up the timetable regardless of which delivery option is chosen.
- 6.4 Financing of the £3.4m will be through borrowing and this will be added to the total cost of the site assembly and holding costs, which is currently £43.5m (excluding interest costs).

7. Commercial Implications:

Implications completed by Hilary Morris, Commercial Lead

- 7.1 This paper requests approval for funding of £3.4 to develop the Film Studio proposal through to planning permission and notes that a decision on the optimum delivery and operating model for the Film Studio will be the subject of a future paper.
- 7.2 In tandem with the proposal to develop the scheme to planning permission Be First are also proposing to tender the development of Phase 1 of the scheme to secure firm prices for this stage. These prices will help inform the decision around future delivery and operating options.
- 7.3 As a contracting authority Be First are required to comply with the requirements of the Public Contracts Regulations 2015 (“the Regulations”) and as such any tender will be required to be carried out via a competitive process and demonstrate best value. Be First have indicated that they will tender the opportunity via a mini competition/direct award off of the DPS framework which if approved in accordance with the Council’s Contract Rules will be a compliant route to market however the current timeline is considered challenging.
- 7.4 As Be First are proposing to tender the opportunity it will important for the Council to clarify its requirements in a commissioning document.

8. Legal Implications

Implications completed by Dr. Paul Feild Senior Lawyer

- 8.1 Whilst the general power of competence in section 1 of the Localism Act 2011 provides sufficient power for the Council to participate in the transaction and enter into the various proposed agreements, further support is available under Section 111 of the Local Government Act 1972 which enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions, whether or not involving expenditure, borrowing or lending money, or the acquisition or disposal of any rights or property.
- 8.2 The report envisages the Council participating in the venture and as local government is an emanation of the state, the Council must comply with European Law regarding State Aid. This means that local authorities cannot subsidise commercial undertakings or confer upon them an unfair economic advantage. This report does not identify any specific aspect of the proposed development, which is other than as a commercial transaction, thus this arrangement satisfies the requirement it is on market terms.

- 8.3 The working up of the business plan into realisation will require the commissioning of expertise and professional services. This will be conducted in accordance with the Council's contract rules and the Public Contract Regulations 2015.

Other Implications

- 9.1 **Risk Management** - The scheme is crucial to delivering the regeneration aspirations being pursued by Be First on behalf of Barking and Dagenham Council. Section 15 of the Business Plan is a risk assessment.
- 9.2. **Staffing Issues** - External Consultant expertise has and will be appointed as appropriate. However, the process will be cliented by current Be First staff.
- 9.3 **Corporate Policy and Customer Impact** – Film studios are specifically referred to in the Borough Manifesto and can deliver a wide range of policy outcomes.
- 9.4 **Safeguarding Children** - Design development undertaken on all new projects by Be First will take into account the needs of local communities including children, with a focus on creating high-quality, accessible spaces that allow for freedom of movement and social cohesion. The film studios will be a secure site however we are keen to maximise the amount of school visits, placements and apprenticeships. Clear processes and procedures will be established and agreed before this becomes operational.
- 9.5 **Health Issues** - One of the overriding objectives of the project is to change the life chances of young people in the Borough - raising aspirations, encouraging life choices and pathways to training and employment. It is recognised the importance of this in improving health and well being.
- 9.6 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act 1998 places a responsibility on councils to consider the crime and disorder implications of any proposals. The proposals set out in this report will help make the areas safer by improving the quality of the environment, creating safer more natural surveillance for public areas and pedestrian routes. All new developments will fully meet the requirements for Secured By Design accreditation.
- 9.7 **Property / Asset Issues** - The proposals will add value to the Council's existing land holdings.

Public Background Papers Used in the Preparation of the Report:

'Made in Dagenham: a proposed Film studio for Dagenham East' SQW October 2017

'Business Plan for proposed film studio development at Dagenham East' September 2019

Cabinet reports: 15 November 2016, 23 January 2018, 19 June 2018 which was superseded by 13 November 2018.

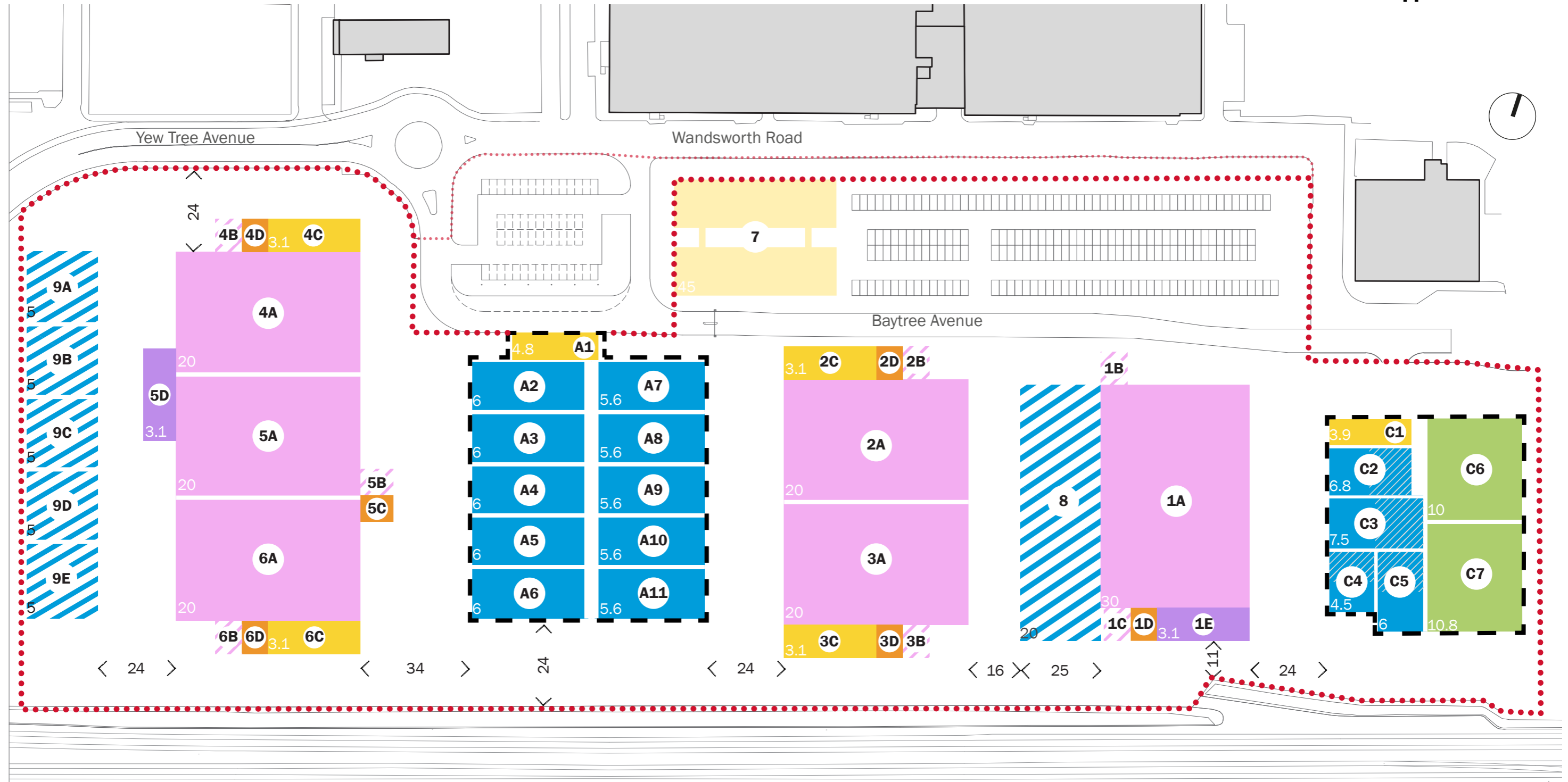
List of Appendices:

Appendix 1: Site Masterplan

Appendix 2: Phasing Plan

Appendix 3: Extracts from emerging Dagenham East vision

This page is intentionally left blank



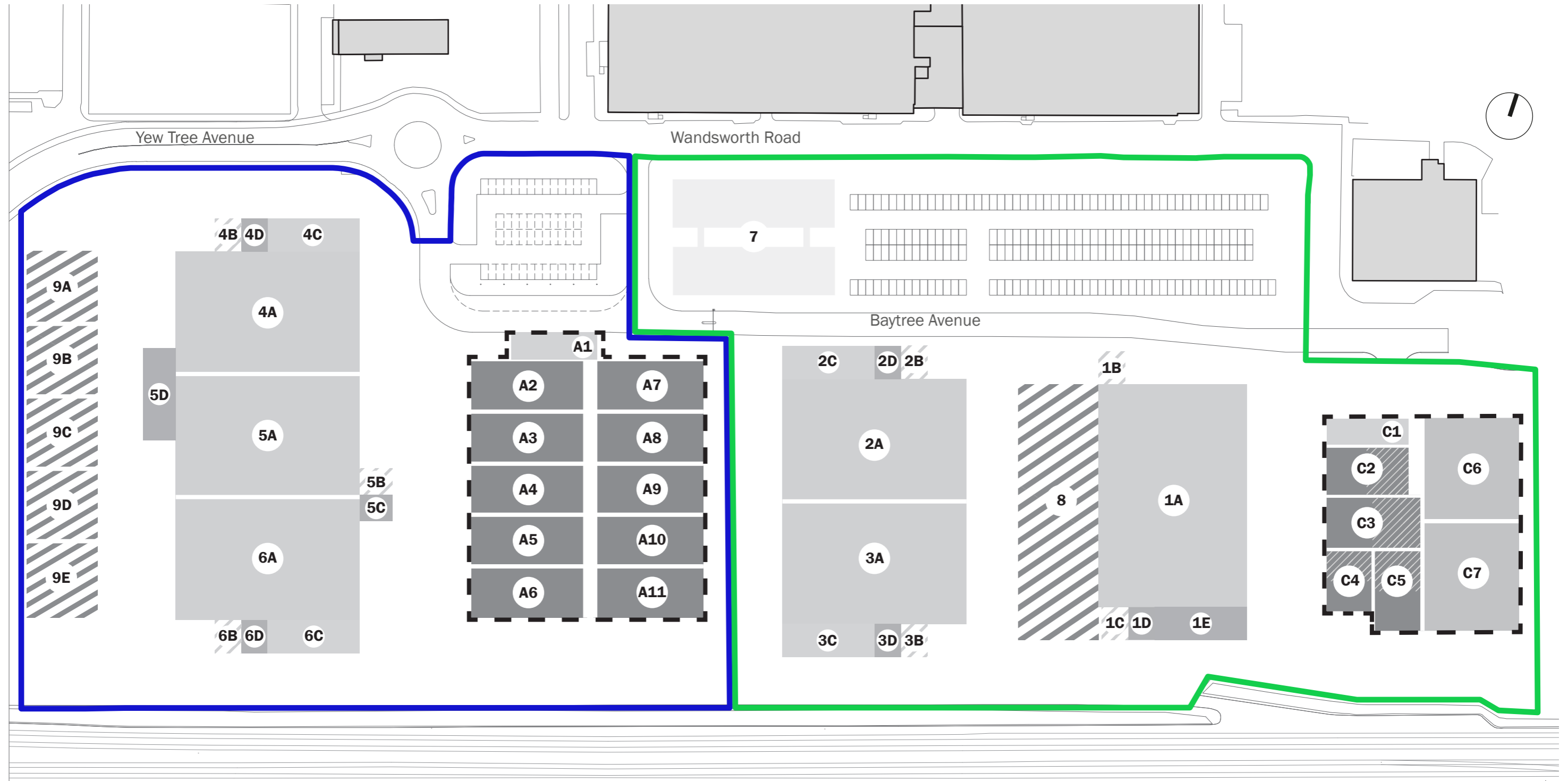
	Tenanted Workshop	20,800 sq ft
	Workshop	82,800 sq ft
	Workshop Mezzanine	
	Temporary Workshop	45,000 sq ft
	Shared Office	45,000 sq ft
	Stage Office	21,100 sq ft
	Stage Ancillary	5,250 sq ft

	WC Block	4,500 sq ft
	Plant (not above office)	6,200 sq ft
	Stages	1 X 30,000 sq ft 5 x 20,000 sq ft
	Total	130,000 sq ft

SITE MASTERPLAN

28 August 2019

This page is intentionally left blank



Page 299

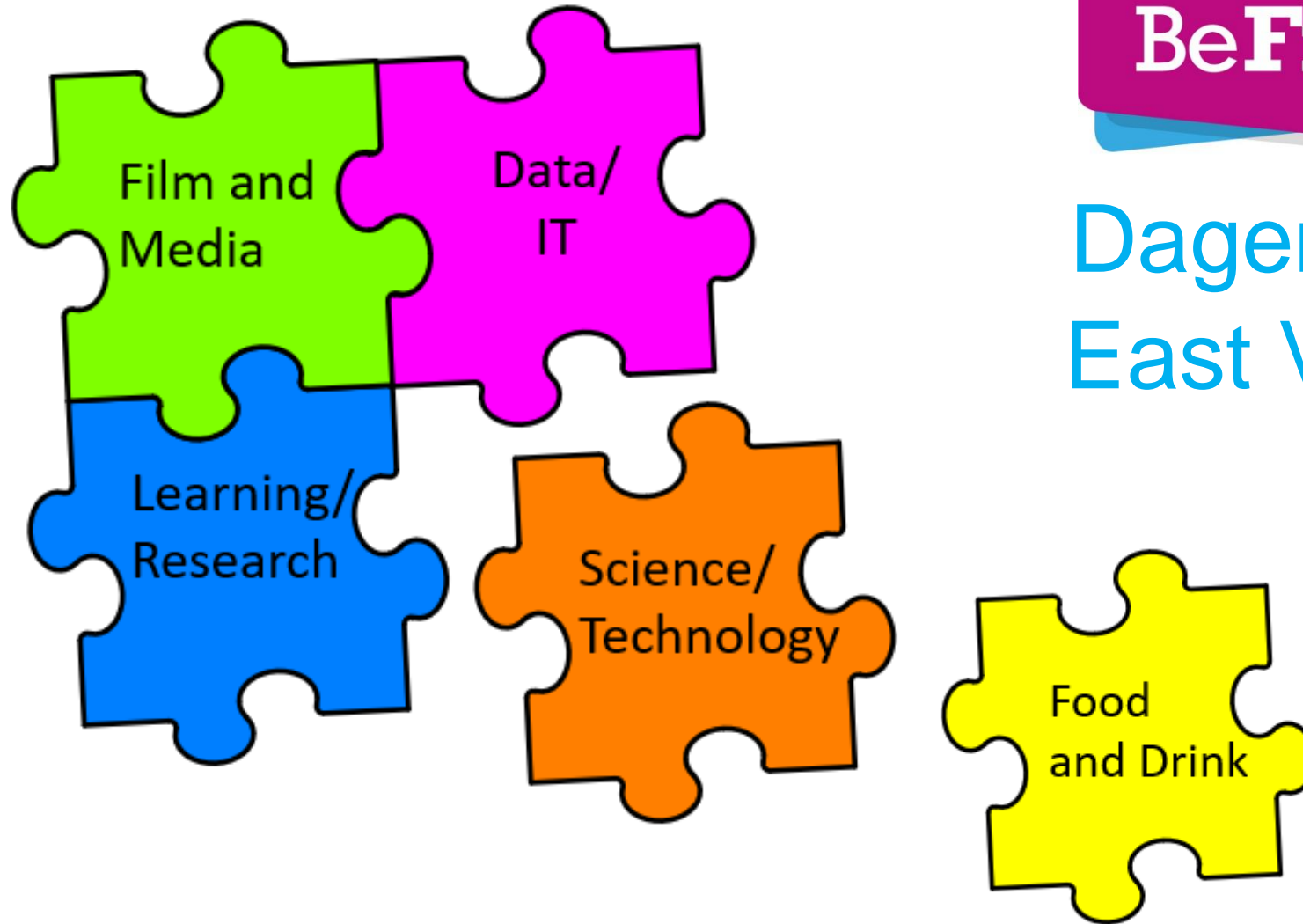
- Phase 1
- Phase 2

PHASING

28 August 2019

This page is intentionally left blank

Appendix 3: Extracts from emerging Dagenham East Vision



Dagenham
East Vision

Introduction

Dagenham East is currently one of the most dynamic parts of the Borough, changing fast with the scope to deliver a number of the Borough Manifesto objectives including new jobs and training pathways for local people and transforming the image and perceptions of Dagenham.

Ever since pharmaceutical multi-national Sanofi announced their intended closure and worked very closely with the Council on establishing an employment led legacy for the site, the area has been a key regeneration focus with a variety of different elements being progressed. The highest profile element is the ambition to deliver London's largest film studios for 25 years and this document aligns to the production of a business case for the delivery of the studios. Therefore now is the time to undertake a stocktake of the current position – what has been delivered, what is in-train and what is, and could be, proposed. It is an important time to ensure the whole is greater than the sum of the parts and that the full potential of Dagenham East is unlocked for the long term. Whilst this document is important in defining a clear vision, ambition and opportunities, it is critical that good relationships are formed between the key stakeholders in the area to maximise the benefits achieved.










The Vision

Dagenham East is the focus for repositioning the local economy away from traditional manufacturing towards growth sectors where we can become known regionally, if not nationally, as a centre where the fusion of film/media, science, data, research and learning supports economic growth, delivers thousands of new jobs and training pathways for local people as well as providing associated facilities which support its growth and benefit residents.

Background

In most other Boroughs an employer the size of Sanofi (formerly also known as Sanofi-aventis, Rhone-Poulenc and May & Baker) based on site since 1929 and at its peak having over 4,000 jobs would be seen as the focus and identity of the town. Dagenham's identity has clearly been dominated by Ford (peak of 40,000 employees) and the Becontree estate which will shortly celebrate its 100th anniversary. The announcement of the closure of Sanofi's Dagenham plant in 2013 with the loss of around 500 jobs was a negative blow to the Borough however Sanofi worked closely with the Council to support the employees (with a very generous package of support) and to deliver an employment led legacy on the site with a masterplan delivering jobs, facilities and community benefits. They carried out a multi-million pound land remediation programme to enable the site to be redeveloped for employment uses. The following section highlights the different elements delivered or underway on the site:

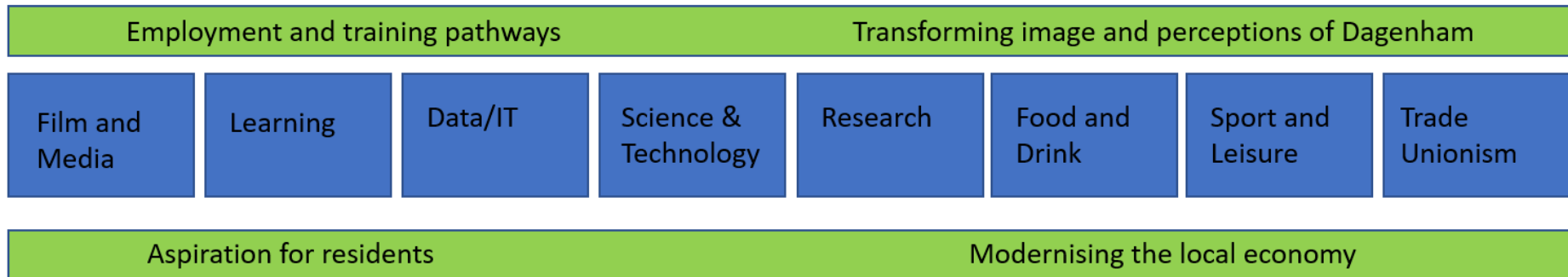
Dagenham East Vision

-  Made in Dagenham Film Studios
-  NTT Data Centres
-  Londoneast-UK
-  UCL Pearl
-  ELUtec
-  Travelodge/Costa
-  Unite Offices
-  The Pipe Major
-  Frontage Plot



Completing the Jigsaw

The key tasks moving forward are ensuring that the different elements work together and maximise the opportunities to achieve the objectives in green below:



CABINET

15 October 2019

Title: Sex Establishment Licensing Policy 2019 - 2022	
Report of the Cabinet Member for Enforcement and Community Safety	
Open Report	For decision
Wards Affected: None.	Key Decision: No
Report Author: Theo Lamptey, Service Manager, Public Protection	Contact Details: Tel: 020 8227 5655 E-mail: theo.lamptey@lbbd.gov.uk
Accountable Director: Andy Opie, Operational Director for Enforcement and Community Safety	
Accountable Strategic Leadership Director: Fiona Taylor, Director of Law and Governance	
<p>Summary</p> <p>The Council currently acts as the local licensing authority for sex establishments under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Greater London Council (General Powers) Act 1986. The present local licensing regime covers sex shops, sex cinemas and sex encounter establishments.</p> <p>Adoptive provisions established under Section 27 of the Policing and Crime Act 2009 extended the potential scope of the Act to also include sex entertainment venues. To date, these provisions have not been adopted locally.</p> <p>While enquiries to the Authority concerning the licensing of such venues have been few in recent years, it is considered prudent, in the light of the ongoing regeneration of the borough, to now adopt these provisions. This will help to ensure that any future proposal to establish a sex entertainment venue within the borough may receive full and proper consideration and, in the event of any licence being granted, to enable such premises to be properly regulated.</p> <p>Any decision to adopt the amended provisions is required by law to be subject of public consultation. Public consultation on both the adoption of the amended provisions and, also, on the content of a draft revised, supportive sex establishments licensing policy has been carried out over the summer months.</p> <p>The consultation responses have now been collated and considered. This report summarises and presents those consultation responses and asks Cabinet to recommend that Assembly adopts the amended provisions and the revised policy document accordingly.</p> <p>Full copies of the report on the consultation responses; the draft revised sex establishments licensing policy and associated standard licensing terms, conditions and restrictions, are appended for information.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Provide observations on the revised draft policy document and associated standard licence terms, conditions and restrictions; and
- (ii) Subject to those observations, agree that Council Assembly be recommended to adopt:
 - (a) The provisions contained in Section 27 of the Policing and Crime Act 2009 extending the local sex establishments licensing regime to also include sex entertainment venues; and
 - (b) The draft Sex Establishments Licensing Policy 2019, including the associated Standard Licensing Terms, Conditions and Restrictions for Sex Establishments.

Reason(s)

The adoption of the amended licensing provisions and the revised licensing policy will best place the Council to give proper consideration to any future proposal to establish a sex entertainment venue within the borough and to properly regulate any venue that might be granted a licence.

Such a step would support the Council's visions and priorities in empowering people; and promoting both inclusive growth and citizenship and participation.

1. Introduction and background

- 1.1 Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 established a national regime for the licensing of sex establishments, under adoptive provisions covering:
 - Sex shops; and
 - Sex cinemas.
- 1.2 This Authority adopted the provisions of the Act on 27 October 1982.
- 1.3 The scope of the Act was broadened in those areas of Greater London where the Act applied, through adoptive provisions contained in the Greater London Council (General Powers) Act 1986. This added an additional category of 'sex encounter establishments.
- 1.4 In 2008, this Council adopted a Sex Establishments Licensing Policy together with standard conditions applicable to all categories of licensed sex establishment. The policy is intended to set out the Council's approach to licensing; how licence applications will be determined; the Council's expectations of any licensed operator; and make clear the terms, conditions and restrictions under which any licensed premises may operate.
- 1.5 Section 27 of the Policing and Crime Act 2009 then sought to further extend the scope of the Act. Its primary effect was to remove 'loopholes' in the licensing of sex establishments that existed by way of the alcohol and entertainment licensing

regime established under the Licensing Act 2003 by replacing the category of 'sex encounter establishments' under Schedule 3 with a new category of 'sex entertainment venues'. Local licensing authorities that adopt these provisions are able to additionally regulate lap dancing and similar venues. Note: 'Sexual entertainment venue' means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. 'Relevant entertainment' is defined as any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must be reasonably be assumed to be provided solely or principally for purpose of sexually stimulating any member of the audience whether by verbal or other means.

- 1.6 This Authority has not adopted the provisions of Section 27 to date. Enquiries to this Authority around sex establishments in recent years have been few. However, it is considered prudent, in the light of the ongoing regeneration of the borough, to now adopt these provisions so as to ensure that the Council is able to make use of all the regulatory powers available to it and be able to afford proper protections to local residents; responsible business operators; and premises users.
- 1.7 In order to pursue the adoption of the Section 27 provisions, the Council is required by law to firstly conduct public consultation on the matter. A public consultation exercise was carried out through the Summer of 2019 accordingly.
- 1.8 The consultation considered not only the adoption of the amended provisions but also the adoption of a supporting revised sex establishments licensing policy that considered the broadened remit of the licensing regime.
- 1.9 The consultation responses have been collated and considered. A summary of the consultation responses has been prepared and a copy is provided at Appendix A to this report. Some 'headlines' are provided in this report.
- 1.10 A copy of the revised draft policy document is provided at Appendix B. A brief outline of the draft policy is provided in this report with some of the most important matters dealt with in more detail. Appendix C provides the associated revised standard licence terms, conditions and restrictions.

2 Proposals and Options

The response to the public consultation

- 2.1 The public consultation exercise ran through June to August 2019. At the heart of the consultation an online questionnaire providing multiple-choice answers was made available. The consultation sought views on whether the Council should use available adoptive provisions to extend the current sex establishment licensing regime to also include sex entertainment venues and, subject to this, on the content of a supportive draft revised sex establishment licensing policy.
- 2.2 Some 136 responses were received in total. Respondents were asked to select from multiple choice answers to the questions asked. Many respondents provided further additional comments.

- 2.3 The consultation response provided strong support for a local licensing scheme for sex entertainment venues.
- 91.9% of respondents supported the proposal
 - 92.6% of respondents believe that the Council should be able to determine the matters to be taken into account when determining licence applications
 - 91.9% of respondents believe the Council should be able to determine the locations that are suitable for a licence to be granted
 - 95.5% of respondents believe that the Council should be able to determine the terms, conditions and restrictions under which any licensed premises might operate
 - 75% of respondents did not agree that applications should be considered upon their own merits
 - 80.5% of respondents believe that no area of the borough is suitable for a licensed sex entertainment venue to operate
 - 72.1% of respondents support a licensing establishing 'nil' as the appropriate number for local licensed sex establishments (a 'nil' policy).
- 2.4 When questioned about whether any area of the borough is suitable for a sex entertainment venue, 19 respondents provided views. These offered a number of different locations without any degree of strong support being demonstrated for any particular location.
- 2.5 Views were also sought on the draft revised sex establishments licensing policy and licence conditions.
- 91% of respondents considered the policy and conditions to be clear and easy to understand
 - 73% of respondents considered the policy and conditions to be fair and reasonable
 - 76% of respondents considered the policy and conditions to be proportionate
 - 77% of respondents supported the proposed approach to determining licence applications
 - 73% of respondents believe that the policy and conditions give appropriate consideration to equality issues
 - 43.1% of respondents consider the standard conditions to be appropriate
- 2.6 Respondents were asked what they considered to be the most important issues to be taken into account when deciding whether a sex establishment licence should be granted. In total 103 respondents offered their views. Around 100 different issues were raised in response.
- Most common issue raised was that of location. Particular concern was shown around the proximity of venues to residential accommodation and schools.
 - Other matters commonly raised were
 - Impact on local residents
 - Impact on image of the borough / local area
 - Crime and anti-social behaviour
 - Security and safety

- Exploitation of workers
 - Operating hours
 - Noise nuisance
 - Parking
- Around 20% of those who commented emphasised that they do not believe any licences should be granted

2.7 A further 49 additional comments were given at the end of the questionnaire. Again, many different matters were raised. Most commonly (circa 40%) respondents emphasised their opposition to the grant of any licences.

3 **The draft revised sex establishment licensing policy**

3.1 The Local Government (Miscellaneous Provisions) Act 1982 enables a local licensing authority to:

- Grant, transfer and renew a licence to any applicant, on such terms, conditions and restrictions as may be so specified
- Establish a licensing policy, as long as this does not prevent any individual application from being considered on its own merits
- Determine the number of sex establishments that are considered appropriate in a relevant locality (and that number may be nil);
- Determine where the grant or renewal of a licence would be inappropriate having regard to
 - The character of the locality
 - The use to which any premises in the locality are put; and
 - The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made
- Revoke licences; and
- Carry out enforcement actions

3.2 The draft policy has been compiled having regard to the content of the Act. It comprises of five main sections, with further information provided in appendices, as follows:

Section One – Introduction

3.3 Section One sets out the Council's Vision and Priorities.

Section Two - Purpose and Scope of the Policy

3.4 The aim of the policy is:

- To reinforce to elected members on the Licensing and Regulatory Committee, the powers available to the Council as licensing authority
- To inform licence applicants how this Council will make licensing decisions and how licensed premises are likely to be able to operate within its area
- To set out how this Council intends to support responsible operators and take effective actions against irresponsible operators

- To inform residents, business and licensed premises users, the protections afforded to the local community within the Act and by this Council
- To support licensing decisions that may be challenged in a court of law

3.5 The scope of the policy applies to all categories of sex establishment.

Section Three – Procedure and Principles

3.6 This section explains the processes around licence applications; public consultation; objections; and public hearings.

Section Four – Licensing Decisions and Conditions

3.7 This section deals with the decision-making process. It sets out the reasons for refusal, as established by statute, and details the range of matters that this Authority will take into account when determining licence applications. In particular:

Numbers of premises that are appropriate for a locality

3.8 Section 12(3)(c) of Schedule 3 of the Act establishes that one reason for refusal of a licence is that ‘the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality’. The appropriate number may be set at nil.

3.9 ‘Locality’ is not defined within the Act. For the purpose of this draft policy, ‘locality’ has been interpreted as being the ward in which the premises that is subject of the application is situated, although a different view may be taken following representations raised in individual cases (for example, where a premises subject of an application borders another ward).

3.10 While the policy acknowledges that every application for a licence is required by law to be considered upon its own merits, it proposes, that having had regard to the considerations set out in the policy document (including the responses to the public consultation) that no ‘locality’ within the borough is identified as being appropriate for sex establishments. The appropriate number for each locality (or ward) is thereby set as nil.

The character of the locality and the use to which any premises in the vicinity are put

3.11 Section 12(3)(d) of Schedule 3 of the Act establishes that a reason for refusal is that ‘the grant or renewal of the licence would be inappropriate for that locality, having regard –

- To the character of the locality; or
- To the use to which any premises in the vicinity are put; or
- To the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

3.12 For the purposes of consultation, the draft policy takes the position that there should be a general policy presumption against permitting further licensed sex related

activities either adjacent to or in the vicinity of premises in the following defined categories, irrespective of location:

- Schools and other facilities used primarily by children and young persons, including playgroups and playgrounds;
- Facilities used primarily by vulnerable adults and adult social care facilities;
- Facilities used primarily by women;
- Places of worship;
- Hospitals and medical facilities;
- Community facilities or public buildings;
- Community leisure facilities and open spaces;
- Cultural facilities, including cinemas, theatres and galleries;
- Residential accommodation; and
- Another licensed sex establishment.

Section Five – Enforcement.

3.13 This section details the Council's and partner services approach to enforcement. It is prepared to be consistent with the Council's Enforcement Policy which sets out the principles for effective enforcement.

4. Consultation

4.1 The public consultation took place over 10 weeks between 17 June and 24 August 2019. It comprised of:

- Direct notifications sent to:
 - Interested partner services;
 - Local licence holders and trade representative groups;
 - Representatives of local resident and known local interest groups;
 - Ward councillors; and
 - Neighbouring licensing authorities.
- An online questionnaire made available through the resident's engagement forum, together with a copy of the policy and supporting information; and
- Awareness raising through use of: Social media; and
- An article in the Council's e-newsletter.

4.2 All responses have been collated and considered in preparation of this report.

5. Timetable for progression

5.1 Any decision to adopt the provisions of Section 27 of the Policing and Crime Act 2009 must be taken by the Assembly.

5.2 Following review of consultation responses and any necessary update of the draft policy, a final decision on adoption may be taken in October 2019 with a view to having the licensing process up and operable for the next financial year.

6. Legal Implications

Implications completed by Dr Paul Feild, Senior Corporate Governance Lawyer

- 6.1 As outlined in the body of this report, the 2009 Act inserted a new category of “sex establishment” called a “sexual entertainment venue” into Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 bringing the licensing of lap dancing and pole dancing clubs and other similar venues under the regime set out in the Local Government (Miscellaneous Provisions) 1982 Act, which is currently used to regulate establishments such as sex shops and sex cinemas
- 6.2 The report explained the need for the Council to prepare for such applications as may be made by having a Policy. By having a comprehensive policy which has been open to proper consultation the Council as a licensing authority is enabled to set clear operating criteria in terms of what will be permissible and what will not with emphasis against such establishments being within the vicinity of other identified premises such as for example, but not limited to schools and other facilities used primarily by children and young persons, furthermore it will enable standard conditions to be understood by all.
- 6.3 As mentioned in the body of this report as a licensing body and local authority the Council is subject to the Public Sector Equality duty and this must inform the policy and licensing of the activities. Furthermore, such arrangements must be open to review for effectiveness over time.
- 6.4 After the Consultation response has been considered, the final policy will need to be approved by the Assembly

7. Financial Implications

Implications completed by Katherine Heffernan, Finance Group Manager

- 7.1 This report seeks approval to regulate licensing decisions and ensures an adopted policy will ensure consistency in licensing practices and processes.
- 7.2 There are no direct financial implications arising from the implementation of this draft policy.

8. Other Implications

- 8.1 **Risk Management** – The adoption of a sex establishments licensing policy will both support good decision making and strengthen the Council’s position in the case of any relevant future decision being appealed.
- 8.2 **Corporate Policy and Customer Impact** – The draft policy acknowledges and supports the broader Council vision and priorities. It provides for openness in decision-making and benefits all interested parties by making the licensing process clear and transparent.

- 8.3 **Safeguarding Children** – A primary concern in the preparation of this policy has been around safeguarding and the prevention of child sexual exploitation. It has been compiled with the assistance of the Child protection team.
- 8.4 **Health Issues** - Although public health is not a specific licensing objective, the draft policy recognises the broad range of relevant issues that must come into consideration when determining licence applications and controlling licensed premises. The draft policy intends to ensure that adequate protections are provided for vulnerable persons.
- 8.5 **Crime and Disorder Issues** – Similarly, the draft policy recognises that crime and disorder issue are also relevant and takes these into account. The development of the policy is being carried out in conjunction with expert responsible authorities.
- 8.6 **Property / Asset Issues** - None directly. Any licensable activity provided on Council owned or operated venues would be subject to the same controls as other commercially run venues or facilities.

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

List of appendices:

- Appendix A – Summary of consultation responses
- Appendix B - Draft Sex Establishment Policy
- Appendix C – Standard Licence terms, conditions and restrictions

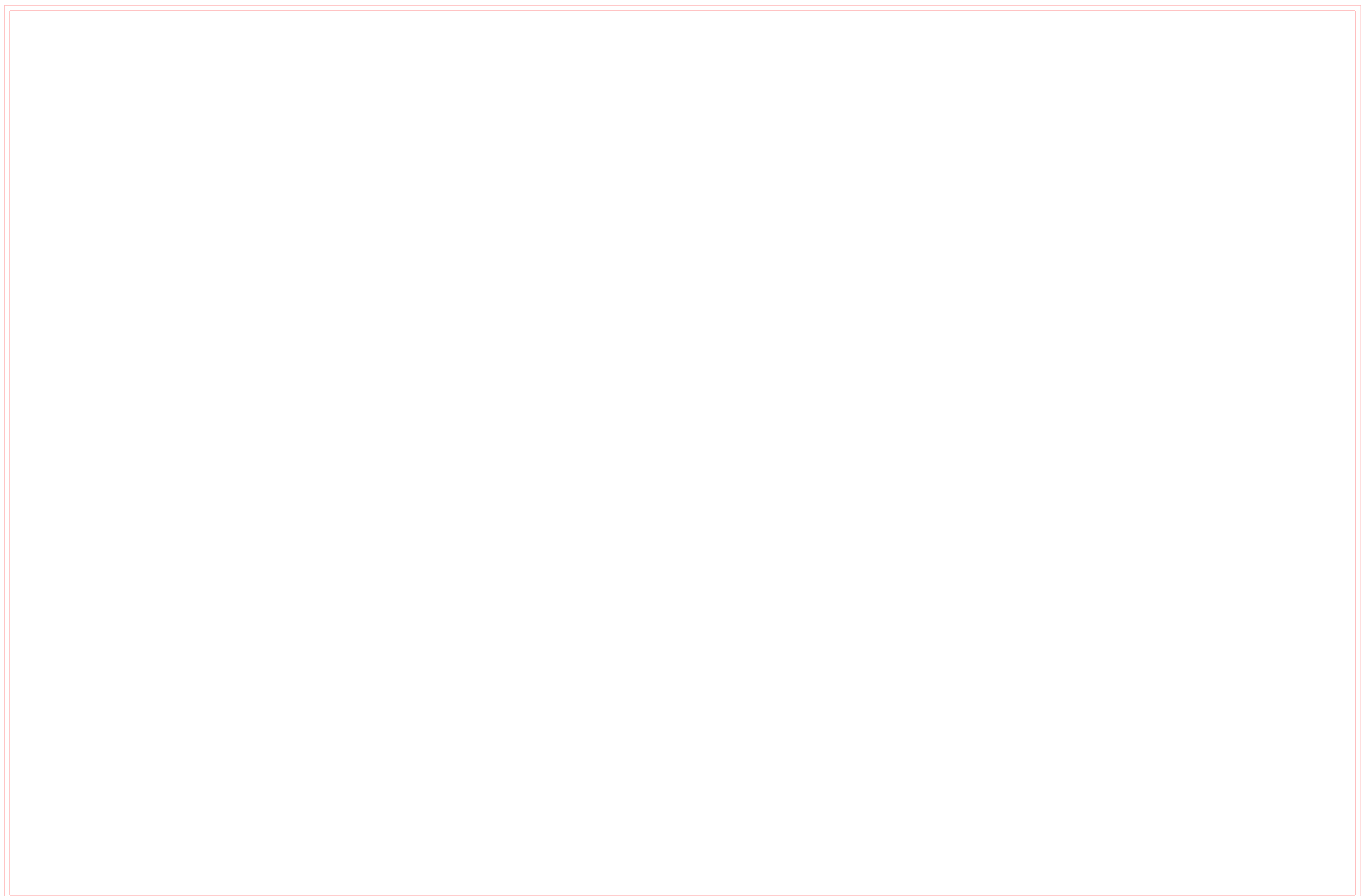
This page is intentionally left blank

Survey Report

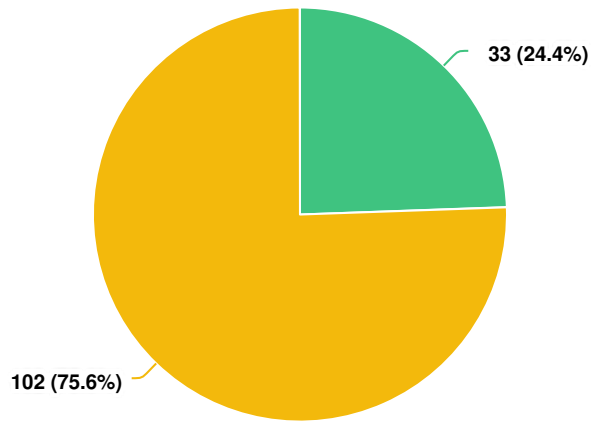
August 2019

Sex Establishment Policy Consultation Questions

PROJECT: Sex Establishment Policy



Q1 | Should the policy set no limits on the number of sexual entertainment venues, but allow any application to be determined on...

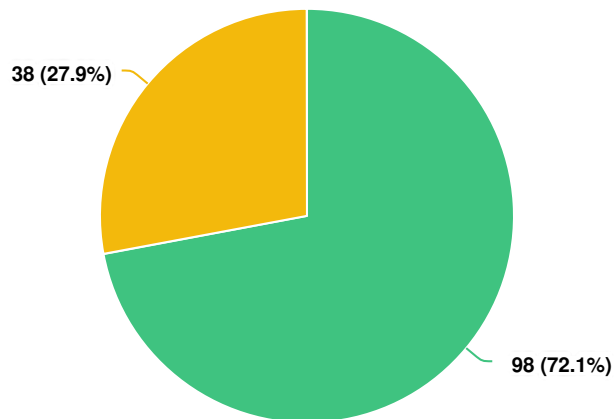


Question options

● Yes ● No

Optional question (135 responses, 1 skipped)

Q2 | The Council can set the number of sexual entertainment venues it will grant licences to as nil. Do you think this is appro...

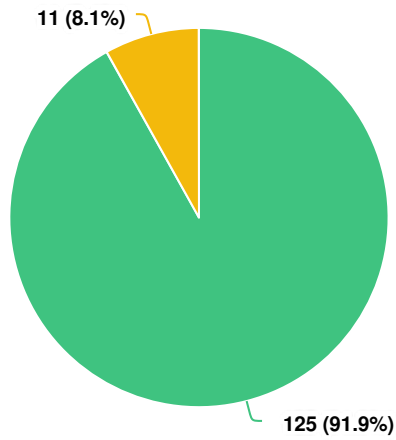


Question options

● Yes ● No

Optional question (136 responses, 0 skipped)

Q3 | Should a licence be required to operate a sex entertainment venue in Barking and Dagenham?

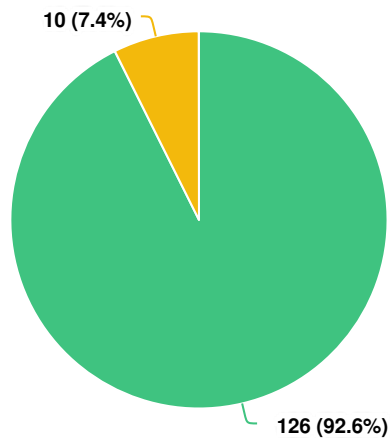


Question options

- Yes
- No

Optional question (136 responses, 0 skipped)

Q4 | Should the Council be able to determine the matters to take into account (such as location and nature of surrounding area) ...

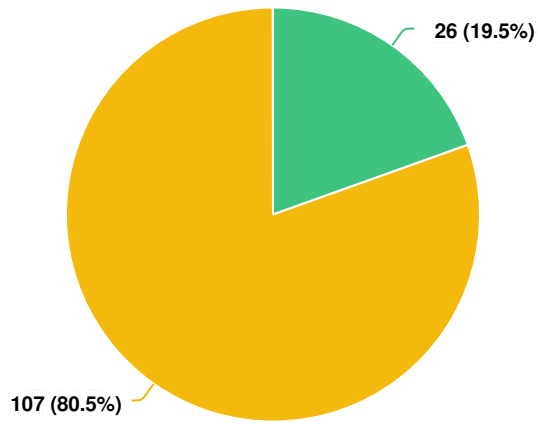


Question options

- Yes
- No

Optional question (136 responses, 0 skipped)

Q5 | Is there any area in the borough where you think a sexual entertainment venue could be situated?



Question options

- Yes
- No

Optional question (133 responses, 3 skipped)

Q6 Please state

Anonymous 7/17/2019 01:53 PM	Chadwell heath near tollgate where the old pub use to be
Anonymous 7/17/2019 02:26 PM	Chequers lane
Anonymous 7/17/2019 03:17 PM	Wantz Road estate
Anonymous 7/17/2019 06:38 PM	I do not agree for it to be in built up area or near schools
Anonymous 7/17/2019 08:23 PM	Industrial areas - minimum 1/2 mile from any residential housing.
Anonymous 7/18/2019 08:27 AM	Barking Town centre
Anonymous 7/18/2019 09:53 AM	barking cntre
Anonymous 7/18/2019 06:22 PM	Any commercial area
Anonymous 7/19/2019 04:16 PM	Bamber house bin shed
Anonymous 7/19/2019 04:58 PM	Dagenham Leisue Park/Vue cinema area
Anonymous 7/19/2019 05:06 PM	Town centres or industrial areas as opposed to residential neighbourhoods
Anonymous 7/19/2019 05:43 PM	Anywhere away from homes and schools
Anonymous 7/20/2019 07:27 AM	A13 corridor
Anonymous 7/20/2019 01:53 PM	As long as there are appropriate protections for near schools, residential areas and places that generally attract anti-social behaviour, and with appropriate licence conditions, no where should be specifically ruled out.
Anonymous 7/22/2019 07:45 AM	Somewhere in the centre of town
Anonymous 7/22/2019 10:04 AM	Dagenham - PArslaes Avenue, Fanshawe, Lodge Avenue
Anonymous	Dagenham dock

7/22/2019 03:39 PM

Anonymous

Chequers Lane

7/22/2019 11:52 PM

Anonymous

For sex entertainment, In the industrial areas along the river roding and around DagenhamDock. Foe sex shops, where no entertainment happens, on every parade of shops! why is the borough being so puritanical?

7/23/2019 10:24 AM

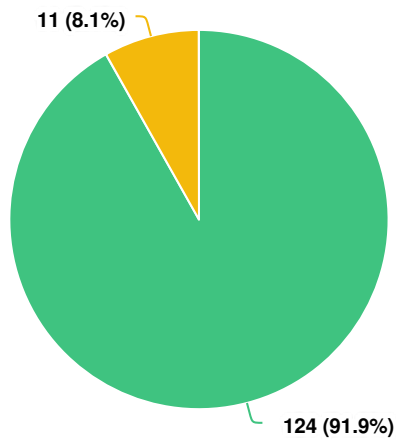
Anonymous

Not known of any areas as my geographical knowlege of borough is limited but i am of the view it is better that there is one that is known and can be monitored

8/19/2019 11:20 AM

Optional question (20 responses, 116 skipped)

Q7 | Is it important that the Council can decide the locations where it would not be appropriate to grant a licence?

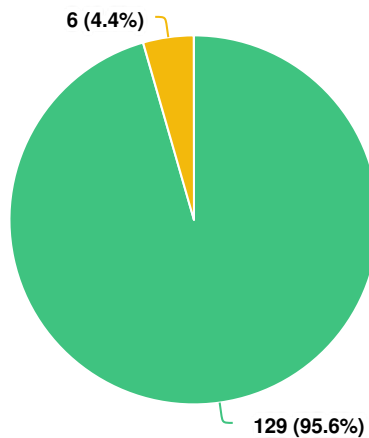


Question options

- Yes
- No

Optional question (135 responses, 1 skipped)

Q8 | Should the Council be able to set the terms, conditions and restrictions of any licence granted?

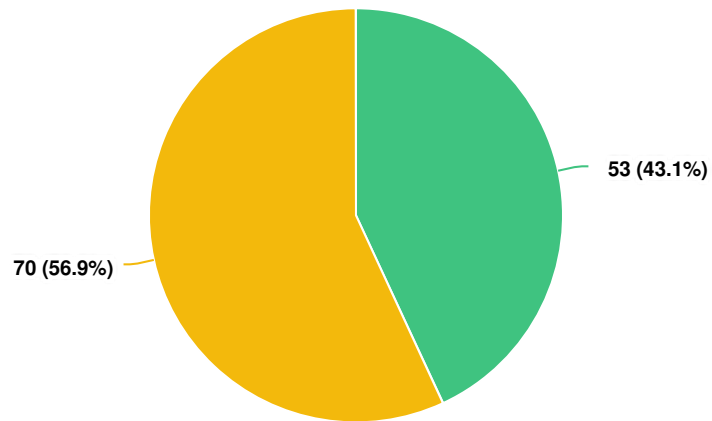


Question options

- Yes
- No

Optional question (135 responses, 1 skipped)

Q9 Do you think the proposed standard conditions are appropriate?



Question options

- Yes
- No

Optional question (123 responses, 13 skipped)

Q10 | What do you believe are the most important issues to consider when deciding whether a sex entertainment venue licence should be granted?

- Anonymous
7/08/2019 10:56 AM
noise and opening hours. traffic of visitors. parking.
- Anonymous
7/17/2019 01:48 PM
There shouldn't be any
- Anonymous
7/17/2019 01:53 PM
Opening Hours of the business, is it near schools and are there alot of houses nearby.
- Anonymous
7/17/2019 02:26 PM
Must be located in non residential street. And not near schools.
- Anonymous
7/17/2019 03:17 PM
Client type, sexual services offered, enforcement, location, vested interest of individuals involved, affected residents should have the final say... currently I would not trust the council to decide as everything they seem to decide lately is solely for the benefit of the council not the residents I.e. the 100 road CPZ Parking. Closure times. Opening hours. No adverts.
- Anonymous
7/17/2019 03:20 PM
- Anonymous
7/17/2019 05:08 PM
How this would impact the local area and what image this promotes to people from outside of Barking.
- Anonymous
7/17/2019 05:13 PM
All I want to say is this is I dont agree with this being done b&d should not allow these to operate in our local area
- Anonymous
7/17/2019 05:53 PM
Location, age restrictions, security
- Anonymous
7/17/2019 06:10 PM
No matter what restrictions or terms the council put in place these will always be broken and the rules bent, allowing exploitation and harm.
- Anonymous
7/17/2019 06:25 PM
That it should be away from any schools , main shopping etc
- Anonymous
7/17/2019 06:28 PM
Venues should not be allowed in a residential area. There is enough going on in b and d without this.
- Anonymous
7/17/2019 06:38 PM
That all workers in that industry should be tested for STI and that they are protecting themselves Also security is a key factor for the working girls or men,
- Anonymous
7/17/2019 08:23 PM
Safety of staff. Minimum distance from residential areas of half a mile. Transport links. Parking. Integrity and accountability of owner - DBS checked.
- Anonymous
7/17/2019 10:56 PM
Where they are and not to be to many
- Anonymous
There are so many schools in barking and dagenham, we have enough knife

7/18/2019 12:08 AM

crime going on without a sex entertainment venue being here, there is enough drunks as it is, and drugs in the area are at a high so how about we tackle all that before you even consider a sex entertainment shop, I think its absurd

Anonymous

Human traffic (sex workers)migrants from Eastern Europe.

7/18/2019 07:48 AM

Anonymous

Are all the girls legal, sex trafficking is happening all the time we hear in news, this will not help

7/18/2019 08:37 AM

Anonymous

Near to schools Detrimental effect on the neighbourhood Impressions of the borough Anti social behaviour

7/18/2019 09:11 AM

Anonymous

We shouldn't encourage publicised sex entertainment and I'm afraid by granting licenses, this would just bring the wrong crowd into the borough and wouldn't tackle the issue of sex trafficking.

7/18/2019 09:21 AM

Anonymous

Deprivation if local area, proximity of schools, number of young people

7/18/2019 09:48 AM

Anonymous

Impact on local communities. Safety and Security. Perception of the Borough more widely.

7/18/2019 11:09 AM

Anonymous

If you want to protect women and the vulnerable particularly eastern European women that maybe trafficked across the continent to work in the sex industry then go ahead you will be actively supporting modern slavery. We have no decent shops, barking town centre has no cinema, barking has no A&E hospital all you're bothered about is something that you can licence to make money off of. There is no where in Barking and Dagenham where this will be applicable to set up a lap dancing club. This will bring even more and unsavoury men to the local area. And yes it is only men that would be going to these so-called gentlemen's clubs. If you give any such a venue a licence then you actually have all your priorities wrong. I will make sure all my neighbours know about this.

7/18/2019 11:28 AM

Anonymous

Location and the impact on the community

7/18/2019 11:54 AM

Anonymous

It should NOT be allowed in the first place.

7/18/2019 02:38 PM

Anonymous

where they are based not near residential areas after all we are having an increased amount of issues as it is and do not want any other unwelcome problems in the area

7/18/2019 02:54 PM

Anonymous

Not in a residential area

7/18/2019 06:22 PM

Anonymous

Protection of dancers.

7/19/2019 08:49 AM

Anonymous

An SEV should be considered in exactly the same way as any other night-time entertainment venue, with claims by feminist groups being treated with a

7/19/2019 10:03 AM

Anonymous

7/19/2019 04:11 PM

great deal of scepticism. Such claims have been proven to be based on false data and on amateurish research that has since been debunked.
The safety of those involved and those around it would be a paramount consideration. The tone of the establishment would be important too.

Anonymous

7/19/2019 04:15 PM

Not near schools. LBBB is trying to promote itself as a family friendly area- having sex entertainment does not fit into this. LBBB would be better off putting the pressure on NELFT to commission school nurses t be able to provide contraceptive services to students in educational settings.

Anonymous

7/19/2019 04:16 PM

Area should not be not residential or close to schools. Unless it is Bamber House bin shed

Anonymous

7/19/2019 04:32 PM

I don't think these entertainment venues are good at all, the council should not be entertaining such ideas.

Anonymous

7/19/2019 04:33 PM

I don't believe the area should consider, or does it need such establishments. You should consider: * Wishes of local residents (especially those with Children) * The proposed area should be NON-RESIDENTIAL * Hours of opening * Noise pollution * Issues with cleaning caused by the establishments * Emergency services requirements and any drain on these services. * Any issues caused on the local infrastructure (Parking, Roads etc)

Anonymous

7/19/2019 04:35 PM

Should be in a town centre or high street with high footfall and not in a residential street. Licensing hours should not be during the day.

Anonymous

7/19/2019 04:38 PM

The locations Licence shouldn't be granted near schools, Religious places, libraries, youth zone or community centres, near vulnerable centres / hostels and residential areas.

Anonymous

7/19/2019 04:41 PM

This borough has enough crime and anti social behaviour - sec entertainment venues would bring further anti social behaviour to an area overcrowded with families - no licenses or permits of any kind should be granted to Barking and Dagenham regardless of any conditions no mater how strict - the borough should be concentrating on family orientated facilities and not be known for this - we have enough of prostitution and brothels here as it is

Anonymous

7/19/2019 04:41 PM

The area has enough problems it doesn't need further sleezy degrading places where local vulnerable people will be used and abused

Anonymous

7/19/2019 04:42 PM

Location

Anonymous

7/19/2019 04:44 PM

I dont think licences should be granted. The borough claims to be pro-women, has signed a gender charter, and is carrying out work to try and prevent violence against women and girls. These type of venue exploit vunerable women (regardless of what people might say) and will set the borough back in its work of empowering.

Anonymous

7/19/2019 04:50 PM

Location away from family home schools or business which could have a negative impact from having such establishment near their vicinity

Anonymous

7/19/2019 04:57 PM

Where the premises is situated

Anonymous

7/19/2019 04:58 PM

Location, quality, standards, well managed, more fun not sleezy

Anonymous

7/19/2019 04:58 PM

It should not be granted on the basis that it is unlikely to be a key priority for any resident of this borough and there are bigger things to worry about. The only people that are most going to benefit are the owners of these establishments and it sends out the wrong message to the community as you could argue that we would be encouraging and supporting the exploitation of vulnerable people if we were to grant a license to operate such a business.

Anonymous

7/19/2019 04:59 PM

That any daughters,sisters or wives do not have to walk past these entertainment venues to be harrassed, hounded by groups of men who think it is funny to walk up to women and pass seedy comments. It is bad enough to feel uncomfortable walking out of Barking station any time of day. There is no security, no police around, nothing. Oh accept transport police trying to catch ticket evaders.

Anonymous

7/19/2019 05:05 PM

Safety of residents especially younger residents is paramount and the reputation of the borough and the principles we stand for. Also the types of people which will be attracted to the borough if these licences are allowed.

Anonymous

7/19/2019 05:06 PM

Is the licensee a fit and proper person to hold the licence eg free from a criminal record

Anonymous

7/19/2019 05:12 PM

exploitation of young females being coerced/forced to participate - how can this be governed? It's a seedy world that should not be encouraged

Anonymous

7/19/2019 05:24 PM

Effect on local residents

Anonymous

7/19/2019 05:24 PM

Are there schools, and children in the immediate surrounding area. What benefit and value will an establishment like this bring to Barking and Dagenham?

Anonymous

7/19/2019 05:43 PM

Location. Signage and advertising. Parking control. hours of trade. Checks on the workers welfare and standard of the establishment.

Anonymous

7/19/2019 05:44 PM

Proximity to schools, nurseries, places of worship and residential houses

Anonymous

7/19/2019 06:28 PM

Location away from towns

Anonymous

7/19/2019 06:58 PM

The most important is that it isn't near residential homes or where families with children live. Also people who use the sex entertainment facilities should have to use a bank card so should any foul play occur the police have information to go on. The establishment and its sex workers/dancers should also be taxed, using bank cards would be able to stop "cash in hand" transactions and tax dodging

Anonymous

7/19/2019 07:08 PM

There should be no sex entertainment in this borough at all. Do not make this borough into soho.

Anonymous

7/19/2019 08:05 PM

A sex establishment should not be considered in any circumstances as far as I am concerned

Anonymous

7/19/2019 08:24 PM

The neighbourhood and surrounding stores and businesses. Whether schools are nearby and people walking home from school and work. Would such a venue create late night noise and disruption and would it create more mess within the neighbourhood.

Anonymous

7/19/2019 08:26 PM

Closeness to schools and places of worship

Anonymous

7/19/2019 08:44 PM

Whether the owners of the establishment are responsible and follow set guidelines. I would prefer if no such establishments were allowed to be set up in the borough.

Anonymous

7/19/2019 08:56 PM

The affect on people in the surrounding area.

Anonymous

7/19/2019 08:58 PM

Views of the local and people residing in the area. How are these establishments controlled and regulated - could it create more crime, discourage people from moving into the area. I for one would not like to have these kind of establishments in the area - enough reason for wanting to move away!

Anonymous

7/19/2019 09:02 PM

Check no. Of Young's residents in the area and check the drug situation locally. No one wants to live where's there drugs and this kind of shit going on.

Anonymous

7/19/2019 09:05 PM

The affect on the immediate community. How will it be policed. CCTV to monitor external behaviours and the potential for it to become a trouble hotspot.

Anonymous

7/19/2019 09:13 PM

I do not think such a venue would be appropriate for the Borough - organised crime, these days of the overseas variety, seems to follow closely on the heels of such establishments

Anonymous

7/19/2019 09:40 PM

Men sexually exploiting women.

Anonymous

7/19/2019 09:47 PM

I don't think there should be any licences at all. If Barking wants to grow up it needs to not be a sex shop hub.

Anonymous

7/19/2019 10:30 PM

Barking is going through a regeneration at the moment with a lot of new homes being built and therefore new tenants/owners. This will include many families and couples planning on having children. I think it is vital that the Council focuses on family values for the future and to make Barking a safe place to live. There are plenty of sex entertainment venues in other parts of London, we don't need any more, and I truly believe that the Council should not allow these establishments in Barking. Please let's start planning for a safe future in Barking!

Anonymous

7/19/2019 10:41 PM

Sex establishments are a scourge. Please do not introduce this antisocial practice into the area.

Anonymous

7/19/2019 10:56 PM

Noise, houses or other public places near by, parking

Anonymous

7/19/2019 11:13 PM

The type of people it will attract to the borough.

Anonymous 7/19/2019 11:16 PM	Should not be any venue for sex entertainment as it's destroy family values, break up marriage, destroy everyone
Anonymous 7/19/2019 11:19 PM	What the local residents think is the most important thing. I don't think that this is the sort of establishment we want in Barking and Dagenham.
Anonymous 7/20/2019 07:27 AM	Location
Anonymous 7/20/2019 07:43 AM	Liberty, freedom of choice. Freedom to work.
Anonymous 7/20/2019 09:31 AM	Location, away from residential areas
Anonymous 7/20/2019 10:05 AM	moral impact in areas populated by families perverts approaching women trying to solicit, women and children should be able to feel safe
Anonymous 7/20/2019 01:53 PM	That it doesn't attract anti social behaviour eg late night noise, loitering and public drinking.
Anonymous 7/20/2019 01:56 PM	Not appropriate near built up residential areas , schools or other areas where there may be young children
Anonymous 7/20/2019 07:49 PM	No No No!!!!'
Anonymous 7/21/2019 11:03 AM	This is not something that will benefit the local community We have so many schools and nurseries etc this means sex venues will be in close proximity and this is not appropriate
Anonymous 7/21/2019 11:24 AM	Consideration of local residents and impact on family life. Consideration of the impact on increase in criminality, potential drug dealing and drug use. Consideration on anti social behaviour e.g. noise and vomiting
Anonymous 7/21/2019 01:47 PM	They should not be granted as there is no where that I can think of that does not have homes within a close vicinity. Even the industrial estates have housing near by. I do not agree with places like this being anywhere near families. When you say lap dancing this has been proven over the years to lead to prostitution. If you are going to have a club like this then you may as well have a legalised brothel where girls are not forced/trafficked to do this type of work. They could have regular sexual disease screening and obtain certificates stating they are free from transmittable infections. I believe they do this in other countries. When I think of this sort of a club it just makes me think of sexually frustrated men who may have had one to many to drink. This is why I feel there is no appropriate place for such a club locally.
Anonymous 7/21/2019 09:19 PM	Kind of material shown - effect on those partaking. How to protect consumers from harm
Anonymous 7/21/2019 09:23 PM	there are issues of child sexual exploitation in the area. these venues would need to be kept away from schools and hotspots for child sexual exploitation.

Anonymous

7/22/2019 07:45 AM

The locality and effect it will have on the area.

Anonymous

7/22/2019 09:35 AM

Exploitation of all staff involved - especially dancers.

Anonymous

7/22/2019 10:04 AM

Secret access, near a Police station or hotspot for any safety concerns and away from a School

Anonymous

7/22/2019 12:10 PM

I think it's a disgrace that this topic is even being considered. Why on earth would we require a sex entertainment business in Barking or any other place come to that. Is no consideration being given to children and older people who live in Barking and the surrounding area.

Anonymous

7/22/2019 03:39 PM

Nowhere near where children would go. Not in any town centre. It should be a in a totally remote location so no one should have to walk past it. They should not be advertising at all.

Anonymous

7/22/2019 04:14 PM

that we do not endanger children as this has the potential to remove the seriousness of crimes like child sex exploitation or even rape under the disguise of entertainment

Anonymous

7/22/2019 04:42 PM

The location and the impact that this can have on young and vulnerable people and how this can cause a rise in anti social behaviour if not properly managed and how this can impact the moral standard of young people location, timing, parking, exploitation of workers

Anonymous

7/22/2019 08:52 PM

Local area, noise nuisance and opening hour's

Anonymous

7/22/2019 11:52 PM

Anonymous

7/23/2019 09:23 AM

As dancers are self employed licensing creates a framework of expectations they will look for when choosing where to work. A gold standard will become the norm. Dancers welcome this. As do club owners. Workers in any industry naturally welcome regulations designed to bring up the standards of any working environment. These venues are no different. Having a gold standard imposed means workers get real value when renting their work space and the public can be reassured venues they visit are a safe environment not a shady back shop. Win - win really.

Anonymous

7/23/2019 10:24 AM

For sex entertainment: I think that the timings are the key, a sex entertainment establishment could be near a school, if its not open anywhere near school opening times. So the usual rules about noise and neighbourhood respect by patrons are the key factor. As to sex shops, there is sufficient Laws to protect children and the uninterested public from offence. There is an Anne Summers shop in the Liberty shopping centre in Romford !!!! get out of the Victorian era!

Anonymous

7/23/2019 10:31 AM

never

Anonymous

7/23/2019 03:54 PM

Do not allow them in the borough, full stop. Let's bring the standard of the borough up, not drag it down to gutter level.

Anonymous

7/23/2019 07:30 PM

There should not be anywhere in the borough

Anonymous

7/24/2019 09:45 AM

The impact on local residents and the surrounding area.

Anonymous

7/24/2019 02:14 PM

There are enough establishments within London. There is no need for these types of places in lbbd.

Anonymous

7/30/2019 01:44 PM

I don't favour running any sex related business in my borough. This would make the borough an inappropriate place to live in and raise my kids. If someone want to enjoy such business, have it in some isolated area.

Anonymous

7/31/2019 12:33 PM

not in my borough

Anonymous

8/03/2019 09:34 AM

Location / crime rate in that particular area / level of similar venues in the area I.e clubs and bars

Batemanjh

8/12/2019 02:52 PM

Nearby schools churches and pre school venues

Anonymous

8/19/2019 11:20 AM

Safety of workers Facilities Location Hours of business

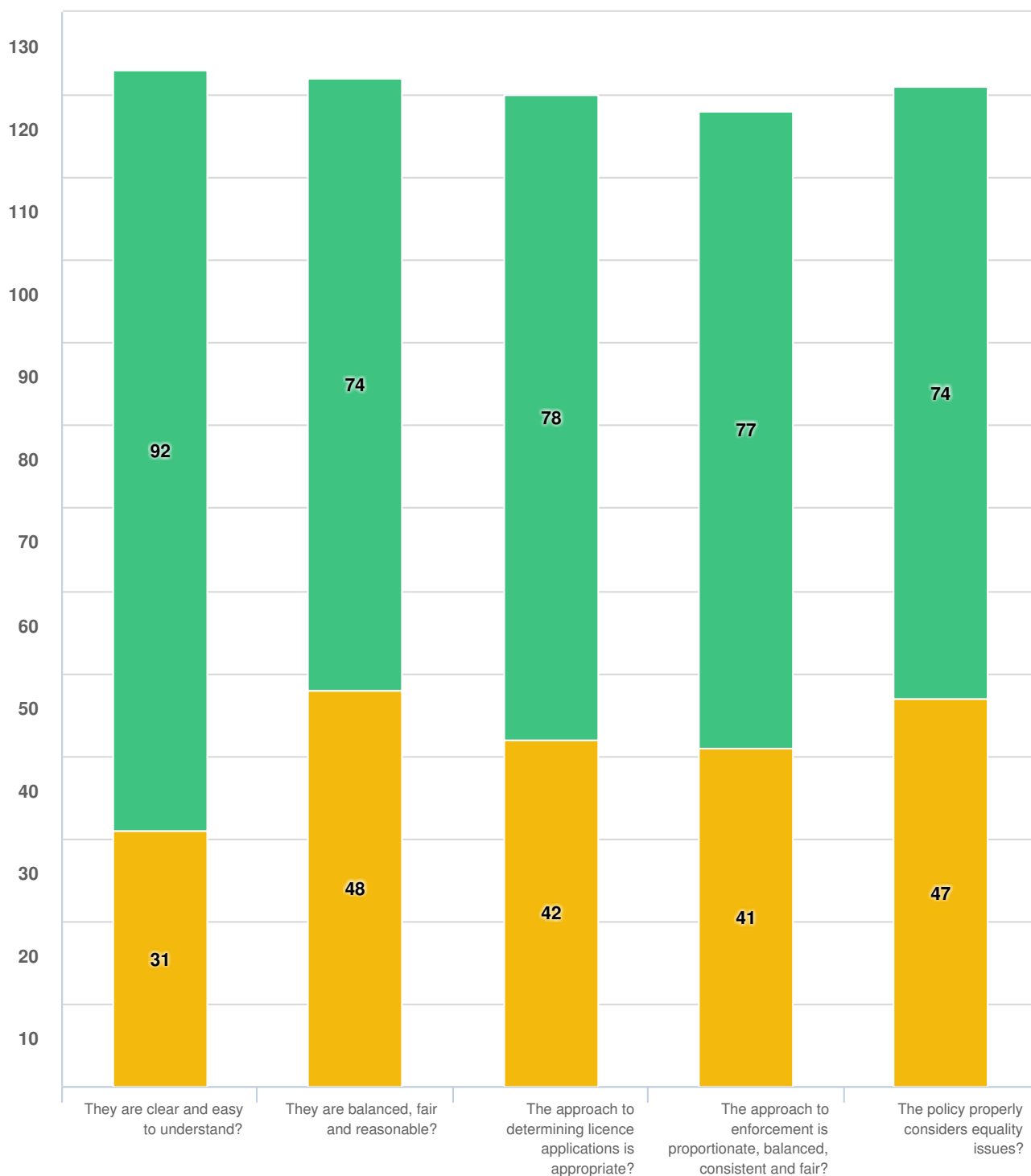
Anonymous

8/19/2019 12:12 PM

i think its should not be granted at all, the borough is already faced with alot of crimes. this will add more crime to the borough!

Optional question (106 responses, 30 skipped)

Q11 Having read the draft policy and conditions, do you think that:



Question options

- Yes
- No

Optional question (123 responses, 13 skipped)

Q12 | Please provide any further comments below.

Anonymous

7/17/2019 03:17 PM

What equality issues?

Anonymous

7/17/2019 05:08 PM

The draft policy and conditions seems to be too lenient

Anonymous

7/17/2019 05:13 PM

I dont agree with such a thing being operated in our area

Anonymous

7/17/2019 06:10 PM

The council will have no control over these places no matter what is put in place.

Anonymous

7/17/2019 06:28 PM

Totally against it.

Anonymous

7/17/2019 06:38 PM

I think that this is a great idea many European country's are doing the same and Barking and Dagenham should be to

Anonymous

7/18/2019 12:08 AM

This entertainment will only bring more drunks drugs and violence to an area where we have enough crime already thats only getting worse

Anonymous

7/18/2019 09:11 AM

Regeneration is going to make the borough a place people want to live and work in Bringing in the sex industry will drag the borough down and encourage the negative aspects of society into the borough

Anonymous

7/18/2019 09:21 AM

I am not in agreement with point 46 regarding the council taking the position that there should be a policy presumption against permitting licensed sex establishments either adjacent to or in the vicinity of premises in the following categories, regardless of location. As a resident of Barking, there is no guarantee with this approach that a license would be refused near my flat as I live in the Town Centre which is a mix of residential and commercial units so potentially a license could be granted to one of these sexual entertainment premises.

Anonymous

7/18/2019 11:09 AM

The policy doesn't specify enforcement details i.e. how checks and measure will be carried out; how frequently etc. There is also no system for ensuring communities are regularly consulted to ensure there are no issue/compliance of the venue with regards to conditions. Its too vague in my opinion

Anonymous

7/18/2019 11:28 AM

You mention the word "him" under the section management and conduct when you refer to the licensee. You are assuming that a man would be the licensee. You do realise this is 2019.

Anonymous

7/18/2019 02:38 PM

Barking and Dagenham is becoming a derelict, dirty, and an undesirable area to live in and this would only enphersize the state the area is becoming.

Anonymous

7/19/2019 08:49 AM

The equality issue was to protect employment for women, not to deny women opportunities.

Anonymous

I as a resident would not like such venues in my borough.

7/19/2019 04:32 PM

Anonymous

7/19/2019 04:33 PM

I don't believe the radius on 250M to be far enough. That's 22-24 secs in Usain Bolt language!

Anonymous

7/19/2019 04:35 PM

Ensure the entertainers are protected/safeguarded. Unless it's right next door to a church/mosque try not to cave in to religious zealots. Good luck.

Anonymous

7/19/2019 04:41 PM

Please instead of thinking about money generated think about the family values and morals and refuse any application for an adult entertainment venue - you cannot cope with the illegal ones here as it is you have brothers operating in many of your pubs ie the thatched house and nothing is done about it

Anonymous

7/19/2019 04:41 PM

Zero tolerance on such establishments locally

Anonymous

7/19/2019 04:58 PM

I think some licenses (ie sexual entertainment venues) should not be appropriate at all. The code of conduct for dancers seem unrealistic when you consider what actually goes on in a venue of this type and it would be difficult to enforce if the management team and security of these establishments say one thing and do another as has been the case with similar establishments in the past despite having a transparent code of conduct in place.

Anonymous

7/19/2019 04:59 PM

Question 1 - Didn't make any sense. The answer could have been yes and no. Stop confusing people with jumbled questions. If you want honest answers ask straight forward questions.

Anonymous

7/19/2019 05:05 PM

Barking & Dagenham borough has one of the highest rates of young children and many residential areas I do not feel such establishments would be appropriate in this borough.

Anonymous

7/19/2019 05:12 PM

It's just sick that in this day and age the council is even considering such establishments

Anonymous

7/19/2019 05:24 PM

Despite the safeguards in the policy I wouldn't want this on my doorstep!

Anonymous

7/19/2019 05:24 PM

I want to reiterate, when considering an establishment like this in Barking and Dagenham, what value or benefit does it bring if any? Would it not be better to start thinking of establishments that benefit the wider community?

Anonymous

7/19/2019 05:42 PM

There should not be any in barking and Dagenham! There is not suitable area to have one for such venue, we have big problems with underage drinking as a result of licences given to corner shops and gambling in the borough (licensing spot checks, once year if your lucky) why would you add this to the list.

Anonymous

7/19/2019 05:44 PM

I feel we haven't got the environment for this kind of business in Dagenham and would not support activities such as in Ilford Lane, Ilford.

Anonymous

7/19/2019 06:28 PM

I don't think we need this sort of establishment in the Burrough

Anonymous

Strongly recommend do not make this borough into soho. There should be

7/19/2019 07:08 PM

NO sex entertainment at all.

Anonymous

7/19/2019 08:44 PM

As I said I would prefer that the borough did not allow such establishments to be set up in the first place.

Anonymous

7/19/2019 08:45 PM

I think, in general, the draft policy is rather too restrictive and fussy.

Anonymous

7/19/2019 09:05 PM

I am assuming that any alcohol license for a sex establishment would need to be applied for separately?

Anonymous

7/19/2019 09:40 PM

Sex establishments are a blot on society and do nothing but harm.

Anonymous

7/19/2019 09:47 PM

I think it's highly likely that the women in these establishments are from underprivileged backgrounds - probably trafficked - and that this type of business should not be encouraged

Anonymous

7/19/2019 10:30 PM

We should be focusing on more positive venues for Barking, not sex establishments, there are already plenty of them here and in other parts of London. I would like to see the Council planning on more positive and safer things for children and families to do in the future.

Anonymous

7/19/2019 11:13 PM

I think it would be a grave mistake to allow this in the borough. We need to encourage more up market places in the borough not sleazy sex clubs to lower the tone even further.

Anonymous

7/19/2019 11:16 PM

If we destroy family values then what is the purpose of welfare society? What is the point of having children, getting married etc.?

Anonymous

7/19/2019 11:19 PM

We should not have any such establishments in Barking. There's already enough illegal prostitution happening around the train station and in the gambling arcades. The area needs cleaning up, not making worse. Please do not encourage this behaviour.

Anonymous

7/20/2019 07:43 AM

Nil policy is unfair!

Anonymous

7/20/2019 08:42 AM

If the town is mostly residential, that should be taken into account in determining individual applications. There is no need for a nil policy.

Anonymous

7/20/2019 10:05 AM

Barking area is multi cultural. Issues of a sexual nature have been shown previously to cause misunderstandings and offence in mixed communities leading to very serious backlash.

Anonymous

7/20/2019 07:49 PM

No to sex entertaining in Barking and Dagenham.

Anonymous

7/21/2019 11:24 AM

The proposals need to more clearly assess the benefit of granting no licenses at all and the potential negative impact to a locality due to opening sex establishments.

Anonymous

7/21/2019 01:47 PM

Did not read all of the policy but enough to get an understanding of it.

Anonymous

7/22/2019 09:35 AM

The policy is not succinct. The policy requires establishments to set their own anti exploitation policies and staff welfare policies. This is not strict enough.

Anonymous

7/23/2019 09:23 AM

These ought to be imposed by the Council or Government.

licensing is important to improve standards of clubs for their majority female workers - it's important we respect this and don't just shut them down completely. For failing to mainstream and license these clubs will result in underground, unsafe institutions that put sex workers into even greater dangers such as trafficking.

Anonymous

7/23/2019 10:24 AM

This consultation and the proposed policy, is probably worded that with all the restrictions, that when they are plotted onto a map of the borough, that no area is considered suitable, and therefore fudging the issue, by putting too many restrictions in the policy which look benign, when added up, actually prevent any sex establishments from opening, which is obviously the Councils opening position. I would say that this policy is loaded in favour of the Councils position and not open and fair.

Anonymous

7/24/2019 02:14 PM

There is no standard policy for this type of establishment. Asb and nuisance are bedfellows to these places. Better to keep lbbd positive.

Anonymous

7/30/2019 01:44 PM

Having an objective question on few areas of implications is not fair. It is just like another referendum which doesn't explain what implications if I select yes and what if I select no.

Anonymous

7/31/2019 12:33 PM

do you want to be a borough that promotes sexual exploitation regardless of licence or not, this consultation is a joke, come on, there is freedom and then there is just ridiculousness

Anonymous

8/19/2019 12:12 PM

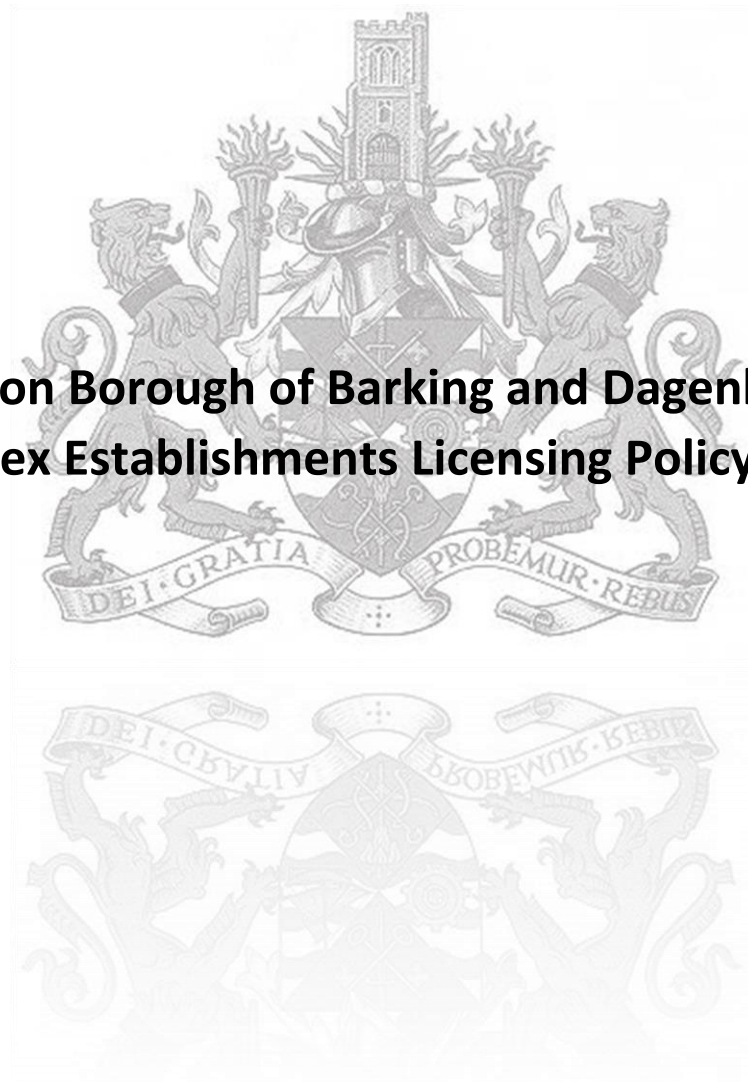
there should be no sex licence in LBBB

Optional question (50 responses, 86 skipped)

This page is intentionally left blank

**London Government (Miscellaneous Provisions) Act 1982
as amended by the Policing and Crime Act 2009**

**London Borough of Barking and Dagenham
Sex Establishments Licensing Policy**



Legal Notes

The provision to adopt local authority licensing of sex establishments, defined as sex shops and sex cinemas, was created under Part II of the Local Government (Miscellaneous Provisions) Act 1982¹ (the Act) and the basis of such licensing regimes prescribed in Schedule 3 to the Act.

On 27 October 1982 this Council passed a resolution under Section 2 of the Act adopting Schedule 3 within the London Borough of Barking and Dagenham.

Section 27 of the Policing and Crime Act 2009² amended the definition of sex establishment in the 1982 Act to include sex entertainment venues.

This Council's first Sex Establishments Licensing Policy was produced in 2008. This revision has been prepared to reflect the inclusion of sex entertainment venues within the licensing regime.

This policy has been compiled with regard to the Act, secondary legislation and the Home Office Guidance, "Sex Entertainment Venues", issued to local licensing authorities in England and Wales.

Nothing in this policy is intended to prevent any individual application from being considered on its individual merits at the time the application is made.

¹ <http://www.legislation.gov.uk/ukpga/1982/30/part/II>

² <http://www.legislation.gov.uk/ukpga/2009/26/contents>

Executive Summary

This policy is divided into five sections.

Section 1 - provides demographic information about the borough and sets out this Council's vision and priorities.

Section 2 - sets out the purpose of the policy and describes the categories of premises and the licences covered by the Act.

The function of the policy is to describe the Council's role as licensing authority and inform prospective applicants how their applications will be considered. The policy deals with the grant, renewal, variation and transfer of licences in respect of sex shops, sex cinemas and sex entertainment venues.

Section 3 - deals with procedure and matters of general principle.

The grant or otherwise of sex establishment licences will be determined by sub-committee of the Council's Licensing Regulatory Board at a public hearing where applicants and objections will be heard. No licence will be granted for a period greater than one year.

Section 4 – sets out how licence applications will be determined.

Every application for a licence will be subject to detailed consideration of all relevant issues. Mandatory grounds for the refusal of a licence are provided by the Act but this Council also adopts a presumption against the grant of a licence in a number of specified circumstances. Whilst any application will be considered on its merits, the Council has determined that the appropriate number of sex establishments within any locality in the borough is nil.

Section 5 - explains this Council's approach to regulation and enforcement.

The Council seeks to ensure that all of its enforcement activities are undertaken in a clear, fair, consistent and transparent manner. We support responsible business operators and take effective actions against irresponsible operators. We aim to ensure that all licensed premises are well managed, providing a safe environment for staff, clientele and the local community.

Contents

Section 1 – Introduction	
• Vision and priorities	06
Section 2 – Purpose and Scope of this Policy	
• The purpose of this policy	07
• The scope of this policy	07
• Definitions	08
• Premises providing occasional striptease	08
Section 3 – Procedure and Principles	08
• The Licensing and Regulatory Board	09
• European Convention on Human Rights	09
• Equality duty	09
• Applications for licences	10
• Guidance on the licensing process	10
• Public hearing of applications	11
• Duration of licence	11
• Waivers	11
Section 4 – Licensing Decisions and Conditions	
• Statutory reasons for refusal of licences	12
• Appropriate numbers of licensed premises	13
• Assessment of ‘relevant locality	13
• Presumption against grant of licences in specified circumstances	13
• Other considerations	14
• Licence conditions	15
• Protection of children and young people	15
• Sexual exploitation	16
• Prevention of crime and disorder / anti-social behaviour	16
• Variation of a licence	16
• Revocation of a licence	17
• Cancellation of a licence	17
• Appeals	17
Section 5 – Enforcement	18

Section 1 – Introduction

Vision and priorities

1. Our vision for the borough is “One Borough; One Community; No-one left behind”.
2. The Council’s Corporate Plan sets out how we will deliver this vision by working across four themes:
 - A new kind of council
 - Build a well-run organisation
 - Ensure relentlessly reliable services
 - Develop place-based partnerships
 - Empowering people
 - Enable greater independence and protect 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

Section 2 – Purpose and Scope of this Policy

The purpose of the policy

3. The purpose of this policy is –
 - To set out the powers and responsibilities of the Council as licensing authority
 - To inform sex establishment licence applicants how the Council will make licensing decisions
 - To set out how this Council intends to support responsible operators and take effective actions against irresponsible operators
 - To inform local residents, business and licensed premises users, about the protections afforded to the local community

The scope of the policy

4. Under the Local Government (Miscellaneous Provisions) Act 1982 as amended by s27 of the Policing and Crime Act 2009 the Council is responsible for determining sex establishment licences within its area.
5. This policy is concerned with the grant, renewal, variation, and transfer of sex establishment licences.
6. Licensable sex establishments fall into one of three categories:
 - sex shops
 - sex cinemas
 - sex entertainment venues

Definitions

7. Sex shops may sell, hire, exchange, lend, display or demonstrate sex articles or other things that are intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity.
8. Sex cinemas may show films that are primarily for the portrayal of sexual activity or acts of force or restraint which are associated with sexual activity with the intention of sexually stimulating customers.
9. Sex entertainment venues may provide sexual entertainment (e.g. lap dancing, peep show, live sex show, strip show, etc.) to a live audience for the financial gain of the organiser or the entertainer.

Premises Providing Occasional Striptease

10. The Licensing Act 2003 allows for limited, occasional striptease and/or similar performances to be given under a premises licence authorising alcohol on sales without the need for a sex entertainment venue licence.
11. Any person providing striptease or similar performances under a licence issued under the Licensing Act 2003 will have appropriate conditions attached to that licence.

Section 3 – Procedure and Principles

12. This policy should be read in conjunction with the Council's statutory Statement of Licensing Policy³ made under the Licensing Act 2003. In cases where a premise may

³ <https://www.lbbd.gov.uk/sites/default/files/attachments/Licensing-Act-2003-Policy-2017-22.pdf>

be licensed under, and regulated by, both Acts, the licensing objectives under the 2003 Act will apply, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

13. Notwithstanding any presumptions indicated below, nothing in this Policy is intended to undermine the right of any individual to make an application in accordance with the 1982 Act and to have that application considered on its individual merits.

14. The Council may make exceptions to its policy where it is appropriate to do so and will give reasons for any such exception.

The Licensing and Regulatory Board

15. The Council's Licensing and Regulatory Board will form Licensing sub-committees to perform all functions relating to licensing.

16. The Council will annually appoint 10 members to sit on the Licensing and Regulatory Board. From this overall membership, any 3 members may sit as a licensing sub-committee to determine applications. Only councillors who have received relevant licensing training will take part in decisions on licensing matters.

17. Members of the Licensing and Regulatory Board will not take part in any licensing decisions concerning premises in which they have an interest. A member of the Licensing and Regulatory Board may not hear an application that is in their own ward, but they may observe the meeting as a member of the public.

18. All decisions in respect of applications for sex establishment licences will be made by the Licensing Sub-Committee, although Licensing Officers may determine that an objection received is frivolous or vexatious and may not refer it for the sub-committee's consideration.

European Convention on Human Rights

19. When determining any licence application, the Sub-Committee will have regard to relevant Convention rights, including:

- Article 1, Protocol 1 concerning a person's entitlement to the peaceful enjoyment of his/her property.
- Article 6 concerning the right to a fair and public hearing

- Article 8 concerning the right to respect for private and family life
- Article 10 concerning the right to freedom of expression

Equality Duty

20. In taking licensing decisions, the Sub-Committee will also be mindful of the Council's public sector equality duty under the Equality Act 2010⁴.
21. Decisions will be taken with due regard to the need to:
 - Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not

Applications for licences

22. The Council may grant to any applicant, and from time to time renew, a licence for the use of any premises, vehicle, vessel, or stall specified for a sex establishment, on such terms and conditions and subject to such restrictions as may be specified.
23. Any application for the grant, renewal or transfer of a sex establishments licence must be made either in writing or electronically, on the form provided by the Council.
24. The application form must be fully completed, signed and dated by the applicant or their representative, and submitted together with the appropriate fee and all other required documentation to the Council's Licensing Team. No application will be deemed complete or be processed until all information requested is received in full.
25. Applicants for a sex establishment licence must give public notice of the application by publishing an advertisement in a local newspaper that is circulated in the local authority area no later than 7 days after the date the application is made.
26. Where the application relates to premises, a notice must also be displayed on or near the premises in a place where it can be conveniently read by members of the public. The notice must be displayed for a period of 21 days beginning the date the applications is made.

⁴ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

27. A notice of the application will also be placed on the Council's website.
28. Any person may object to the grant or renewal of a sex establishment licence.

Guidance on the licensing process

29. This policy document does not intend to set out the steps of the licensing process. Detailed information on the licensing process is provided in the Council's separate ['Guidance Note for Applicants and Objectors under the Local Government \(Miscellaneous Provisions\) Act 1982'](#).

Public hearing of applications

35. All applications for the grant, renewal or transfer of sex establishment licences will be determined by a sub-committee of the Licensing Regulatory Board at a public hearing if the application is opposed.
31. All applicants will be required to appear before the sub-committee when their application is heard.
32. Whilst the Act does not make provision for objectors to be heard in person, the Council is under a duty to consider any objections made within 28 days of the application and has deemed that registered objectors will be given the opportunity to appear before and be heard at the licence determination hearing. The Council reserves the right to hear late objections provided that the applicant is given the opportunity to respond to them.
33. Where the Council refuses the grant, renewal or transfer of a licence, a written statement of the reasons for the decision will be provided to the applicant or holder of the licence, if required, within 7 days.

Duration of licence

34. Unless previously cancelled or revoked, any licence issued shall remain in force for one year or for such shorter period specified in the licence.

Waivers

35. Although the Council is permitted to waive the requirement for a licence in any case where it considers that to require a licence would be unreasonable or inappropriate, the Council does not consider it would be appropriate to waive the requirement to hold a sex establishment licence in respect of sex shops and sex cinemas, except in the most exceptional circumstances.
36. The Council does not consider it would ever be appropriate to waive the requirement to hold a sex establishment licence in respect of sexual entertainment venues.

Section 4 – Licensing Decisions and Conditions

Statutory reasons for refusal of licences

37. Mandatory grounds for refusal are set out in Section 12 of Schedule 3 to the 1982 Act. Any refusal of an application must be in reference to one or more of the stated grounds.
38. A licence may not be granted to —
- (a) a person under the age of 18; or
 - (b) a person who has had a previous licence revoked; or
 - (c) a person who is not resident in the United Kingdom or was not so resident throughout the period of six months immediately preceding the date of the application; or
 - (d) a body corporate which is not incorporated in the United Kingdom; or
 - (e) a person who has, within a period of 12 months immediately preceding the date of the application, been refused the grant or renewal of a licence for the premises in respect of which the application is made, unless the refusal has been reversed on appeal.
39. An application for the grant or renewal of a licence may also be refused where —
- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
 - (b) were the licence to be granted, renewed or transferred, the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
 - (c) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number the Council considers to be appropriate for that locality;
 - (d) the grant or renewal of the licence would be inappropriate, having regard to
 - (i) the character of the relevant locality; or
 - (ii) the use to which any premises in the vicinity are put; or
 - (iii) the layout, character or condition of the premises in respect of which the application is made.
40. Similarly, an application for the transfer of a licence may be refused on either or both of grounds (a) and (b) above.

Appropriate numbers of licensed sex establishments

41. The Council is permitted under s12(4) to determine that the appropriate number of sex establishments in any relevant locality is nil.
42. Barking and Dagenham is highly residential and has a young and growing population. No area of the borough has a recent association with the provision of sexual entertainment. In that context the Council considers it inappropriate to allow the introduction of sex entertainment venues in any locality because of the impact that they and their customers may have on the locality.
43. Accordingly, the appropriate number of licensed sex establishments of any category in any area of the borough is determined to be nil.
44. The Council will continue to consider applications and to consider each application upon its own individual merits, but it is expected that this policy will be strictly applied and licences will therefore only be granted in exceptional circumstances. The ability of an applicant to demonstrate that they are of good character and could provide a high standard of management will not alone constitute exceptional circumstances.

Assessment of 'relevant locality'

45. In general, this Council will treat the ward in which the premises that is subject of the application is situated as the relevant locality, although a different view may be taken following representations raised in individual cases (for example, where a premises subject of an application borders another ward).

Presumptions against the grant of licences in specified circumstances

46. This Council takes the position that there should be a policy presumption against permitting licensed sex establishments either adjacent to or in the vicinity of premises in the following categories, regardless of location:
 - Schools and other facilities used primarily by children and young persons, including playgroups and playgrounds
 - Facilities used primarily by vulnerable adults and adult social care facilities
 - Facilities used primarily by women
 - Places of worship
 - Hospitals and medical facilities
 - Community facilities or public buildings
 - Community leisure facilities and open spaces

- Cultural facilities, including cinemas, theatres and galleries
- Residential accommodation
- Another licensed sex establishment

47. The meaning of “in the vicinity” will be determined on the circumstances of each case, however for the purposes of general guidance a radius of 250 metres will be considered.

Other considerations

48. In all cases, there are further issues that this Council considers to be relevant and will take into account when determining applications for sex establishment licences, namely:

- The position of the premises in respect of popular access routes to the categories of premises identified above
- The nature of any logo for the sex establishment
- The nature of any external images, advertisements or displays
- Whether advertising positioned inside the sex establishment could be viewed from outside of the premises
- Whether the name of the sex establishment clearly indicates the nature of the activities that would take place upon the premises
- The operating hours of the premises and their relationship to the operating hours of nearby premises
- The scheme of management
- Proposed front of house controls and security arrangements, both external and internal
- Queueing arrangements for customers wishing to gain admission
- Age verification procedures to prevent admission of under-age persons
- The layout and condition of the premises
- Arrangements for ensuring the safety of customers, staff and performers on the premises
- Whether planning consent has been obtained for the proposed use
- Whether there are any planned developments in the area that may render the locality unsuitable for a sex establishment
- The potential for local crime and disorder and/or anti-social behavior that may arise from the operation of the premises
- Whether the applicant has had any relevant enforcement action taken against them by the Police or any other regulatory body
- Whether the applicant can comply with the relevant standard conditions for the category of sex establishment

- Accessibility to the premises for disabled persons

Licence conditions

49. Where the Council decides to grant a licence it will do so subject to standard conditions. It may also impose specific conditions and/or restrictions applicable to an individual licence.
50. This Council has prescribed standard conditions applicable to all sex establishments and additional standard conditions applicable accordingly if the premises is a sex shop, a sex cinema or a sex entertainment venue
51. The relevant standard licence conditions will be attached to every licence granted, renewed or transferred by the Council unless expressly excluded.
52. The standard licence conditions are detailed in full in the separate document “Sex Establishments – Standard Licensing Conditions”⁵.

Protection of Children and Young People

53. No person under the age of 18 years may be admitted to any sex establishment while the premises is in use under its licence. No person under the age of 18 years may be employed at any sex establishment.
54. To ensure that no child or young person is exposed to any licensable activity, it is important that a rigorous age verification scheme is established. This Council promotes the principles of ‘Challenge 25’.
55. Anyone who appears to be under 25 years of age will be asked for ID and admission will be refused to any person appearing under 25 years of age who cannot provide valid ID establishing they are over 18. Notices to this effect must be displayed in a clear and prominent position at the premises. Valid ID would comprise a photo driving licence, passport or other approved photographic ID bearing the PASS hologram.
56. No licensable activity or related material may be visible from the street and passersby may not be subject to touting.

⁵ <https://www.lbbd.gov.uk/sex-establishment-licence>

Sexual Exploitation

57. To help prevent the exploitation of any person at any time, no dancer or performer employed at a sex entertainment venue may be under 18 years of age; and no performer or dancer may be permitted to perform under the influence of alcohol or drugs. The licence holder will be required to undertake reasonable checks to ensure that all dancers or performers are eligible to work in the UK and obtain a certified photocopy of the passport of each performer together with their personal details.
58. Performers and dancers must be subject to a Code of Conduct and allied disciplinary procedure for failure to comply with the Code (which must not include monetary fines).
59. A Customers' Code of Conduct must also be devised, together with a means of ensuring that it is communicated to all customers on or soon after entering the premise. Repeated or serious failure to comply should result in the ejection, and potentially barring, of the customer from the premises.
60. Performers and dancers must be provided with adequate changing and sanitary accommodation, and there must be an appropriate welfare policy.

Prevention of Crime and Disorder and / or Anti-Social Behaviour

61. The Council will seek to ensure that no licensed premises contributes to levels of local crime and disorder or anti-social behavior.
62. Accordingly, the Council will expect high standards of management at all times.
63. The Council will expect the premises management to maintain a good working relationship with the police and the Licensing Team.
64. The Council will require all licensed premises to have good CCTV coverage. All sex entertainment venues must have adequate door supervision (registered with the Security Industry Authority) and good internal security and monitoring arrangements.

Variation of licences

65. The holder of a sex establishment licence may apply at any time to the Council for a variation of any term, condition or restriction.

66. Where such application is made the Council may
- Make the variation specified in the application; or
 - Make such variations as it thinks fit (including variations other than those specified in the application); or
 - Refuse the application.

Revocation of licences

67. The Council may, after giving the holder of a licence an opportunity of appearing before and being heard by them, at any time revoke the licence on any of the grounds specified above for the refusal of a licence.
68. Where a licence is revoked, the Council will provide a statement in writing of the reasons for the decision within 7 days of the revocation.
69. Where a licence is revoked, its holder shall be disqualified from holding or obtaining a licence in the borough for a period of 12 months from the date of revocation.

Cancellation of licence

70. In the event of the death of the holder of a licence, that licence shall be deemed to have been granted to his personal representatives and shall, unless previously revoked, remain in force until the end of the period of 3 months beginning with the death. The licence shall then expire, unless extended by the Council upon application by the representatives.
71. The Council may extend the licence upon application, if it is satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.
72. The Council may, at the written request of the holder of a licence, cancel the licence.

Appeals

73. Where this Council refuses an application for the grant, renewal or transfer of a sex establishment licence the applicant may appeal the decision in a magistrates' court, unless the application was refused for the reasons given below, in which case the only means of challenge is by way of judicial review.
- That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;

- That the grant or renewal of the licence would be inappropriate, having regard to
 - the character of the relevant locality; or
 - the use to which any premises in the vicinity are put; or
 - the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made

Section Five – Enforcement

74. The Council’s enforcement services aim to safeguard the local community and environment and provide a level playing field on which businesses can trade fairly.
75. Council officers are subject to the provisions of the Regulators’ Code⁶, which is designed to ensure effective and efficient public protection services. Specifically, the Council is committed to accord with the principles of good enforcement practice by carrying out its regulatory functions in a fair, open, transparent, and consistent manner.
76. Our resources will be ‘intelligence led’ and directed to where they are needed most. Responsible business operators, with proven operating history, can expect a light touch enforcement approach, enabling resources to be directed to supporting new operators and dealing with irresponsible and illegal operations.
77. The 1982 Act empowers both police constables and authorised Council officers to take enforcement actions.
78. Licensed premises may be subject to ‘during performance’ or ‘during operation’ visits conducted on a risk-assessed basis, having regard to the premises previous operating history and regulator confidence in management.
79. Where it is necessary to take enforcement action officers will:
 - be clear about the issue(s) that have made enforcement action necessary
 - for action short of licence revocation and/or prosecution, provide a clear explanation as to what remedial action is necessary and a reasonable timescale for completion
 - advise the licensee of any right of appeal
80. The Council and partner agencies recognise the interests of both citizens and businesses and will work together to assist licence holders to comply with the law and the licensing objectives.

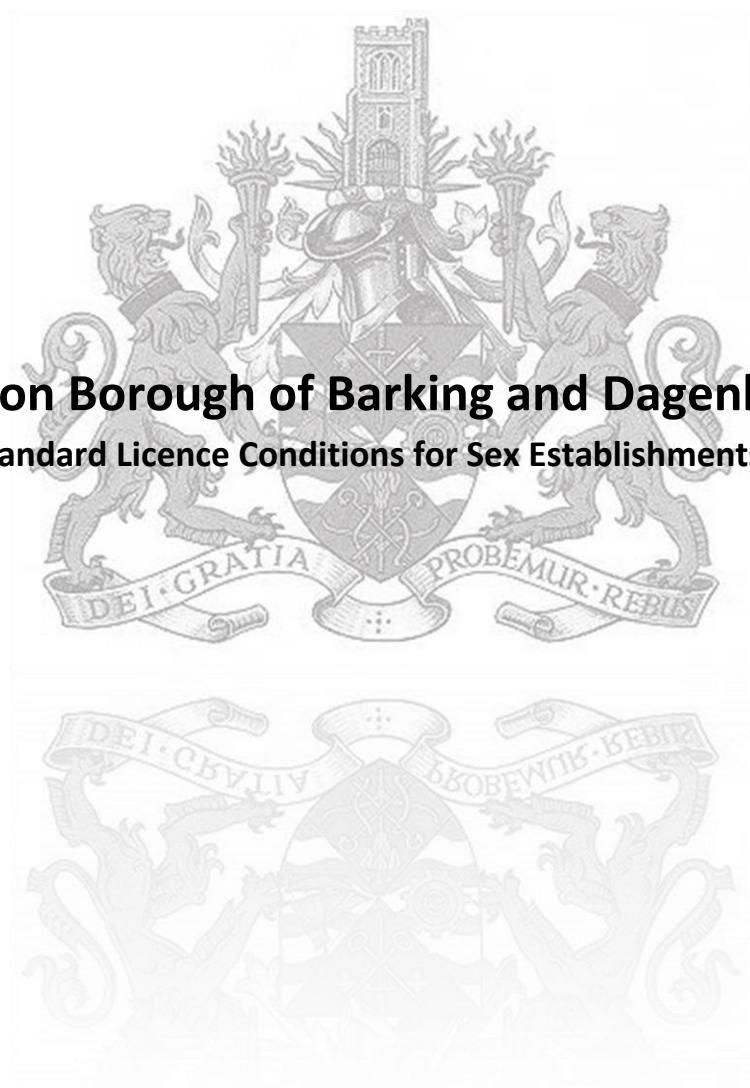
⁶ <https://www.gov.uk/government/publications/regulators-code>

81. The Council has set clear standards of service and performance that the public and businesses can expect. We have an Enforcement Policy, which sets out our principles for effective enforcement.

This page is intentionally left blank

**London Government (Miscellaneous Provisions) Act 1982
as amended by the Policing and Crime Act 2009**

**London Borough of Barking and Dagenham
Standard Licence Conditions for Sex Establishments**



Section A – General conditions applicable to all premises

Section B – Additional conditions applicable only to sex shops

Section C – Additional conditions applicable only to sex entertainment venues

Section D – Additional conditions applicable only to sex cinemas

Special Licence Conditions

In the event of any conflict between these standard conditions and any special conditions applied to a licence in respect of any sex establishment, the special conditions shall prevail.

Section A - General Conditions (applicable to all categories of sex establishment)

1. The business shall be carried on only in the name, style and title and at the address specified in the licence.
2. All documents, notices and advertisements issued by or on behalf of the business shall bear the name, style or title and address specified in the licence together with an indication that the business is licensed by the Council.

Management and conduct

3. The licensee, or a responsible person nominated by him for the purpose of managing the sex establishment in his absence, and of whom details have been supplied to and approved by the Council, shall be in charge of and upon the licensed premises during the whole time that they are open to the public.
4. A daily register shall be maintained upon the premises in which shall be recorded the name and address of all persons employed at the establishment. The register is to be completed each day the premises are open for business and is to be kept available for inspection by the Police and authorised officers of the Council and shall be retained for six months after completion.
5. The licensee shall not without the express written consent of the Council employ any person in the conduct of the business, who has previously been refused a licence by the Council or other licensing authority, or had a licence revoked.
6. Where the licensee is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days of such change and such details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of any written request by the Council.

7. The licence holder shall retain control over all portions of the premises as defined on the approved premises plan, and shall not let, licence or part with possession of any part of the licensed premises.
8. The public shall not be permitted to have access to any part or parts of the licensed premises other than those which have been approved by the Council, as per the plan submitted to the Council at the time the licence was granted.
9. No change of use of any portion of the licensed premises from that approved by the Council shall be made until the Council's consent in writing has been obtained. No person under the age of eighteen shall be admitted to the licensed premises while the sex establishment licence is being used and prominent notices shall be displayed at each entrance to the premises to that effect.
10. No person aged under eighteen shall be employed to work at the licensed premises in any capacity, nor allowed to work in the premises on a self-employed basis.
11. No part of the licensed premises shall be used by prostitutes for the purpose of solicitation or otherwise exercising their profession.
12. No access shall be permitted through the licensed premises to any other premises adjoining or adjacent except in the case of emergency.
13. The premises layout shall allow all public parts of the premises to be easily supervised by premises management, staff and door supervisors at all times, save for public toilet areas which shall be checked at least at hourly intervals to ensure such areas are not being used for any improper purposes and are in a clean and useable condition.
14. No alterations or additions, either internal or external, and whether permanent or temporary, shall be made to the structure, lighting or layout of the licensed premises except with the prior written approval of the Council.
15. The external doors to the licensed premises shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
16. The licence holder shall ensure that the sex establishment licence or a certified copy shall, at all times, be prominently exhibited at the premises in a position where it can be clearly seen by customers. For the purposes of this section, a certified copy of the

licence shall be a copy certified as a true copy by the holder of the licence or his solicitor and appropriately signed and dated with the date the copy was certified.

Touting for Business

17. There shall be no touting for business for the premises by way of flyer; persons holding advertising boards; branded vehicles or personal solicitation.
18. The windows and openings of the licensed premises shall be of material or covered with material which will render the interior of the premises invisible to any person passing.
19. No display or advertisement of the activities permitted by the sex establishment licence shall be exhibited in a manner that makes it visible from outside of the premises except:
 - Any notice required to be displayed by law, by these regulations, or by any condition of the sex establishment licence granted by the Council
 - The name of the premises as specified in the sex establishment licence
 - The hours of opening of the premises
 - Notice of any admission charge to the premises
 - Or where the Council has given its prior consent in writing that such display or advertisement may be used.

Note: The Council shall not permit the display of any form of imagery or photographs that it believes might be construed as offensive to public decency.

CCTV Conditions

20. A CCTV system shall be installed and working to the satisfaction of the Police and the Council. The system shall cover the whole of the parts of the premises to which the public have access, except for individual toilet cubicles. This shall include external areas of the premises including the area immediately outside any entrance to, or exit from, the premises.
21. CCTV monitors covering the premises shall be available in the foyer or reception area of the premises where they can immediately be viewed by Police and Council officers during an inspection of the premises. This condition does not prevent further monitors being located in other parts of the premises.
22. Notices shall be displayed at the entrance to the premises, and in prominent positions throughout the licensed premises, advising that CCTV is in operation.
23. The CCTV shall record continuously the entire time that any member of the public is present on the licensed sex establishment.

24. Recordings shall be of a sufficient quality to clearly identify persons on the recordings.
25. Recordings shall be retained for a minimum period of 31 days.
26. Copies of the recordings shall be made available to the Police and the Council on request.
27. Any defect in the operation of the CCTV system shall be notified immediately to the Police Licensing Team and the Council in writing and by telephone, and the licence holder shall ensure that repairs to the CCTV system are effected as soon as reasonably practicable.
28. Where any part of the CCTV system is non-operational, the licence holder shall comply with any direction from the Metropolitan Police or the Council not to use certain parts of the licensed premises for the purposes of the sex establishment licence.

Section B - Additional Conditions applicable only to Sex Shops

29. No sex articles shall be displayed in such a manner that they can be seen by persons outside the sex establishment.
30. The licensee shall ensure that no employee or any other person shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the premises.
31. Any change of staff employed at the licensed premises shall be notified in writing to the Council within 14 days of the change.
32. All sex articles and other things displayed within the licensed premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged (inclusive of VAT).
33. All goods offered for sale, hire, exchange or loan shall be available for inspection prior to supply and a notice to this effect is to be prominently displayed within the premises.

Section C - Additional Conditions applicable only to Sexual Entertainment Venues

34. The layout of the premises shall be such that performers cannot be seen from outside the premises.
35. Performers may not stand in any lobby, reception or foyer areas or outside the premises entrance for the purposes of greeting customers or encouraging customers to enter the venue.
36. The licence holder shall nominate a Duty Manager for the premises on each occasion they are open to the public and being used for the purposes of providing relevant entertainment.
37. The licence holder shall ensure the name of the Duty Manager is displayed in the foyer or reception of the premises, so the name can easily be viewed by Police or authorised Council officers carrying out an inspection of the premises, or otherwise by persons using the venue.
38. The Duty Manager shall be responsible for ensuring the premises operate in accordance with the conditions applicable to the sex establishment licence.
39. The Duty Manager shall remain on the premises while they are on duty save in the event of an emergency.

Door supervisors registered with the Security Industry Authority shall be provided at the premises in sufficient numbers to ensure that:

- a. Each entrance and exit at the premises used by the public are manned by at least two door supervisors
- b. All public areas of the premises are continually monitored to ensure the Dancers and Customers Codes of Conduct and any licence conditions are being complied with.
- c. Persons breaching the Customers Code of Conduct or otherwise behaving in a disorderly manner can be safely ejected from the premises

Requirements for a Code of Conduct for Performers

40. There shall be a Code of Conduct for performers in place at the venue that has been agreed in writing by the licence holder, the Council and the Metropolitan Police.
41. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Sexual Entertainment Venues - Code of Conduct for Performers".

42. No change shall be made to this Code of Conduct without the prior written consent of the Council and the Metropolitan Police.
43. The Performers Code of Conduct must state that performers who do not comply with the Code of Conduct will face disciplinary proceedings.
44. The licence holder shall require all dancers to sign an acknowledgement that they have received a copy of the Performer's Code of Conduct, have read and understood its contents and will comply with the Code of Conduct at all times while they are working at the premises.
45. The licence holder shall retain original records showing that each performer has signed to acknowledge receipt of the Performer's Code of Conduct and Disciplinary Procedure as described above.
46. A copy of the sections of the Performer's Code of Conduct relevant to customers shall be prominently displayed in each area of the premises to which the public have access, including toilet areas, and in any area used as a changing/dressing room for performers.
47. The premises management and staff (including security staff) shall be aware of the content of the Dancer's Code of Conduct and shall ensure it is complied with.

Requirements for a Code of Conduct for Customers

48. There shall be a Code of Conduct for Customers in place at the venue that has been agreed in writing by the licence holder, the Council and the Metropolitan Police.
49. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Sex Entertainment Venues - Code of Conduct for Customers".
50. The Code of Conduct for Customers shall be displayed in prominent positions throughout the premises where it is visible to all customers.
51. No change shall be made to the Customers Code of Conduct without the prior written consent of the Council and the Metropolitan Police.
52. The Customer's Code of Conduct must state that customers who do not comply with the Code of Conduct will be ejected from the premises.
53. The premises management and staff (including security staff) shall be aware of the content of the Customer's Code of Conduct and shall ensure it is complied with.
54. Any breach the Customers Code of Conduct shall be recorded in the incident log.

55. Where management is made aware of a customer repeatedly breaching the Customers Code of Conduct, they shall eject that customer from the premises.

Disciplinary Procedure

56. A disciplinary procedure shall be in place to deal with performers who breach the Performer's Code of Conduct. The disciplinary procedure shall be detailed in writing and a copy of it provided to each performer who works at the premises.
57. The licence holder shall require all performers to sign an acknowledgement that they have been provided with a copy of the Disciplinary Procedure and have read and understood its contents.
58. The Disciplinary Procedure shall not include provision to fine performers or otherwise impose pecuniary penalties. Action taken may include verbal or written warnings, suspension of the performer's right to perform at the premises, or revocation of the performer's right to perform at the premises.

Sexual Entertainment Venues - Code of Conduct for Performers

59. The Performer's Code of Conduct shall include the following conditions as a minimum:
- Performers may not intentionally touch a customer during a performance.
 - Performers may not permit a customer to touch them during a performance.
 - Performers may not straddle the customer.
 - If a customer attempts to touch or speak to a performer inappropriately, the performer shall stop the performance and advise the customer of the rules of the Code of Conduct. If the customer persists in inappropriate behaviour, the performer shall stop the performance and inform premises management immediately.
 - Performers may not intentionally touch the genitals, anus or breasts of another performer, nor knowingly permit another performer to touch their genitals, anus or breasts.
 - Performers shall not solicit for gratuities or payment for sexual favours.
 - Performers shall not engage in any act of prostitution, i.e. the receiving of gratuities or payment for sexual favours.
 - Performers may not perform any act which simulates masturbation, oral sex or sexual intercourse, including the insertion of any object, including their own finger, in to the anus or vagina.
 - Performers may not touch their own breasts, anus or genitals with their fingers, lips or tongue.
 - Performers may not be in the company of a customer unless it is in an area of the premises that is open to the public.
 - Performers shall not perform if under the influence of alcohol or drugs.

- If a customer engages in acts of masturbation or other sexual behaviour, the performer shall cease the performance immediately and inform the premises management.
- Performers shall use the dressing room facilities provided for their exclusive use to change for their performance.
- Performers shall only use the smoking area provided specifically for their use.
- Performers shall only use the sanitary facilities specifically provided for their use.
- Performers shall not leave the premises or otherwise be visible outside the premises, including for smoking breaks, unless dressed in suitable attire, e.g. outerwear consisting of coat or top and skirt or trousers, so lingerie or other performance costume is not visible.
- All performers shall comply with this Code of Conduct. Any failure to adhere to the Code of Conduct shall render the performer subject to the Disciplinary Procedure.

Sex Entertainment Venues - Code of Conduct for Customers

60. The Customers Code of Conduct shall include the following conditions as a minimum:
- Customers may not touch performers during a performance.
 - Customers may not make lewd or offensive remarks to performers.
 - Customers may not harass or intimidate performers.
 - Customers may not ask performers to perform any sexual favour.
 - Customers may not perform acts of masturbation or indulge in other sexual behaviour.
 - Any customer failing to adhere to the Customers Code of Conduct will be ejected from the premises.

Private Booths

61. Private booths shall not be provided at the licensed premises. Where private performances are given in areas of the premises such area shall not have a door or other similar enclosure. The area shall be constantly monitored by CCTV, and access to the area shall be adequately supervised.

Performers' Private Work Areas

62. A designated dressing room area shall be provided for performer's exclusive use. Such dressing room shall be secured so as not to be accessible to members of the public and shall be suitable to enable performers to change privately.
63. Performers shall be provided with their own adequate sanitary facilities separate from those used by customers.
64. A secure external area shall be provided where required for performers to smoke without coming into contact with customers.

Performers' Welfare Policy

65. The licence holder shall have a Performers' Welfare Policy in place at the premises.
66. The Policy shall, as a minimum, state that
- Any performer concerned about the behaviour of a customer shall report the incident immediately to the Duty Manager who shall take immediate action to resolve the matter
 - Staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the Code of Conduct for Customers or is otherwise causing alarm or distress to a performer
 - Any customer behaving inappropriately will be ejected from the venue
 - Performers shall be provided with free drinking water on request

General Provisions

67. The licence holder shall obtain a photocopy of the passport of each performer that works at the premises and shall certify the copy as being a true copy by signing and dating the photocopy together with their name and job title.
68. The licence holder shall undertake reasonable checks to ensure each performer is eligible to work in the United Kingdom and shall not allow dancers ineligible to work in the UK to work at the premises.
69. The licence holder shall maintain written records of all performers working at the premises. The records shall show the performer's full name, home address, date of birth and a certified photocopy of their passport and the date the performer was provided with the Performers' Code of Conduct and Disciplinary Procedure. Such records shall be kept on the licensed premises and produced for inspection by Police and authorised Council officers on request. Any instances of the performer breaching the Performers' Code of Conduct shall be recorded on their record, to include the date and time of the incident and details of the breach that occurred.
70. Performers under the age of eighteen shall not be permitted to work at the premises.
71. Performers shall not be permitted to perform if they are clearly under the influence of alcohol or drugs.
72. The licence holder shall ensure that an incident log is maintained at the premises. The incident log shall, as a minimum, contain a record of:
- Any person ejected from the premises
 - Any refused admissions
 - Any refused sales
 - Any inappropriate behaviour by guests

- Any failure in the CCTV system
 - Any incidents of crime or disorder
 - Any seizure made of drugs or offensive weapons
 - Any complaints made by the public, guests or performers
73. The record shall show the date, the time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved/name of performer where appropriate and brief details of the incident and any action taken by the staff.
74. The incident log shall be completed as soon as reasonably practicable after any incident.
75. The incident log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the location of the incident log and the need to complete it in the case of any of the circumstances described above.
76. The licence holder shall ensure the incident log is checked periodically and at least at monthly intervals to ensure that staff are completing the incident log.
77. The incident log shall be made available for inspection to Police or authorised Council officers on request.

Section D - Additional Conditions applicable only to Sex Cinemas

78. No film shall be exhibited unless
- It has been passed by the British Board of Film Classification as a U, PG, 12, 15, 18 or RESTRICTED (18) film and no notice of objection to its exhibition has been given by the Council, or
 - The film has been passed by the Council as U, PG, 12, 15, 18 or RESTRICTED (18) with the London Borough of Barking and Dagenham being the name of the Council.
79. If the licence holder is notified by the Council in writing that it objects to the exhibition of a film specifying the grounds of objection, such film shall not be exhibited.
80. Not less than 28 days' notice in writing shall be given to the Council of any proposal to exhibit any film which has not been classified as specified above. Such a film may only be exhibited if consent has been obtained from the Council in writing and in accordance with the terms of any such written consent.

81. When the programme includes a film in the 12, 15 or 18 category no person appearing to be under the age of 12, 15 or 18 as appropriate shall be admitted to any part of the programme.
82. If the Council does not agree with the category of any film as passed by the British Board of Film Classification, it may alter the category or prohibit the showing of the film.
83. On notice of alteration of category being given by the Council to the licence holder, the film shall thereafter be treated as being in the altered category and the conditions applicable to the exhibition of films in the altered category shall be observed.
84. Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on the screen for at least 10 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer, of the statement approved by the Board indicating the category of the film.
85. For a film passed by the Council, notices shall be conspicuously displayed both inside and outside the premises so patrons entering can easily read them. The notices shall state without the addition of any other words:

LONDON BOROUGH OF BARKING AND DAGENHAM

(Here insert title of film)

has been passed by the London Borough of Barking and Dagenham as
(here insert the definition of the category and the category assigned)

86. Where a trailer is to be exhibited advertising a film passed by the Council, the notice shall state:

LONDON BOROUGH OF BARKING AND DAGENHAM

*.....trailer advertising +.....film

*(*Here insert the category of the trailer)*

(+Here insert the category of the film)

87. Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film exhibited, or to be exhibited at the *premises*, shall indicate clearly the category of the film.
88. The licence holder shall ensure that an incident log is maintained at the premises. The log shall, as a minimum, give details of:
 - Any person ejected from the premises
 - Any refused admissions
 - Any refused sales
 - Any inappropriate behaviour by guests

- Any failure in the CCTV system
 - Any incidents of crime or disorder
 - Any complaints made by the public or guests
89. The record shall show the date, the time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved where appropriate and brief details of the incident and any action taken by the staff.
90. The incident log shall be completed as soon as reasonably practicable after any incident.
91. The incident log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the location of the incident log and the need to complete it in the case of any of the circumstances described above.
92. The licence holder shall ensure the incident log is checked periodically and at least on intervals of one month apart to ensure that staff are completing the incident log.
93. The incident log shall be made available for inspection to Police or authorised council Officer.

This page is intentionally left blank

CABINET**15 October 2019**

Title: Gascoigne East Phase 2 – Appointment of Demolition Contractor	
Report of the Cabinet Members for Regeneration and Social Housing & Finance Performance and Core Services	
Open Report	For Decision
Wards Affected: Gascoigne	Key Decision: Yes
Report Author: Steve Smithson - Construction Manager Be First	Contact Details: Tel: 020 227-5211 E-mail: steve.smithson@befirst.london
Accountable Director: Ed Skeates – Development Director, Be First	
Accountable Strategic Leadership Director: Graham Cooke - Director of Inclusive Growth	
<p>Summary</p> <p>This report seeks approval to directly appoint the Main Contractor, Wilmott Dixon Construction, for the Gascoigne East Phase 2 Development to carry out the Demolition Phase of the project.</p> <p>An initial tender exercise was carried out by Be First inviting 3 specialist Demolition Contractors to bid for the Demolition phase of the project. The difficulty in maintaining security and allowing the Main contractor to simultaneously co-ordinate utility diversions resulted in this proposal to allow the Main Contractor of take the handover of the site and appoint the demolition contractor.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Waive the requirement to tender in accordance with the Council's Contract Rules and agree that the Council proceeds with the direct award of Willmott Dixon Construction for undertaking the demolition phase of the Gascoigne East Phase 2 project for the total sum of £4,292,220 for the reasons set out in the body of this report; (ii) Authorise the Director of Inclusive Growth in consultation with Cabinet Members for Social Housing and Regeneration and Finance Performance and Core Services, the Director of Law and Governance and the Chief Operating Officer, to award and enter into the contract with Willmiott Dixon for the demolition at Gascoigne Phase 2; and (iii) Note that the financial and delivery details of this project have been separately approved as part of the Investment and Asset Strategy updated and reported to Cabinet on 17 September 2019 (minute 46). 	

Reason(s)

The recommendations are aligned to four elements of the new Council vision and priorities namely:

- Regeneration and development of the borough
- Housing Estate Regeneration
- Provision of affordable housing
- Community and social benefits

1. Introduction and Background

- 1.1 At Cabinet meeting 19/07/2016, Councillors approved proceeding with Gascoigne East Phase 2 of the estate redevelopment project. The project was also included in the Be First Business Plan approved by Cabinet on the 21st May 2019 and subsequently forms part of the Councils Investment and Asset Strategy, the last update of which was approved by Cabinet on 17th September 2019. Gateway 3 was achieved 13th February 2019.

Since July 2018 Be First have been progressing with the scheme and achieved Planning approval at Committee meeting 3/06/2019. A Main Contractor (Willmott Dixon Construction) has been appointed via the Be First Lot 2 Development Framework which was procured via a fully OJEU complaint process. The Lot 2 Framework consists of 3 top tier contractors who were all approached to tender and a formal Expression of interest was issued however, 2 declined to enter the mini-competition leaving only one and Willmott Dixon were appointed to undertake a Pre-Construction Services Agreement (PCSA) with a view to commencing Construction in Spring 2020, prior to appointment Willmott Dixon were required to complete the full Tender documentation.

In order to confirm Value for Money as the other Framework Members declined, the independent Quantity Surveying practise Stace LLP were appointed to undertake Cost Control for the entire project, they carried out a value for money assessment and report which was submitted to the Be First Management team for review and approval.

2. Proposal and Issues

- 2.1 The demolition phase was originally intended to be let via competitive tender to a specialist demolition contractor, although this mini competition was commenced Be First decided to cancel the tender process due to the following reasons: -

- Be First and LBBD officers found the vacant blocks were in an extremely hazardous condition due to high levels of illegal intrusion that had occurred during the years the area of the estate was being decanted. This included gas leaks, water leaks, Squatters, Drug paraphernalia, human and animal waste, Vermin infestation, properties in a high level of disrepair with broken Asbestos contaminating properties and communal areas.
- There were also instances of Arson which resulted in two serious fires.
- Five residents also remained on site at the time of possession

- A large number of services running through the site which would need to be left insitu during the demolition phase.

Due to these reasons, Be First considered it to be beneficial to utilise the experience of the Main Contractor in dealing with these issues. An added benefit is the early community engagement that could be realised with the main Contractor taking early possession of the site and being able to de-risk the main contract and the benefit realisation of undertaking additional enabling works concurrently with the demolition works. (A separate enabling package is currently being prepared for submission by officers which will generate programme savings of approximately 6 months).

Be First shared the Demolition tender details with the Main Contractor. They carried out a due diligence and pricing exercise with the Demolition tenderers and a price inclusive of the management of the contract was submitted by the Main Contractor which was in line with the agreed Framework rates and demonstrated value for money as independently verified by the cost controller as mentioned above. A decision to award report was submitted to the Director of Inclusive Growth for approval which was given on the 20th April 2019. See Appendix 1.

The site was handed over to the Main Contractor on the 28th May 2019. Works are now progressing on site with environmental clean and Asbestos removal in progress. Having the main contractor on site has already assisted with de-risking of the construction phase as possession of the site has allowed for investigative surveys to assist with detailed design and early engagement of statutory authorities.

The potential effect of late handover of the demolition contract has also been negated as the contractor will be able to undertake the enabling package at the same time as demolition approaches conclusion and has already programmed the demolition works to suit.

There is one occupied property currently on site as of the drafting of this report and the Contractor's liaison team is assisting Be First and LBBD with the management of the tenant on site. The tenant is due to move on 1st October to alternative accommodation but this has been a long and complex decant case so Court Action has also been pursued to ensure the programme can be maintained

3. Proposed Procurement Strategy

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

- 3.1.1 The work comprises of the demolition of blocks 58-63 St. Anne's, 31-75, 76-90, 91-99, 101-115, 116-139, 140-157 St. Margaret's and 1-70 Bamber House. Elements include the hoarding of the site, environmental clean, Asbestos removal, deconstruction of the buildings, disconnection/diversion of Services and tracking the site level ready for Enabling works and main Construction.

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

- 3.2.1 £4,292,220

3.3 Duration of the contract, including any options for extension

3.3.1 28th May 2019 – 31 April 2020 is the defined Contract period. An enabling Package is scheduled to commence in February 2020 subject to Gateway 4 approval.

3.4 Is the contract subject to (a) the (EU) Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016?

3.4.1 N/A

3.5 Recommended procurement procedure and reasons for the recommendation

3.5.1 Appointment of Main Contractor via Be First Development Framework Lot 2.

3.6 The contract delivery methodology and documentation to be adopted

3.6.1 JCT Minor Works Contract 2016. This is a relatively simple Construction Contract and has been agreed by the Construction Management team, Be First Management, External Cost Controller and Employer's Agent and the Contractor as an appropriate way to administer the Contract.

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

Be First considered it to be beneficial to utilise the experience of the Main Contractor in dealing with the issues on the site caused by a long period of non-occupation. An added benefit is the early community engagement that could be realised with the main Contractor taking early possession of the site and being able to de-risk the main contract and the benefit realisation of undertaking additional enabling works concurrently with the demolition works. (A separate enabling package is currently being prepared for submission by officers which will generate programme savings of approximately 6 months).

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

3.8.1 Not applicable - Contract directly awarded to Willmott Dixon

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

3.9.1 By utilising the Main Contractor for this works the overall contribution from the Contractor for its commitment to Social Value and Skills will be enhanced. Using a Contractor who is engaged in ongoing projects with the Council and Be First means that they are already committed to delivering long term results for the local community from their relationship with Be First,

3.10 Contract Management methodology to be adopted

3.10.1 Be First Construction Management are overseeing the Project with the assistance of an external Employer's Agent and Cost Controller along with an internal Clerk of Works and Senior Construction Manager. The management of this includes monthly

progress meetings, Risk Management procedures, Daily site attendance, etc along with a monthly Project Overview meeting with senior Be First Management and reports fed back to the Client.

4. Options Appraisal

4.1 Only two options are available –

- Letting a separate contract for the demolition via a Demolition tender, this was discounted due to the reasons outlined in this report.
- Engaging the Main Contractor to complete the Demolition – this is the preferred option to enable early site handover and continuity

5. Waiver

5.1 This report seeks to waive contract rule 28.5, requiring contracts in excess of £50,000 to be subject to a competitive tender exercise, in that the award for the demolition element of works is being brought forward and directly awarded to the Main Contractor, Willmott Dixon.

The waiver is required to enable early handover to the Main Contractor to secure the site and demolish the vacant blocks realising efficiencies in not having two separate contractors undertaking the works as detailed in the report above. This achieves an early and consistent security for the site.

The grounds for the waiver are covered in part 4, Chapter 1 of the Councils Contract Rules, clause 6.6, (G) which states; the nature of the market for the works to be carried out of the goods or services to be provided has been investigated and is such that a departure from the requirements of Contract Rules is justifiable.

6. Consultation

6.1 The Gascoigne project has developed a full engagement and consultation programme from its earliest inception, involving residents the wider community and a wide range of local stakeholders – its aim has been to engage all these groups across all the phases of development ensuring that their views shape the future development and in particular all effected residents are kept informed.

6.2 The proposals in this report were considered and endorsed by the Be First Board at their meeting on 1st July 2019

6.3 The Gascoigne East Phase 2 project has followed the gateway governance system agreed by Be First and the Council and achieved Gateway 3 on 13th February 2019.

7. Corporate Procurement

Implications completed by: Euan Beales Head of Procurement

7.1 The Councils Contract rules require any contract spend over £50,000 to be formally tendered or provisioned through a compliant framework.

Both routes to market have been discounted through the recommendations in this report and the preferred route is a direct award to the main contractor, this process is permissible through the Contract Rules

- 7.2 The threshold for works is currently £4,551,413 and is only £259,193 below. This does not leave much room for any additional costs, so I recommend that the costs are capped as the right to waive EU legislation would need full justification.
- 7.3 The procurement route is retrospective and as such has not been competed in a competitive environment so, a full value for money statement cannot be outlined.
- 7.4 The recommendations being made are within the requirements of the Contracts Rules, but this element could have been considered during the initial award of the main contractor, as the report does not make it clear if 2 management fees are now being provided for in the costs.
- 7.5 It should be noted that the initial process was a mini competition through a compliant framework, which has now been amended to reflect the direct award after consideration of the main contractor's status on the site, this again draws reference to how value for money can be achieved, tracked and recorded through the demolition process.

8. Financial Implications

Implications completed by: David Dickinson Investment Fund Manager

- 8.1 The Gascoigne East Phase 2 (GEP2) forms part of the 44 schemes agreed as part of the Acquisitions and Investment Strategy. The demolition and site preparation proposed in this report will clear the site for the three blocks of the GEP2 (C, E and F) and the costs will be apportioned across each block.
- 8.2 The report seeks the appointment of Willmott Dixon Construction to undertake the demolition phase of the GEP2 project. The total costs for the demolition will be £4.29m. This includes costs of £1.01m for asbestos removal and £0.56m for service disconnections and diversions. These costs are within the revised budget agreed for GEP2.
- 8.3 GEP2 is an important part of regeneration of the area, in providing 526 good quality homes to the borough and in providing a return to the Council's investment and acquisition strategy, with completion scheduled for April 2022. It is essential that progress around site preparation and then construction of GEP2 remains on schedule to ensure that these targets are met. The awarding of this contract is a key part in the ensuring that key milestones are met.

9. Legal Implications

Implications completed by: Kayleigh Eaton, Senior Contracts and Procurement Solicitor, Law and Governance

- 10.1 This report is seeking Cabinet's retrospective approval to waive the requirement to tender and directly award a contract for demolition at Gascoigne Phase 2 to Willmott Dixon.

- 10.2 The works have been costed at £4,292,220 which is just below the OJEU threshold for works contracts (currently set at £4,551,413) set out within the Public Contracts Regulations 2015 ('the Regulations'). Notwithstanding that the contract is currently outside the remit of the Regulations, the Council still has a legal obligation to comply with the relevant provisions of the Council's Contract Rules and with the EU Treaty principles of equal treatment of bidders, non-discrimination and transparency in conducting the procurement exercise.
- 10.3 It is noted that the demolition phase was originally intended to be let via a mini competition using a selected tender list^[00], however for reasons set out in the body of the report it was subsequently decided to cancel this process and directly engage with Willmott Dixon who are the main contractor for this development. This therefore requires a waiver on the Council's contract rules as any contract above £50,000 is required to be subject to a competitive tendering exercise. Contract Rule 6.3 permits Cabinet to grant waivers in excess of £500,000 providing it is satisfied that the justification for such waiver is sound and that it is in the Council's overall interests.

10. Other Implications

- 10.1 **Risk Management** - Will be managed through Be First Risk Management process. Main risks and mitigation listed below.

RISK	IMPACT	LIKELIHOOD	MITIGATION	IMPACT	LIKELIHOOD
Services disconnection delays	4	5	Main Contractor to manage with their own established partners and Contacts	2	2
Security of Site - Intruders	4	4	Enhanced security protocols in operation, Control measures for access	2	2
Safety – Deconstruction of High-Rise Block in close proximity to Main Access Road, Asbestos Removal, high levels of Contamination.	5	3	Demolition Sub-Contractor must meet Main Contractor's standards of work. Additional level of Control measures in place via use of Contractors permit to work system ensuring all method statements, etc are scrutinised first.	5	1
Poor Community engagement	3	4	Main Contractor already working with Local schools, Advisory Groups, community in advance of main contract commencing in 2020.	1	1

- 10.2 **Contractual Issues** - As per report.
- 10.3 **Corporate Policy and Equality Impact** - Demolition of the existing blocks of flats is required to deliver Phase 2 of the Gascoigne East a long term regeneration project that aims to improve the quality of the housing provision in this area, high levels of affordable homes, open space, community facilities and the new Greatfields School will be delivered as part to the wider regeneration programme.
- This is consistent with the independent Growth Commission's recommendations for the borough to continue bringing forward redevelopment which will help encourage further regeneration and investment. The delivery of the scheme will help deliver the aspirations of the Council's vision and corporate policies. The Scheme which will be enabled by the demolition is also consistent with the Council's planning policies.
- 10.4 **Safeguarding Adults and Children** - These issues were considered as part of the original planning approval and the Equalities Impact Assessment in relation to the Estate Renewal Programme.
- 10.5 **Health Issues** - Following demolition, the new scheme itself presents an opportunity for improving health and reduced health inequalities through social and economic regeneration, improved public realm, e.g. walking and cycling and future health and care facilities.
- 10.6 **Crime and Disorder Issues** - These were considered as part of the planning application decision making. The Scheme will improve crime prevention through its design which improves natural surveillance.
- 10.7 **Property / Asset Issues** – The approval for the demolition of these properties held within the Councils Housing Revenue Account was approved in the original report to Cabinet on 19th July 2016, along with the strategy for delivery of the new homes within the Councils Reside delivery vehicle. .

Public Background Papers Used in the Preparation of the Report:

- Minutes Cabinet 19th July 2016
- Minutes Cabinet 21st May 2019

List of appendices:

- Appendix 1 – Decision to award a Contract form signed by Director of Inclusive Growth

DECISION TO AWARD A CONTRACT



Title of Report:

Gascoigne Phase 2 – Appointment of Demolition Contractor

Project:

Gascoigne East Phase 2

Background:

Tenders were invited by Be First to 3 Demolition Contractors with a proven track record of Estate deconstruction to carry out demolition to the following blocks on the Gascoigne Estate Phase 2 Project:

- 1-70 Bamber House
- 31-39, 40-57, 58-66, 67-75, 76-90, 91-99, 101-115, 116-139 and 140-157 St. Margarets
- 58-63 St. Anns

Tenders were let on a 50% Quality/50% Cost basis and were returned, assessed and a recommendation made to the Be First Board.

However, due to the high levels of vandalism, intruder access and theft on the site, it was felt that the site should be handed over to the proposed Lot 2 development framework contractor who is about to return a formal tender to take possession to ensure that a permanent secure site is established from day one and subject to contract agreement, additional tasks to de-risk the project such as Archaeological investigations can be undertaken under the Pre-Construction Services Agreement.

The Lot 2 Contractor (Willmott Dixon Construction) has agreed with the quality and financial assessment undertaken by Be First and will be appointing Clifford Devlin to undertake the demolition.

Cost summary as follows:

• Contractor staff costs, prelims, noise and dust monitoring stations -	£306,518.00
• Site set up, Demolition Surveys, soft strip and deconstruction -	£2,146,450.00
• Provisional sums for Asbestos removal, clearance, Monarflex sheeting -	£1,010,000.00
• Provisional sum for Services disconnections and diversions* -	£560,000.00
• Allowance for enhanced security -	£50,000.00
• <u>Overhead, Profit and Prelims -</u>	<u>£291,252.00</u>
TOTAL	<u>£4,292,220.00</u>

*The contractor has opened dialogue with services providers to obtain firm quotations.

In advance of the sign off of this report, the contractor will be installing temporary protective fencing to Bamber House and the blocks that are now fully decanted week commencing 8/4/19 as intruders have been trying to remove live gas meters and electrical cable.

Recommendations:

Approval is requested to:

- Place an order with Willmott Dixon Construction to commence with the demolition package to Gascoigne Estate Phase 2.

Other Information:

Value of Works:	£4,292,220.00
Best Value Determined:	Yes
Contract Risk:	Low
Del. Manager Approved:	Yes

Signed:**Date:**

Report Author:	Steve Smithson	08/04/2019
Reviewed By Assistant Director:		24/04/19
Signed off By PMO:		24/4/17
Approved By Construction Director: Tom Mather		24/4/19
Approved By Director of Inclusive Growth: Graeme Cooke		29/04/19

Notes:

The recommendation for this appointment has been undertaken in accordance with Be First of Scheme of Delegation. Scheme of Delegation can be found in S:\Be First\04 - GATEWAY ASSURANCE\08 - Procurement

Please see link below to tender returns:

S:\Be First\02 - PROJECTS\BF0015 - Gasc East P2\11. Procurement\11.17 - Demolition tender\Tender Returns

CABINET

15 October 2019

Title: Energy Company Obligation (ECO3) Programme	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Neil Pearce, Commissioning Lead for Energy and Sustainability, Inclusive Growth	Contact Details: Tel: 020 8227 5733 E-mail: neil.pearce@lbbd.gov.uk
Accountable Strategic Leadership Director: Graeme Cooke, Director of Inclusive Growth	
<p>Summary:</p> <p>ECO3 is the latest milestone in the development of the Energy Company Obligation which was established in April 2013 and requires energy suppliers with a customer base of 200,000 or more to fully or partially fund the installation of various energy efficiency measures such as heating and insulation works for qualifying homeowners, social tenants and private renters.</p> <p>Local authorities have traditionally engaged with suppliers to collaborate and promote schemes on estates or borough-wide programmes. Therefore, ECO3 presents an opportunity for the Council to support Barking and Dagenham residents in enjoying financial savings and thermal comfort from having energy efficiency measures installed in their properties.</p> <p>To optimise the delivery of measures within the borough, the Council conducted an expression of interest exercise during the summer of 2019 and following the evaluation of submissions from several suppliers, Eon was nominated as preferred partner to assist in the development of a two-year borough-wide branded programme of retrofitting across all tenures, for households which qualify.</p> <p>Related, but not funded by the general Eon proposal, is an opportunity to deliver a deep retrofit pilot in appropriate Council-owned dwellings to coincide with the 2021 centenary anniversary of the building of the Becontree Estate. A £2.6m project funded by ECO3 Innovation Fund and HRA Capital Programme contributions will allow us to trial the Energiesprong model of deep retrofit which significantly enhances the thermal comfort of existing cold, drafty dwellings, while cutting carbon emissions, cutting fuel bills and switching households to clean energy generation.</p> <p>It aims to test the business case for rolling out this kind of retrofit nationally, on-scale and in volume, to drive down costs as well as turning existing energy inefficient properties with an EPC rating of D or lower into near net-zero energy, A-rated highly efficient homes of the future.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the appointment of Eon as preferred partner to develop a two-year programme of general retrofitting works for qualifying households across all tenures, and in particular dove-tailing the delivery of the scheme with the existing HRA Capital Programme;
- (ii) Approve the appointment of Energiesprong as technical advisers in the procurement and delivery of a deep retrofitting pilot on the Becontree Estate; and
- (iii) Delegate authority to the Director of Inclusive Growth, in consultation with the Cabinet Member for Regeneration and Social Housing and the Director of Law and Governance and the Director of My Place, to enter into the contracts and all other necessary or ancillary agreements set out in this report.

Reason(s)

The proposals contribute to the Council's vision and priorities set out in the Corporate Plan to 'develop place-based partnerships'; 'shape great places and strong communities through regeneration', 'enable greater independence' and 'protect the most vulnerable.

1. Introduction and Background

- 1.1 Affordable warmth, clean growth and decarbonisation have become key areas of Government policy and will intensify as homes, businesses, public sector organisations and transport infrastructure are steered towards meeting the new 2050 net carbon neutral targets. Legislation passed in June 2019 committed the UK's transition to a low-carbon future and the Government has introduced new energy efficiency interventions in the private rented sector; committed to bringing all properties up to an EPC rating of C by 2035 and demanded that energy suppliers deliver £3.6bn of retrofitting and energy efficiency works to housing stock between 2018/2023.
- 1.2 These opportunities allow the Council to build upon existing projects to deliver the ambition for Barking and Dagenham to be the 'green capital of the capital' and brand a scheme which delivers energy efficiency installations. Over the last decade Barking and Dagenham has leveraged in approximately £15m through previous energy efficiency programmes such as CERT, CESP and ECO1 and ECO2t funding to provide heating and insulation works to more than 10,000 homes across all tenures.
- 1.3 The Electricity and Gas (Energy Company Obligation) Order 2018 (commonly known as ECO3) is the latest milestone in the development of the suppliers' energy efficiency obligations. Established in April 2013 the obligation requires energy suppliers with a customer base of 200,000 or more to fund the installation of energy efficiency measures. The scheme has been collapsed into one core delivery target which provides various heating, insulation and where viable 'innovation' measures which apply to qualifying homeowners, social tenants and private renters.

- 1.4 The suppliers are set overall targets to meet with each set of measures and installs batched into quotas. Failure to meet them by 2023 will trigger a fine from the Office of Gas and Energy Markets (Ofgem), which oversees the administration of the programme.
- 1.5 Local authorities have traditionally engaged with suppliers, managing agents and installers to collaborate and promote schemes on estates or borough-wide programmes. Therefore, ECO3 provides an opportunity for the Council to support Barking and Dagenham residents in enjoying financial savings and thermal comfort from having energy saving measures installed in their properties.

2. Proposal and Issues

- 2.1 To support the transition of Barking and Dagenham to a low carbon, clean growth borough, the Council is keen to maximise all opportunities which enable it to decarbonise domestic properties, improve the thermal performance of stock and provide affordable warmth. The ECO3 regulations allows for us to do this for qualifying households under a badged-up programme which could potentially have an insulation, heating and retrofitting offer for thousands of households across the borough. Roll-out of certain measures, such as cavity wall insulation on social stock could begin as early as November 2019, with solid wall properties and private sector properties beginning to receive installs from March 2020 onwards.
- 2.2 To capitalise on this approach and timescale, the Council undertook an expression of interest exercise during July 2019 inviting ECO3-mandated energy suppliers to submit high-level proposals which could be developed into a borough-wide branded, across tenure scheme to deliver a retrofitting programme. It was stipulated that where regulations allow for measures to be fully-funded, the supplier should do so, as well as manage the programme, report back to Ofgem, lead on customer engagement, appoint installation contractors and be responsible for the delivery of the works (and associated liabilities). Where possible, and in accordance with our corporate expectations on social value, we expect 25% of works to be reserved for suitable, industry accredited (PAS2030:2017) local installers appointed under their procurement frameworks and local apprenticeships will also be encouraged. The Council would retain oversight of the programme, monitor delivery and support soft marketing.
- 2.3 A panel, consisting of officers from My Place, Inclusive Growth and Enforcement Services judged the submissions accordingly and following aggregated scoring, nominated Eon as preferred partner to undertake further data analysis over the autumn to target qualifying households and deliver installs across the next 24-months as part of a borough-wide offer.
- 2.4 Separate from the main Eon proposal but also funded through another avenue of ECO3 called the Innovation Fund, there is an opportunity to deliver a deep retrofit pilot in appropriate Council-owned dwellings, based on the progressive and cutting-edge Energiesprong model, to coincide with the 2021 centenary anniversary of the building of the Becontree Estate. The Cabinet approved HRA Capital Programme 2019/20 committed £1.5m to energy efficiency works for domestic stock and a unique opportunity to match-fund the scheme with an additional Innovation Fund contribution of £1.1m from British Gas as ECO sponsor has arisen.

2.5 **ECO3 - Works to private rented and owner-occupied stock**

The majority of ECO3 works will be directed at private sector housing rather than our own stock, with the Council proactively seen to be engaged in the retrofitting of owner-occupied and privately rented homes of those in receipt of qualifying benefits. Promotion will be borough-wide but for the initial phase this work will be targeted at the Becontree Estate, so that where possible installs will be completed by the time of the estate's centenary anniversary. Eon's adopted neighbourhood approach to the delivery of works helps concentrate contractors in one area so that installs can be carried out on scale and thereby quickly.

An initial desktop analysis of energy performance certificates has identified 3,740 PRS properties which may be eligible for heating and insulation works. On the Becontree Estate alone, Eon estimates that 2,833 properties may qualify. This data will be cross-referenced with properties registered under the Council's Mandatory Licensing Scheme, contacting all landlords about ECO3 opportunities and ensuring they meet the requirements of the Minimum Energy Efficiency Regulations 2015.

Estimating the number of qualifying owner-occupied properties will require further analysis, although at least 10,000 are known to have solid walls and are likely to be paying an additional £435 a year in heating costs because of a lack of insulation. It is also difficult to estimate likely take-up in the owner-occupied sector and a majority of households will be identified through a mix of self-generation and lead generation activities such as digital channels, inserts into Council publications, communications and event planning, marketing drops in fuel poor targeted areas and referrals through the voluntary sector and support networks like SHINE.

In addition, ECO3 builds on a component named as Flexible Eligibility (LA Flex) which allows a local authority to open eligibility to residents who are private tenants and owner-occupiers but not in receipt of benefit. As per regulations, the Council published its original Statement of Intent on LA Flex in late 2017 which states that where resources allow, it would identify known fuel poor households (either through mapping, Community Solutions and SHINE referrals); or residents subject to a health condition which is considered by the National Institute of Clinical Excellence (NICE) to lead to cold winter illness or death; or households living in F and G rated properties. The Council will not be a guarantor of works delivered to private properties but will act as conduit, providing referral and signing off a Declaration of Eligibility. It would be up to the household to consent to the measures.

Using the borough's Data Explorer, recent Department of Business, Energy and Industrial Strategy (BEIS) fuel poverty mapping, the scheme will target pockets with suspected high levels of fuel poor households to generate leads. This will also tie-in with proposals being made in a bid to the National Grid's Warmer Homes Fund for an enhanced fuel poverty referral pilot as well as allowing the Council to promote materials encouraging take-up of Beam Energy low-cost energy tariffs.

The Council has also asked Eon to develop a retrofitting offer for those who are not on benefits and help to stimulate interest from the able-to-pay market and will work with not-for-profit organisation, Retrofit Works – who are funded by the GLA and the BEIS – to help cultivate an affordable, attractive proposition for households which would not otherwise qualify for energy efficiency works but still want to cut carbon emissions and save on their fuel bills.

As with LA Flex, works to private sector properties, while unquantifiable at the moment, will be agreed between the energy supplier and customer. The only role the Council will play in this tenure is one of light touch marketing and general oversight of number and types of installs, costs and expected reductions in carbon emissions. The Council will have no direct relationship between the parties to the transaction.

2.6 **ECO3: Works to Social Housing**

While there is no condition of being in receipt of a qualifying benefit, measures can only be targeted at properties with an energy rating of E, F and G and extends to D where considered as part of an 'innovation scheme' signed-off by Ofgem. It is widely presumed that local authorities should be investing in their stock through Housing Revenue Account financing. However, where there is stock which requires virgin loft and cavity wall insulation, properties will qualify for free measures. There is also funding for First Time Central Heating (FTCH) works but only in the circumstances where we are removing broken or inefficient electric storages heating like Economy 7 systems. The Council would be expected to contribute to top-up levels of loft insulation, solid-wall measures and for replacement heating systems and this would be attributed to a relevant investment line within the HRA Capital Programme over the preceding 24 months. A potential Warmer Homes Fund bid in October may also bring in additional capital to support this work.

Based on 2015 data, the Council identified 1,267 Council owned properties which we suspect are rated E, F and G under the energy rating system and thereby potentially eligible for works, mainly for free insulation but where applicable for the removal of inefficient electric storage heating systems too. Eon's initial desktop survey suggests that the number of properties across Barking and Dagenham which could qualify for cavity wall insulation may have extended to 2,752 properties and 3,859 which require loft insulation.

Again, because of the traditional nature of the stock and the Becontree Estate centenary, the initial phase of works will be targeted at the Becontree Estate, where an estimated 451 properties could benefit from cavity wall and loft insulation works over the winter 2019/2020 and 367 properties for solid wall insulation in 2020/2021. The roll-out of installs will need to marry-up with the delivery of other Council stock improvements outlined in the HRA Capital Programme, so that the disruption to tenants is at a minimal. A majority of the works, however, are expected to be cavity wall measures which are non-intrusive and are completed externally.

Some measures affecting social stock will now require a contribution from the Council depending on the type of install (this would normally be solid wall and central heating measures). As explained above the number of Council properties affected and the type of works likely to be committed are limited. The expected cost to Council stock is expected to fall well below the £4.551m threshold, which would otherwise trigger a legal requirement to competitively tender the contract via the Official Journal of the European Union (OJEU).

2.7 **Energiesprong Deep Retrofit Pilot**

The ECO3 Innovation Fund provides match-funding towards energy efficiency projects which require testing at scale in a live environment or are an improved

material that can demonstrate greater energy efficiency performance, or an improved installation technique.

The Energiesprong model of deep retrofitting to old and new-build housing fits the criteria. It offers social landlords a product which significantly enhances the thermal comfort of existing cold, drafty homes, while cutting carbon emissions, cutting fuel bills and switching households to clean energy generation. It aims to test the business case for rolling out this kind of retrofit nationally and as with any new and revolutionary product, it requires scale and industrialisation to force down the cost of production, potentially becoming cost neutral and ensuring this modern method of construction becomes the norm for retrofitting homes rather than a one-off.

This ties-in with the Council's ambition for a demonstration project which decarbonises the existing housing estates of the future and can be tested and trialled on the Becontree Estate in time for its centenary.

Subject to Ofgem approval we propose working with not-for-profit Energiesprong and accessing ECO3 Innovation match-funding of £1.1m from British Gas, to deliver a £2.6m project, adopting an innovative model trialled in Holland and in a handful of places in the UK. The pilot aims to turn existing energy inefficient properties with an EPC rating of D or lower into near net-zero energy, highly efficient homes with energy ratings of A, with a suite of 30-year guarantees.

The retrofit is expected to cost around £80,000 for each of the 30 properties and Energiesprong are seeking a contribution from LBBD for each, which is currently budgeted for within the HRA Capital Programme at £1.5m. If the pilot is successful, we may move to a second tranche of properties funded through a bid to BEIS and matched by a further contribution from the capital programme in 2020/21, should members decide.

Under this model installations are considered as permitted development, thereby negating the need to seek planning permission and will deliver:

- An 80% improvement to the thermal comfort of the building;
- An energy efficient, air-tight, non-flammable, fire-compliant insulated cassette manufactured off-site, which will be applied to the facade of the house;
- A new roof covering with solar panel array; and
- Low carbon technologies such as heat pumps, battery storage, energy module and electric vehicle charging points.

This can be achieved with minimal intrusion to the property, without decanting tenants and over a period of about 15 days because of the off-site production

This model provides numerous benefits. For the tenant, energy bills should significantly fall as the improvements allow for the property to generate and use its own energy, backed up to a residual supply from the grid where the tenant's usage is beyond what can be produced on-site. According to Ofgem the average 3-bed household dual fuel bill is estimated this year to be around £1,450, currently costing our tenants up to £120 per month. Under the Energiesprong model, in lieu of the significant drop in energy payments and improved desirable home, the tenants

would pay the Council a de facto service charge of around £25-£30 a month which carries with it a set of guarantees.

The comfort plan is underwritten by the installers, which ensure that all the guarantees are adhered to and will be liable to the Council and tenant for any repairs, defects or breaches caused by the install over the 30-year period:

- Guaranteed maintenance and energy costs;
- Air quality above Part F of the building regulations;
- A temperature of 18-21C in the bedrooms and living rooms respectively; and
- Guarantees on space heating, electric plug load and daily hot water which will be monitored through smart meters and sensors.

There are desirable outcomes for the Council too. The retrofits will ensure that properties have exceeded the EPC target rating of C well before 2035 and the array of low carbon heat technologies proposed could through Renewable Heat Incentive (RHI) net the HRA £150,000 over twenty years for the suite of properties.

The Council could also save an estimated £25,000-£30,000 per property over the lifecycle of the asset in repair costs associated with new roofing, windows, doors and heating systems as well as receiving the income from tenant's comfort plan.

Energiesprong has carried out an initial assessment of potential stock on the Becontree Estate based on visibility of properties, construction archetypes, energy ratings of D or lower and batches of terraced or end of terrace dwellings where installs can be delivered on scale. There are about 60 suitable properties in the pilot from which 30 will be selected following further survey work and a robust tenant engagement strategy and process to ensure those households participating are fully aligned, understand the financial implications and given appropriate consents.

In summary, the pilot not only looks to save residents money and make their homes warmer, more comfortable dwellings to reside in, but to decarbonise our stock contributing to a fall in CO2 emissions, reduce general maintenance and repair costs to the Council and raise the EPC levels beyond Government requirements. It also seeks to stimulate supply chains and in the long term industrialise higher levels of off-site production. Falling costs in this method of construction should allow for this innovation to become the norm for cost-effective retrofitting. Based on the Dutch model, once the supply chain matures and has volume, the price per property should fall from £80,000 to £45,000 meaning the case could become almost cost neutral for the Council through the savings gained from reduced repairs and maintenance and income generated from the comfort plan and RHI.

Finally, driving up the volume and scale is the key to industrialised production and Energiesprong is already working on new pilots on different construction archetypes in two other London boroughs. Underlining our commitment to social value, Barking and Dagenham has had discussions with Energiesprong about a long-term commitment from installers for a new production hub for London, Eastern and South East operations located in our borough and supporting initiatives that recruit and train local residents in this method of construction.

3. Options Appraisal

- 3.1 Failing to engage with ECO3 is not an option and will be a key plank in the delivery of the Leader's ambitions for greener, clean growth borough as well as contributing to the 2050 carbon neutral targets.
- 3.2 The Council could allow energy suppliers and installers to deliver measures in their own right, with no assistance and engagement from the local authority. Energy suppliers are the fund-holders and either use in-house installers to carry out the works or distribute funding to managing agents, which bid to deliver a portion of the supplier's quotas under a delivery contract. However, we would lose sight as to what is actually being delivered on the ground and be unaware as to whether Barking & Dagenham was accessing its fair share of ECO-funded installations. We would also lose influence as to whether local supply chains are appointed to carry-out works and not access any free of match-funding for social stock.
- 3.3 Equally, working with industry partners and developing creative bids is the only credible way in which to unlock substantial investment and detailed technical and procurement advice for housing and affordable warmth solutions of the future.

4. Consultation

- 4.1 As part of the drive towards transitioning Barking and Dagenham to a low carbon, clean growth borough, there has been significant discussion regarding the opportunities of ECO3 and Energiesprong across the Council, with regular input from colleagues in My Place, Be First, Enforcement, Procurement, Participation and Policy and Legal Services. In particular a number of those services have been involved in the data cleansing, tender processes and planning next steps which have culminated in this paper. Programme detail is considered in depth through the Energy Projects Capital Programme Group and updates provided to the Capital Assets Board, the Cabinet Member for Housing and the Leader.
- 4.2 Should Eon be appointed as preferred partner to lead on ECO3 then we shall enlist the support of our resident engagement manager and senior communications staff in the Policy and Participation Team, devising an appropriate engagement strategy which seeks to provide an offer to all qualifying and able-to-pay households who are interested in heating and insulation measures promoted by the Council under a badged-up scheme.
- 4.3 This will include supporting and informing qualifying of the benefits and potential savings they could enjoy from installations and ensuring that where possible the works dovetail with the delivery of the Capital Programme so to minimise disruption. It will also draw on the experience of the Eon Installation Team who have administered similar programmes on behalf of hundreds of social landlords and worked with councils to craft the communications approach.
- 4.4 Eon has also proposed a draft communications plan and a comprehensive customer journey process to ensure promotion, engagement, leads generation and resident care and support during the project remains at the heart of delivery.
- 4.5 With regard to the Energiesprong pilot, a detailed and dedicated tenant engagement strategy and process, based on previous examples on the Nottingham and Maldon

pilots, will ensure that participating households fully understand the financial implications, given appropriate consents and understand that there may be a capital repayment due, should they exercise their Right to Buy.

5. Financial Implications

(Tony McNamara, Interim Finance Business Partner, My Place)

- 5.1 The HRA capital programme has a budget of £1.5m set aside in 2019/20 for energy efficiency work. The project is expected to be completed over two years and therefore any costs incurred this year will be met from this budget. Future years costs will also be funded by this budget which will be available next year.
- 5.2 It may be necessary to carry-over budget from 2019/20 if work this year is lower than £500k to ensure that the project is fully funded in 2020/21.
- 5.3 Consideration will need to be given to any other energy efficiency work earmarked against this budget to ensure that funding is allocated appropriately.

6. Legal Implications

(Graham Marlow, Legal Services)

- 6.1 The proposed procurement is subject to the Public Contracts Regulations 2015 (“the Regulations”) and LBBB’s constitution and contract rules, insofar as it affects LBBB-owned properties.
- 6.2 Works provided to private-sector properties are not within the scope of the above paragraph 6.1 unless LBBB is providing funding.
- 6.3 The proposed spending by LBBB falls below the current OJEU financial thresholds and so does not require competitive tendering according to the Regulations.
- 6.4 As the value is above £500,000, LBBB’s contract rules require Cabinet approval for this procurement.
- 6.5 LBBB’s constitution and contracts rules duly authorise Cabinet to make the contract award as set out in this report.
- 6.6 It is recommended that LBBB consider whether a performance bond is required from EON to guarantee performance of all requirements under the on-going warranty.

7. Procurement Implications

(Euan Beales, Head of Procurement)

- 7.1 The procurement can be viewed in two main elements:
 - a) ECO3 – Following an expression of interest, it was deemed that Eon could provide the services though the ECO3 funding and would be responsible for all processes and procurements in delivering the agreed requirements. It is

understood that for a small service element (solid walls and potentially first-time central heating where relevant) the Council will be required to contribute to a proportion of spend. However, as Eon will be managing the funding and the supply chain there are no procurement requirements for the Council; and

- b) Energiesprong - technical and procurement advice will be conducted by Energiesprong as part of a GLA funded service, with Energiesprong procuring the required services and Barking and Dagenham playing a role in the appointment of preferred installers. Where required, the services being procured will be reviewed against the current works threshold and in the event this is to be exceeded then the required process will be undertaken. Energiesprong propose procuring a specialist contractor to deliver the programme using the OJEU compliant Dynamic Procurement System managed by Crown Procurement Services.

7.2 With both procurements it is envisaged that the threshold will not be reached and will not be required to be tendered under the full process as detailed in EU legislation.

8. Other Implications

8.1 **Risk Management Issues** – With regard to ECO3, the preferred partner Eon will, in all circumstances, assume the responsibilities associated with the supply and installation; performance risk of equipment and materials and the risk of any future Government terminating the scheme. In relation to social stock, Eon will need to indemnify the Council against any costs incurred due to damage to property caused by faulty equipment or defective installation. Partners working on private sector dwellings will be solely responsible to the property owners for works commissioned through private agreement. Installers will be responsible for providing the appropriate CIGA and SWIGA guarantees for the installation of cavity and solid wall insulation.

The deep retrofit pilot will be treated differently. An agreement will be put in place between the GLA, the Council and Energiesprong governing the role and support of technical advisers. The Council will enter into a contract with the preferred installers following a tender process. The installers will, in all circumstances, assume the responsibilities associated with the supply and installation of their products to our properties and the guarantees made under the tenant's individual Comfort Plan. The installer will need to indemnify the Council against any costs incurred due to damage to property due to faulty equipment or defective installation. Installers will be responsible for providing the appropriate industry related guarantees for the deployment of their product and measures.

8.2 **Contractual Issues** – Contractual exchanges on both projects will take place over the Autumn and are yet to be decided but all agreements and contracts of works must cover indemnities, warranties and liabilities relating to the installation of works. The project implementation group, comprised of Be First, My Place and Inclusive Growth will be responsible for monitoring the contractual arrangements and delivery of the programme, which will also report back into the Capital Assets Board.

- 8.3 **Corporate Policy, Customer and Equality Impact** - Rising fuel bills affect most people and those identified as qualifying for ECO3 works will be low income households who tend to live in properties with poor thermal comfort. In general, any works that enhance the energy efficiency of dwellings should cut fuel bills, reduce fuel poverty and improve the health outcomes of those suffering from cold-related illnesses.

The proposal is neutral in its impact upon the protected characteristics outlined in the Equality Act 2010.

- 8.4 **Health Issues** – The proposals will have a positive impact upon health issues locally, potentially reducing the number of residents in fuel poverty, alleviating the impact of cold related illnesses and reducing the toll of excess winter deaths.
- 8.5 **Property / Asset Issues** – All aspects of the ECO3 programme are expected to aid and assist the delivery of the thermal comfort element of the Council’s HRA Capital Programme and support the driving up of stock conditions through the Council’s Private Rented Sector Licensing Scheme and collectively, all measures should contribute to the Government’s objective of raising the EPC rating of all properties to level C by 2035. In the case of the deep retrofit pilot this should rise to level A.

All works must be completed by PAS2030:2017 industry accredited installers and Ofgem require that at least 5% of all works in each phase are independently audited for quality assurance purposes.

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

List of appendices: None.

This page is intentionally left blank

CABINET**15 October 2019**

Title: Redevelopment of former Woodward Library Site, Woodward Road, Dagenham	
Report of the Cabinet Member for Regeneration and Social Housing	
Open Report	For Decision
Wards Affected: Mayesbrook	Key Decision: Yes
Report Author: Mark Crane, Head of Affordable Housing Delivery, Be First	Contact Details: Tel: 020 8227 2350 E-mail: mark.crane@befirst.london
Accountable Director: Ed Skeates, Development Director, Be First	
Accountable Strategic Leadership Directors: Claire Symonds, Chief Operating Officer, and Graeme Cooke, Director of Inclusive Growth	
Summary	
<p>In January 2017 Cabinet approved the acquisition of Greig Hall (shown in the plan in Appendix 1). Cabinet also approved that an Initial Demolition Notice (IDN) is served on the tenants living at 2 Stamford Road, a 3-bedroom detached house adjacent to Grieg Hall, with the aim of facilitating the comprehensive redevelopment of the Woodward Road site (shown in the site plan in Appendix 1). The acquisition was completed in March 2017, and an IDN has been served on the tenants at 2 Stamford Road.</p> <p>The January 2017 Cabinet report noted that a further report will be presented to Cabinet if the land purchase is secured, setting out proposals for the future use of the site. The purpose of the report is to set out the Council's proposals.</p> <p>Woodward Road is included in the Be First Business Plan 2019-2024 list of sites approved by Cabinet, which forecasts completion of the development in financial year 2022/23.</p> <p>Feasibility work has been undertaken, which has identified that Woodward Road is suitable for development to provide new housing and community space. The site has been earmarked as a potential location for a new Police Operational Hub as part of the community space offer.</p> <p>It is proposed that the site is redeveloped to provide:</p> <ul style="list-style-type: none"> a) 56 affordable homes comprising a mix of <ul style="list-style-type: none"> - 70% Affordable Rent (AR) up to 80% of Market Rent (39 units) - 30% London Affordable Rent (LAR) (17 units) b) c.651m2 of community space <p>The proposals have been reviewed by the Investment Panel, and approved as a viable investment proposition. Following Investment Panel approval, public consultation has</p>	

been carried out on the proposals. Pre-application discussions have also commenced with planning case officers.

The estimated total project costs of delivering the proposals are £20,821,302. It is intended that £15,533,302 would be met via borrowing within the General Fund from the Public Works Loan Board.

The intention is to meet the remaining costs through GLA Grant and/or Right to Buy Receipts.

The funding is proposed to be provided through a loan agreement between the Council and any Reside Registered Provider it may set up (or an existing entity within the Barking & Dagenham Reside structure) to develop and manage the new Affordable Housing units.

As it is envisaged that the ownership will be within the Reside structure, which is outside of the Housing Act, an appropriation of the land shown in Appendix 2 under section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund would be required.

Recommendation(s)

The Cabinet is recommended to:

- i. Approve that, subject to the grant of an acceptable Planning Permission and receipt of satisfactory construction tender prices, this project will be financed and held within the residential asset class of the Investment and Acquisition Strategy;
- ii. Approve the site is redeveloped to provide, subject to planning:
 - a. 100% Affordable Housing of which:
 - 70% Affordable Rent (AR) up to 80% of Market Rent (39 units)
 - 30% London Affordable Rent (17 units)
 - b. c.651m² of community space
- iii. Agree the estimated Total Scheme Development costs of £20,821,302;
- iv. Agree to allocate up to £3,998,754 (inclusive of the £842,284 acquisition cost already incurred) from the Investment & Acquisition Budget to fund the pre-development costs:
- v. Approve that the land assembly costs of £842,284 be repaid to the Land Acquisition budget at award of construction contract; and transfer of the required legal interest to the Reside entity;
- vi. Agree to the principle of borrowing up to £15,533,302 within the General Fund from the Public Works Loan Board to finance the development and ownership of the affordable rent homes via a loan agreement made between the Council and the affordable rent Special Purpose Vehicle;
- vii. Delegate authority to the Director of Inclusive Growth, in consultation with the Director of Law and Governance, the Chief Operating Officer and the Cabinet

- Members for Finance, Housing and Regeneration, to negotiate terms and agree the contract documents to fully implement and effect the project;
- viii. Authorise the Director of Law and Governance, or an authorised delegate on their behalf, to execute all the legal agreements, contracts and other documents on behalf of the Council; and
- ix. Approve in principle the appropriation of the land, as shown edged red in the plan at Appendix 2 to the report, under Section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund;

Reason(s)

The recommendations are aligned to the following elements of the new Council vision and priorities namely:

- Regeneration and development of the borough
- Provision of affordable housing
- Community and social benefits

1. Introduction and Background

- 1.1 Woodward Road has been identified as suitable for development, intensifying the use of the site to deliver new housing together with new community space. A site plan and aerial photo is provided in Appendix 1.
- 1.2 The site has historically played an important community role. It was originally built-out in the 1930's and 1960's to provide a range of local community facilities. These included a council-owned community centre (Woodward Hall), library and associated council house (2 Stamford Road), as well as a Shaftesbury Society meeting hall (Greig Hall), which was purchased by the Council in March 2017 in order to enable the comprehensive redevelopment of Woodward Road.
- 1.3 The site also includes a former library building. Whilst the building is not listed it is of local historical and architectural importance. The building is currently occupied by a furniture manufacturing company.
- 1.4 Vacant possession has been secured for Woodward Hall and Greig Hall, and planning consent has been secured to demolish these buildings. It is proposed that the former library building is retained.
- 1.5 At the centre of the site is a 1960's NHS-owned medical centre (the Julia Engwell Clinic), which currently provides GP services. The NHS has advised that they wish to continue to provide GP services from the site for the foreseeable future. Consequently, this land is not included within the development proposals.
- 1.6 The development of Woodward Road will optimise the use of land and maximise the long-term regeneration benefit for the local community, building on its role as an important local community facility, as well as providing new good quality housing. There is also an opportunity to set up a new operational hub for the Metropolitan Police at the site.

1.7 Woodward Road is included in the Be First Business Plan 2019-2024 list of sites approved by Cabinet, which forecasts completion of the development in financial year 2022/23.

2. Proposals

Options Analysis

2.1 Feasibility work has been undertaken assessing a range of options including whether to incorporate the NHS owned land within the development, and whether to refurbish or redevelop the former library building.

2.2 The NHS has confirmed that they wish to continue to operate their existing GP facility from the site for the foreseeable future. Consequently, this land is excluded from the development proposals.

2.3 The former Library building is of local importance in terms of its Special Architectural Interest and Historic Merit. Furthermore, the building has previously been used for community purposes, with the potential for community use in the future. In addition, the extra quantum of development that could be achieved by demolishing the building is limited. Consequently, it is proposed that the former library building is retained for future community use.

2.4 It is therefore proposed that the Council-owned land comprising Woodward Hall, Grieg Hall and 2 Stamford Road is redeveloped, and the former library building is refurbished, to provide c.56 new affordable homes (70% Affordable Rent, and 30% London Affordable Rent), and c.651m² of community space.

2.5 Consideration was given to include private sale and market rent units. However, this has been discounted in order to optimise the amount of affordable housing on the site, which is considered to be a higher priority.

Financial Summary

2.6 The investment metrics for the proposals are summarised as follows:

1 st year surplus	£104,000
Internal Rate of Return	6.1%
Net Present Value (3.5% discount rate)	£15,535k
Yield on Cost	4.0%

2.7 The total development costs are estimated at £20,821,302, c.£3,998,754 of which would be incurred to secure planning permission and procure the contractor, prior to works commencing on site.

Planning Policy Considerations

Community Uses

2.8 At both a regional and local level, planning policy strongly resists the 'unnecessary loss' of Class D1 community facilities. Local policy states that development

proposals which result in the loss of a community facility will be accepted if one (or more) of the following criteria is met:

- i. The facility is replaced within the new development;
- ii. The facility is relocated, or a better facility is provided in a more appropriate building and/or location, or;
- iii. The Council is satisfied that the facility is no longer needed and there are no reasonable prospects of re-use despite marketing for 12 months.

2.9 A policy compliant approach on this site would involve the complete re-provision of all the existing Class D1 spaces (Woodward Hall and Greig Hall). Policy also encourages community uses to be part of mixed-use development, and an argument could be made that a modern, fit-for-purpose community facility is acceptable in policy terms.

2.10 The total quantum of Class D1 space across the site is 689m² (Woodward Hall and Greig Hall). A net reduction of Class D1 floorspace could be justified on the grounds that the new space is fit for purpose and better quality, which is a material planning consideration.

Non-designated heritage asset (former Library Building)

2.11 The former Barking Library building is included on the 'Local List of Buildings of Special Architectural Interest or Historic Merit'. Initial advice from the Urban Design Officer is that the demolition of the library building would not be supported given its architectural and heritage value.

2.12 The existing furniture manufacturing use is Sui Generis. There are no planning policies which specifically protect Sui Generis uses. Given that the site is allocated for a mix of residential and community (health) uses, it is considered that the replacement of the furniture manufacturing use with a residential and/or community use would be acceptable in principle.

Residential

2.13 CS Policy CC1 expects residential development of 10+ units to provide a minimum of 40% family accommodation, subject to site specifics. In relation to tenure mix, the Draft London Plan policy stipulates 30% rented (social rent or LAR), 30% intermediate, and 40% as being flexible, subject to Local Planning Authority requirements.

Recommendation

2.14 The recommended option is to redevelop Woodward Road to deliver:

- c.56 affordable homes of which 70% are AR, and 30% LAR
- c.651m2 of community space, comprising 377m2 of refurbished space retaining the former library building, and 274m2 of new space for the Metropolitan Police.

2.15 This option is recommended as it:

- Optimises the affordable housing offer, whilst delivering a financial return to the Council.
- Delivers the Client Brief for Woodward Road, in terms of housing (specifically affordable housing), community space and place making objectives.
- Meets planning policy requirements, particularly in relation to the requirement for a minimum of 50% affordable housing on public sector land (including a minimum of 30% LAR units) retaining the community uses within the site, and protecting the former library building.
- Meets programme requirements in accordance with Be First's Business Plan targets.

3. Delivery Arrangements

3.1 It is proposed the scheme is delivered by Be First, who will progress the project through the planning process, and manage the delivery of the works. It is proposed that a contractor for the works is procured through the Be First construction framework.

Programme

3.2 The key dates are summarised in the following table:

Gateway Progress Dates	Date
Demolition	October 2019
Planning Submission	December 2019
Contract Award	May 2020
Start on Site	July 2020
Practical Completion	July 2022

Funding

3.3 The estimated development costs are c.£20,821,302 to be funded through a combination of GLA Grant funding/Right to Buy receipts and borrowing, broken down as follows:

Grant funding (Right to Buy or GLA grant)	£5,288,000
Council borrowing	<u>£15,533,302</u>

Total £20,821,302

3.4 It is proposed that the development and ownership of the new affordable homes is financed through borrowing up to £15,533,302 within the General Fund from the Public Works Loan Board. The funding is proposed to be provided through a loan agreement between the Council and the Reside Registered Provider (or an existing appropriate entity within the Barking & Dagenham Reside structure) established to develop and manage the new Affordable Housing units.

4. Consultation

4.1 A public consultation event was held on site on September 24th, seeking local residents' views on the development proposals (illustrated in Appendix 3). Ward councillors were also invited to the event.

4.2 Twenty-six people attended the event, 23 of whom expressed their support for the proposals, which they considered would improve the local environment, and provide good quality housing. Specific comments included:

- Encourages investment into the Becontree area to improve the quality of the environment.
- Provision of good quality affordable housing
- Designing a 'mews' type development will create a friendlier, community feel
- The massing is considerate, particularly minimising overlooking of the houses to the north of the site
- Retains the heritage of the former library for a community use
- Brings some life and activity to this part of Becontree

4.3 Elements of the design people raised concerns about primarily related to car parking and safety/security. Specific comments included:

- More open space
- The boundary treatment with the houses to the north of the site
- Safety and security (inclusion of CCTV)
- Clarification on the management of the car parking

4.4 People were also asked their views on how the community space could be used. Suggestions included:

- Youth groups, and groups for Older people
- Re-instate the library use
- Community cafe

4.5 These comments will be addressed as the design develops in more detail, prior to the submission of the planning application.

4.6 A dedicated website has also been set up where people can view the proposals and post comments on-line.

Stakeholder Engagement

4.7 Discussions have been held with the NHS, Metropolitan Police and residents of 2 Stamford Road.
NHS

4.8 The NHS advised that they wish to retain the GP operation at the Julia Engwell Clinic for the foreseeable future. They also advised that in the long-term they may wish to redevelop their existing site at Woodward Rd to create a larger GP facility.

Metropolitan Police Service

4.9 Initial discussions have been held with the Metropolitan Police Service, who have confirmed that a new facility in a standalone building to the east of the former library building could meet their operational requirements.

Residents at 2 Stamford Road

4.10 2 Stamford Road is a 3-bedroom property occupied by an elderly couple under a Council tenancy agreement. Notice has been served on the residents, who have been placed on the bidding register. Discussions are ongoing to identify a suitable property for the couple to relocate to.

5. Financial Implications

Implications completed by: David Dickinson, Investment Fund Manager

5.1 Woodward Road, RM9 4SJ forms part of the 44 schemes agreed as part of the Investment and Acquisitions Strategy in 2017. The site consists of Woodward Hall, Grieg Hall and 2 Stamford Road. The report proposes an entirely affordable scheme, of which 70% is Affordable Rent and 30% is London affordable Rent.

5.2 The proposed options produces a lower financial return in comparison with a 50% private option, producing a year 1 surplus of £104k and a negative year 6 yield of £39k. Year 6 returns are an important indicator of the viability of a scheme as in year 6 is when all costs, including debt, management and lifecycle costs are included. The current forecasts include a high level of contingency and it is important that the development costs are closely managed and monitored to ensure a positive return is forecast for year 6.

5.3 The number of units proposed in the report is 56 residential units, which is 7 units less than the proposed in the 2019/20 Be First Business Plan. However, it should be noted that the overall quantum of residential development (in terms of area) has increased slightly relative to the Business Plan assumption, due to the increase in the average size of the units, in order to accommodate larger family homes within the development.

5.4 As the completion date is in October 22, this will provide an income stream in 2022/23 based on the current assumptions, which is two months earlier than the proposed date in the 2019/20 Be First Business Plan.

6. Commissioning Implications

Implications completed by: Graeme Cooke, Director of Inclusive Growth

- 6.1 The proposed tenure mix would help to meet the Council's goal of achieving a significant net increase in the number of homes available to those on the housing register (at London Affordable Rents) across the Be First programme. An increase in the number of homes at these rents across the programme will help to manage the cost of temporary accommodation to the general fund. The homes at 80% of market rent also help increase the housing offer to local working households on average incomes.
- 6.2 The scheme will require GLA grant and/or Right to Buy receipts to fund the different tenure types. Any units with GLA grant will need to be held by the Reside Registered Provider while those funded with Right to Buy receipts will need to be held by Weavers LLP. Early work on the layout of the blocks shows that this holding structure would be achievable.
- 6.3 As the report notes, discussions have been underway with the police to clarify their requirements in this scheme. Officers from the Council and Be First will need to continue to work with the police to clarify the terms of their occupation and the exact financial nature of the deal with the police.

7. Legal Implications

Implications completed by: Paul Feild, Senior Governance Lawyer, Legal

Introduction

- 7.1 This report proposes the development of a site at Woodward Road. The Council has ownership subject to a single Council secure periodic tenancy and an NHS facility health clinic which is operational and expected to remain so for the foreseeable future. A feature on the site is the former Woodward library which has been identified to have heritage qualities. The development and uses proposed for the site are consistent with the area.

Property

- 7.2 The majority (0.6 hectare) of the 0.72-hectare site is in the freehold ownership of the Council. A title search did not reveal any issues that would prevent the development. The remaining 0.12-hectare central site of the health clinic is in the ownership of a third party (NHS Property Services Ltd). Woodward Hall is currently occupied (by the Trustees of Church of God Mission International Dagenham Ltd) on a Tenancy at Will expiring in July 2019. The former library is occupied by a furniture manufacturing co. Their existing lease has expired, and a new lease is being negotiated (which will exclude Landlord and Tenant Act 1954 security of tenure rights).
- 7.3 The Council secure tenancy (2 Stamford Road) is a 3-bedroom property. It is currently occupied by tenants of the Council. They have a legal right to be consulted on major housing management issues which includes any proposal to be displaced and measures including demolition.

Council Powers

- 7.4 The Council's power to pursue the preferred option to deliver the scheme is the general power of competence under section 1 of the Localism Act 2011, which provides the Council with the power to do anything that individuals generally may do. Section 1(5) of the Localism Act provides that the general power of competence under section 1 is not limited by the existence of any other power of the authority which (to any extent) overlaps with the general power of competence. The use of the power in section 1 of the Localism Act 2011 is, akin to the use of any other powers, subject to Wednesbury reasonableness constraints and must be used for a proper purpose.
- 7.5 Whilst the general power of competence in section 1 of the Localism Act 2011 provides sufficient power for the Council to participate in the transaction and enter into the relevant project documents further support is available under Section 111 of the Local Government Act 1972 which enables the Council to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions, whether or not involving expenditure, borrowing or lending money, or the acquisition or disposal of any rights or property.
- 7.6 In exercising the power of general competence and in making any investment decisions, the Council must also have regard to the following:
- i. Compliance with the Statutory Guidance on Local Government Investments;
 - ii. Fulfilling its fiduciary duty to taxpayers;
 - iii. Obtaining best consideration for any disposal;
 - iv. Compliance with Section 24 of the Local Government Act 1988 in relation to giving financial assistance to any person (which either benefits from a general consent or requires express consent by the Secretary of State);
 - v. Compliance with any other relevant considerations such as state aid and procurement;

Consultation

- 7.7 Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of Housing management this will include demolition of dwellings by the housing authority. In this case there is a single household. Such consultation must inform the tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. The legislation further requires that before making any decisions on the matter the Council must consider any representations from the secure tenants arising from the consultation.
- 7.8 The courts have determined that consultation must be carried out at a formative stage that means before a final decision has been made. In carrying out the consultation the consultees will need to have explained to them what the options are the Council has in mind and it shall invite observations. After the responses

have been received, they need to be considered and weighed up objectively so as to ensure that relevant observations are taken into account.

Achieving Vacant Possession

- 7.9 Assuming the recommend option is adopted, consultation will be carried out with the tenants. It is understood that a dialogue has started, and the decant process has commenced seeking to find reasonable alternative accommodation. As far as the non-residential tenancies are concerned the tenancy at will can be terminated by notice and the user of the former library can be offered a lease without security of tenure.
- 7.10 As observed above the residential tenants have a legal right under the Housing Act 1985 to be consulted if there are envisaged by the landlord Council to carry out major changes to their tenancy including where demolition is being contemplated.
- 7.11 Where a property has been earmarked for demolition, the preferred route to vacant possession is by decanting being carried out on a consensual negotiated basis to ensure that there every prospect of agreement of agreement. This has proved to be a more cost effective and swifter means of achieving vacant possession than by the formal legal process. To ensure there is no exercise of the right-to-buy there will need to be service of *Demolition Notices* explained below.
- 7.12 Demolition Notices serve the purpose of preventing Council tenants who are within the site boundary, exercising their right to buy within sites earmarked for regeneration under the provisions of the Housing Act 2004. At the time of such notices there must be a clear and firm intention to redevelop. The Council is empowered to serve Demolition Notices where areas have been identified for estate renewal, regeneration and redevelopment. The purpose of the Demolition Notice to address the issue of a tenant who seeks to exercise the Right-to-Buy. There is a prescribed notification process:
- firstly, the service of an Initial Demolition Notice which is valid for up to five years, and can be extended to a maximum of seven years, an Initial Demolition Notice will prevent named properties from being acquired from the Council through Right-to-Buy as the Council is not obliged to sell the properties to the tenants;
 - followed by the Final Demolition Notice which is valid for up to two years (with possible extension subject to Government permission).
- 7.13 The Council is required to notify tenants affected by the decision to demolish, and to give reasons and the intended timetable for demolition. Furthermore, to inform tenants of the right to compensation and also to publicise decisions by placing a notice in a newspaper local to the area in which the property is situated, in any newspaper published by the landlord, and on the Council's website.
- 7.14 Final Demolition Notices cannot be served until the arrangements for acquisition of any premises to be demolished alongside the properties as part of a demolition scheme are finalised. This means that Compulsory Purchase issues for leasehold premises must also have been resolved before a Final Demolition Notice can be served.

- 7.15 The Council can make an application to the Secretary of State during the 24-month period for that period to be extended, but if no application is made, it will be unable to serve any further demolition notice in respect of these properties for five years without the Secretary of State's consent. On receipt of an application, the Secretary of State can direct that the period be extended, but he may specify further notification requirements that the Council must comply with in order for the exception to the Right to Buy to continue.
- 7.16 Finally, If the Council subsequently decides not to demolish the property, it must serve a revocation notice upon affected tenants as soon as is reasonably practicable. If it appears to the Secretary of State that a landlord has no intention of demolishing properties subject to a Final Demolition Notice, he may serve a revocation notice on affected tenants.

Human Rights Act 1998 Considerations

- 7.17 The Human Rights Act 1998 ('the HRA 1998') effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions officers and members, therefore, need to have regard to the Convention.
- 7.18 The service of a Demolition Notice on existing secure tenants potentially engages certain human rights protected under the HRA 1998. The HRA 1998 prohibits unlawful interference by public bodies with European Convention rights. The term 'engage' simply means that human rights may be affected or relevant.
- 7.19 The Demolition Notices should contain specific information relating to the Right to Buy to clarify any compensation that may be payable for certain reasonable expenditure, if incurred in respect of pre-existing Right to Buy claims/applications, but also to protect the Council from unnecessary compensation claims in the event that tenants incur unnecessary costs once notices have been served.
- 7.20 The rights that are of significance to the decision in this matter are those contained in Article 8 (right to respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions). Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interest of the economic wellbeing of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of the 1st Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.
- 7.21 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the legitimate aim of regeneration. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation is relevant in assessing whether a fair balance has been struck.

7.22 Therefore, in reaching a decision, the Council needs to have regard to the extent to which the decision may impact upon the Human Rights of the residents who may have a demolition notice served upon them and to balance this against the overall benefits to the community, which the proposed redevelopment would bring. They will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.

Funding and Borrowing

7.23 Section 15 of the Local Government Act 2003 requires that the Council have regard to statutory guidance in relation to exercising its borrowing and investment powers. The relevant Statutory Guidance on Local Government Investments (3rd Edition, issued on 1 April 2018). The Guidance is relevant to the extent that a loan may be necessary to the Reside Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) in order to facilitate delivery of the development. In accordance with the Guidance (paragraphs 33 and 34), A local authority may choose to make loans to local enterprises, local charities, wholly owned companies and joint ventures as part of a wider strategy for local economic growth even though those loans may not all be seen as prudent if adopting a narrow definition of prioritising security and liquidity provided that the overall Investment Strategy demonstrates that:

- i. The total financial exposure to such loans is proportionate;
- ii. An expected 'credit loss model' has been adopted to measure the credit risk of the overall loan portfolio;
- iii. Appropriate credit controls are in place to recover overdue re-payments; and
- iv. The Council has formally agreed the total level of loans by type and the total loan book is within self-assessed limits.

Loan and Grant Agreements

7.24 As observed in the body of the report is an intention to access loans and grants from the GLA. The power to do so has been identified above. Such arrangements will need to be examined to ensure that the terms are compliant with the aims of this project and as mentioned the terms will need to reflect commercial market terms to ensure that there are no State Aid implications.

State Aid

7.25 As local government is an emanation of the state the Council must comply with European law regarding State Aid. Therefore, local authorities cannot subsidise commercial transactions such as for example low cost finance or financial assistance to its own companies if such transactions are capable of distorting competition in the EU. In this transaction, State Aid law is relevant in the context of the funding being provided and the price at which the Council's land interest is disposed of to the Reside Registered Provider (see below). For the loan not to

amount to State Aid, it must be made on 'market terms' in order to satisfy the "Market Economy Investor Principle" which means a proper valuation of the land must be

Appropriation of HRA Land & Use of Right to Buy Receipts

- 7.26 It is envisaged in the report that ownership of the completed development / units will be within the Reside structure which is outside the Housing Act. There will need to be an appropriation of the land shown in Appendix 2 under Section 122 of the Local Government Act 1972 from the Housing Revenue Account to the General Fund.
- 7.27 In addition, in deciding whether the Reside vehicle is suitable, consideration must be given to the impact of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) which from April 2013 placed restrictions on the use of Right to Buy (RTB) receipts in conjunction with other funding provided by the GLA for the purposes of building affordable housing. In other words, RTB receipts cannot be combined with funds provided by the GLA to build the required replacement unit/s if those funds have come from the GLA to build affordable housing. Officers and decision makers must be satisfied that combining funds in the manner envisaged is acceptable and within the rules. Although, consideration is given to relaxing the rules around use of RTBs this has not yet taken place.
- 7.28 Any disposal of the land to a Reside Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) must comply with the requirement for best consideration and/or within the parameters of any general consents available from the Secretary of State. This is likely to necessitate a loan on market facing terms and interest from the Council to the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) to facilitate such a transaction. Where the Council provides financial assistance to the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) by:
- (a) granting or loaning it money,
 - (b) acquiring share or loan capital in the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure),
 - (c) guaranteeing the performance of any obligations owed to or by the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure), or
 - (d) indemnifying the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) in relation to any liabilities, losses or damages and the financial assistance is in connection with the provision of housing accommodation to be let by the Registered Provider (or an existing entity within the Barking & Dagenham Reside structure) , the Council must use its power under section 24 of the Local Government Act 1988 (the 1988 Act) to do so.
- 7.29 The exercise of this power is subject to consent by the Secretary of State. The details of such consents will need to be carefully considered to ensure any transactions and mechanism needed to facilitate delivery of the scheme are within those parameters.

Other Matters

- 7.30 There may be displacement of utilities and services as well as installations such as a new electricity substation to be constructed plus gas and water mains with changes to highways and facilities, which may necessitate leases and licenses. These will be familiar matters in a development context, and should not, if managed, raise challenging legal issues, though each will have its cost. Early planning will minimise costs and risks of delays.
- 7.31 The gateway Report desktop assessment observes that there is a low to moderate risk of contamination and as the construction of dwellings is envisaged it will be necessary to carry out on site sampling of soil and groundwater to properly assess the environs.

8. Other Implications

Equalities and other Social / Customer Impacts

- 8.1 An Equalities Impact Assessment Screening Report has been produced for this project, which concluded that a full EIA is not required at this stage. Should the engagement with affected residents bring to light any further equality issues, this position will be reviewed, and a full EIA will be carried out prior to the submission of the planning application if required.
- 8.2 The Equality and Diversity Strategy identifies the need to provide new housing and sustainable growth by improving the physical environment and widening the choice of housing. In order to achieve this, it highlights that the future planning of homes, infrastructure, and business is done holistically balancing physical regeneration and social regeneration.
- 8.3 The Borough Manifesto, which sets out the long-term vision for the borough, identifies Housing as a top priority with an aspiration to be a place with sufficient, accessible and varied housing.
- 8.4 The Woodward Road project seeks to respond to these priorities by diversifying and improving the quality of the housing offer on the site, supported by improvements to the public realm and provision of new modern community space in order to provide a sustainable community.
- 8.5 The development will also contribute towards the Councils' health and wellbeing priorities for example by:
- Improving the quality of housing, specifically affordable housing.
 - Improving the quality and safety of open spaces, encouraging people to make more use of outside spaces for recreational purposes, and discouraging antisocial behaviour.
 - Achieving higher sustainability standards, for example through renewable energy and green roofs.
- 8.6 It is therefore considered that the overall impact of the project is positive, with the benefits of the new development outweighing the impact on existing residents.

9. Risk Management

Delay to securing vacant possession.

- 9.1 There is one residential tenant, who has specific housing requirements. We are working with them to find suitable alternative housing. If necessary, court proceedings will be initiated in order to secure vacant possession. In the meantime, the demolition contract will be phased to allow maximum time to secure vacant possession of 2 Stamford Road. Vacant possession of Greig Hall and Woodward Hall has already been secured. A new lease is being negotiated with the furniture manufacturer occupying the library, that will enable vacant possession to be secured when required for refurbishment.

Not securing RtB Receipts and/or GLA Grant

- 9.2 As set out above, the project will need around £5.3m of subsidy through either the Council's RtB allocations or GLA grant. The project is currently not included within Council RtB allocations, nor was it included in the Council's initial bid for GLA grant. Discussions have been held with the Council's finance department to ensure RtB funding is available for the project. The Council is in regular dialogue with the GLA around grant and will seek to bid for additional grant for the Woodward Rd project. If this is not possible, additional RtB receipts may be required to deliver the desired tenure mix.

Planning permission not being granted.

- 9.3 The recommended option complies with key planning policies in relation to affordable housing, retention of community uses and heritage assets. Initial massing and layout concepts have been prepared, which have been discussed with the Development Management officers to gain early feedback.
- 9.4 Public consultation has been carried out on the proposals in order to seek to gain people's view and their secure their support prior to the submission of the planning application.
- 9.5 Regular discussions will be held with the Development Management Team during the pre-application process.

Cost increases above the project budget

- 9.6 The current costs are based on the initial design concept and desktop site analysis. Given the early stage of the project a high level of contingency has been allowed for in the project costs provided by the QS.
- 9.7 This will be continuously monitored as the project progresses through detailed design and procurement. Intrusive site investigation will be carried out prior to submission of the planning application so that a robust cost estimate of the scheme, reflecting the site constraints, is undertaken prior to seeking planning permission. There will be continuous dialogue with the Client to ensure that Client Brief requirements are reflected within the design and costs.

- 9.8 Furthermore, costs will be reviewed with the Client prior to entering into contract at the various stages of the development process, including at the appointment of the design team and the demolition contractor.

Site constraints inhibiting/delaying scheme delivery

- 9.9 A desktop ground condition study and risk assessment has been undertaken which concludes that there is a low to moderate level of contamination risk. There are existing services within the site that will need to be diverted, and a new transformer may be required to service the new homes. Furthermore, power and utilities services will need to be maintained for the Julia Engwell Clinic during and post construction of the development.
- 9.10 The design allows for an open area to the rear of Julia Engwell to accommodate services.
- 9.11 Vacant possession of the majority of the site has been secured to enable demolition and intrusive site surveys to be undertaken during the planning process.
- 9.12 Continuous dialogue with the NHS and adjacent residents will be maintained during the design and construction process.

Public Background Papers Used in the Preparation of the Report:

- Cabinet report dated 17 January 2017 on purchase of Greig Hall

List of appendices:

- Appendix 1: Site Plan and Aerial Photo
- Appendix 2: Land Appropriation Plan
- Appendix 3: Design Concept

This page is intentionally left blank

Appendix 1. Site Plan and Aerial Photo



This page is intentionally left blank

Appendix 2. Land Appropriation Plan



The area shaded pink covers the existing access road and garages.
The other red line area is 2 Stamford Road.

This page is intentionally left blank

Appendix 3. Illustrative Design Concept

Layout Plan



View into the Mews



This page is intentionally left blank

CABINET
15 October 2019

Title: Business Telephony Services Procurement	
Report of the Cabinet member for Finance, Performance & Core Services	
Open Report	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: Darren Rose, Programme Manager	Contact Details: Tel: 07776 234343 E-mail: darren.rose@lbbd.gov.uk
Accountable Director: Meena Kishinani, Transformation Director	
Accountable Strategic Leadership Director: Claire Symonds, Chief Operating Officer	
<p>Summary:</p> <p>This report focuses on three workstreams: 1) Mobile telephony services 2) Contact Centre as a Service 3) Microsoft Teams Telephony.</p> <p>Mobile Telephony Services</p> <p>The Council's Contract with EE is currently within an extension period and needs to be replaced.</p> <p>To meet the Council's need to provide mobile connectivity for staff, ensure the workforce remains flexible and can respond to the public, members and Officers in a timely manner.</p> <p>Contact Centre as a Service</p> <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 which included delivering and managing Call Centre Services.</p> <p>It has been agreed the Call Centre Team will come back In-house on 3rd February 2020 and the Council has an opportunity to reduce these system costs by seeking a cloud hosting service which delivers these services as part of its provision.</p> <p>Microsoft Teams Telephony</p> <p>The Council's existing desk-top based telephony system is at a stage where significant further investment is needed to sustain it and the use of the service is in decline</p> <p>The Council has an opportunity to reduce these costs by seeking a Microsoft cloud hosting service which delivers phone system PBX capabilities in Office 365.</p>	

Mobile Telephony Services

Cira £1.5m

SIM-only provision for 776 services

£55,872

Cloud Contact as a Service (CCaaS)

Cira £360,000

Microsoft Teams Telephony

£335,491

Total Cira: £2,251,363

Recommendation(s)

- (i) Authorise and Delegate authority to the Chief Operating Officer to conduct the procurement and award and enter into the contracts and all other necessary or ancillary agreements with the successful bidder(s) in accordance with the strategy set out in the report

Mobile Telephony Services

- (ii) To procure a Business Telephony Service 24 months plus 2 optional extension periods of up to 12 months each via a mini competition on the new Crown Commercial Services (CCS) Network Services 2 – (RM 3808) Framework
- (iii) Allow the Council to set-up a Dynamic Purching System (DPS) Procurement Framework to facilitate the purchase of mobile devices and any associated consumables.
- (iv) Direct Award EE on the new Network Services 2 – (RM 3808) Framework with Crown Commercial Services a SIM only provision for 776 SIM-only services.

Contact Centre as a Service (CCaaS)

- (v) To procure a Contact Centre as a Service (CCaaS) 24 months plus 2 optional extension periods of up to 12 months each via a mini competition on the new Crown Commercial Services G-Cloud 11 Framework.

Microsoft Teams Telephony

- (vi) To procure under the existing agreed term contract with Softcat PLC via Elevate East London LLP (Elevate), a 2-year up-lift of Microsoft Teams Office 365 call plans.

Reason(s)**Mobile Telephony Services**

- The Council's Contract with EE is currently within an extension period and needs to be replaced.

- To meet the Council's need to provide mobile connectivity for staff, ensure the workforce remains flexible and can respond to the public, members and Officers in a timely manner.
- In addition, this will enable the Council to continue in its support for a flexible workforce in achieving New Ways of Working.
- To ensure this procurement meets the Business Mobile Telephony requirements at best terms to the Council

Contact Centre as a Service (CCaaS)

- 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 which included delivering and managing Call Centre Services.
- It was agreed at Cabinet in January 2019, LBB Customer Services which includes the Council's Call Centre will be delivered primarily in-house with the option of specialist areas, such as the out-of-hours and Careline services, being delivered via an outsourced arrangement.
- It has been agreed the Call Centre Team will come back In-house on 3rd February 2020, and the current technology which supports the Call Centre consists of disparate and antiquated systems.
- The Council has an opportunity to reduce these system costs by seeking a cloud hosting service which delivers these services as part of its provision.

Microsoft Teams Telephony

- The Council's existing desk-top based telephony system is at a stage where significant further investment is needed to sustain it and the use of the service is in decline This provides an opportunity to review current telephony delivery and consider a future strategy.
- The Alcatel-Lucent desktop phone system has been in place for 10 years and has reduced in use over this period as a result of reducing headcount and changing work practices.
- The desk-top base phone system does not support the agile working culture introduced by the New Ways of Working Programme, limiting the flexibility of workers as they are reliant on their desk-based telephones.
- The Council has an opportunity to reduce these costs by seeking a Microsoft cloud hosting service which delivers phone system PBX capabilities in Office 365. This provision would replace the Alcatel-Lucent desk-top-base phone system.

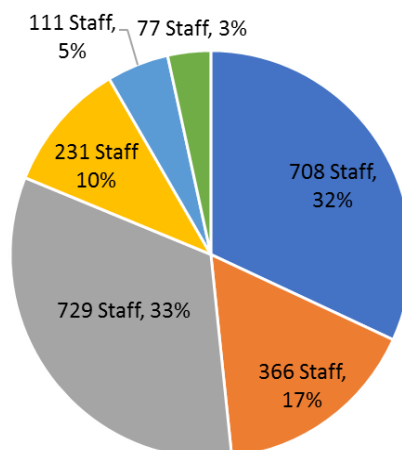
1. Introduction and Background

New Ways of Working (NWoW) was part of the Council's transformation Programme to modernise working practices, refurbish offices and implement an IT system that allowed staff to work more flexibly, such as working from home, out in the community or from any Council office or building. The proposed overhaul of the Council's telephony as outlined in this report is a key part of the programme which will also deliver savings compared with the annual maintenance costs of the current system. Furthermore, there's scope for potential future savings with the new telephony system if the level of user numbers fall and under-usage is minimised.

1.1. Background - Mobile Telephony Services

- 1.1.1. The Council currently has over 2000 mobile handsets which are supported by two main call and data packages, allowing staff to make and receive calls as well access MS Office 365 Application such as emails, calendars the internet etc. whilst on the move. This capability enhances the workforce and will help the Council move towards becoming a digital workplace.
- 1.1.2. The main areas that are covered by this service are - Handsets and Sim Cards - Sim Only Services for Traffic Cameras - Sim Only Services for Door Entry Systems.
- 1.1.3. EE is the current provider of Mobile Telephony and Ancillary Services to the Council, which enables staff to work safer, be more mobile and has assisted with meeting key objectives of the New Ways of Working Programme.
- 1.1.4. The existing EE Service is a 2-year contract with an option to extend for 1 year. From July 2019, the Council will exercise the option to extend for 1 year, with a notice period of 3 months. This will allow enough time to procure for a Business Mobile Telephony Solution.
- 1.1.5. 1 years' worth of Mobile Data has been analysed to determine how much Gigabytes (GB) is being used across Council Mobile Devices – over 80% of staff use less 0.5GB of data per month. The current monthly data allowance is set at 4GB per user - the Council's monthly total data allowance is significantly underused.
- 1.1.6. The Pie Chart and Table below sets out the breakdown of the mobile data usage among staff.

Average Mobile Data Usage Per Month



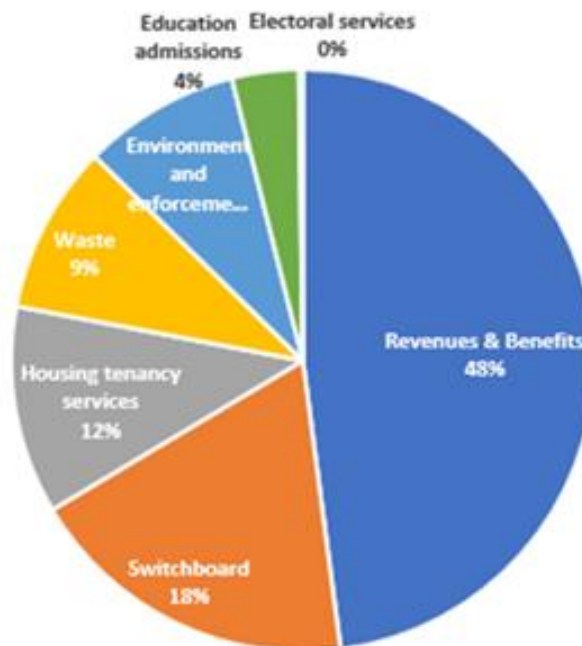
More than 2GB per month	Very High
Under 2GB per month	High
Under 1GB per month	Medium
Under 0.5GB per month	Low
Under 0.1GB per month	Very Low
0GB per month	Nil

- 1.1.7. In March 2019, the Council conducted a Prior Information Notice (PIN) which was not a call for competition. It was carried out to determine if there were enough suppliers who could supply the products and services the Council requires.
- 1.1.8. The Council was clear on what the key requirements are and they would form part of the future Business Mobile Telephony Solution - 16 Suppliers responded expressing an interest.
- 1.1.9. Given the significant underuse of monthly data, the Council would like the ability to aggregate data across all devices. This will reduce data plan costs and allow heavier data users to continue their service without incurring monthly penalties for using data outside of their allowance.
- 1.1.10. The existing Crown Commercial Service – Network Services (RM 1045) Framework will expire in July 2019 – it has been in use for nearly 4 years and is being replaced by the new Mobile Network Services 2 – (RM 3808) Framework in July 2019 and should be available as of August 2019.

1.2. **Background - Contact Centre as a Service (CCaaS)**

- 1.2.1. 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 contract with Elevate for a range of services which included delivering and managing Call Centre Services.
- 1.2.2. It was agreed at Cabinet in January 2019, LBBB Customer Services which includes the Council's Call Centre will be delivered primarily in-house with the option of specialist areas, such as the out-of-hours and Careline services, being delivered via an outsourced arrangement.
- 1.2.3. It is proposed the Call Centre Team will come back In-house on 3rd February 2020.
- 1.2.4. The current technology which supports the Call Centre consists of disparate and antiquated systems
- 1.2.5. LBBB's main Contact Centre handles approximately 460,000 calls per year and has around 35.4 Full Time Equivalent (FTE) agents to cover the hours between 8am and 6pm
- 1.2.6. A further 150,000 calls with our Housing Repairs Contact Centre (approx.17 FTE)
- 1.2.7. Our Out of Hours service handles 20,000 General emergency calls plus 13,000 Repairs emergency calls (approx. 7 FTE)
- 1.2.8. Careline supports 4000 clients for 24/7-365 emergency alarm monitoring (approx. 12 FTE agents) and handle approx. 120,000 alarm calls (on an alarm system with separate phone lines) and handle approx. 3,600 incoming enquiry calls on the main phone system

1.2.9. The chart below is a split of services supported by the main Contact Centre



1.2.10. The provision of a Cloud Contact Centre as a Service (CCaaS) has become a mature and reliable service offering and is defined by Call Center software hosted in the cloud instead of hosted on-premise.

1.2.11. At the beginning of 2019, a number of LBB and Elevate Stakeholders attended CCaaS presentations to understand what capabilities and functionality exists within market and were very satisfied with CCaaS as a strategy for Council.

1.2.12. On 2 July 2019, a new Crown Commercial Services G-Cloud 11 Framework was established. This procurement framework will satisfy the requirements of the services needed and provide best cost and value to the Council.

1.3. **Background – Microsoft Teams Telephony**

1.3.1. The Council's existing desk-top based telephony system is at a stage where significant further investment is needed to sustain it and the use of the service is in decline. This provides an opportunity to review current telephony delivery and consider a future strategy.

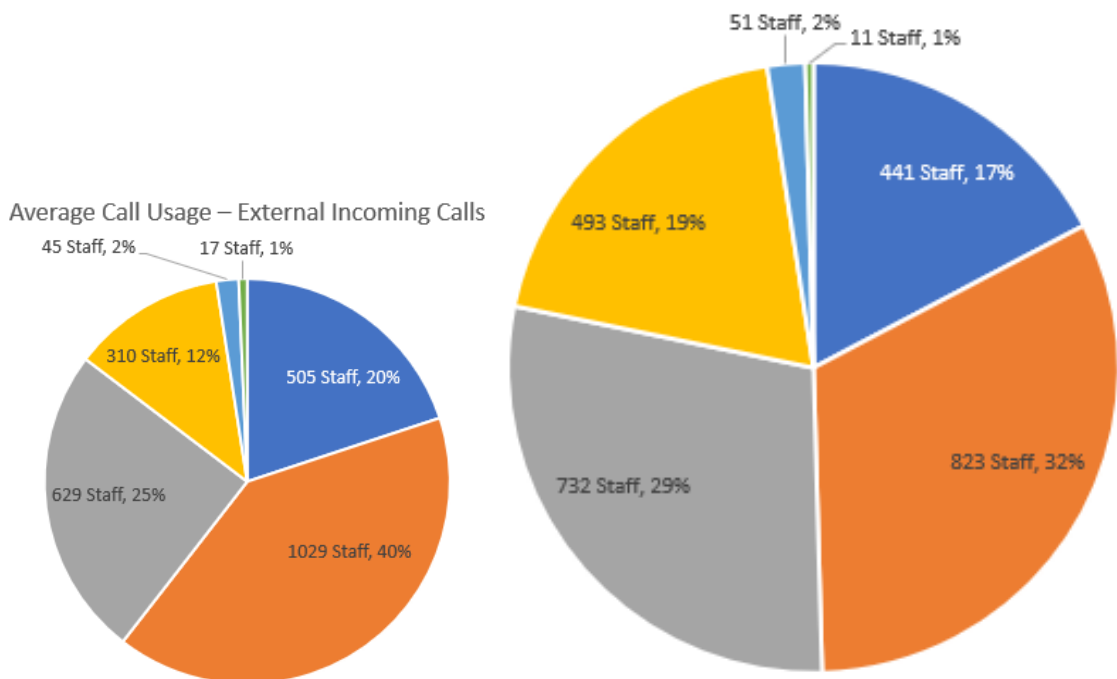
1.3.2. The Alcatel-Lucent desktop phone system has been in place for 10 years and has reduced in use over this period as a result of reducing headcount and changing work practices.

1.3.3. The desk-top base phone system does not support the agile working culture introduced by New Ways of Working Programme, limiting the flexibility of workers as they are reliant on their desk-based telephones.

1.3.4. The Council has an opportunity to reduce these costs by seeking a Microsoft cloud hosting service which delivers phone system PBX capabilities in Office 365. This provision would replace the Alcatel-Lucent desk-top-base phone system.

- 1.3.5. New Ways of Working (NWoW) was part of the Council's transformation Programme to modernise working practices, refurbish offices and implement an IT system that allowed staff to work more flexibly, such as working from home, out in the community or from any Council office or building.
- 1.3.6. The Council launched Skype for Business in August 2017, this is increasingly being used for internal communications, mainly through text based instant messaging, internal point-to-point calls and conference calls with internal and external partners.
- 1.3.7. The Council carried out a 3-month Proof of Concept (PoC) for Skype for Business to assess the viability of a Microsoft soft-telephony capability. The PoC was successfully and enhanced flexible working and allowed staff to work from anywhere, seamlessly.
- 1.3.8. Skype for Business is being superseded by Microsoft Teams which can connect into the public telephone system. This will allow users to make public access telephone calls via Microsoft Teams in Office 365 in a very similar way to the desk-based telephone system with additional benefits.
- 1.3.9. There are just over 2,500 fixed phone extensions with approx. 50% of staff receiving or making nil of less than 5 calls per month on average – please see the pie chart below.

Average Call Usage – Outgoing Calls



>160 calls per month	Very High
81-160 calls per month / between 20 – 40 calls per week	High
20-80 calls per month / between 6 – 20 calls per week	Medium
6-20 calls per month / between 2 – 5 call per week	Low
< 5 calls per month / average 1 per week	Very Low
0 Calls per month	Nil

1.3.10. The Council is in the process of migrating all team files (12 Terabytes) into the cloud, where files will be saved, shared and accessed using Office 365 Microsoft Teams. Transitioning from using desk-based phones to Microsoft Teams telephony functionality will not be problematic as staff will already be familiar with this application and interface.

2. Proposed Procurement Strategy

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

2.1.1. The service requirement is to provide the following:

- Service only contract, no handsets or devices.
- Self Service Administration Portal, which will allow the Council to manage the account and report on data\voice usage, view bills and order Sims etc.
- Ability to restrict\manage international roaming.
- Warrant good service provision in the borough and excellent provision within core Corporate buildings.
- Data, Voice and SMS normally required for mobile devices.
- Data only services with suitable SIM for 2G, 3G, 4G and 5G devices as needed. (accepting that 5G is not yet available but no cost penalty when it does become available)
- Ability to have Wi-Fi calling and free use of network provider hotspots wherever they exist (public spaces, underground etc.)
- Single aggregated data block for the entire council
- Unlimited calls (PSTN, UK) If this element of service cannot be provided aggregation of data will be required.
- SIM only service provision for Circa 800 services

2.1.2. It is proposed the Council to set-up a Dynamic Purchasing System (DPS) to facilitate the purchase of mobile devices and any associated consumables. A Dynamic Purchasing System (DPS) is a procurement tool similar to a Framework Agreement but is a completely electronic competitive procurement process which new suppliers can join at any time. Creating a DPS will therefore enable the Council to have the flexibility of product and the ability to add and remove suppliers over the lifecycle of the DPS, this also allows for packages of handsets/Consumables being offered to a wider supply chain to drive value for money.

2.2. Proposed Procurement Strategy – Contact Centre as a Service (CCaaS)

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

2.2.1. The service requirement is to provide the following:

- Inbound and Outbound Cloud Contact Centre
- Omnichannel Routing
- Automatic Call Distribution (ACD)

- Interactive Voice Response (IVR)
- Workforce Management
- Quality Management
- Quality Management Analytics
- Performance Management
- Analytics
 - Interaction Analytics
 - Reporting
 - Customer Services
- Integration
- CRM Integration
- Microsoft Teams Integration
- Voice as a Service (VaaS)

2.3. Proposed Procurement Strategy - Microsoft Teams Telephony

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

2.3.1. The Council currently has a Microsoft Enterprise 3 plan which is a complete, intelligent, collaborative solution that provides a powerful suite of licensing for Office 365 Enterprise, Enterprise Mobility and Security and Windows 10 Enterprise.

2.3.2. An uplift to the existing Enterprise 3 plan is required for the following:

- Microsoft Teams Domestic Calling Plan 120 Minutes per month
- Microsoft Teams Domestic Calling Plan 240 minutes per month
- Microsoft Teams International Calling Plan
- Audio Conferencing licenses
- Phone system license is needed

2.4. Estimated Contract Value, including the value of any uplift or extension period

Mobile Telephony Services

LBBB's mobile airtime bill is approx. £400,00 per annum over 3 years would total circa £1.2M.

Contact Centre as a Service (CCaaS)

The new Cloud Contact Centre will need approx. 50 staff and call agents – per seat license costs £150 per month. 50 licenses would cost £7,500 per month and

Microsoft Teams Telephony

1200 Microsoft Phone system licenses - £52.20 each. Total per annum £62,640

1000 Microsoft Teams Domestic Calling Plans -

<p>Mobile device cost over 3 years would total circa. £300,000</p>	<p>£90,000 per annum over 3 years total circa £270,000.</p>	<p>£92.16 each for 1200 minutes per user per month. Total per annum £92,160</p>
<p>SIM-only provision for 776 points (£2 per SIM per month) - £55,872</p>		<p>180 Microsoft Teams Domestic Calling Plans - £46.32 each for 240 minutes per user per month. Total per annum £8,337.60</p>
		<p>20 Microsoft Teams International Calling Plans – 184.32 each. Total per annum £3,686.40</p>
		<p>30 Audio Conferencing licenses - £30.72 per annum. Total £921.60</p>
		<p>1000 Microsoft Teams Headsets - £50 per unit. Total £50,000</p>
		<p>200 Microsoft Teams Desk-based Phones - £200 per unit. Total £40,000</p>
		<p>Total annual Microsoft Telephony cost £105,105.60</p>
		<p>Total 2-year contract £335,491</p>

3. Duration of the contract, including any options for extension

Mobile Telephony Services	Cloud Contact as a Service (CCaaS)	Microsoft Teams Telephony
24 months plus 2 optional extension periods of up to 12 months each.	24 months plus 2 optional extension periods of up to 12 months each	24 months contract

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?

4.1. Yes, the contract would fall under PSR 2015 under services

5. Recommended procurement procedure and reasons for the recommendation

5.1. Mobile Telephony Services

- 5.1.1. The Prior Information Notice (PIN) demonstrated the potential to consider an mini-competition on a Crown Commercial Services Framework. However, there is a new Crown Commercial Service Networking 2 Framework which has now replaced Network Services (RM1045) The new Framework is highly competitive with all Suppliers pre-vetted and commercial agreements used among suppliers to increase quality and value.
- 5.1.2. The framework will also include secondary services designed to enhance, supplement or support the delivery of the main primary services.
- 5.1.3. The Council will arrange with Crown Commercial Services pre-market engagement via the new Network Services 2 – (RM 3808) Framework which will come into effect in August 2019.
- 5.1.4. There are 776 SIM-only services such as door entry systems, school gates, CCT cameras which are provisioned by the current EE Contract – to Direct Award this element of the service would provide best cost and value for the Council rather than swapping out these SIMs with a new supplier. It should be noted not all suppliers which may bid could necessarily provide this service.
- 5.1.5. A brief will be provided for the pre-market engagement and the output from this process will help inform and refine the Service Specification. Once this has been completed best value will be achieved by using (mini) competition via Crown Commercial Services.
- 5.1.6. Once this has been completed best value will be achieved by using (mini) competition via Crown Commercial Services.

5.2. Contact Centre as a Service (CCaaS)

- 5.2.1. As of 3 July 2019, a new G-Cloud 11 Framework (RM1557.11) came into effect on Crown Commercial Services. A mini-competition will be run between all of the suitable suppliers on this framework.
- 5.2.2. The new Framework is highly competitive with all Suppliers pre-vetted and commercial agreements used among suppliers to increase quality and value.
- 5.2.3. The Council will arrange with Crown Commercial Services pre-market engagement via the G-Cloud 11 Framework (RM1557.11)

5.3. Microsoft Teams Telephony

- 5.3.1. The Council entered into a 3-year exclusive Microsoft Enterprise Subscription Agreement on 01 June 2019 to 01 June 2022, with Softcat PLC via Elevate East London LLP (Elevate). The procurement of Microsoft Teams calling plans is an uplift to this existing Microsoft Enterprise.
- 5.3.2. Elevate East London LLP (Elevate) through knowledge and experience, expertise within the ICT sector and discussions with vendors selected Softcat Plc to provide Microsoft licensing on behalf of LBBD.

5.3.3. The table below sets out what the existing Enterprise Agreement Level-3 comprises of:

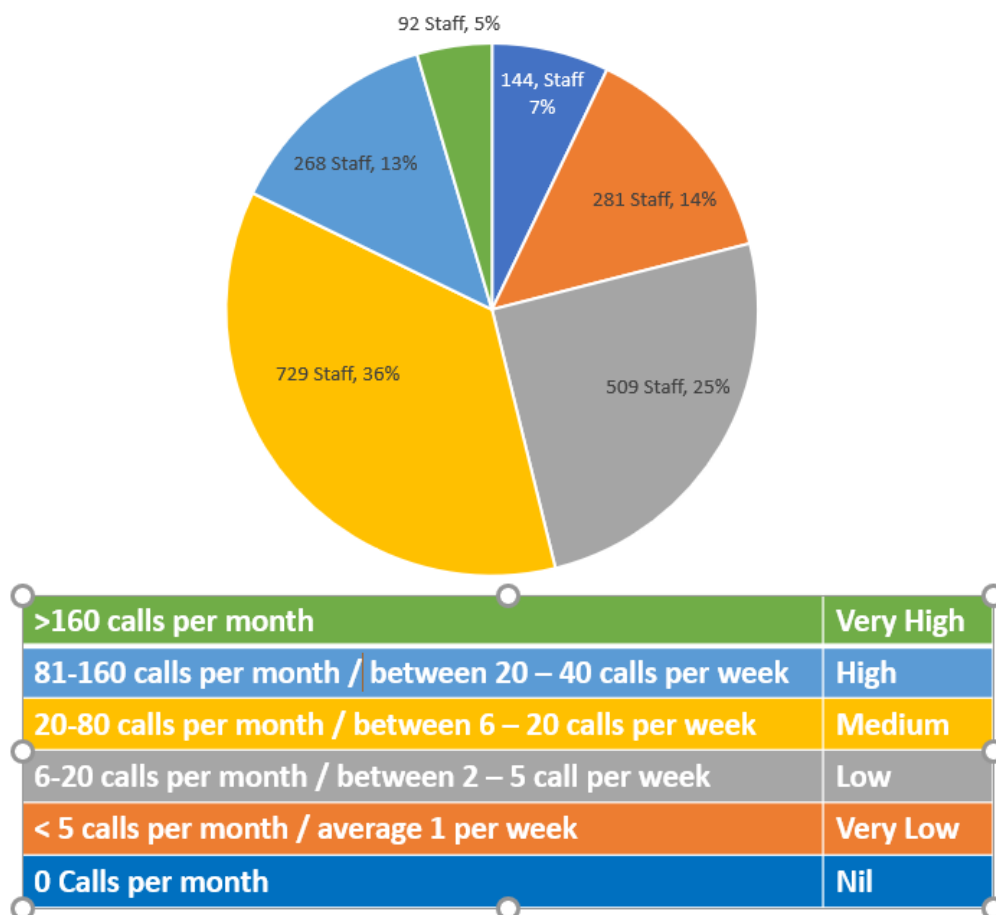
- Enterprise Cloud Suite - this is an old name for what has been replaced by "M365" in line 3 below
- Project Online Professional
- Microsoft 365 E3 - contains Office 365, Enterprise Mobility and Security (EMS) & windows licence
- M365 E5 step up from E3. Gives E5 functionality on top of E3 license above
- Office 365 F1. A basic stripped-down Office 365 licence
- Microsoft 365 F1. Similar to above but with EMS and windows functionality
- Visio Online Plan 1 (there are 2 plans available, plan 1 and 2)
- Phone System
- Visio Online Plan 2
- Power Bi Pro
- Windows Server External Connector

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

6.1. Mobile Telephony Services

- 6.1.1. Fit for purpose provision of Business Telephony Services for Council Staff and Services.
- 6.1.2. A price reduction from £3 to £2 per month has been negotiated for the 776 EE SIM-only services. Over 3-years, this is a saving of Circa £30,000. More importantly, the Council will achieve 'cost avoidance' by not replacing these SIMs with a new supplier and continuing with EE.
- 6.1.3. If the Council were to Direct Award to EE, the potential double 'contact management' effort would be minimal. The 776 SIM services are not phones, which are usually subject to wear and tear, getting lost and needing replacement.
- 6.1.4. Separating the purchase of mobile devices from the Network Service Provider gives the Council an option to offer Council staff an allowance to use their own devices which could save a circa up to £390,000. over a 3-year period.

6.1.5. Below is a Pie Chart showing how many mobile minutes are used each day among staff across the Council:



- 6.1.6. Nil, very low and low users (934 staff) account for approx. 50% of calls made. If the Council offered staff who are very low / low users an allowance of £5 per month over a 3-year period this would cost LBBB £142,200.
- 6.1.7. Handset and line rental savings on 934 units over 3 years would be £532,380, deducting allowances of £5 per month £142,200 would realise a saving of £390,180
- 6.1.8. Existing Handsets will be unlocked and new SIMs provided.
- 6.1.9. A Self-Service Administration Portal will allow the Council to manage the account and report on data\voice usage, view bills and order Sims. This will significantly increase efficiencies in service and provisioning.
- 6.1.10. Data aggregation will reduce data costs and prevent penalties (approx. £1,000 per month currently) being incurred as a result of using data outside of the monthly allowance.
- 6.1.11. Provision of 2G, 3G, 4G and 5G (accepting 5G is not yet available but no cost penalty when it does become available)
- 6.1.12. Ability to have Wi-Fi calling and free use of network provider hotspots wherever they exist (public spaces, underground etc.)
- 6.1.13. Unlimited calls (PSTN, UK) and unlimited SMS

6.1.14. The Council has a number of dependent subsidiary businesses, the Council wishes to be able to provide the same service available to Council to these businesses.

6.2. **Contact Centre as a Service (CCaaS) & Microsoft Teams Telephony**

6.2.1. CCaaS solutions provides enhanced capabilities in contrast to on-premises traditional Call Contact Centers

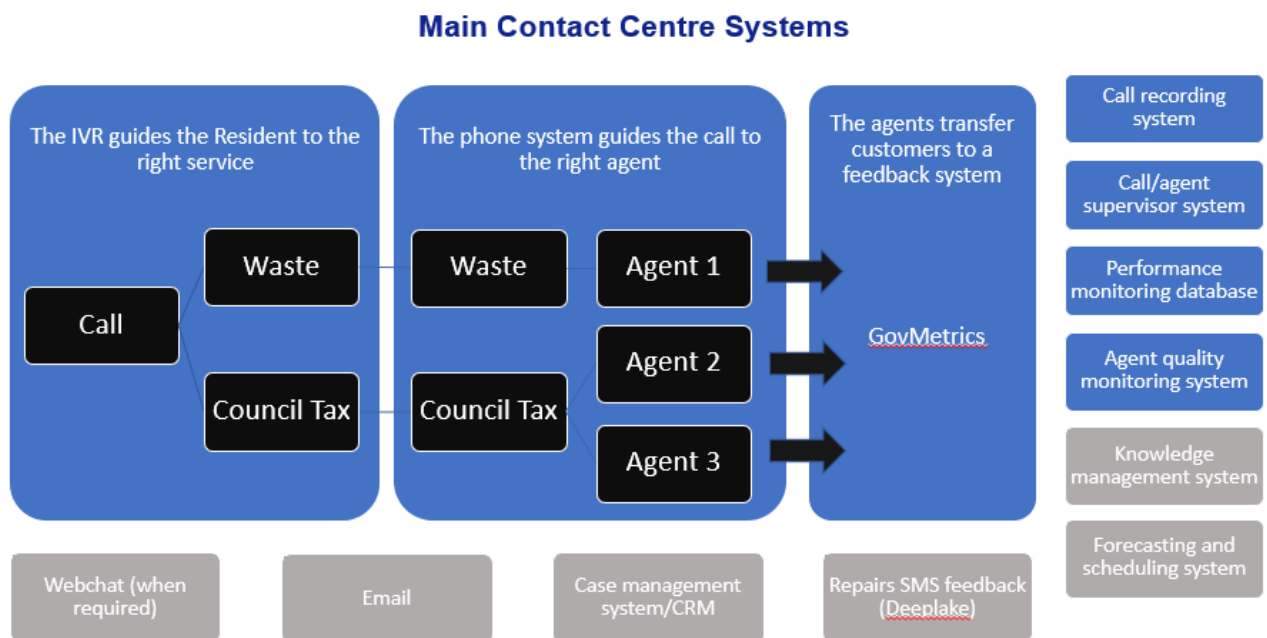
6.2.2. There will be no on-going costs for maintenance and upgrades

6.2.3. The provider owns and operates the systems including software and makes them available on a per-user monthly subscription basis

6.2.4. Provides flexibility to scale-up or down call agent capabilities

6.2.5. Removes the need for a physical location in case of Disaster Recovery

6.2.6. Below is a diagram showing how many systems are currently integrated (7 blocks in blue) and have annual maintenance costs associated with them.



6.2.7. A CCaaS solution and using MS Teams Telephony eliminates the above disparate systems and complex integration.

6.2.8. Employing a cloud contact center will ensure the Council always have the latest technology, real-time scalability and flexibility, business continuity, disaster recovery and robust features.

6.2.9. Microsoft licensing costs increase annually and a quantity of 1 license for the following plans were purchased to locked-in 2019 prices.

- Microsoft Phone system License
- Microsoft Teams Domestic Calling Plan 120 Minutes per month
- Microsoft Teams Domestic Calling Plan 1200 minutes per month
- Microsoft Teams International Calling Plan

- Microsoft Teams Audio Conferencing licenses

6.2.10. The current telephony systems which supports the Council's desk-based phones and the Contact Centre is at a stage where significant further investment is needed to sustain it and the use of the service is in decline - below is a breakdown of capital and revenue costs if the Council replaces its current systems.

Item	Cost	Description
New Private Branch Exchange (PBX) System	£200,000	PBX phone system which allows users to communicate internally and externally
Maintenance fee	£140,000	Per Annum Covers core elements in the platform and any add on features, e.g. conference bridges, voicemail servers, call centre reporting servers. Inclusive of free software updates. Major software upgrades are free, although resources for implementation are not.
Soft phones	£72,000	£60 per license – 1200 units
Soft phone support	£15,000	20%
SIP trunk lines	£42,000	2 trunks providing a capacity for 360 calls at any one time Inclusive of 720,000 minutes to UK mobiles or landlines Enough inclusive minutes that no call costs incurred. Includes line rental for all phone numbers used by the Council (£0.90 one off cost for establishing a new number)
Call variable charges	£12,000	there are call variable charges outside the free calls (non geo, international etc), these tend to be around £1k per month but will go above/below this based on monthly demand.
Gov Metric	£8,000	Gov Metrics is a customer feedback questionnaire
Score Buddy	£2,500	This is a Call Agent quality monitoring system

Call recorders	£5,000	This is used for quality and monitoring purposes allowing Managers to listen to a proportion of calls checking for call handling skills, subject expertise and to investigate complaints
Netcall IVR	£50,000	An Interactive Voice Response System which allows callers to select from a menu of automated prompts in order to be routed to the most appropriate resource
Programme Implementation	£100,000	Funding for this has already been secured from an ICT budget
Total	£646,500	Year-1 costs
Total	£259,500	On-going Annual Maintenance

6.2.11. 41 LBBB Schools use the Council's Alcatel-Lucent Telephone System. Recharges for 2018/19 were circa £75,000, which defrays the Council's annual maintenance costs to £184,000 per annum.

6.2.12. The table below reflects capital and subscription costs for the new recommended solutions for desk-based telephony and Contact Center telephony.

Item	Cost	Description
Various Microsoft Teams Calling Plans	£167,745.60	<p>1200 Microsoft Phone system licenses - £52.20 each per annum. Total per annum £62,640</p> <p>1000 Microsoft Teams Domestic Calling Plans - £92.16 each for 1200 minutes per user per month. Total per annum - £92,160</p> <p>180 Microsoft Teams Domestic Calling Plans - £46.32 each for 120 minutes per user per month. Total per annum £8,337.60</p> <p>20 Microsoft Teams International Calling Plans – 184.32 each. Total per annum £3,686.40</p> <p>30 Audio Conferencing licenses - £30.72 per annum. Total £921.60</p>

Microsoft Teams Headsets	£0	1050 units (this is a capital costs and will be picked up from Programme Implementation cost) £52,500
Microsoft Teams Desk Phones	£0	200 units (this is a capital costs and will be picked up from Programme Implementation cost) £40,000
Contact Centre	£90,000	50 staff and call agents – per seat license costs £150 per month. 50 licenses - £7,500 per month x12 £90,000
Programme Implementation	£300,000	Funding for this has already been secured from an ICT budget
Total	£557,745.60	Year-1 costs
Total	£257,745.60	Yearly Subscription

6.2.13. The recommended approach is Lower in year-1 costs, broadly cost neutral in subsequent years, allows the Council far more flexible operation, facilitates the Council's Cloud strategy. The Recommended solution also gives the Council the most flexibility in supporting it's devolved business partners in their development ambitions.

7. Criteria against which the tenderers are to be selected and contract is to be awarded

8. How the procurement will address and implement the Council's Social Value policies

8.1. This has been considered and does not directly impact the Council's Social Value policies.

9. Contract Management methodology to be adopted

9.1. The initial contract management schedule is set out in the table below, but will be subject to change after the initial implementation stage and the service has bedded in:

Service Element	Initial Frequency
Mobile Telephony Services	Monthly then 3/6 monthly after implementation
Mobile Devices	As required as single packages will be contracted with multiple suppliers
Sim Only	Monthly then 6 monthly after implementation
CCaas	Monthly then 3/6 monthly after implementation
Microsoft Teams Telephony	Monthly then 6 monthly after implementation

9.2. At the point of this paper being drafted the contract management ownership is being agreed and is subject to the integration back into the Council of the services currently being provided by Elevate

10. Options Appraisal

10.1. Do nothing – EE Existing Contract

10.1.1. This option has been rejected – The initial 2-year contract expired in July 2019, the Council is now in a 12 month extension period. If Mobile Telephony Services are not provided this would become business critical and will result in inefficiencies and ineffectiveness for many users carrying out their roles. In addition, some Council services are dependent on mobile telephony; such as Traffic Cameras, over 700 Door Entry Systems, Lifts and Automatic Sliding Gates for Schools.

10.2. Do nothing – Contact Centre Telephony

10.2.1. This option has been rejected – The Contact Centre Service is reliant on the Alcatel-Lucent Telephone System. This telephony systems is at a stage where significant further investment is needed to sustain it and the use of the service is in decline. A Telephony solution is required to support the Contact Centre Service. It is essential for Barking & Dagenham residents to contact the Council and make enquiries on a range of services

10.3. Do nothing - Alcatel-Lucent Desk-Based Telephones

10.3.1. This option has been rejected – The Alcatel-Lucent Telephone System is at a stage where significant further investment is needed to sustain it and the use of the service is in decline and a solution is required to allow Council Officers the ability to make external phone calls to resident, partners, partner organizations and various authorities. The same is true of residents and organisations needing to call and speak with Services or Officers from the Council

10.4. Direct Award – Mobile Telephony Services & Contact Centre as a Service (CCaaS)

10.4.1. This option in the main has been rejected for the major aspect of Business Telephony Services - The pace of change in technology and services offered by Mobile Telephony Providers is always improving. A Direct Award approach has been partially discounted as it could restrict the solutions the Council requires and potentially newer service offerings

10.4.2. However, there are 776 SIM-only Services such as door entry systems, school gates, CCT cameras which are being supported by the current EE Contract – to Direct Award this element of the service would be very cost-effective to the Council rather than swapping out these SIMs with a new supplier.

10.5. Direct Award – Microsoft Teams Telephony

10.5.1. This option has been rejected – However, the Council entered into a 3-year exclusive Microsoft Enterprise Subscription Agreement on 01 June 2019 to 01 June 2022, with Softcat PLC via Elevate East London LLP (Elevate). The procurement of Microsoft Teams calling plans is an uplift to this existing agreement.

10.6. **Mini-competition CCS Framework - Mobile Telephony Services**

- 10.6.1. This is the preferred approach - The Prior Information Notice (PIN) which was not a call for competition, was carried out to determine if there were enough suppliers who could supply the products and services the Council requires
- 10.6.2. This resulted in a good response and demonstrated the potential to consider an mini-competition approach. A new Crown Commercial Service Networking 2 Framework has replaced the Network Services (RM1045) which expired on 16 July 2019. The Framework is highly competitive with all Suppliers pre-vetted and commercial agreements used among suppliers to increase quality and value

10.7. **Mini-competition CCS Framework – Contact Centre as a Service (CCaaS)**

- 10.7.1. This is the preferred option – on 3 July 2019, a new Crown Commercial Service G-Cloud 11 Framework was introduced. The new Framework is highly competitive with all Suppliers pre-vetted and commercial agreements used among suppliers to increase quality and value. The procurement timeline with a mini competition will align with Council's strategy and timescales of moving the Call Contact Centre back in-house.

10.8. **Existing Microsoft Subscription Enterprise Agreement**

- 10.8.1. This is the preferred option - the Council entered into a 3-year exclusive Microsoft Enterprise Subscription Agreement on June 1st 2019 to June 1st 2022, with Softcat PLC via Elevate East London LLP (Elevate). The procurement of Microsoft Teams calling plans will ban uplift to this existing agreement.

11. **Waiver**

- 11.1. Not applicable.

12. **Consultation**

- 12.1. Consultation for this procurement has taken place through circulation of a report and the main proposal was considered and endorsed by the Customer Information Board on 15th May 2019.

13. **Corporate Procurement**

Implications completed by: Francis Parker - Senior Procurement Manager

- 13.1. The proposed routes to market are all compliant with the Council contract rules and the PCR2015
- 13.2. Central government contracts offer excellent rates for these goods and services and the volume discounts offer better value for money than the Council could likely achieve in an open tender.
- 13.3. If mini-competitions are run between framework suppliers then value for money will be achieved or where required the use of direct award.
- 13.4. The DPS will give flexibility to the purchase of hardware and will allow for local and SME suppliers to be engaged with, which would not be the case on a full service wrap.

14. Financial Implications

Financial Implications, Kofi Adu, Group Finance Manager

- 14.1. The proposed overhaul of the Council's telephony is expected to cost £557,745.60 which is £88,754.40 less than the £646,500 it would cost to replace it. This would be a one-off cost funded from IT, project code FC03052, telephony refresh task 15.
- 14.2. The estimated ongoing annual subscription for the telephony support will be £257,745.60, which is £1,754.40 cheaper than the annual maintenance cost of the current system. Furthermore, there's scope for potential future savings with the new telephony system if the level of user numbers fall and under-usage is minimised. The new telephony system also provides scope for user flexibility and enhances user experience and promotes the council's new ways of working. We do not envisage additional cost burden to the council as a result of this new system, and the implementation cost and ongoing subscription will be managed within the existing budget provision.

15. Legal Implications

Legal implications completed by Graham Marlow, Contracts and Procurement Solicitor

- 15.1. The Public Contracts Regulations 2015 ("the Regulations"), LBBB's constitution and its contract rules permit LBBB to outsource services, subject to meeting certain requirements.
- 15.2. However, there is no obligation upon LBBB to outsource service and so it may provide them in-house and may bring previously outsourced services back in-house, as is proposed for part of the services covered in this report.
- 15.3. Mobile Telephony Services. Circa £1.5m. The Regulations and LBBB's contract rules require that a procurement of this financial value should be subject to a competitive tender.
- 15.4. Letting the contract via a pre-existing approved framework contract as is proposed in this report meets these requirements.
- 15.5. As the value is over £500,000, LBBB's contract rules require that the authority to award the contract be approved by Cabinet.
- 15.6. SIM-only provision for 776 services. £55,872. A proposed procurement of this size does not ordinarily require legal comments; however the proposed procurement route is compliant with the Regulations and LBBB's contract rules.
- 15.7. The contract award must be approved by the Chief Officer.
- 15.8. Contact Centre as a Service (CCaaS). Circa £270,000. The Regulations and LBBB's contract rules require that a procurement of this financial value should be subject to a competitive tender.
- 15.9. Letting the contract via a pre-existing approved framework contract as is proposed in this report meets these requirements.
- 15.10. A procurement of this financial value must be approved by the Chief Officer.

- 15.11. Microsoft Teams Telephony. £335,491. Awarding this proposed procurement through an uplift of the current contract is permissible under the Regulations and LBBD's contract rules.
- 15.12. Due to the potential risk that the procurements outlined in this report could be seen as being one procurement exercise, it is recommended that all are considered by Cabinet at one time and all are approved or rejected as one procurement.

Other Implications

16. Risk and Risk Management

16.1. Mobile Telephony Services

- 16.1.1. The Council continues to support Ways of Working Now (WoWNoW) the risk of non-deployment means the Council will not be able to fully adopt and utilise flexible working practices, this would go against the principles of developing a digital mobile workforce

16.2. Contact Centre as A Service (CCaaS)

- 16.2.1. As part of the Core Programmed, the Contact Centre staff are planned to move back in-house to the Council from 3 February 2020. A fit-for-purpose solution must be in place and ready for staff to begin training and familiarisation with the new (CCaaS).
- 16.2.2. The implementation of a (CCaaS) will be after the staff move in-house to reduce any further disruption.

16.3. Microsoft Teams Telephony

- 16.3.1. Significant discovery work will need to be carried out to ensure Council Services and buildings do not suffer a loss of telephony services when the Alcatel-Lucent desktop phone system is de-commissioned.

17. TUPE, other staffing and trade union implications

- 17.1. Not applicable – this is a technology focused Programme. There is a parallel Core Services Transformation Programme which is dealing with staff coming back in-house from Elevate East London LLP (Elevate).

18. Corporate Policy and Equality Impact

18.1. Mobile Telephony Services

- 18.1.1. This does not impact on equalities; however, the continued supply of smartphones and devices means that the Councils workforce is fluid and can respond to the public, members and officers in a timely manner. Smartphones and devices play a major part in communication which enhances the customer experience from both an internal and external view

18.2. Contact Centre as a Service (CCaaS)

- 18.2.1. Citizens rightly expect to have the ability to contact the Council. The cloud contact center strategy will give LBBD constituents the ability to contact the Council through multi-channel communication on a timeline that makes sense for them – a critical element for Millennials as they will soon make up 75% of the workplace and tax base.

18.3. **Microsoft Teams Telephony**

18.3.1. Microsoft Teams Telephony allows you to make and receive calls from any device, including phones, PCs, Macs and Microsoft Teams Rooms. This will allow staff to work from any location and still be contactable which will ultimately deliver a more efficient service from an internal and external customer perspective.

18.4. **Mobile Telephony Services & Microsoft Teams Telephony**

If the Council wishes to dispose of any further corporate Assets, it is crucial flexible working and building a digital workforce continues to be supported to reduce the staff footprint across current buildings.

18.5. **Contact Centre as a Service**

The CCaaS strategy removes the need for a designated disaster recovery site and associated costs which is currently at Pondfield House in Dagenham. The provision of hosted service means call agents can work remotely if required.

Public Background Papers Used in the Preparation of the Report:

- Prior Information Notice (PIN) Requirements and Cabinet Report dated 17th January 2017
- Contract for Provision of Mobile Telephony and Ancillary Services
- Core Support Services post-Elevate - Design Options Appraisal – Cabinet Report 22 January 2019.

List of appendices: None