

Notice of Meeting

CABINET

Tuesday, 25 May 2021 - 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 and Cllr Maureen Worby

Date of publication: 17 May 2021

Chris Naylor
Chief Executive

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Please note that this meeting will be webcast to enable the press and public to view the proceedings. Public access to the Town Hall is restricted at the current time and only those invited to attend shall be admitted. To view the webcast click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

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 20 April 2021 (Pages 3 - 7)

4. Barking and Dagenham School Improvement Partnership Business Plan 2021-2024 (Pages 9 - 33)

Appendix 2 to the report is exempt from publication as it contains commercially confidential information (exempt under paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended)).

5. **Independent Domestic Abuse Commission Report - Initial Response (Pages 35 - 41)**
6. **Tri-Borough Civil Protection Service - Statutory Plans (Pages 43 - 125)**
7. **Parking Permit Policy - Car Free Developments (Pages 127 - 140)**
8. **Procurement of External Enforcement Agent Service (Pages 141 - 161)**
9. **Future of Roycraft House, Linton Road, Barking (Pages 163 - 174)**
10. **Development of Land at Transport House, 46-48 New Road, Dagenham (Pages 175 - 191)**

Appendix 2 to the report is exempt from publication as it contains commercially confidential information (exempt under paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended)).

11. **Any other public items which the Chair decides are urgent**
12. **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/observe Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. Items 4 and 10 above include appendices which are exempt from publication, as described. **There are no other such items at the time of preparing this agenda.**

13. **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

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

MINUTES OF CABINET

Tuesday, 20 April 2021
(6:00 - 6:55 pm)

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

102. Minute's Applause in Memory of HRH Prince Philip, Duke of Edinburgh

The Chair gave a statement following the recent death of HRH Prince Philip, Duke of Edinburgh who sadly passed away on 9 April 2021 at the age of 99, and asked Cabinet colleagues and officers to join him in a minute's applause in recognition of the service the Duke of Edinburgh gave to Her Majesty the Queen and across the Commonwealth.

103. Declaration of Members' Interests

There were no declarations of interest.

104. Minutes (16 March 2021)

The minutes of the meeting held on 16 March 2021 were confirmed as correct.

105. Update on COVID-19 Issues

The Cabinet Member for Social Care and Health Integration gave an update to the Cabinet on the latest COVID-19 issues.

The Cabinet Member advised that from the period 9-15 April there had only been 54 new cases of COVID-19 in the Borough. The Cabinet Member also advised that:

- **School Children:** The majority of school age children in the borough were being regularly tested;
- **Vaccination Rates:** Current vaccination rates were 86% for those aged over 80, 84% for those aged 70-79, 79% for those aged 60-69 and 75% of those aged 50-59. Also, 70% of care and social workers in the borough had been vaccinated; and
- **Local Outbreak Management Plan:** The Plan was being continuously updated as new information became available regarding the pandemic.

The Cabinet Member reiterated that although restrictions had been eased, members of the public should continue to be vigilant and maintain social distancing where possible.

Cabinet **resolved** to note the update on the latest COVID-19 pandemic issues relating to the Borough.

106. Next Stage of Transformation of the Gascoigne Neighbourhood

The Cabinet Member for Regeneration and Social Housing presented an update to Cabinet on the key issues and next steps in the regeneration of the Gascoigne Estate.

The Cabinet Member advised that significant progress had been made including:

- Securing full planning consent to deliver 2375 new homes;
- 408 units completed in Phase 1 – Weavers Quarter and Kingsbridge;
- Commencing construction works to deliver 253 units;
- Construction works on a further 890 units due to commence in April 2021;
- 930 secure tenants rehoused;
- 174 Leaseholder interests bought back to enable development to progress;
- Design work had commenced to prepare a full planning application to deliver approximately 320 new homes in the southern part of Gascoigne East, which was due to be submitted in Summer 2021; and
- Establishing a coherent placemaking strategy for the Gascoigne Estate.

The Cabinet noted that approximately 56% of the new homes that were either under construction or had full planning permission were affordable and that 20% of affordable housing delivered across London last year was delivered by the Council.

The Cabinet Member advised that a wide consultation on the development had taken place and the feedback was overwhelmingly positive. There had been significant input from schools in the consultation and the responses received would inform improvements to the physical environment of the area.

Cabinet Members praised the report, noting that the development was improving the health and wellbeing of residents.

Cabinet **resolved** to:

- (i) Delegate authority to the Managing Director, advised by Investment Panel and in consultation with the Cabinet Member for Finance, Performance and Core Services, to consider and agree investment proposals for individual parcels of the Gascoigne Estate regeneration as they are brought forward;
- (ii) Delegate authority to the Managing Director, in consultation with the Strategic Director, Law and Governance, to enter into a lease agreement with B+D Energy for the lease of land on Gudwara Way, to enable the delivery of the energy centre to provide energy to the new homes on the Gascoigne Estate and other town centre developments; and
- (iii) Re-affirm the approval given by Cabinet under Minute 31(xi) (24 July 2012) for the use by the Council of its Compulsory Purchase Order making powers pursuant to Section 17 of the Housing Act 1985 (as amended) for the acquisition of leasehold interests in relevant properties, for the purposes of securing land to facilitate the redevelopment of those areas.

107. Contracts for Provision of Bespoke Packages for Children's Care Services

The Cabinet Member for Social Care and Health Integration presented a report on proposals to procure a four-year Framework Agreement for the provision of Bespoke Packages of Care Service for Children in Need, Children in Care and Children subject to a Child Protection Plan.

The Cabinet Member advised that it had been agreed between Operational and Commissioning colleagues that the Bespoke Family Intervention Service should also reflect services for children with disabilities. The packages would include:

- Edge of care intervention;
- Rehabilitation; and
- Specialist interventions for fragile placements.

The Cabinet noted the importance of the packages around the need for intervention; however, the Cabinet also noted that the packages were there to help young people move out of the Council's care system.

Cabinet **resolved** to:

- (i) Agree the procurement of a four-year framework contract for the provision of a Bespoke Packages of Care Service for Children in Need, Children in Care and Children subject to a Child Protection Plan, in accordance with the Council's Contract Rules and the strategy set out in the report; and
- (ii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Social Care and Health Integration, the Managing Director and the Strategic Director, Law and Governance, to award and enter into the framework agreements and all other necessary or ancillary agreements with the successful bidders.

108. Land at North Street / London Road, Barking - Disposal Update

The Cabinet Member for Regeneration and Social Housing introduced a report updating the Cabinet on the disposal of land at North Street/London Road, Barking.

The Cabinet Member advised that on 5 February 2021, planning consent had been granted for a residential-led development at the land (reference 19/00855/FUL). As a consequence of the planning negotiations, a marginal amendment was required to the proposed site boundary to facilitate the development.

The Cabinet Member for Finance, Performance and Core Services also confirmed that the developer was now intent on transferring its land to a wholly owned UK registered company prior to the land being acquired by the Council for planning purposes, with the successor company then undertake the development.

Cabinet **resolved** to:

- (i) Agree, otherwise on the same terms as previously agreed by Cabinet under Minute 117 (17 March 2020), to:

- (a) the acquisition of the Developer's Land for planning purposes pursuant to section 227 of the Town and Country Planning Act 1990, as shown edged green on the plan at Appendix 3 to the report;
 - (b) the appropriation of the Council's land for planning purposes pursuant to section 122 of the Local Government Act 1972 as required to deliver the Development in accordance with Planning Consent 19/00855/FUL, as shown edged red on the plan at Appendix 2 to the report;
 - (c) the disposal of the revised site area as required to deliver the Development in accordance with Planning Consent 19/00855/FUL, as shown edged red on the plan at Appendix 1 to the report;
- (ii) Approve the principle of contracting with a UK registered wholly owned subsidiary of the Developer on the same terms as previously agreed for the development;
 - (iii) Delegate authority to the Managing Director, in consultation with Strategic Director, Law and Governance and the Cabinet Member for Regeneration and Social Housing, to agree (a) the new contracting party after appropriate due diligence had been undertaken, and (b) the contract documents to fully implement and effect the proposals set out in the report;
 - (iv) Authorise the Strategic Director, Law and Governance, or an authorised delegate on her behalf, in consultation with the Managing Director, to execute all the legal agreements, contracts and other documents on behalf of the Council; and
 - (v) Delegate authority to the Managing Director to acquire the Developer's land pursuant to s227 of the Town and Country Planning Act 1990, appropriate the Council's land pursuant to section 122 of the GLA and use of the Council's powers pursuant to sections 203-206 of the Housing and Planning Act 2016 in respect of the land to override third party interests infringed by the development.

109. Procurement of a Cloud Support Contract and IT Database Administration Management Service

The Cabinet Member for Finance, Performance and Core Services introduced a report on the procurement of a Cloud Support Contract and IT Database Administration Management Service.

The Cabinet Member advised that the Council, until late 2020, had most of its servers and software applications in the Agilisys Private Datacentre (IaaS). Before the Elevate partnership ended on 9 December 2020, servers and software applications were moved to Microsoft's Public Cloud Platform (Azure). Agilisys, through the Elevate partnership, were managing the IaaS environment and built the Azure environment for LBB, where most of the Council's servers and software applications now reside. Contracts were extended for continued support for the Azure environment (based on the IaaS contract) and the CSP agreement until 9 June 2021.

The report therefore requested authorisation for the Council to procure a replacement managed service contract for Cloud Services, specifically: Microsoft Azure, Windows Virtual Desktop (WVD), Database Administration (DBA) Service and a Cloud Service Provider (CSP) agreement.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of managed service contracts for Azure, Windows Virtual Desktop and IT Database Administration and a Cloud Solution Provider Agreement to purchase services from Microsoft, in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Managing Director, in consultation with the Strategic Director, Law and Governance, to award and enter into any contracts and/or agreements and any periods of extension with the chosen suppliers in accordance with the strategy set out in the report.

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CABINET**25 May 2021**

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| Title: Barking and Dagenham School Improvement Partnership Business Plan 2021-24 | |
| Report of the Cabinet Member for Finance, Performance and Core Services | |
| Open Report with Exempt Appendix 2 (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972) | For Decision |
| Wards Affected: All | Key Decision: Yes |
| Report Author: Hilary Morris, Commercial Director | Contact Details: Tel: 020 8227 3017 E-mail: hilary.morris@lbbd.gov.uk |
| Accountable Strategic Director: Claire Symonds, Managing Director | |
| <p>Summary</p> <p>This report seeks Cabinet endorsement of the Business Plan for the Barking and Dagenham School Improvement Partnership, which is incorporated as a company limited by guarantee under the name of BDSIP LTD (BDSIP) in line with the requirements of the Membership Agreement. This Business Plan has been scrutinised by the Shareholder Panel, the advisory body created to monitor and to report to Cabinet on the performance of Companies that Council has a shareholding interest in.</p> <p>It must be noted that the Business Plan has been developed during the pandemic and as such only forecasts financial performance for the next financial year rather than the next three financial years, as it is not yet possible to determine the long-term impact it may have on the Company's ability to deliver the outcomes outlined in the report.</p> <p>The substantive Business Plan is contained within Appendix 1 to this report. The detailed financial and other information is contained within Appendix 2, which is in the exempt section of the agenda as it contains commercially confidential information (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> | |
| <p>Recommendation(s)</p> <p>The Cabinet is recommended to endorse the BDSIP Business Plan 2021-2024 as set out in the appendices to the report.</p> | |
| <p>Reason(s)</p> <p>To assist the Council in achieving value for money for the taxpayer and is aligned to both the 'Growing the Borough' and 'Well run organisation' objectives.</p> | |

1. Introduction and Background

- 1.1 In line with the Membership Agreement for BDSIP, this Business Plan has been produced for Cabinet endorsement.
- 1.2 BDSIP is a school's led Company meaning its strategy and operation is predominantly determined by the Barking and Dagenham family of Schools who are members of the Company. The Schools who are members of BDSIP comprise a majority of members and the Council is also a member. The Board comprises the majority of voting members made up of representatives from Barking and Dagenham Schools and two Council representatives.
- 1.3 BDSIP is a not-for profit Company with no financial targets to meet for the Council. However, as a member and as Supervisory Authority under the Schools Companies Regulations 2002 (The Regulations) the Council has an interest in the company's strategy and financial sustainability. As such the Business Plan has been scrutinised by the Shareholder Panel and subsequently recommended for endorsement by Cabinet.
- 1.4 It must be noted that the Business Plan has been developed during the pandemic and as such only forecast's financial performance for the next financial year (21/22) rather than the next three financial years as it is not yet possible to determine the long-term impact it may have on the Company's ability to deliver the outcomes outlined in the report.

2. Barking and Dagenham School Improvement Partnership (BDSIP) Business Plan 2021-2024

- 2.1 In 2020 fifty-five schools continued to opt to be Members of BDSIP including all 43 LBBB schools and 13 academies giving a good indication of strength of support for BDSIP within the Barking and Dagenham family of schools. The Business Plan refreshes the Company's vision to become schools' most **Trusted Partner**, restating its aim to work collaboratively with schools to deliver the best outcomes for all our young people.
- 2.2 Since its launch in 2018 BDSIP has focused on updating its service offer to schools, adapting and evolving its original offer in line with changes in schools needs and tightening of budgets. Until the onset of the pandemic this strategy was delivering increased confidence in the services being offered, as seen in the number and volume of services schools were choosing to buy from the Company, and the ambitious target to deliver a 5% surplus each year of the 2020-23 plan, which it intended to re-invest in new service offers.
- 2.3 The pandemic has clearly had an impact on the company's ability to deliver its target 5% surplus but the 3% it is forecasting to achieve in 2020/21 is a positive reflection of the company's ability to re-invent it's offer in light of the rapidly changing environment seen through the first lockdown and the year that followed. By adapting quickly to a primarily online delivery model for services such as Continued Professional Development the company has been able to seize the opportunity this has created to bring in speakers irrespective of geography however the new approach has resulted in less income being generated due to smaller and

shorter events being needed.

- 2.4 Although BDSIP has adapted well, the restrictions over the last year have significantly impacted the delivery of some services such as primary careers which can only be delivered in person although Year 11 and Aimhigher have continued to be delivered virtually during the pandemic. The impact is reflected in careers and work experience services seeing a significant drop in schools purchasing from 26 in 2019/20 to just 11 in 2020/21. This continues to be the forecast for 2021/22 and work will need to be undertaken to re-establish this offer with the schools as we move out of restrictions.
- 2.5 As part of the 2020 Business Plan the company committed to developing at least two new service lines every year in order to respond to the changing needs of the schools. Arguably much of the previous year has been committed to re-developing a new model of service offer, and as with the careers service the company will need to work closely with the schools to identify where there are new or emerging service requirements that BDSIP can develop for future business plans. It is likely that despite the success of the previous three years, 2021/22 will be a year of re-consolidation of core support in order for BDSIP to be best placed to reinvigorate its service offer and ensure it is fully reflective of the current circumstances moving forward. Forecasting financial targets for only the first 12 months of the current plan will give the company time to assess and re-evaluate accurate future targets.
- 2.6 BDSIP's aspiration is to see all schools in B&D rated good or outstanding by 2023 however inspections were paused for much of 2020 nationally in recognition of the fact that schools were focused on the response to Covid-19 and it is not possible to give an update on whether any improvements to the 2019/20 position were achieved. Ofsted commenced interim visits in the Autumn term but those were intended to help understand how schools are adapting their curriculum during Covid-19 and how they are supporting young people and did not carry a judgement. Part of BDSIPs ability to support delivery of the ambition for all B&D schools to be rated good or outstanding will be for BDSIP to continue to maintain and grow the current level of traded services to ensure good practise is shared and embedded across all B&D schools. It is therefore important that the service provision bought provided by BDSIP and bought by the schools continues to be of a high quality and meets the needs of schools in order to ensure as much take up as possible.

3. Consultation

3.1 The Business Plans have undergone the following consultations:

- Approved by the BDSIP Board in March 2021
- Endorsed by the Corporate Strategy Group on 15 April 2021
- Endorsed by the Shareholder Panel on 26 April 2021

4. Financial Implications

Implications completed by: Philip Gregory, Finance Director

4.1 The Regulations specify what is to happen to any surplus. The Council has a minority interest in the company and there are no financial returns included within the Medium Term Financial Strategy.

5. Legal Implications

Implications completed by: Ian Chisnell, Major Projects Solicitor

- 5.1 Cabinet is requested to approve a Business Plans for BDSIP LTD a company in which the Council has a minority interest.
- 5.2 BDSIP is a not-for-profit company limited by guarantee in which the Council along with the group of Barking schools has a membership. The Council is a minority member with one membership out of 57. It is also the Supervising Authority under the School Companies Regulations 2002.
- 5.3 Under Reg 26 it has an obligation to monitor the company finances and report if it considers that the company is poorly manages or in danger of becoming insolvent. Therefore Cabinet, although it does not have does not have final approval over the BDSIP Business Plan, is asked to indicate its endorsement of the plan and recommend the Council's Non-Exec Directors vote for its approval at the BDSIP Annual General Meeting. The decision is taken as member of the company.
- 5.4 The Council has a number of relevant powers regarding its involvement in such companies. Section 1 of the Localism Act 2011, the general power of competence ("GPC") empowers local authorities to do anything that an individual can lawfully do provided that the activity is not expressly prohibited by other legislation. It also has power to act as Supervisory Authority under the above regulations.

6. Other Implications

- 6.1 **Corporate Policy and Customer Impact** – The outcomes noted within the Business Plan are expected to have a positive impact on residents, either by supporting the Council's aim to become self-sustainable as well as improving service outcomes and educational attainment for residents and children.
- 6.2 **Health Issues** - The proposed Business Plan is anticipated to have a positive impact on the local community.

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

List of appendices:

- **Appendix 1:** Barking and Dagenham School Improvement Partnership Business Plan 2021-2024 (excluding financial information)
- **Appendix 2:** Barking and Dagenham School Improvement Partnership Business Plan 2021-2024 (Part B - exempt document)



BDSIP Strategy 2020-2023

Trusted partner

20 April 2021

Welcome and introduction

Welcome to BDSIP's strategy for April 2020 – March 2023.

We have called this our **Trusted Partner** strategy, reflecting the relationship which we intend BDSIP to have with schools as our customers and owners.

Our vision is to become our schools' most Trusted Partner, working with them to deliver the best outcomes for all our young people.

Since BDSIP gained independence from Barking and Dagenham Council in 2018, we have worked hard to ensure that we deliver unfailingly excellent services to schools. We are now a far more consistently customer-focused organisation, able to bring to bear a greater range of relevant curriculum, school improvement, and inclusion expertise. We have also begun to innovate, introducing new services such as counselling, speech and language therapy, and primary careers in response to schools' changing needs and priorities.

We are proud of what we have achieved. But we aren't done yet. This strategy sets out the next stage in our journey. We will ensure schools have access to the best possible professional support services, whether provided directly, through peer-to-peer support, or delivered in partnership with other organisations. The strategy articulates our social and commercial ambition, together with the approach which we will take to delivering these.

By 2023 we want BDSIP to be the first organisation schools contact when looking for help and support. We want schools to know that they can trust us to help find the best solution for their needs.

We are by schools, for schools. We are **the Trusted Partner** for all of our schools.



One Professional Team

We are one team, built on trust that values everyone

Schools-led

We are owned by schools and exist for schools and their pupils

Social Enterprise

We think socially then commercially



Solution-focused

We act positively with individual and collective responsibility

Innovation

We seek innovation, insight and ideas

Locally grounded

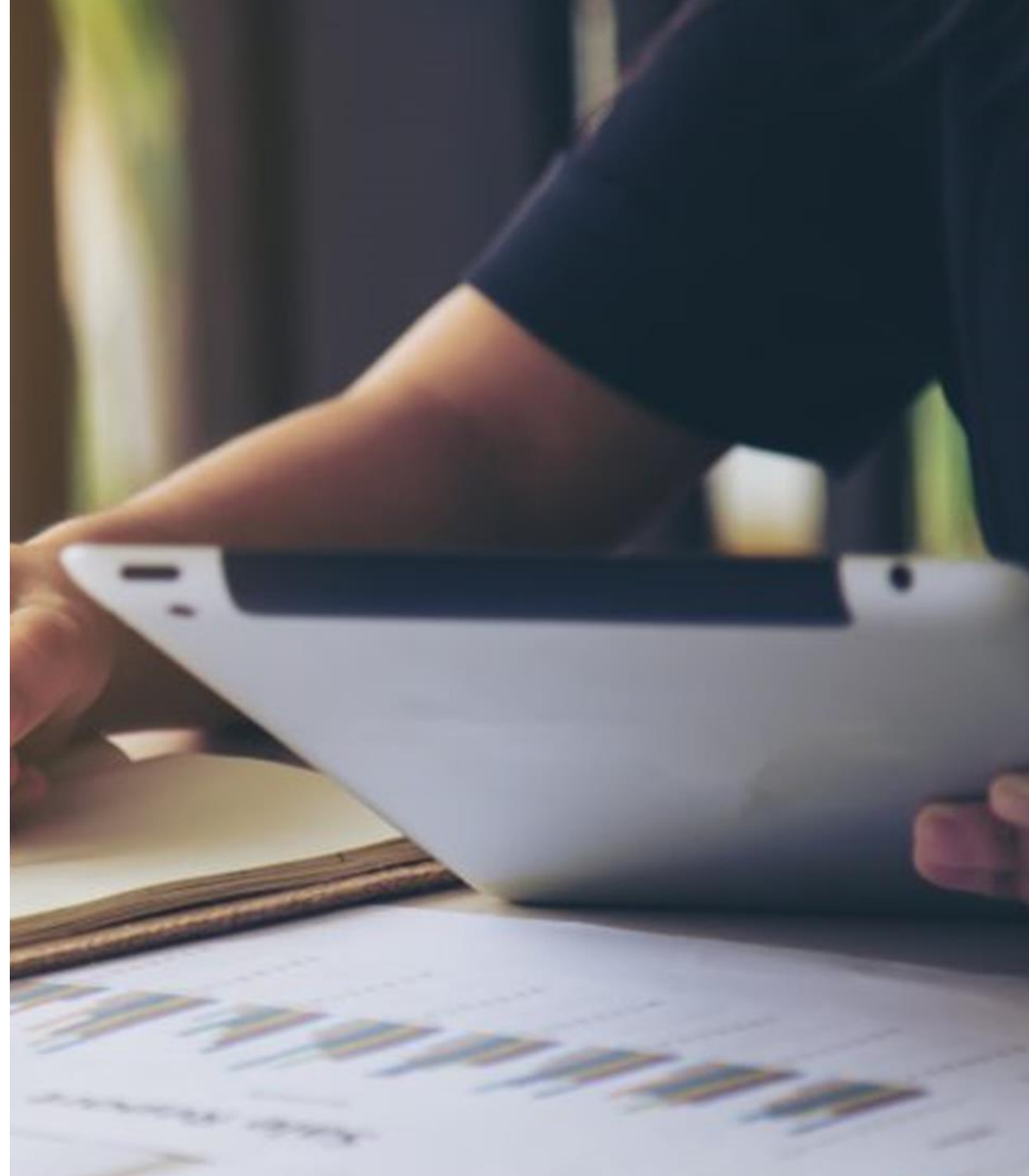
We are part of, grounded in, and partner with, our local community

By 2023 we want to see all pupils, schools and staff in Barking & Dagenham achieve excellence

- ✓ All schools in B&D rated good or outstanding by Ofsted
- ✓ Improve pupil outcomes, including for the most vulnerable, across the borough every year
- ✓ Reduce the number of NEET and increase the number of young people receiving offers at university and for higher/degree apprenticeships

To help our schools achieve this, we deliver professional support services. By 2023 we aim to:

- ✓ Work with **all schools** in Barking & Dagenham
- ✓ Grow our service offer in response to schools' emerging needs, introducing at least two **new services** each year
- ✓ Consistently be the partner of choice for our schools, resulting in an increase in the value of sold services by **15%**
- ✓ Generate a small **surplus of 5%** which can be reinvested on behalf of our schools



WHAT WE DO

Professional support services

- School Improvement
- Curriculum Advice
- SEND and inclusion support
- Wellbeing services
- Teacher CPD
- Careers and Work Experience
- Governance
- Data Support Services

WHAT WE DON'T DO

Operational services such as

- Cleaning
- Catering
- Transport

Our activities are driven by what we believe is most important to help secure outcomes for pupils, schools and their staff, and is shaped by our schools' individual needs

WHO WE WORK WITH

We work primarily with schools in Barking and Dagenham, but also deliver services with schools beyond the borough where this can add value for them and for BDSIP.

We partner with a wide range of organisations from across the education landscape to bring the best services and most innovative partnerships to our schools.

Our strategy is to become our schools' most trusted partner

We commit to supporting our schools for the **long-term**.

We are a **hub**, grounded in the local community.

We take a **school-centred approach** to delivering consistently excellent professional support.

We are the first port of call for schools in Barking & Dagenham and are **guided by what's best for the school**, either delivering directly, brokering support from others, facilitating school-school support, or signposting as appropriate to meet each school's needs.

We are a **social enterprise**, a non-profit mutual majority owned by schools, working for and with schools. This roots our social purpose, whilst providing us with the flexibility to operate commercially.

We are a **blended team** of expert specialists, bringing together the right capabilities, at the right time, for each school to school to meet their individual needs and help school leaders realise their ambition for their pupils, school and staff.



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET**25 May 2021**

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| Title: Independent Domestic Abuse Commission Report – Initial Response | |
| Report of the Cabinet Member for Social Care and Health Integration | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision: No |
| Report Author: Hazel North Stephens, Lead Commissioner (Community Safeguarding) | Contact Details: E-mail: hazel.northstephens@lbbd.gov.uk |
| Accountable Director: Chris Bush, Commissioning Director, Children and Adults | |
| Accountable Strategic Leadership Director: Elaine Allegretti, Strategic Director, Children and Adults | |
| Summary | |
| <p>At its meeting on 15 February 2021 (Minute 78 refers), the Cabinet received the Independent Barking & Dagenham Domestic Abuse Commission’s report (DAC report) which was followed up by a formal online launch event on 10 March 2021.</p> <p>This paper acknowledges the importance and value the DAC report brings to the borough and sets out the Council initial response to the DAC’s recommendations and the next steps towards the development of a five-year delivery plan.</p> | |
| Recommendation(s) | |
| <p>The Cabinet is recommended to approve the Council’s initial response to the Domestic Abuse Commission’s recommendations, as detailed in the report.</p> | |
| Reason(s) | |
| <p>To assist the Council in achieving its strategic priority of ‘Prevention, Independence and Resilience’ in relation to combatting domestic abuse in the Borough, as outlined in the 2020-2022 Corporate Plan.</p> | |

1. Introduction

- 1.1. Following on from the publishing of the LBBD Domestic Abuse Commission report, the Council will re-focus its efforts to respond to the recommendations that it sets out alongside the development of a whole system approach to domestic abuse.
- 1.2. Some recommendations will be able to be adapted to quickly with the right resources in place, and some recommendations will need longer multi-agency planning response.

- 1.3. This paper sets out the Council's view as to next steps to start developing and embedding some of the recommendations and will describe the coordination of a multi-agency partnership response.

2. The Domestic Abuse Commission (DAC) Report

- 2.1. The Cabinet Member for Social Care and Health integration launched a commission in Feb 2020, chaired by Polly Neate CBE, to bring together the thinking of 12 national experts to look at the attitudes in the borough to domestic abuse, the council's response to domestic abuse and to create a blueprint for other authorities to follow.
- 2.2. The Commission undertook significant engagement work with residents and stakeholders across the system and presented its findings in a final report. The report can be found at <https://modgov.lbbd.gov.uk/internet/documents/s143521/DA%20Commission%20-%20App%201.pdf>.
- 2.3. Barking and Dagenham Council fully appreciate the importance of the report, the intense amount of work that has gone into it and the opportunity that it now presents us with. The report is one of national significance, signalling to local government across the country how they can make a genuine difference to tackle the normalisation of domestic abuse, and manage its impacts.
- 2.4. It goes beyond the veneer that service improvement alone can tackle one of society's most egregious human rights issues and recognises the power of our people to drive change forwards.
- 2.5. The Council agrees with the report that there are significant areas of progress to be undertaken over the coming years and accepts that the recommendations have been formed in such a way as to embed change over a five-year period.
- 2.6. The Council wants to thank Polly Neate CBE and each of the commissioners for their time, expertise, and passion over the 18 months that the learning took place. The Council also thanks the Programme Lead and Community Engagement Officer who undertook much of the work at a local level and recognises the efforts of the local Borough Expert Panel's contributions in rooting the recommendations in local nuance.

3. DAC Report Recommendations

- 3.1. The Council appreciates that as a long-term issue, domestic abuse requires a long-term response, and the DAC report suggests recommendations to be delivered across five years to improve systems, practice and process, and to embed core direct service delivery.
- 3.2. Therefore, we are setting out the initial steps in broad terms that we will take to start us on the journey to embed those recommendations and the principles behind them. There is no doubt that investment will be required but we understand a delivery plan is required first.

- 3.3. This initial response paper has been discussed at Corporate Strategy Group, PIR Members Group and the DA Commission Programme Lead undertook an All Members Briefing on 8 March 2021. This is to ensure all members are briefed on the recommendations as well as to ensure different stakeholders can add to the ongoing conversation around taking the recommendations forwards.
- 3.4. All recommendations are, ultimately, understood and accepted by the Council although there is one that has been considered and is not found to be achievable in a way that resource versus outcomes is proportionate (Outcome 3, Step 3). However, the principles behind the recommendation are clearly understood, and we will be able to develop the recommendation whilst remaining true to the core principles of the outcome.
- 3.5. The Council also respects and is wholeheartedly on board with the recommendation that our response must be aligned to the borough's survivors. They provide insight into lived experience and bring valuable nuance to discussion that help shape service design and delivery. The Council also has a moral duty to ensure that survivors are centred at every part of its decision-making processes and is fully committed to ensuring survivors are not only consulted but are helped and supported to be able to provide continuing input.

4. Next Steps

- 4.1. Many of the recommendations are deliverable with additional staff time, and some of them will be difficult to embed without more staff resource as the recommendations are not just a case of additional commissioned resources. The work requires significant internal work too. We are looking to take a two phased approach to embedding the principles and recommendations:

Phase One: Priming the system

- 4.2. We will prime our initial response with staff resource who will both coordinate and deliver against the recommendations that we can move with swiftly, embedding change whilst giving time to test current funding and build the proposal for additional funding going forwards.
- 4.3. The posts will embed the DA Impact Assessment work and internal change work and continue with the training coordination and delivery that has been built up through domestic abuse housing alliance efforts and internal approaches but shaping it to be whole system deliverable.
- 4.4. Their focus will be on system change and development as taking on caseloads will create difficulties with workloads. This will allow us to meet several of the recommendations that are not focused on direct support, including building a training and communications plan, building community champions approaches utilising learning from the Change that Lasts, and coordinating the system change.

Phase 2: Realising Change

- 4.5. The Commissioning team will lead on the ongoing coordination of a new strategic group – the Barking and Dagenham Against Domestic Abuse (BDADA) - who will be

responsible for creating a 5-year delivery framework against the recommendations and driving forwards the agenda across the whole system.

- 4.6. The group will explore resources required behind each recommendation, weight the importance of the recommendations against deliverables and will create a five-year plan of action rooted in the principles and outcomes set by the DAC Report. This is where the space for shaping direct delivery will come in – looking at how we improve the offer for young people who need therapeutic recovery services or finding sustainability for perpetrator work for example.
- 4.7. The partnership will not just help shape the system but prime it, seeking out good ideas from the frontline and feeding back to decision makers opportunities for changes that support the recommendations from the commission.
- 4.8. The partnership group will be responsible for decision making and for seeking ongoing funding and/or resources to ensure delivery against recommendations is maximised.
- 4.9. The group will require partners at a senior management level from the following areas:

| Organisation | Service area |
|-----------------------|---------------------------------------|
| LBBD | Commissioning |
| | Children’s Care and Support |
| | Adult’s Care and Support |
| | Education |
| | Policy and Participation |
| | Community Solutions |
| | Community Safety & Enforcement |
| | Human Resources |
| Police | Response |
| | Safeguarding |
| | Neighbourhoods |
| Health | Mental Health |
| | Children’s 0-19 Contract |
| | BHRUT - Safeguarding |
| | CCG – Safeguarding & General Practice |
| Probation | National Probation Service |
| | Community rehabilitation Centre |
| Commissioned Services | Refuge |
| | Victim Support |
| | Cranstoun |
| | CGL |
| | WDP |
| Voluntary Sector | BD Collective |

- 4.10. The plan is to use 2021/22 to coordinate the delivery efforts, making changes where possible utilising existing resources such as Cranstoun delivering training around perpetrators for example, and the additional coordination resource. This would allow us to have a good understanding of funding required across the five years and would allow for funds to be identified to start embedding the wider direct-service deliverables from 2022.

5. Positive Change

5.1. This is an exciting time for Barking and Dagenham. Through the vital work of the Domestic Abuse Commission in 2019/20, the path is set for 2021/22. Phase one has already started through the following pieces of work:

- The MARAC Coordinator has completed training nearly 500 managers across the organisation and will be shifting her capacity as it eases towards the ongoing coordination of the survivor panel, working with local groups to ensure survivors are empowered to be a part of the change and to help us steer forwards. We are fully taking on board the importance of working with survivors to improve our responses.
- We are extending the Domestic Abuse Housing Coordinator post using funds from the Home Office to help prepare us for the upcoming Domestic Abuse Bill obligations (heavily focused in the housing space). We will utilise some of the post's capacity for building the Domestic Abuse Impact Assessment work – building domestic abuse into every decision made across the Council.
- The Lead Commissioner, alongside partners, has undertaken a review of the MARAC and identified areas of change that complement the recommendations in the DAC Report. Children's Care and Support are leading on a daily risk management meeting for example, which will ensure a quicker response to high-risk referrals coming through from police. Initial feedback is showing that the relationship with Health has improved massively, and particularly in relation to CAMHS.
- The Domestic Abuse Commission Programme Lead is bringing the report and its recommendations to the partnership boards to ensure the learning is shared and understood and to give partners the clear expectation that the Council will be lobbying for change across a range of institutions. For example, the recommendations set out encouraging partners to ensure they undertake domestic abuse training, and so the Council will be lobbying health and crime commissioners to ensure this is prioritised.
- Domestic Abuse is already named as one of our five giants within the corporate plan, but it is also being written into the developing 4 year plan as a key focus for the Council, and this will ensure that the work is embedded across all areas of work going forwards.
- Safe and Together, a model approach to children's social care and domestic abuse response, has been delivered to 80 social workers, with feedback evidencing a shift in culture change and approach from those involved. There is appetite to build on this as part of the recommendations.
- The MARAC Coordinator has led on the development of DA Ambassadors – supportive points of contact for employees experiencing domestic abuse and this is being widely publicised across the organisation. The Ambassadors have created posters for spaces where people might not have access to digital platforms and have used a symbol created by local survivors within their signature lines and as their MS Teams avatars to mark themselves as safe

people to talk to. The symbol is a blossom tree - a symbol of hope and recovery.

6. Financial Implications

Implications completed by: Sandra Pillinger Group Accountant

- 6.1. There are no direct financial implications of this report as it concerns an initial response to the publication of the report of the Domestic Abuse Commission. There may be financial implications identified as the Council, alongside partners, develop a delivery plan.

7. Legal Implications

Implications completed by: Lindsey Marks, Deputy Head of Law

- 7.1. There are no direct legal implications within this report as it concerns an initial response to the publication of the report of the Domestic Abuse Commission, rather than a formal delivery plan.

8. Other Implications

- 8.1. **Staffing Issues** – Staff have been very engaged with the work of the commission, and there has been a large amount of operational delivery focused on staff alongside the Commission's research:
- We revised our Domestic Abuse Policy for employees in 2019, developing it to provide practical guidance on facilitating disclosures and offering paid leave for people experiencing domestic abuse who need time to move home, access specialist support services. This is also open to people who are using abusive behaviour where they are using the time to engage with perpetrator behaviour change programmes.
 - We signed up to the GMB Union's Domestic Abuse Charter as a significant national and workplace public commitment;
 - We were awarded Everyone's Business Award in January 2020 in recognition of our best practice approach. We were of the first 5 organisation to achieve it;
 - We have delivered awareness training to over 450 managers across our council services (499 anticipated by end of 2020/21);
 - We have built in staff support to our locally commissioned domestic and sexual violence service specification and ensured our perpetrator interventions were open to staff where there is no conflict of interest;
 - We have built in domestic abuse questions to our employee Health and Wellbeing Surveys;
 - We have a domestic abuse ambassador scheme made up of trained employee volunteers who are supportive points of contact that can offer emotional and practical guidance and facilitate access to specialist service provision. Led by

our MARAC coordinator, they come from different service areas. The Ambassadors have created posters for spaces where people might not have access to digital platforms and have used a symbol created by local survivors within their signature lines and as their MS Teams avatars to mark themselves as safe people to talk to. The symbol is a blossom tree - a symbol of hope and recovery;

- In 2020, we won the Best Organisational Development Initiative Award at the PPMA Excellence in People Management Awards for our approach to domestic abuse.

- 8.2. **Corporate Policy and Equality Impact** – In the 2020-2022 Corporate Plan, Domestic abuse is outlined as Barking and Dagenham’s ‘five giants’ – the five key cross-cutting key issues and priorities which Barking and Dagenham will focus on to create change in relation to these issues or outcomes. Domestic abuse falls within Prevention, Independence and Resilience.
- 8.3. **Safeguarding Adults and Children** - Domestic abuse is a key safeguarding issue – of children who are in touch with children’s social care, local and national data shows that domestic abuse is a common feature. Domestic abuse was a factor in 26% of assessments on children under 5 carried out by children’s care and support. Living in a home where domestic abuse can have an impact on a child or young person’s mental and physical wellbeing, their behaviour and their development. The new domestic abuse bill which is due for Royal Assent shortly, names children who witness domestic abuse as child survivors in their own right.
- 8.4. The borough has been on a journey with domestic abuse, in particular in the last 18 months – the borough’s work to date on domestic abuse is listed in the commission’s report, including adopting the Safe and Together model within children’s social care, the introduction of a perpetrator intervention programme and the Refuge Domestic and Sexual Violence service contract from October 2019 onwards.
- 8.5. **Health Issues** – Domestic abuse can have a negative impact on the victim’s health, in particular mental health. There can be huge trauma-impacts because of domestic abuse which are well evidenced. In addition to this, the physical consequences of abuse can cause victims of domestic abuse to seek medical attention. Health partners have a key role to play in tackling domestic abuse with national evidence showing that GP practices have a key role to play in dealing with disclosures.
- 8.6. **Crime and Disorder Issues** - The Community Safety Partnership Action plan details tackling violence against women and girls as one of its priority, in particular supporting survivors, educating and communicating, challenging abusive behaviours, and including lived experience.

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

List of appendices: None

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CABINET**25 May 2021**

| | |
|---|--|
| Title: Tri-Borough Civil Protection Service – Statutory Plans | |
| Report of the Cabinet Member of Enforcement and Community Safety | |
| Open Report | For Decision |
| Wards Affected: None | Key Decision: Yes |
| Report Author: Mandy Beacher, Civil Protection Manager | Contact Details: Tel: 07739387519 E-mail: mandy.beacher@lbbd.gov.uk |
| Accountable Director: Andy Opie, Operational Director, Enforcement and Community Safety | |
| Accountable Strategic Leadership Director: Fiona Taylor, Strategic Director of Law and Governance | |
| Summary | |
| <p>This report provides Cabinet with an overview of the Tri-Borough Civil Protection Service and the current partnership arrangements and responsibilities. The work of the Civil Protection Service is underpinned by two statutory plans, the Corporate Emergency Management Plan (Appendix 1) and the Corporate Business Continuity Plan (Appendix 2).</p> <p>These documents are presented to Cabinet as part of the requirements of the Resilience Standards for London. These require an authority to operate with effective political governance which enables organisations to meet their duties under the Civil Contingencies Act and achieve local resilience objectives.</p> | |
| Recommendation(s) | |
| <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the Corporate Emergency Management Plan at Appendix 1 to the report; (ii) Approve the Corporate Business Continuity Plan at Appendix 2 to the report; and (iii) Note the delivery mechanism for resilience via the Tri-Borough partnership arrangements. | |
| Reason(s) | |
| <p>The Corporate Emergency Management Plan and Corporate Business Continuity Plan are both requirements of the Civil Contingencies Act 2004. Every London Local Authority is required to have established plans that are regularly reviewed and exercised. The Resilience Standards for London also require political oversight of both the Emergency</p> | |

1. Introduction and Background

Tri Borough Civil Protection Service

- 1.1 In September 2017 the London Boroughs of Barking and Dagenham, Waltham Forest and Redbridge entered into a partnership agreement to fulfil the requirements of the Civil Contingencies Act. The Councils have developed a single shared Civil Protection Service to meet the needs of their joint populations and the requirements of the Act. The ambition of this joint enterprise is for each borough to achieve both equality of performance and leading practice status against the Resilience Standards for London.

2. Responsibilities and Achievements

Key Responsibilities of the Service

- 2.1 The Service co-ordinates and discharges on behalf of each Council all of the Civil Protection duties defined in the Act as falling on local authorities and listed below:
- 2.2 Risk Assessment - The Service is responsible for producing and maintaining the Borough Risk Registers. They facilitate discussions at the Borough Resilience Forum, with Individual risk owners, following the risk planning cycle and report back to the London Risk Advisory Group.
- 2.3 Emergency Planning -The Service is responsible for producing and updating the Corporate Emergency Response Plan and Policies. They maintain an overview of all other Emergency Plans co ordinating their review and revision with appropriate Directorates. They contribute to Multi Agency Partnership Plans including involvement in testing and exercising arrangements.
- 2.4 Business Continuity Management – limited to the policies, plans and procedures in place for managing Business Continuity within each Council. Each Council retains responsibility for the quality of their Business Continuity arrangements; The Service provides advice and guidance in relation to Business Continuity planning. This includes advice to officers charged with the creation of Business Continuity Plans and Business Impact assessments. They provide assurance statements to plan owners who submit BCPs to the required Standard. The Service also co- ordinates quarterly Business Continuity Steering Groups and provides each Council with a Business Continuity progress report to monitor compliance. The service facilitates the exercising of the Councils Business Continuity arrangements.
- 2.5 Maintaining public awareness and arrangements to warn, inform and advise the public – limited to ensuring that such arrangements are in place. This includes the circulation of Public Health advice in relation to severe weather warnings and other emergency incidents. The service liaises with the Councils Communication teams to ensure appropriate messaging is included on the Councils website before, during and after any incident.

- 2.6 Provision of advice and assistance to the commercial sector, voluntary and third sector organisations; Including advice to Small Medium enterprises. Providing Business Continuity advice and guidance.
- 2.7 Co-operation with other Category 1 Responders and Category 2 Responders and other organisations engaged in response in the same local resilience area – The service chairs and facilitates the quarterly Borough Resilience Forum. On behalf of the partnership they develop an Annual BRF business plan reflecting the priorities of both the Local Authorities Panel and the London Resilience Forum.
- 2.8 Information sharing with other Category 1 Responders and Category 2 Responders- This includes facilitating access to information to assist during an Emergency response for example access to Vulnerable persons lists.
- 2.9 Further activities facilitated and supported by the Service are:
 - Response to an Emergency - Including the provision of a 24/7 Duty Emergency Planning Officer.
 - Recovery from the effects of an Emergency - providing advice as contained within the London Recovery Framework. Developing and maintaining a Local Recovery Plan.
 - London Local Authority Gold (LLAG) arrangements – Providing the briefing documents to officers performing the role of LLAG and providing training to LLAG Loggists across the Tri Borough.

3. Key Achievements of the Service

- 3.1. Since the inception of the Tri borough team, it has successfully embedded the London standardisation programme, developing all necessary plans and implementing new processes. Reducing duplication of effort and sharing best practice.
- 3.2. Trained a significant number of officers across all the Boroughs to meet the new standards including Council Gold, Silver, Local Authority Liaison Officers, Emergency Rest Centre staff and Borough Emergency Control Centre Staff.
- 3.3. During COVID-19 been agile and developed effective remote Borough Emergency Control Centres to Coordinate the boroughs Covid response.
- 3.4. Pioneered the delivery of virtual training for Emergency Response staff.
- 3.5. Developed and delivered numerous COVID outbreak plan exercises.
- 3.6. Adopted a Tri-Borough Resilience Forum, supporting the needs of partners.
- 3.7. Maintained local contact via a dedicated Senior Civil Protection Officer aligned to each borough.
- 3.8. Managed major incidents such as the De Pass Gardens fire within the Tri borough resource without resorting to mutual aid.

4. Corporate Emergency Management Plan

- 4.1. Each Local Authority maintains a generic Emergency Management Plan that describes the way the organisation responds to emergencies (**Appendix 1**). Among other things, this plan outlines a Local Authority's command and control structure and links to other documented capabilities and emergency plans that the Local Authority maintains. It also outlines the actions of different departments and agencies according to the stage of the emergency.
- 4.2. The Emergency Management Plan is underpinned by a range of specific emergency plans and other documented capabilities, physical resources and staff who have been trained and attended exercises to embed learning from training and to validate the assumptions made within emergency plans.
- 4.3. London Local Authorities provide assurance of their individual and collective emergency response and recovery preparations to both the Borough Resilience Forum and the Local Authority Panel

Risk-specific capabilities

- 4.4. As well as a generic Emergency Management Plan, LLAs are expected to have in place plans to deal with:
 - a. Flooding
 - b. Structural Collapse (including Site Clearance)
 - c. Mass Fatalities (including Disaster Mortuaries)
 - d. Excess Deaths
 - e. Pandemic Influenza
 - f. Outbreak of a Notifiable Animal Disease
 - g. Severe Weather (Heatwave, Drought, Extreme Cold, Extreme Rainfall & High Winds)
 - h. Fuel Disruption
 - i. Chemical, Biological, Radiological & Nuclear (Explosion) (CBRN(E))
 - j. Control of Major Accident Hazards (COMAH) for Upper7 and Lower Tier sites 8
 - k. Pipeline Safety Regulations
 - l. Radiation Emergency Preparedness and Public Information (REPPIR)
 - m. Mass Shelter

5. Corporate Business Continuity Plan

- 5.1. The Authority has a duty under the 2004 Civil Contingencies Act to ensure they have appropriate business continuity arrangements in place and are able to continue to deliver services in the event of business disruptions (**Appendix 2**).
- 5.2. Business continuity is an organisation's ability to maintain essential functions during and after a business disruption event has occurred. Business continuity planning establishes processes and procedures that aim to prevent interruptions to critical functions and re-establish full function as quickly and smoothly as possible.
- 5.3. The most basic business continuity requirement is to keep essential functions up and running during a disaster and to recover with as little downtime as possible.

- 5.4. The current arrangement for Business Continuity Plans rests at a service level and services develop their plans with the support of the council's Civil Protection Service.
- 5.5. These plans are developed using a standard template which is aligned with the Business Continuity International Standards 22301 and 22313 and the BCI Good Practice Guidelines.
- 5.6. The COVID-19 pandemic has seen organisations and Council's forced to quickly reinvent their business models, shift to remote work, and find new ways to operate under stay-at-home requirements, while trying to minimise disruption.
- 5.7. In addition to the COVID-19 pandemic, recent software attacks affecting Council IT systems in Redcar and Hackney have highlighted the need for the Council to have Corporate Business Continuity procedures in place to deal with a Business Continuity event which impacts two or more services.

6. Options Appraisal

- 6.1. It is a Statutory requirement of the Civil Contingencies Act 2004 for Local Authorities to have an established Corporate Emergency Management Plan and Corporate Business Continuity Plan.

7. Consultation

- 7.1. The Corporate Emergency Management plan has been externally quality assured by a consultancy company engaged by the Local Authorities Panel to advise on the subject. The Corporate Business Continuity plan has been developed in close conjunction with the service business continuity leads. Both plans are reviewed following either a major incident or significant business continuity event.
- 7.2. The proposals in this report are being considered by the Corporate Strategy Group at its meeting on 15 April 2021.

8. Financial Implications

Implications completed by: David Folorunso, Finance Business Partner

- 8.1. The current cost of the Civil protection service is currently met from the Enforcement services revenue budget. The overall staffing costs are shared equally by the 3 Boroughs via the current service arrangements.

9. Legal Implications

Implications completed by: Deirdre Collins Senior Lawyer Litigation

- 9.1 The Civil Contingencies Act 2004, and accompanying non-legislative measures, delivers a single framework for civil protection in the UK. The Act is separated into two substantive parts: local arrangements for civil protection (Part 1); and emergency powers (Part 2). Part 1 deals with emergency preparedness and the Local Authority is defined a Category 1 Responder and will be at the core of the response to most emergencies. The Act requires Category 1 Responders to put in place emergency plans and business continuity management arrangements. The adoption of these

plans will help meet the Council's obligations under the act. In responding to any given emergency, other statutory schemes may apply, depending on the nature of the emergency.

10. Other Implications

- 10.1 **Risk Management** – Both the Corporate Emergency Management Plan and Corporate Business Continuity Plan have been developed to mitigate risk. They have been informed by incorporating lessons learnt from within the local authority and more widely from across the London Resilience Forum.
- 10.2 **Staffing Issues** – Although the Civil Protection Service works across three London Boroughs the staff are all LBBB employees. They are supported in their role by HR and Finance. They are offered the benefits of our Employee Assistance Programme and Professional Development Programme.
- 10.3 **Corporate Policy and Equality Impact** – Advice was sought from the Corporate Strategy Team and consideration given to the EIA screening tool. This submission does not require an equality impact assessment.

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

List of appendices:

- Appendix 1: Corporate Emergency Management Plan
- Appendix 2: Corporate Business Continuity Plan.

Corporate Emergency Management Plan

NOTE: PLEASE GO TO PAGE 14 FOR RESPONDER ACTION CARDS

The purpose of the Corporate Emergency Management Plan is to set the framework through which the Council will respond to an emergency or major incident.

This plan should be used in conjunction with the **Corporate Business Continuity Plan** and other Council Emergency Plans.

Produced By
Civil Protection
Service

VERSION HISTORY

| Version | Date Issued | Brief Summary of Change | Author |
|---------|----------------|--|----------|
| V1 | September 2018 | Corporate Emergency Management Plan. | Tony cox |
| V2 | October 2018 | Modifications made following quality assurance by Mike Price Consultancy | Tony Cox |
| V3 | February 2019 | Approved by Assurance Board | |
| V4 | March 2021 | Reviewed by Civil Protection Manager. | |
| | | | |

Version No: 4.0
Issue Date: March 2021

CORPORATE EMERGENCY MANAGEMENT PLAN

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PLAN AIM

The aim of the Corporate Emergency Management Plan is to ensure that the Council can effectively respond to a major incident or emergency and protect the safety, security and wellbeing of our employees, residents, businesses and visitors.

OBJECTIVES

This plan outlines how the Council will:

- Respond to major incident or emergency within the borough
- Set out the information management, situational awareness, decision making, procedures and action to be taken during an emergency or major incident.
- To enable the activation of an appropriate management structure capable of producing a timely, effective response to an emergency or major incident.
- Facilitate the recovery of the return to normal for local communities within the borough.

SCOPE

This plan outlines the Council's response to an emergency or major incident occurring within the borough.

There may be occasions where an incident occurs within the borough which requires co-ordination from the Council but falls outside the scope of an emergency or major incident as defined in the Council's Corporate Emergency Management Policy.

These will be dealt with by existing on-call incident response schemes and other established procedures operated by Departments themselves as set out in the Duty On-Call Arrangements section on page 4.

If the Council is responding to both a business disruption event and an emergency or major incident simultaneously, the Council may decide to activate a parallel management structure to manage the business continuity impacts separately as documented in the Corporate Business Continuity Plan.

TRIGGER POINTS

The following are trigger points for activating the Corporate Emergency Management Plan:

- An emergency or major incident in the Borough requiring a co-ordinated response from the Council.
- The imminent threat of an emergency or major incident taking place that may require a co-ordinated response from the Council.
- Any incident that goes beyond the ability of Services to manage the response via Service BCP's.

ACTIVATION OF THE CORPORATE EMERGENCY MANAGEMENT PLAN

The Corporate Emergency Management Plan should be activated:

- In the event of a Major Incident
- The imminent threat of a Major Incident
- When providing support to a partner agency or a neighbouring borough,
- Pan-London emergency response

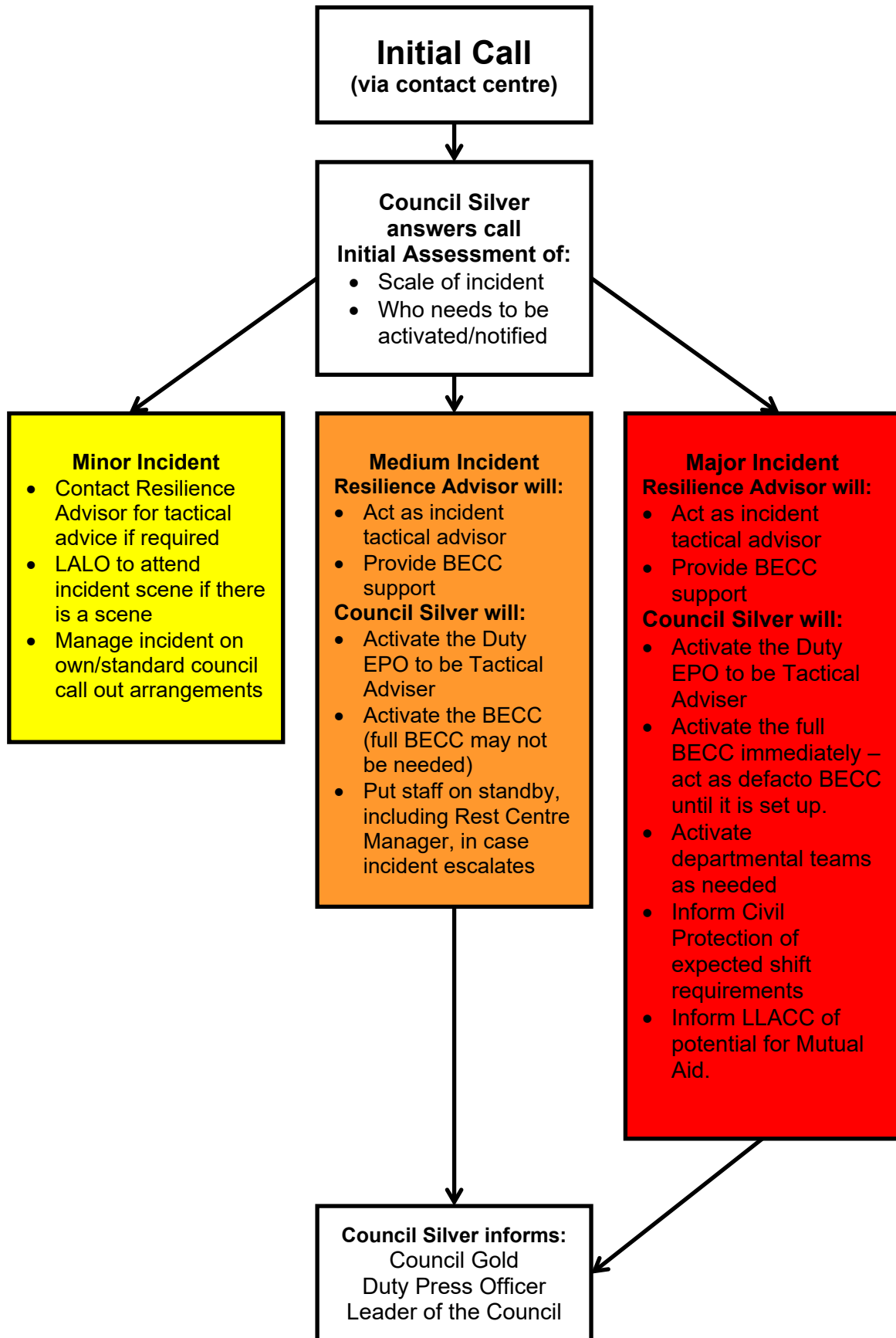
This plan may be activated at the instruction of the Council's Silver Commander following advice from the Duty EPO, or by the on-call Council Gold. Please refer to diagram on page 5.

DUTY ON-CALL ARRANGEMENTS

In order to support an immediate council response, the Council maintains a weekly major incident on-call response arrangement, consisting of:

- 1 x Council Gold
- 1 x Council Silver
- 1 x Resilience Advisor
- 1 x Local Authority Liaison Officer
- 1 x Emergency Centre Manager

Initial notification of a major incident or emergency in the borough will normally arrive through the Council's Contact Centre. Below is the initial response structure which will be used for a major incident or emergency:



INCIDENT ASSESSMENT PROCESS

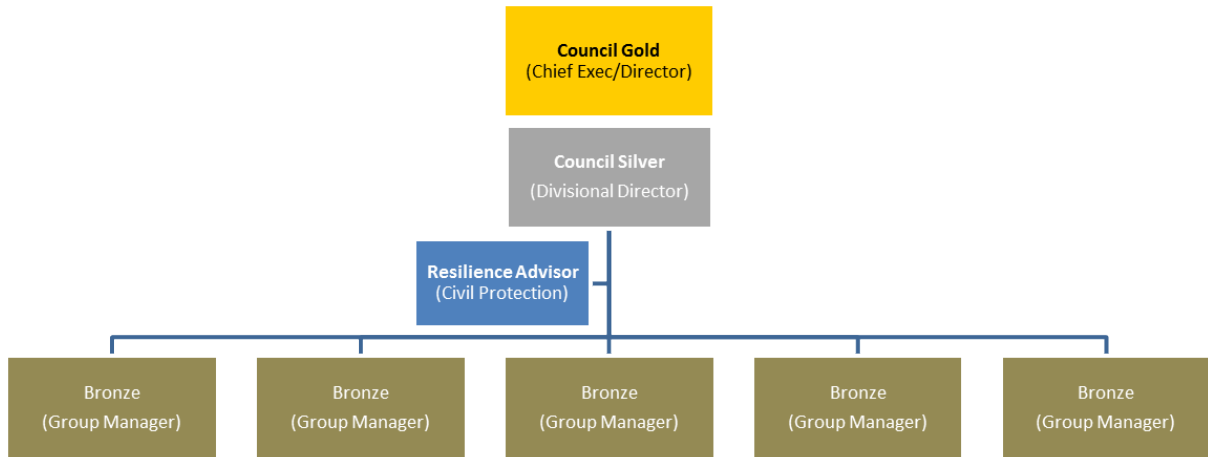
The Council Silver must determine the actual or potential scale, duration and impact of the incident. This initial assessment will assist the Council Silver to activate the right level of response for the incident. This process is known as METHANE

| | | | |
|----------|-----------------------------|---|---|
| M | MAJOR INCIDENT | Has a major incident or standby been declared? (Yes / No - if no, then complete ETHANE message) | <i>Include the date and time of any declaration.</i> |
| E | EXACT LOCATION | What is the exact location or geographical area of the incident? | <i>Be as precise as possible, using a system that will be understood by all responders.</i> |
| T | TYPE OF INCIDENT | What kind of incident is it? | <i>For example, flooding, fire, utility failure or disease outbreak.</i> |
| H | HAZARDS | What hazards or potential hazards can be identified? | <i>Consider the likelihood of a hazard and the potential severity of any impact.</i> |
| A | ACCESS | What are the best routes for access and egress? | <i>Include information on inaccessible routes and rendezvous points (RVPs). Remember that services need to be able to leave the scene as well as access it.</i> |
| N | NUMBER OF CASUALTIES | How many casualties are there, and what condition are they in? | <i>Use an agreed classification system such as 'P1', 'P2', 'P3' and 'dead'.</i> |
| E | EMERGENCY SERVICES | Which, and how many, emergency responder assets and personnel are required or are already on-scene? | <i>Consider whether the assets of wider emergency responders, such as local authorities or the voluntary sector, may be required.</i> |

MANAGING OUR RESPONSE

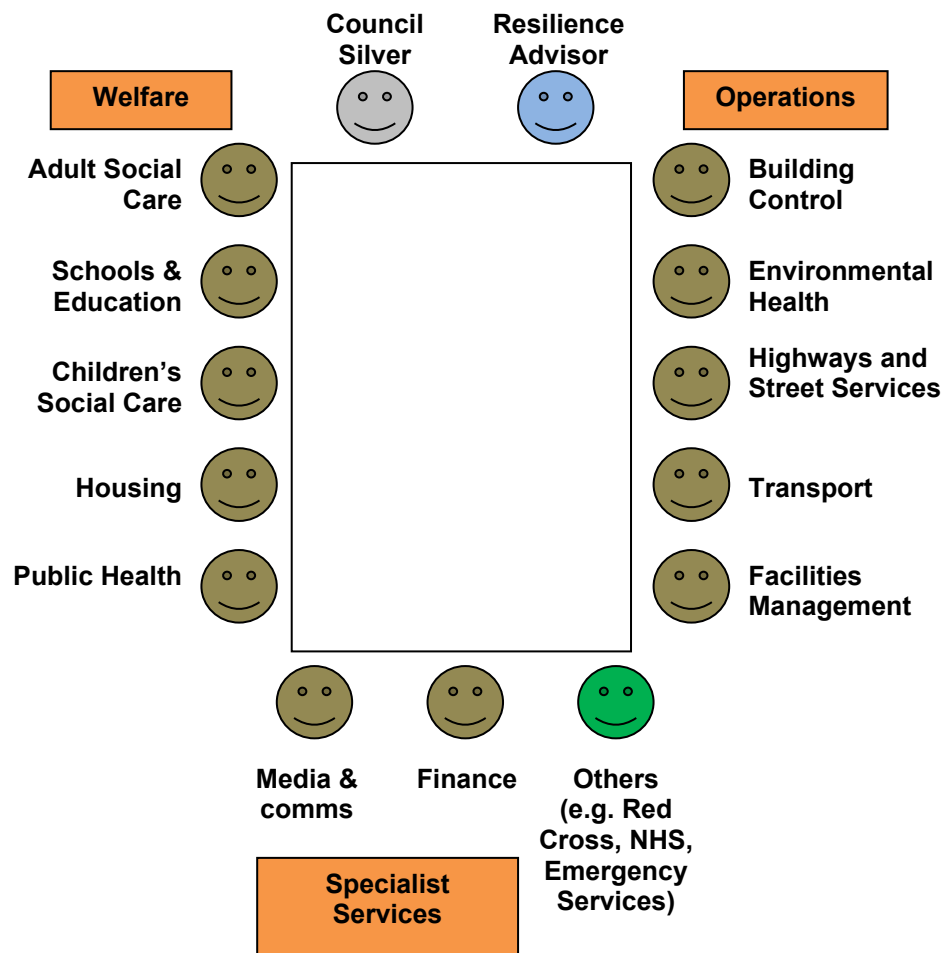
Should the Corporate Emergency Management Plan be invoked, consideration will be given by the on-call Council Silver, in conjunction with either the Council Gold, to adopt the Incident Command and Control Management Structure to manage the incident.

The Council's Incident Response structure is shown in the diagram below:



To assist with the tactical response of a major incident or emergency, the Council Silver may require an Incident Management Team (IMT) to be assembled in the Borough Emergency Control Centre (BECC) located at Barking Town Hall. If the BECC is

Suggested Tactical Management Group attendance. Membership of the IMT will change depending on the type, scale and severity of the



unavailable, then the IMT will assemble at the alternative BECC located at Pondsfield House

Membership of the IMT will change depending on the type, scale and severity of the business disruption event. Below is a diagram of the suggested IMT attendance:

Should the major incident or emergency require a strategic response from the Council, the on-call Council Gold may convene a meeting of the Gold Group.

Gold is the Strategic element of the council response. Gold sets the strategy for the organisation to respond to an incident, including a brief strategy statement that identifies key priorities for the response and long-term aims.

Gold must take into account the direct needs of the major incident, as well as ongoing day-to-day continuation of council services, and long-term recovery needs. Gold will agree and authorise the activation of key strategic plans and actions outside of existing planning arrangements, release resources and authorise expenditure.

The Gold Group will meet at a location away from the BECC to be determined by the on-call Council Gold.

Full details of the Council's resources available during a major incident or emergency can be found at Appendix....

COMMUNICATIONS

Following the activation of the Corporate Emergency Management Plan, it is essential that communications are cascaded in a structured and timely way. Media & Communications will activate the Crisis Communications Plan to ensure that Senior Managers, staff, members, residents and businesses are kept informed of the situation as appropriate.

SITUATION REPORTING

To ensure that a current overview of the business disruption event is maintained, the BECC will contact key Council services and seek assurances that appropriate actions have been taken and that key critical functions are operational.

The BECC will then compile a Common Operating Picture report, which can be found at Appendix B so all relevant issues and actions can be prioritised by Senior Management, Gold and the IMT.

MANAGING DONATIONS

Certain incidents are likely to generate a significant volume of donations from members of the public and businesses. The council is expected to take the lead in collecting.

The Council Silver will need to consider arrangements required to manage donations including delegating responsibility to voluntary sector organisations like the British Red Cross and the Salvation Army and designating a drop-off point.

INCIDENT LOGS

Logs and records are needed as a reference for what activity or decision took place during a major incident or emergency.

Logs and records may be required at a later date to give an accurate account/evidence in court or in a review of Barking & Dagenham employees' involvement in an incident. A log can also be a useful tool when providing handovers and briefings. The decision -making log template can be found at Appendix J.

All response staff are expected to keep personal logs. All response staff should keep blank log sheets with them at work and at home. The personal log template can be found at Appendix I.

Loggists will be available for decision makers if incident is of sufficient scale/duration. Should the BECC be activated, a central, electronic log via Google Sheets will be maintained.

The following guidance for logging should be used at all times:

- Write your log knowing that it may be called as evidence in court
- Start writing a log as soon as notification is received of an incident
- Include all actions, inactions and decisions (more below) taken and not taken
- Include key information and who communicated it
- Information should be noted in time order
- Use the 24hr clock
- Write as legibly as possible (someone else may need to read it later)
- Avoid acronyms- or make a note of the full phrase on every page if one is used
- If using names- include the full name (both first and surname)
- If noting emergency service personnel details, include call signs / ID numbers
- Anyone involved in an incident should write their own personal log
- Specific roles may have a central log to pass on to the next officer (such as Rest Centre Manager who may have a log for the Rest Centre as a whole)
- Errors should be crossed out with one line and initialled
- Only write on one side of the page
- Number each page.

Those recording key decisions will record all the information available at the time of the decision on the incident decision log template at Appendix J. This might include:

- Incident status
- Problem requiring a decision
- The options considered
- The decision made
- Why that decision was made,
- Its impact, who has been informed of that decision
- Action taken and also action not taken

MUTUAL AID

It is possible that on occasions, the response required for a major incident or emergency will exceed the resources available to any one local authority.

Mutual Aid Agreements have been arranged to enable local authorities to quickly obtain support from each other. All London local authorities are signatories to a mutual aid memorandum of understanding.

During a stand-alone major incident or emergency, other boroughs can be contacted directly via their emergency planning team. During a pan-London major incident or emergency, this is coordinated via the London Local Authorities Coordination Centre (LLACC).

When the LLACC is operational and mutual aid is requested a Mutual Aid Request Form must be used. The Mutual Aid template form can be found in the Major Incident Folder and at Appendix F

LONDON LOCAL AUTHORITY GOLD

For incidents that affect the wider region and require a regionally co-ordinated response, the London Local Authority Gold arrangements will be activated. In such events, the Council will be required to support the wider pan-London strategy.

Once activated, the London Gold Arrangements has precedence over local arrangements.

In the event of a pan-London Emergency or multiple localised Emergencies occurring simultaneously, a Strategic Co-ordination Group (SCG, also known as **London GOLD**) will be established. This group will coordinate activity across London, identifying and allocating resources as needed.

Local Authorities will be represented by a single Chief Executive at the SCG, known as London Local Authority Gold (LLAG). The LLAG is provided with executive powers for all London Local Authorities.

At all times, a Local Authority Chief Executive is on call to act as the London Local Authority Gold. All Chief Executives in London are included on the LLAG Rota.

The LLAG is supported by a team of officers from the London Resilience Team. A personal loggist will also be on-call with the Chief Executive and travel with them to the Strategic Co-ordination Centre.

INCIDENT STAND DOWN

It will be the responsibility of the Council Silver to decide when it is appropriate to stand-down the BECC and the management of the emergency response. The LALO deployed at the scene will be consulted.

There are no set criteria for this decision. However, in most cases the decision to stand-down will follow a reduction of activity in the BECC if opened, the responding services and departments and if deployed, the LALO.

If the Gold Group has been sitting, either a final meeting with the Gold Group or a discussion between the Council Silver and Council Gold should be held to confirm the status of the major incident or emergency before the decision to stand-down is taken.

If the nature and scale of the incident requires a Recovery Management Group to oversee the medium to long-term recovery, the BECC will transfer from being the Borough Emergency Control Centre to the Recovery Co-ordination Centre. This will enable a seamless transition between the two phases.

RECOVERY FRAMEWORK

As the emphasis moves from response to recovery, the Council will take the lead in facilitating the rehabilitation of the community and the restoration of the environment.

Recovery is an integral part of the emergency management process. It can be characterised as the process of rebuilding, restoring and rehabilitating the community following an emergency.

In particular, the Council will work with partners to:

- Meet the longer-term welfare needs of survivors (e.g. social services support and financial assistance from appeal funds) and the community (e.g. anniversaries and memorials, help lines and drop-in centres); and
- Facilitate the remediation and reoccupation of sites or areas affected by the emergency.

For guidance on the recovery steps to be taken after a major incident or emergency please refer to the Council's Recovery Plan. The Council's Recovery Plan can be activated by either Council Gold or Council Silver.

POST INCIDENT DE-BRIEFS

Debriefs provide psychological support to responders, review response activities and capture learning points. Debriefs will be organised by Civil Protection in 2 stages:

1. Hot debriefs – held immediately following stand down from a shift (as staff leave the response), or at the end of an incident. These provide immediate support to staff and identify immediate learning points.
2. Cold debriefs – will usually be carried out several days following the end of an emergency in structured events. These may assist in the development of Post Incident Reports.

Post Incident Reports will be developed by the Civil Protection Service unless otherwise stipulated. Post incident reports are not normally required. They will be developed for:

- Incidents requiring a large co-ordinated response of the council that goes beyond the normal localised incidents regularly experienced by the service.
- Incidents that suffer setbacks as a result of failings in emergency response arrangements.
- Where impacts of the incident are high (for example, due to deaths, serious injuries and serious damage to property)
- Where requested by elected members and senior management
- Where requested by the partnership (SafetyNet/Community Safety Partnership, the Chairperson of the Borough Resilience Forum)

Post Incident Reports will be submitted to senior management (and the partnership where required).

RETENTION OF EVIDENCE & DOCUMENTATION

Major incidents and emergencies are often followed by calls for a public enquiry and deaths bring Coroner's inquests. Investigations by enforcement authorities are certain and claims for compensation will be made early on in the incident.

Many of the reports, memorandums, letters and records relating to Council activities prior to a major incident or emergency, planning decisions, risk assessments, service provision decisions, etc, may turn out to be crucial after the event. The historical background to a major incident will play a large part in determining responsibility and therefore legal liability to the victims.

The checklist shown below will be a good measure of protection against post-incident allegations that parts of the crucial historical background have gone astray. The Silver Commander should consult with the Director of Legal Services to ensure that measures to preserve evidence and documentation are put in place in the first few hours of the initial response.

Immediate Action Checklist - Evidence and Documentation Preservation

- Suspend all document destruction and archiving procedures.
- Notify all staff of their obligations to locate, preserve and safeguard documents.
- Emphasise the continuing nature of those obligations.
- Nominate an officer to co-ordinate preservation of documentary evidence.
- Draw up a list of personnel able to assist with location and collation of documents.
- Give advice on the conditions of legal professional privilege.
- Notify all offices to collate and report files held.
- Print relevant computer data (including electronic mail) on disc or tape.
- Set in train procedures to retrieve potentially relevant files from archive.
- Initiate recovery and safe custody of originals and all copies of internal documents.
- Prepare to take detailed proofs of evidence from principal witnesses

APPENDIX A - ACTION CARDS

ACTION CARD – COUNCIL GOLD

RESPONSIBILITIES

- Provide the strategic response for the Council during a major incident or emergency
- Manage and provide direct allocation of resources

ACTIONS

| Response Level | Actions to be taken (or considered) |
|-------------------|--|
| Activation | <ul style="list-style-type: none">• Assess the current situation in liaison with Council Silver |
| Incident Response | <ul style="list-style-type: none">• Provide the strategic response for the Council• Consider the need for a meeting of the Corporate Management Team |
| Stand Down | <ul style="list-style-type: none">• In conjunction with the Council Silver officially stand the incident and BECC down and consider the need for a Recovery Cell |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – COUNCIL SILVER

RESPONSIBILITIES

- Manages the Council's tactical response to a business disruption event; co-ordinating available resources for the implementation of the strategy set by Gold
- Reports to the Council Gold (Chief Executive or nominated Corporate Director) on the tactical situation
- Activate the BECC to co-ordinate the Council's tactical response
- Authorises activation of the Corporate BCP
- Consider the adoption of the Incident Command and Control Management Structure as outlined in the Corporate Emergency Management Plan to manage the incident
- Manage and direct allocation of resources

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none"> • Be the first responder for a major incident or emergency • Liaise with the Council Gold on the current situation • Activate the Corporate Emergency Management Plan (If required) • Assess the current situation and develop a plan of action in conjunction Resilience Advisor • Activate the BECC to co-ordinate the Council's tactical response |
| Incident Response | <ul style="list-style-type: none"> • Reports to the Council Gold on the tactical situation • Consider the need for a specific Council Silver with particular skills or responsibilities to take over the position of Council Silver • Request the attendance of the appropriate Bronze Level managers to attend the Incident Management Team • In conjunction with Media & Communications, prepare timely and regular communications on the progress of the major incident or emergency |
| Stand Down | <ul style="list-style-type: none"> • As for the Incident Response level • Liaise with Council Gold to officially stand the incident and the BECC down • In conjunction with Council Gold, consider the need for a recovery cell • Conduct a hot debrief of the business disruption event • Consideration of the need for a Post Incident Report |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – RESILIENCE ADVISOR

RESPONSIBILITIES

- Support the Council Silver throughout a major incident or emergency
- Provide support to the Council Silver and the Incident Management Team
- Assist the Council Silver with subject matter expertise on a range of emergency and business continuity plans

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none">• Assist the Council Silver in developing a plan of action• Assist the Council Silver in the activation and co-ordination of resources until an Incident Management Team is assembled (if required). |
| Incident Response | <ul style="list-style-type: none">• Provide support to the Council Silver and the Incident Management Team |
| Stand Down | <ul style="list-style-type: none">• Assist the Council Silver if the activation of the Recovery Framework is required |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – LOCAL AUTHORITY LIASION OFFICER (LALO)

RESPONSIBILITIES

- Act as the local authority point of contact at the scene of a (major) incident, primarily to liaise with the other responding agencies, in particular the lead organisation (incident commander)
- Co-ordinate local authority activities at the scene

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Gather accurate information from an incident scene in order to brief decision makers within the Local Authority and mobilise the required resources • Ensure early and regular engagement and communication with incident commanders from other agencies at the scene of an incident • Estimate the impact of the incident and the immediate local authority requirements |
| Incident Response | <ul style="list-style-type: none"> • Maintain regular dialogue with the Borough Emergency Control Centre (BECC) or Council Silver; • Attend the multi-agency coordination meetings at scene to represent the Local Authority. • Understand and anticipate the challenges that may arise at the scene of an incident; • Offer, and react to requests for, Local Authority assistance in many forms including, premises for shelter, specialist staff and resources (this includes local authority services offered by contractors) • Ensure key information, requests, decisions and rationales are recorded |
| Stand Down | <ul style="list-style-type: none"> • Handover to an incoming officer • Participate in debrief activities |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training
- LALO 1 Training
- LALO 2 Training

ACTION CARD – BECC MANAGER

RESPONSIBILITIES

- Ensuring that the BECC is adequately staffed, with roles allocated according to need and workload, supporting staff and planning ahead for future BECC shifts
- Being a visible leader of the BECC
- Liaising with and updating Council Silver on the situation and escalating issues to them as needed
- Accessing support from corporate services for finance, HR, legal, print and photocopying, procurement, etc. to support the functions of the BECC

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Set the BECC up as per quick start up guide • Ensure a central BECC log is up and running (BECC Loggist) • Ensure that signage is up directing BECC staff to the room and on the door • Ensure all BECC staff sign into the room – time and role allocation • Brief incoming teams for duty |
| Incident Response | <ul style="list-style-type: none"> • Manage BECC team and provide briefings when necessary • Ensure emails and phones are monitored and that all attachments are saved (Message Handler) • Ensure flow of key information to Council Silver and other Senior Management as required • Ensure that rotas of own council and mutual aid staff are put together |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming shift • Return BECC back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – BECC OFFICER

RESPONSIBILITIES

- To support the strategic direction as set out by Council Gold by activating, directing and coordinating the resources of council departments under the guidance of the BECC Manager
- Assisting with the functionality of the BECC.

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none">• Ensure you have signed into the BECC• Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are• Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none">• Ensure that rotas of own council and mutual aid staff are put together in conjunction with the BECC Manager• Ensure appropriate liaison with council departments |
| Stand Down | <ul style="list-style-type: none">• Prepare any handover details to the incoming shift• Return BECC back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – BECC MESSAGE HANDLER

RESPONSIBILITIES

- Reading and triaging all incoming emails to the BECC email account
- Respond personally to any generic emails
- Answering and triaging all incoming telephone calls in the BECC. Pass to BECC staff designated for particular roles.
- Respond personally to any generic calls
- Monitoring the FAX machine for any incoming faxes – respond to as necessary
- Sharing information with BECC Loggist for Log to be updated and ensuring the Information Officers are kept up to date
- Performing any other administrative duties as directed by BECC Manager

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Ensure you have signed into the BECC • Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are • Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none"> • Ensure emails and phones are monitored and that all attachments are saved |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming shift • Return BECC back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training
- BECC Logging

ACTION CARD – BECC LOGGIST

RESPONSIBILITIES

- Sitting next to BECC Message Handler in particular and close to the Message Handler and Information Officers.
- Maintaining the central BECC operational log for the incident (including details about shift change over times, key decisions, timings of briefings etc).
- Updating the open log entries which are awaiting actioning – ensuring individuals are chased for updates on Red / Amber actions.
- Highlighting RED actions to the BECC Manager.
- Log all communications both received directly and via others within the BECC as requested by BECC Officers.

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Ensure you have signed into the BECC • Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are • Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none"> • Regularly review the Log - in particular any Amber or Red log entries and that 'Open' and 'Closed' are being used correctly |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming shift • Return BECC back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training
- BECC Logging

ACTION CARD – COUNCIL GOLD OR COUNCIL SILVER LOGGIST

RESPONSIBILITIES

- Maintain the decision logs from either the Council Gold or Incident management Team meetings
- Updating the log entries which are awaiting
- Reviewing the actions from the meetings with either the Council Gold or Council Silver.

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Ensure you have signed into the BECC or Council Gold meeting location • Ensure you have received a briefing from the Council Silver or Council Gold on how they would like decisions logged • Read and note any handover details from the outgoing loggist |
| Incident Response | <ul style="list-style-type: none"> • Regularly review the Log - in particular any Amber or Red log entries and that 'Open' and 'Closed' are being used correctly |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming loggist |

Training Requirements

- Role Briefing
- Decision Making Training
- Personal Logging Training

ACTION CARD – BECC INFO OFFICER

RESPONSIBLE OFFICER(S)

RESPONSIBILITIES

- Collation of an overall picture of the incident information
- Liaison with external agencies and regional coordination centres
- Production and distribution of briefing documents (such as SitReps or Common Information Picture (COP)) to various stakeholders
- Liaison with the Comms Link Officer (onward to press, Members, social media, etc.)
- Maintaining visible displays of the most relevant information in the BECC to support the BECC Manager and other staff in the BECC
- Performing the role of BECC LLACC Link Officer if LLACC is Operational.
- Monitoring Airwave Radios (as part of BECC LLACC Link Officer Role).
- Maintaining awareness of Mutual Aid offers and coordination provided by the LLACC.

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none">• Ensure you have signed into the BECC• Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are• Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none">• Ensure status boards and relevant information is displayed in the BECC• Ensure SitRep/COP/ Briefing Docs are put together and disseminated to relevant stakeholders• Ensure appropriate liaison with regional co-ordination hubs |
| Stand Down | <ul style="list-style-type: none">• Prepare any handover details to the incoming shift• Return BECC back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training



ACTION CARD – COMMS LINK OFFICER

RESPONSIBILITIES

- To confirm to the BECC the strategic intentions for communications in relation to the incident.
- To inform the BECC of key media enquiries relating to the incident
- To provide to the BECC top lines to forward onto responding Council staff – for consistent messaging
- To work with the BECC to confirm the key lines for Members

ACTIONS

| Response Level | Actions to be taken (or considered) |
|-------------------|--|
| Activation | <ul style="list-style-type: none">• Ensure you have signed into the BECC• Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are• Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none">• Ensure appropriate liaison with wider Stakeholders including Members |
| Stand Down | <ul style="list-style-type: none">• Prepare any handover details to the incoming shift |

Training Requirements

- Role Briefing
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – SERVICE LINK OFFICER

RESPONSIBILITIES

- Act as the point of contact between the Service and the BECC
- Log key actions and decisions for the Department (if not carried out by someone else)
- Brief the Department Senior Management Team about the incident and the impact on the Service
- Manage the delivery of the Service’s major emergency response functions, in liaison with the BECC Officers
- Ensure that Service managers use their service-level business continuity plans to manage any business continuity disruption or potential for disruption
- Arrange appropriate representation of the Service or Department at any meetings called by the BECC on behalf of the BECC Manager or Council Silver
- Forecast ahead to ensure that resources for future needs will be available when needed, reporting shortfalls to the BECC
- Regularly update the BECC/BECC Officers about the progress of allocated tasks, and of any difficulties being encountered. If asked to carry out a task – confirm when it has been completed

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Ensure you have signed into the BECC • Ensure you have received a briefing from the BECC Manager and been allocated your role and know what the welfare and refreshment arrangements are • Read and note any handover details (Handover Sheet) from the outgoing shift |
| Incident Response | <ul style="list-style-type: none"> • Ensure appropriate liaison from council department to the BECC |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming shift |

Training Requirements

- Role Briefing
- Command & Control Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – EMERGENCY CENTRE MANAGER

RESPONSIBILITIES

- To manage the set-up, operation and close down of an Emergency Centre

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none"> • Set up the Emergency Centre as per the Emergency Centre guide |
| Incident Response | <ul style="list-style-type: none"> • Delegating work as appropriate to Emergency Centre Staff • Informing people within the centre (staff and registered people) of important developments • Be the communication link to the BECC • Oversee and coordinate those working in the Emergency Centre (local authorities and external agencies) • Support the review of Registration Forms and assess the needs of the evacuees • Ensure that any visitors with immediate or special needs are dealt with appropriately • Support the arrangement of transport to alternative accommodation • Support the arrangement for the collection of registered visitors' children from school (if necessary) |
| Stand Down | <ul style="list-style-type: none"> • Prepare any handover details to the incoming shift • Return the Emergency Shelter back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

ACTION CARD – EMERGENCY CENTRE OFFICER

RESPONSIBILITIES

- To support the Rest Centre Manager in the set-up, operation and close down of an Emergency Centre

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none"> • Support the set up the Emergency Centre as per the Emergency Centre guide |
| Incident Response | <ul style="list-style-type: none"> • Care of evacuees under the direction of the Emergency Centre Manager • Undertaking Reception and Registration of evacuees • Ensuring that information is passed effectively to evacuees • Serving food and refreshments • Marshalling car parks • General facilities issues • Provision of administration within the centre • Floor-walking, befriending / listening • To work with the rest centre management to ensure that shift patterns and staff welfare are properly managed |
| Stand Down | <ul style="list-style-type: none"> • Assist the Emergency Centre Manager in the preparation of any handover details to the incoming shift • Return the Emergency Shelter back to normal working operations |

Training Requirements

- Role Briefing
- Command & Control Training
- Decision Making Training
- Information Management & Situational Awareness Training
- Personal Logging Training

APPENDIX B – COMMON OPERATING PICTURE

| COUNCIL COMMON OPERATING PICTURE | | | | | | | | |
|---|---|--|----------------|--------------------------------------|----------------|--|------------------------|-------------|
| Completed by | Name | | | Doc No. | | | | |
| | Role | | | Date of issue | | | | |
| Approved by | Name <i>[if LALO – submit to BECC – no approval required]</i> | | | Time period covered by Sitrep | | | | |
| | Role | | | Time of submission | | | | |
| | | | | Date of submission | | | | |
| | | | | | | | Content updated | |
| | | | | | | | Date | Time |
| M | Major incident declared? YES / NO cross out as relevant | | | dd/mm/yyyy | hh:mm | | | |
| E | Exact location – ideally including a post code or grid reference | | | | | | | |
| T | Type of incident | | | | | | | |
| H | Hazards – present and potential | | | | | | | |
| A | Access and egress route(s), including LALO RVP | | | | | | | |
| N | Number and type of casualties | | | | | | | |
| | Deaths | | Injured | | Missing | | | |
| E | Emergency services (and other organisations) present or required | | | | | | | |
| Date of incident | | | | dd/mm/yyyy | hh:mm | | | |
| Council SMG Convened? | YES / NO cross out as relevant | | | dd/mm/yyyy | hh:mm | | | |
| BECC opened? | YES / NO cross out as relevant | | | dd/mm/yyyy | hh:mm | | | |
| Key Meeting times – next meeting | Multi-agency meeting on scene | | | dd/mm/yyyy | hh:mm | | | |
| | HASG (not for LALO to complete) | | | dd/mm/yyyy | hh:mm | | | |
| | MFCG (not for LALO to complete) | | | dd/mm/yyyy | hh:mm | | | |
| | Other | | | dd/mm/yyyy | hh:mm | | | |
| Location of FCP at Scene | | | | | | | | |
| Location of Marshalling Area | | | | | | | | |
| RVP for LA staff | | | | | | | | |

Version: 4.0
Date: March 2021

| | | | | |
|---|---|---------------------------------|--|--|
| Road Access and Cordon Information | | | | |
| Private housing situation | | | | |
| Public buildings situation | | | | |
| Evacuees | | Which buildings/streets? | | |
| Commercial properties situation | | | | |
| Gas | On/Off | Details: | | |
| Electricity | On/Off | Details: | | |
| Water Supply | On/Off | Details: | | |
| Drains & Sewers | On/Off | Details: | | |
| Transport Disruptions | | | | |
| Names and addresses of | Receiving Hospital(s) | | | |
| | Survivor Reception Centre(s) | | | |
| | Emergency Rest Centre(s) | | | |
| | Friends & Relatives Reception Centre | | | |

Version: 4.0
Date: March 2021

APPENDIX C – TACTICAL MANAGEMENT GROUP AGENDA

Tactical Management Group Agenda

- | | |
|---------------------------------|------------------------|
| 1. Current Situation | Chair (Council Silver) |
| 2. Considerations | All |
| 3. Horizon Scan | All |
| 4. Mutual Aid | All |
| 5. Set Tactics | Chair |
| 6. Internal Communications | Media & Communications |
| • Contact Centre Public Queries | |
| • Staff | |
| • Business & Residents | |
| • Members | |
| • Media Briefings | |
| 7. Any Other Business | All |
| 8. Time of Next Meeting | Chair |

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Date: March 2021

APPENDIX D - GOLD GROUP AGENDA

| Gold Group Agenda | |
|--|------------------------|
| 1. Current Situation | Council Silver |
| 2. Considerations | All |
| 3. Horizon Scan | All |
| 4. Strategic Priorities | Chair (Council Gold) |
| 5. Internal Communications | Media & Communications |
| <ul style="list-style-type: none">• Staff Welfare• Business & Residents• Members• Media Briefings | |
| 6. Any Other Business | All |
| 7. Time of Next Meeting | Chair |

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Date: March 2021

APPENDIX E – EMERGENCY REST CENTRE TEAM MEETING

ERC Management Team Agenda

- | | |
|---|---------------------------|
| 1. Situation Overview | Chair (ERC Manager) |
| <ul style="list-style-type: none">• Arrivals/Departures• Registration• Medical• Catering | |
| 2. Critical Issues | All |
| 3. Feedback on Agency Specific Issues | All |
| 4. Staffing & Resource Availability | All |
| <ul style="list-style-type: none">• Current Situation/Issues• Anticipated in 4 Hours | |
| 5. Building Issues | Site Owner Representative |
| 6. Onward Travel | Chair |
| 7. Horizon Scan | All |
| 8. Any Other Business | Chair |
| 9. Time of Next Meeting: | |

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Date: March 2021

APPENDIX F – MUTUAL AID REQUEST FORM

| MUTUAL AID REQUEST FORM | | |
|---|--|------------------------|
| From: (Borough) | | Request Number: |
| Date (dd/mm/yy): | | Time (hh:mm): |
| Requested by (name): | | Role: |
| Authorised by (name): | | Role: |
| Brief details on the task to be undertaken or where support is required (WHY): | | |
| | | |
| Brief details of impact on borough if mutual aid is not received. | | |
| | | |
| What is required? (Include quantities and/or person specification) | | |
| Where is it required? (Give full address) | | |
| Who to report to? (Include on scene contact details) | | |
| When is it required? (Time at the above address) | | |
| How long is it required for? | | |
| Brief details on actions already undertaken to resolve issues locally: | | |
| | | |
| Any other information to support your request: | | |

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Contact details for further information regarding this request. (name and number)

APPENDIX G – INCIDENT RESPONSE RESOURCES

Resources

| | |
|----------------------------|--|
| BECC | <ul style="list-style-type: none">• Television• Telephones (including 2 stand-alone telephones)• Situation Boards• Airwave• Satellite Telephone• 2-way radio• PC's• Conference call facility• WiFi• Smart Boards• Printer (including stand-alone printer)• Fax machine• Refreshments |
| Rest Centre Boxes | <ul style="list-style-type: none">• Bedding for 200 people• Rest Centre Manager Box• Catering Box• Baby Box• Toiletry Box• IRU Grab Bag |
| Major Incident Log | <ul style="list-style-type: none">• Electronic Log via Google Sheets (See BECC guide for further details) |
| Major Incident Folder | <ul style="list-style-type: none">• Located on the shared drive |
| Corporate Purchasing Cards | <ul style="list-style-type: none">• 4 x Duty EPO's have Corporate Purchasing Cards for other goods and supplies with a £5000 spending limit |

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APPENDIX H – EMERGENCY PLANS

| Plan Name |
|---|
| Corporate Emergency Management Plan |
| Corporate Business Continuity Plan |
| Recovery Management Plan |
| Humanitarian Assistance Plan |
| Community Support Plan (Emergency Rest Centres and shelter) |
| Multi-Agency Identification of Vulnerable Persons |
| Multi-Agency Large Scale Evacuation and Shelter Plan |
| Multi-Agency Warning, Informing & Alerting the Public Plan |
| Resilient Telecommunications Plan / capabilities |
| Structural Collapse and Site Clearance Plan |
| Multi-Agency Chemical, Biological, Radiological & Nuclear (Explosion) (CBRN(E)) |
| Multi-Agency Disaster Mortuary Plan |
| Multi-Agency National Emergency Mortuary Arrangements (NEMA) - site plan |
| Multi-Agency Mass Fatalities Plan |
| Multi-Agency Excess Deaths Plan |
| Multi-Agency Flood Response Plan |
| Multi-Agency Pandemic Influenza Plan |
| Contingency Plan for an Outbreak of a Notifiable Animal Disease |
| Severe Weather (Heatwave, Extreme Cold, Extreme Rainfall, High winds) |

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| |
|--|
| Multi-Agency Fuel Disruption Plan |
| Control of Major Accident Hazards - Top Tier Plan |
| Pipeline Safety Regulations |
| Radiation Emergency Preparedness and Public Information (REPPIR) |
| Community Resilience for Emergencies |
| Borough Risk Register |

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APPENDIX J – DECISION LOG TEMPLATE

Decision Log Template

| | | | | |
|-------------------------------------|--------------|--|--------------|--|
| Decision Log – Decision..... | Time: | | Date: | |
|-------------------------------------|--------------|--|--------------|--|

| |
|--------------------------|
| DECISION REQUIRED |
|--------------------------|

| |
|--------------------------------|
| OPTION 1 |
| (Circle) Chosen / Not Chosen |
| Why was this chosen/not chosen |

| |
|--------------------------------|
| OPTION 2 |
| (Circle) Chosen / Not Chosen |
| Why was this chosen/not chosen |

| |
|--------------------------------|
| OPTION 3 |
| (Circle) Chosen / Not Chosen |
| Why was this chosen/not chosen |

| | | | |
|----------------|--|--------------------|--|
| Signed: | | Print Name: | |
|----------------|--|--------------------|--|

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APPENDIX 2

Corporate Business Continuity Plan

NOTE: PLEASE GO TO PAGE 6 FOR RESPONDER ACTION CARDS

The purpose of the Corporate Business Continuity Plan is to set the framework through which the Council will respond to a serious or widespread business disruption event. This plan should be used in conjunction with the **Corporate Emergency Management Plan**.

Produced By
Civil Protection
Service

VERSION HISTORY

| Version | Date Issued | Brief Summary of Change | Author |
|---------|-------------|-------------------------|----------|
| 1.0 | March 2021 | First Issue | Tony Cox |

Version No: 1.0
Issue Date: March 2021

CORPORATE BUSINESS CONTINUITY PLAN

CONTENTS:

| | |
|---|----|
| Plan Aim | 3 |
| Objectives | 3 |
| Scope | 3 |
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| Managing Our Response | 4 |
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PLAN AIM

The aim of the Corporate Business Continuity Plan is to maintain our key critical functions and protect the safety, security and wellbeing of our employees, residents, businesses and visitors.

OBJECTIVES

This plan outlines how the Council will:

- Ensure the continued delivery of key critical functions for residents
- Identify the resources required for recovery
- Protect the safety, security and wellbeing of employees, residents and businesses
- Identify the potential damage or loss that may be caused as a result of a business disruption event

SCOPE

Each service retains responsibility for preparing for Service level business disruption events and documenting these arrangements in their Business Continuity Plan's.

In the event of a large scale or sustained business disruption event affecting several service areas, this plan is a guide to the actions taken during and after a business disruption event and to identify where valuable resources need to be directed in the first few hours and subsequent days.

While every effort will be made to accommodate and support all services there needs to be an order to the recovery. Key critical activities are divided into four Recovery Time Objective (RTO) categories:

- RTO 1: Activity needs to be restored within 24 hours
- RTO 2: Activity needs to be restored within 1 week
- RTO 3: Activity needs to be restored within 2 weeks
- RTO 4: Activity can be suspended for at least 1 month before becoming critical

TRIGGER POINTS

The following are trigger points for activating the Corporate Business Continuity Plan:

- A business disruption event taking place requiring a co-ordinated response from the Council.
- The imminent threat of a business disruption event taking place that may require a co-ordinated response from the Council.
- Any business disruption event that goes beyond the ability of Services to manage the response via Service BCP's.

ACTIVATION OF THE CORPORATE BUSINESS CONTINUITY PLAN

Local BCP's are documents that outline operational steps to manage incidents at a service level without the need to invoke the Corporate BCP. The Corporate BCP will only be activated where widespread disruption is imminent or occurring and requires corporate intervention to aid service continuity

When a service area has exhausted their Service BCP's, Heads of Service or nominated Officers in each service area, as identified in Service BCP's, will contact the Duty Emergency Planning Officer.

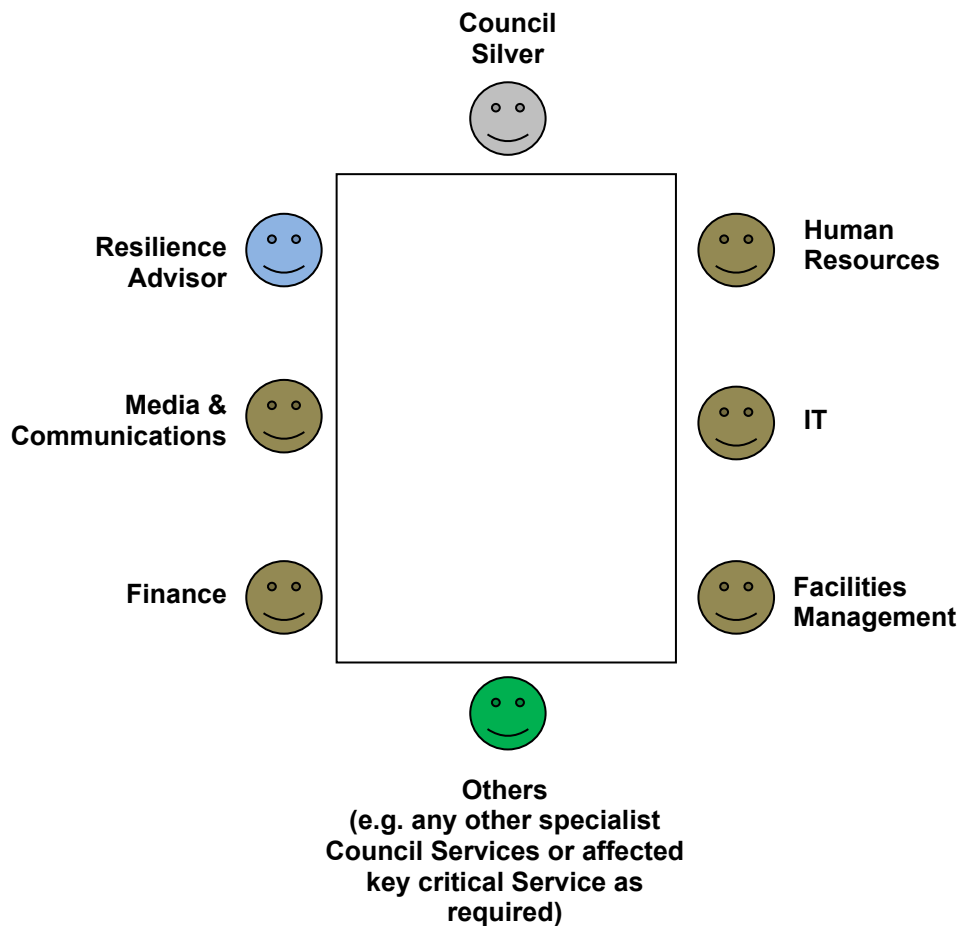
In conjunction with the Duty Emergency Planning Officer, the Corporate BCP will be activated by the on-call Council Silver. The Council Silver is empowered to activate the Corporate BCP in line with adopted Council strategy but will inform Council Gold of the decision. Senior managers will then be notified as appropriate.

MANAGING OUR RESPONSE

Should the Corporate BCP be invoked, consideration will be given by the on-call Council Silver, in conjunction with either the Chief Executive or Deputy Chief Executive, to adopt the Incident Command and Control Management Structure as outlined in the Corporate Emergency Management Plan to manage the incident.

To assist with the tactical response of a business disruption event, the Council Silver may require an Incident Management Team (IMT) to be assembled in the Borough Emergency Control Centre (BECC).

Membership of the IMT will change depending on the type, scale and severity of the business disruption event. Below is a diagram of the suggested IMT attendance:



COMMUNICATIONS

Following the activation of the Corporate BCP, it is essential that communications are cascaded in a structured and timely way. Media & Communications will activate the Crisis Communications Plan to ensure that Senior Managers, staff, members, residents and businesses are kept informed of the situation as appropriate.

SITUATION REPORTING

To ensure that a current overview of the business disruption event is maintained, the BECC will contact key Council services and seek assurances that appropriate actions have been taken and that key critical functions are operational.

The BECC will then compile a Situation Report, which can be found at Appendix D so all relevant issues and actions can be prioritised by Senior Management and the IMT.

APPENDIX A - ACTION CARDS

ACTION CARD – CIVIL PROTECTION SERVICE

RESPONSIBLE OFFICER(S)

Civil Protection Manager
Resilience Advisor

RESPONSIBILITIES

- Support the Council Silver throughout a business disruption event
- Provide support to the Council Silver and the Incident Management Team
- Resilience Advisor to provide overview of the situation
- Ensure the BECC is fully operational for the duration of the business disruption event

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none">• Inform the Council Silver of the business disruption event• Assess the current situation and develop a plan of action for the Council Silver• Ensure the BECC is fully operational (Only when the Council Silver has activated the BECC)• Activate and co-ordinate resources on behalf of the Council Silver until an Incident Management Team is assembled (if required). |
| Incident Response | <ul style="list-style-type: none">• Provide support to the Council Silver and the Incident Management Team |
| Stand Down | <ul style="list-style-type: none">• Return BECC back to normal working operations |

ACTION CARD – COUNCIL SILVER

RESPONSIBLE OFFICER(S)

Divisional Directors

RESPONSIBILITIES

- Manages the Council's tactical response to a business disruption event; co-ordinating available resources for the implementation of the strategy set by Council Gold
- Reports to the Council Gold (Chief Executive or nominated Corporate Director) on the tactical situation
- Activate the BECC to co-ordinate the Council's tactical response
- Authorises activation of the Corporate BCP
- Considers the adoption of the Incident Command and Control Management Structure as outlined in the Corporate Emergency Management Plan to manage the incident
- Manage and direct allocation of resources

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none"> • Liaise with the Council Gold on the current situation • Activate the Corporate BCP (If required) • Assess the current situation and plan of action developed by the Resilience Advisor • Activate the BECC to co-ordinate the Council's tactical response |
| Incident Response | <ul style="list-style-type: none"> • Reports to the Council Gold on the tactical situation • Considers the need for a specific Council Silver with particular skills or responsibilities to take over the position of Council Silver • Request the attendance of the appropriate managers to attend the Incident Management Team • Prepare timely and regular internal communications on the progress of the incident to Service Managers |
| Stand Down | <ul style="list-style-type: none"> • As for the Incident Response level • Liaise with the Council Gold to officially stand the incident and the BECC down • Conduct a hot debrief of the business disruption event • Consideration of the need for a Post Incident Report |

ACTION CARD – COUNCIL GOLD

RESPONSIBLE OFFICER(S)

Chief Executive
Corporate Directors

RESPONSIBILITIES

- Provide the strategic response for the Council during a business disruption event
- Manage and provide direct allocation of resources

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none">• Assess the current situation in liaison with the Council Silver |
| Incident Response | <ul style="list-style-type: none">• Provide the strategic response for the Council• Consider the need for a meeting of the Corporate Management Team |
| Stand Down | <ul style="list-style-type: none">• In conjunction with the Council Silver officially stand the incident and BECC down |

ACTION CARD – HR

RESPONSIBLE OFFICER(S)

Director of Workforce Change

RESPONSIBILITIES

- Supply emergency advice and guidance about health, safety and wellbeing issues
- Ensure managers can access staff reports
- Identify staff who can be re-deployed to support key critical functions
- Ensure staff receive advice and guidance from Workplace Options

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none">• Establish initial facts of the business disruption event by determining number of staff affected, expected duration of disruption, update on the recovery steps to date and potential impact/risks |
| Incident Response | <ul style="list-style-type: none">• Provide assistance with employing temporary and/or external staff from local agencies• Provide emergency advice and guidance about wellbeing issues arising out of the business disruption event• Produce pre-designed reports to support local managers• Provide input to the Incident Management Team |
| Stand Down | <ul style="list-style-type: none">• Identification of staff in other areas that might be able to carry out other functions• Complete administration on staff return to work or death in service |

ACTION CARD – ICT

RESPONSIBLE OFFICER(S)

Head of ICT

RESPONSIBILITIES

- Recovery of data centre and IT systems for identified RTO1 key critical functions
- Ensure RTO1 key critical functions have the required IT capability to deliver their key critical functions at pre identified recovery sites
- Maintain capability for remote working

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none">• Activate Systems Disaster Recovery Plan• Undertake a preliminary assessment of the impact of the incident to assess the extent of damage and disruption to IT services and business operations. |
| Incident Response | <ul style="list-style-type: none">• Contact key technical staff• Mobilise and activate appropriate support team personnel to facilitate and support the recovery• Establish an IT local recovery team• Provide the Incident Management Team with the facts to make decisions regarding recovery and keeping staff, external partners and suppliers informed |
| Stand Down | <ul style="list-style-type: none">• Restore IT capability• Test system operations to ensure full functionality• Back up operational data on the continuity invoked environment and upload to the restored system• Shut down the continuity Invoked Environment system and terminate continuity operations |

ACTION CARD – FACILITIES MANAGEMENT

RESPONSIBLE OFFICER(S)

Asset Manager

RESPONSIBILITIES

- Provide alternate recovery sites and cleanliness
- Restore any damaged Council facilities

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|--|
| Activation | <ul style="list-style-type: none">• Assess damage to premises and estimate timeframe to restore damaged facilities• Identify and allocate alternative accommodation to RTO1 critical functions |
| Incident Response | <ul style="list-style-type: none">• Provide cleaning and sanitation at recovery sites• Provide the Incident Management Team with the facts to make decisions regarding recovery• Arrange security for damaged facility and alternate locations• Mobilise maintenance and repair personnel |
| Stand Down | <ul style="list-style-type: none">• Actions as per the Incident Response level |

ACTION CARD – SERVICE MANAGERS

RESPONSIBLE OFFICER(S)

Service Managers
Group Managers
Team Managers

RESPONSIBILITIES

- Ensuring that Service BCP's are maintained, exercised and updated
- Activate and stand down the Service level BCP
- Communicate recovery arrangements to staff

ACTIONS

| Response Level | Actions to be taken (or considered) |
|--------------------------|---|
| Activation | <ul style="list-style-type: none">• Co-ordinate the evacuation of staff and report to the Assembly Point.• Assess if business disruption event can be managed within existing Service BC arrangements or requires corporate co-ordination of the business disruption event. |
| Incident Response | <ul style="list-style-type: none">• When required, provide service status reports to the BECC• Forward details of any fatalities, injuries or anyone in distress during the incident to HR• Log details of all items lost by staff, visitors etc as a result of the incident and any ongoing expenditure• Maintain service delivery of key critical functions as identified within the Service BIA's• Assess the key priorities for the duration of the business disruption event and communicate these to staff• Provide a representative to the Incident Management Team (If required) |
| Stand Down | <ul style="list-style-type: none">• Actions as per the Incident Response level• Communicate to staff the return to business as usual arrangements |

APPENDIX B - KEY CRITICAL ACTIVITIES

There are 34 RTO1 activities that require recovery within 24 hours.

| Service & Location | Activity | Minimum Requirements for Recovery | Recovery Site Locations | Dependencies | Lead Officer |
|---|--|--|---|---|---------------|
| Universal Lifecycle – Barking Learning Centre | Facilitate services of other Community Solutions lifecycles and Council service blocks | <ul style="list-style-type: none"> 12 x staff required within 24hrs | <ul style="list-style-type: none"> Working From Home Borough Libraries Children’s Centre’s Park Active Age Centre | <ul style="list-style-type: none"> Other Community Solutions Lifecycles Other LBBD Service Blocks | Zoinul Abidin |
| Universal Lifecycle – Barking Learning Centre | Facilitate services of partner agencies | <ul style="list-style-type: none"> 12 x staff required within 24hrs | <ul style="list-style-type: none"> Working From Home Borough Libraries Children’s Centre’s Park Active Age Centre | <ul style="list-style-type: none"> BHRUT BARTS NEFLT Playaway Chestnuts Leyf University of East London CU London Barking & Dagenham College Lifeline Project Mind Shaw Trust Woman’s Trust Women of Substance | Zoinul Abidin |

| | | | | | |
|--|--|--|---|--|---------------------------|
| <p>Triage Lifecycle – Roycraft House</p> | <p>MASH and Adult Intake urgent and Safeguarding referrals</p> | <ul style="list-style-type: none"> • 12 x staff required within 3 hours | <ul style="list-style-type: none"> • Working From Home • Stour Road • John Smith House | <ul style="list-style-type: none"> • Police • Ambulance Service • NHS • Education • Voluntary Organisations • Care Providers | <p>Kevin Makambe</p> |
| <p>Triage Lifecycle – Roycraft House</p> | <p>Home Visits to Children and Young People</p> | <ul style="list-style-type: none"> • 12 x staff required within 3 hours | <ul style="list-style-type: none"> • Mobile Working • Stour Road • John Smith House | <ul style="list-style-type: none"> • Police • Children's Social Care • Adult's Social Care | <p>Kevin Makambe</p> |
| <p>Intervention Lifecycle – Roycraft House</p> | <p>Carrying out urgent case work for Tier 2 families in crisis</p> | <ul style="list-style-type: none"> • 10 x staff required within 3 hours | <ul style="list-style-type: none"> • Working From Home • Borough Libraries • Children's Centre's • Park Active Age Centre • Stour Road • John Smith House | <ul style="list-style-type: none"> • Other Community Solutions Lifecycles • Adult Social Care • Children Social Care • Youth Offending Team • Job Centre Plus • CAB • Elevate • Independent Living Agency • DABD • Barking & Dagenham College • NHS • BHRUT • NELFT • Educational Institutions and Schools • Police | <p>Kathrine Gilcreest</p> |

| | | | | | |
|---|---|--|---|--|--------------------|
| Intervention Lifecycle – Roycraft House | Prevention of Tier 2 cases escalating to Tier 3 | <ul style="list-style-type: none"> • 10 x staff required within 3 hours | <ul style="list-style-type: none"> • Working From Home • Borough Libraries • Children’s Centre’s • Park Active Age Centre • Stour Road • John Smith House | <ul style="list-style-type: none"> • Adult Social Care • Children Social Care • Youth Offending Team • BHRUT • NELFT • Police • Schools | Kathrine Gilcreest |
| Civil Protection – Town Hall | BECC Capability | <ul style="list-style-type: none"> • 1 x staff required within 1 hour | <ul style="list-style-type: none"> • Laurel House • Redbridge Emergency Control Centre • Working From Home | <ul style="list-style-type: none"> • Facilities Management • Education • Social Care • Housing • Parks & Leisure • CCTV • Facilities Management • IT • Housing • Senior Management Team • Local Residents • Business Community • Borough Resilience Forum Partners • LFB Emergency Planning • Neighbouring NE London Boroughs | Mandy Beacher |
| Civil Protection – Town Hall | Emergency Response | <ul style="list-style-type: none"> • 2 x staff required within 1 hour | <ul style="list-style-type: none"> • Laurel House | <ul style="list-style-type: none"> • Incident Response Unit | Mandy Beacher |

| | | | | | |
|----------------------------|-------------------------|---|--|---|--------------|
| | | | <ul style="list-style-type: none"> • Redbridge Emergency Control Centre • Home Working | <ul style="list-style-type: none"> • Adult Social Care • Borough Resilience Forum Partners • Neighbourhoods Team • Media & Communications • Transport • Homeless Persons Unit • Housing • Local Residents • Business Community • Senior Management Team • CCTV • Facilities management • IT • Housing | |
| Legal Services – Town Hall | Monitoring Officer | <ul style="list-style-type: none"> • 10 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working | <ul style="list-style-type: none"> • Chief Executive • Members • All Council Services | Fiona Taylor |
| Legal Services – Town Hall | Safeguarding | <ul style="list-style-type: none"> • 10 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working | <ul style="list-style-type: none"> • Chief Executive • Members • Adult Social Care • Children’s Care & Support | Fiona Taylor |
| Legal Services – Town Hall | Employment & Litigation | <ul style="list-style-type: none"> • 25 x staff required within 24 hours | <ul style="list-style-type: none"> • Home Working | <ul style="list-style-type: none"> • Chief Executive • Members • Corporate Directors | Fiona Taylor |

| | | | | | |
|--|---|---|--|---|-----------------|
| Legal Services – Town Hall | Commercial Law | <ul style="list-style-type: none"> • 25 x staff required within 24 hours | <ul style="list-style-type: none"> • Home Working | <ul style="list-style-type: none"> • Chief Executive • Members • Housing Services | Fiona Taylor |
| Policy & Participation – Town Hall | Emergency Communications | <ul style="list-style-type: none"> • 1 x staff required within 1 hour | <ul style="list-style-type: none"> • Home Working • BECC | <ul style="list-style-type: none"> • Chief Executive • Members • Corporate Directors | Emily Blackshaw |
| Public Health – Town Hall | Provision of public health advice during an emergency | <ul style="list-style-type: none"> • 1 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Roycraft House | <ul style="list-style-type: none"> • Council staff • Local residents • Vulnerable persons • CCG • BHR NHS Trust • NELFT • Emergency Services (LFB/ LAS/ Police) • PHE • NHS England • Environmental Agency • Community Solutions | Matthew Cole |
| Public Health – Town Hall | Provision of health intelligence to Director of Public Health | <ul style="list-style-type: none"> • 1 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Roycraft House | <ul style="list-style-type: none"> • Council staff • Local residents • Vulnerable persons • CCG • BHR NHS Trust • NELFT • Emergency Services (LFB/ LAS/ Police) • PHE • NHS England | Matthew Cole |

| | | | | | |
|------------------------------------|---------------------|--|---|--|---------------|
| | | | | <ul style="list-style-type: none"> • Environmental Agency • Community Solutions | |
| HR – Town Hall | Payroll | <ul style="list-style-type: none"> • 4 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Other Council Locations | <ul style="list-style-type: none"> • Management • Council employees • LEA schools • Elevate • B&D Direct and other arms-length companies • Trade unions • HMRC | Neil James |
| HR – Town Hall | Health & Safety | <ul style="list-style-type: none"> • 1 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Other Council Locations | <ul style="list-style-type: none"> • Management • Council employees • Schools • Elevate? • B&D Direct and other arms-length companies • Trade unions • H&SE | Neil James |
| HR – Town Hall | HR Advisory Service | <ul style="list-style-type: none"> • 2 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Other Council Locations | <ul style="list-style-type: none"> • Management • Council Employees • Schools (that buy-in) | Neil James |
| HR – Town Hall | Occupational Health | <ul style="list-style-type: none"> • 3 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working • Other Council Locations | <ul style="list-style-type: none"> • Management • Council Employees • Schools (that buy-in) | Neil James |
| Customer Services – Roycraft House | Contact Centre | <ul style="list-style-type: none"> • 20 x staff required within 3 hours | <ul style="list-style-type: none"> • Home Working | <ul style="list-style-type: none"> • Civil Protection • Various Council Services | Sabina Onwuka |

| | | | | | |
|---------------------------|--|---|---|--|----------------|
| | | | | | |
| Caretaking | Incident Response Unit | <ul style="list-style-type: none"> 1 x staff required within 1 hour of an incident | <ul style="list-style-type: none"> Mobile working | <ul style="list-style-type: none"> Civil Protection Various Council Services Residents | David Mawson |
| Caretaking | Caretaking Service | <ul style="list-style-type: none"> 10 x staff required within 3 hours of an incident | <ul style="list-style-type: none"> Mobile Working Home Working Pondfield House | <ul style="list-style-type: none"> Residents and Businesses | David Mawson |
| Careline | Emergency Response Service | <ul style="list-style-type: none"> 4 x staff required with 3 hours of an incident | <ul style="list-style-type: none"> Redirect service to Tower Hamlets | <ul style="list-style-type: none"> Residents | Hammad Butt |
| Careline | Urgent referrals & Assessments | <ul style="list-style-type: none"> 4 x staff required with 3 hours of an incident | <ul style="list-style-type: none"> Redirect service to Tower Hamlets | <ul style="list-style-type: none"> Residents | Hammad Butt |
| Regulatory Services | Investigation of Service Requests (inc. Trading Standards, Environmental Health, Private Sector Housing) | <ul style="list-style-type: none"> 11 staff required within 24 hours of an incident | <ul style="list-style-type: none"> Home Working | <ul style="list-style-type: none"> Local Residents Businesses Landlords Property Owners Consumers | Jemima Painter |
| Regulatory Services | Inspection of premises – doorstep crime | <ul style="list-style-type: none"> 7 staff required within 3 hours of an incident | <ul style="list-style-type: none"> Home Working | <ul style="list-style-type: none"> Local Residents Businesses Landlords Property Owners Consumers | Jemima Painter |
| Children's Care & Support | MASH referrals | <ul style="list-style-type: none"> 22 staff required within 3 hours of an incident | <ul style="list-style-type: none"> Home Working | <ul style="list-style-type: none"> Residents and service users | Sean Girty |
| Children's Care & Support | Home visits | <ul style="list-style-type: none"> 22 staff required within 24 hours of an incident | <ul style="list-style-type: none"> Home Working | <ul style="list-style-type: none"> Residents and service users | Sean Girty |

| | | | | | |
|-----------------------|----------------------------------|--|---|--|-------------------|
| Adults Care & Support | AHMP Mental Health Assessments | <ul style="list-style-type: none"> 20 staff required within 3 hours of an incident | <ul style="list-style-type: none"> Home Working Roycraft House Barking Town Hall | <ul style="list-style-type: none"> Residents and service users | Daniel McMillian |
| Adults Care & Support | Processing safeguarding enquires | <ul style="list-style-type: none"> 75 staff required within 24 hours of an incident | <ul style="list-style-type: none"> Home Working Roycraft House Barking Town Hall | <ul style="list-style-type: none"> Residents and service users | Daniel McMillian |
| Adults Care & Support | Hospital discharges | <ul style="list-style-type: none"> 75 staff required within 24 hours of an incident | <ul style="list-style-type: none"> Home Working Roycraft House Barking Town Hall | <ul style="list-style-type: none"> Residents and service users | Daniel McMillian |
| Adults Care & Support | Care needs assessments | <ul style="list-style-type: none"> 75 staff required within 24 hours of an incident | <ul style="list-style-type: none"> Home Working Roycraft House Barking Town Hall | <ul style="list-style-type: none"> Residents and service users | Daniel McMillian |
| CCTV | CCTV recording and monitoring | <ul style="list-style-type: none"> 2 staff required within 3 hours of an incident | <ul style="list-style-type: none"> Home working Frizlands Depot | <ul style="list-style-type: none"> Public Police Care CCTV Facilities Management My place Com Sol Parking | Jonathan Woodhams |
| CCTV | Alarm and panic activations | <ul style="list-style-type: none"> 2 staff required within 3 hours of an incident | <ul style="list-style-type: none"> Home working Frizlands Depot | <ul style="list-style-type: none"> Corporate buildings Service users | Jonathan Woodhams |

APPENDIX C - CRITICAL IT SYSTEMS

| Priority | System Name | Services Requiring System |
|----------------------|---------------------------------|---|
| RT01 | I-Grasp | <ul style="list-style-type: none"> • HR |
| RT01 | I-Learn | <ul style="list-style-type: none"> • HR |
| RT01 | IKEN | <ul style="list-style-type: none"> • Legal Services |
| RT01 | Citrix/Thick Client | <ul style="list-style-type: none"> • Legal Services • Customer Services |
| RT01 | BACS | <ul style="list-style-type: none"> • HR • Revenues & Benefits |
| RT01 | Liquid Logic | <ul style="list-style-type: none"> • Triage Lifecycle • Children's Social Care • Adult Social Care • Careline |
| RT01 | Civica | <ul style="list-style-type: none"> • Intervention Lifecycle |
| RT01 | Answelink | <ul style="list-style-type: none"> • Careline |
| RT01 | Capita | <ul style="list-style-type: none"> • Intervention Lifecycle |
| RT01 | Anite | <ul style="list-style-type: none"> • Intervention Lifecycle |
| RT01 | AD Contact | <ul style="list-style-type: none"> • Customer Services |
| RT01 | CCS | <ul style="list-style-type: none"> • Customer Services |
| RT01 | 8x8 | <ul style="list-style-type: none"> • Customer Services |
| RT01 | Academy | <ul style="list-style-type: none"> • Intervention Lifecycle |
| RT01 | Integrated Youth Service System | <ul style="list-style-type: none"> • Intervention Lifecycle • Customer Services |
| RT01 | Express | <ul style="list-style-type: none"> • Electoral Services |
| Key Corporate System | Oracle | |
| Key Corporate System | Outlook | |
| Key Corporate System | MS Teams | |
| Key Corporate System | SharePoint | |
| Key Corporate System | Office | |
| Key Corporate System | Explorer/Chrome | |

APPENDIX D - SITUATION REPORT TEMPLATE

OFFICIAL – WHEN COMPLETE

BCM Incident Situation Report

| London Borough of Barking & Dagenham – Business Continuity Event Situation Report | | | | | |
|--|--|-------------------------------------|---|---------------------------------------|--|
| INCIDENT NAME | | | | | |
| SITREP SERIAL NUMBER (Sequential from activation) | | TIME OF ISSUE | DATE OF ISSUE | | |
| 1. | Response level | 1: Monitoring | 2: Information Sharing and Communications | 3: Incident Response and Coordination | |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 2. | OVERVIEW OF CURRENT BOROUGH SITUATION | | | | |
| | General Situation (status of incident, summary of arrangements including deployment of resources) | | | | |
| | | | | | |
| | Overall Assessment (Summary of impact on Services and Community) | | | | |
| | | | | | |
| Key Points to Note (Relevant issues for senior management and Incident Management Team, including priorities, issues and actions) | | | | | |
| | | | | | |
| 3. | HORIZON SCAN (Issues/consequences which could impact on services) | | | | |
| | | | | | |
| 4. | KEY MESSAGES TO MANAGERS | | | | |
| | | | | | |

| SERVICE IMPACT ASSESSMENT | | | | | |
|---------------------------|--|---|-------------------|----------------------------------|---------------------------------|
| RED | | Incident having significant impact with possible long term consequences | | | Services reporting: 0 |
| AMBER | | Incident having a moderate impact with possible short to long term consequences | | | Services reporting: 0 |
| GREEN | | Limited or no impact | | | Services reporting: 0 |
| SERVICE | Manager | RAG | Current situation | Horizon scan/ issues anticipated | |
| 5. | Facilities Management | Andy Bere | | | |
| 6. | Emergency Response (inc. BECC and IRU) | Tony Cox | | | |
| 7. | Contact Centre | Sabina Onwuka | | | |
| 8. | Executive Assistants | Maggie Coughlan | | | |
| 9. | Leader & Cabinet | Mike Haywood | | | |
| 10. | Finance | Katherine Heffernan | | | |
| 11. | Assurance and Fraud | Steven Gibson | | | |
| 12. | Strategy and Programmes | Mark Tyson | | | |
| 13. | Marketing and Communication | Emily Blackshaw | | | |
| 14. | ICT | Paul Ingram | | | |
| 15. | HR Operations | Gail Clark | | | |
| 16. | Enforcement | Andy Opie | | | |
| 17. | CCTV | Jonathan Woodhams | | | |

| | | | | | |
|-----|--|---------------------|--|--|--|
| 18. | Clean and Green | Abdul Jallow | | | |
| 19. | Housing Management | Katherine Gilcreest | | | |
| 20. | Education Commissioning | Jane Hargreaves | | | |
| 21. | Adults and Care Commissioning | Mark Tyson | | | |
| 22. | Public Health | Matthew Cole | | | |
| 23. | Children's Care and Support | April Bald | | | |
| 24. | Adults' Care and Support | Stephan Liebrecht | | | |
| 25. | Legal Services | Jacklyn Rowbotham | | | |
| 26. | Governance & Electoral Services | Alan Dawson | | | |
| 27. | OTHER PERTINENT INFORMATION (Details that do not sit elsewhere in the report) | | | | |
| | | | | | |
| 28. | SitRep completed by | | | | |
| 29. | Authorised by | | | | |

APPENDIX E - INCIDENT MANAGEMENT TEAM AGENDA

Incident Management Team Agenda

- | | |
|--|-----------------------------------|
| 1. Current Situation | Chair/Duty EPO Resilience Advisor |
| 2. Considerations | All |
| 3. Horizon Scan | All |
| 4. Mutual Aid | All |
| 5. Set Tactics | Chair |
| 6. Internal Communications | Media & Communications |
| <ul style="list-style-type: none">• Contact Centre Public Queries• Staff• Business & Residents• Members• Media Briefings | |
| 7. Any Other Business | All |
| 8. Time of Next Meeting | Chair |

APPENDIX F - IT RECOVERY

The IT Disaster Recovery Plan will be invoked in the event of a major incident that impacts on the Council's IT systems or loss of connectivity to a building occupied by services providing RTO1 & RTO2 activities.

It is invoked by the Manager or nominated Deputy Manager when the trigger point has been reached. The authorised officer from the service to invoke the IT Disaster Recovery Plan is:

Raymond Joyce: 07875 993903

The authorised officer or nominated deputy should collate as much information as possible, including:

- Number of staff affected
- Expected duration of disruption
- Identify and quantify damage
- Update on the recovery steps to date
- Potential impact/risks

Once agreed to invoke the plan, this will be cascaded to members of the IT Service Update cascade list.

If a decision to adopt the Incident Command and Control Management Structure as outlined in the Corporate Emergency Management Plan to manage the incident has been decided by the on-call Council Silver, the Head of Service or nominated Deputy Manager will represent IT at the Silver level Incident Management Team meetings.

Localised disruption to IT connectivity at a remote (non Town Hall) site

The relocation of a small number of key people/functions should be considered in the event of localised loss of IT connectivity (network, internet) at a building ere RTO 1 and RTO2 activities are undertaken.

Invocation of nominated Service recovery working should only be agreed after other aspects of the Service BCP have been exhausted such as non-IT related work.

The expected duration of the disruption should be considered when invoking this plan as the set-up of the alternative accommodation and the subsequent return to

normal service will require significant effort and should not be undertaken if normal service is expected to be resumed within 3 hours of the proposed invocation.

Town Hall or Widespread Disruption to IT Systems

In the event of Town Hall or widespread disruption to IT systems, the following immediate steps will be undertaken:

- Alert IT employees, IT users, suppliers, other internal stakeholders and external organisations of the extent of the incident or emergency.
- Establish an IT local recovery team.
- Liaise with Facilities Management and undertake a preliminary assessment of the impact of the incident to assess the extent of damage and disruption to IT services and business operations.
- Provide the Incident Management Team with the facts to make decisions regarding recovery.
- Inform Corporate Communications to keep staff, external partners and suppliers informed.

It is the responsibility of the IT Service Manager or nominated deputy to contact key technical staff within their team.

The IT Service Manager should ensure they have up-to-date contact details for each team member and that these details are accessible at all times.

Recovery Phase

Critical systems that must be recovered urgently following an incident are outlined in Appendix C as identified via Service Business Impact Analysis

In the event of a building loss, PCs and printers will be commandeered from any building with undamaged accessible equipment. The devices will have their hard drive overwritten to match users from RTO1 and RTO2 activities requirements during the disruption to business.

Return to Normal

The following will occur:

- Ensure adequate infrastructure support, such as electric power, water, telecommunications, security, environmental controls, office equipment, and supplies.
- Installation of system hardware, software, and firmware.

- Establish connectivity and interfaces with network components and external systems.
- Test system operations to ensure full functionality.
- Back up operational data on the continuity invoked environment and upload to the restored system.
- Shut down the continuity Invoked Environment system and terminate continuity operations.
- Ensure all sensitive materials at the continuity Invoked Environment site are removed.
- Arrange for recovery personnel to return to the original facility

APPENDIX G - HR CORPORATE PLAN

Service BCP's will include staffing contingencies for all but the most serious incidents or business disruption events. The HR Corporate Business Continuity Plan will be invoked in the event of a major incident impacting on availability of Council staff.

It is invoked by the Manager or nominated Deputy when the trigger point has been reached. The authorised officer from the service to invoke the HR Corporate Plan is:

Gail Clark: 07870 509690

The authorised officer or nominated deputy should collate as much information as possible, including:

- Number of staff affected
- Expected duration of disruption
- Update on the recovery steps to date
- Potential impact/risks

Business disruption events which might affect large groups of staff and potentially put service delivery at risk include large scale flu pandemics, illegal/unscheduled industrial action, significant unscheduled borough wide transport issues for example caused by terrorist activity etc.

In all other circumstances loss of staff is a local issue which must be planned for in advance at either a team or Directorate level. All other business disruption events should be planned for in advance and addressed at a local level.

Potential local solutions for business continuity issues which result in a loss of staff might include:

- Identification of staff in other areas that might be able to carry out those elements of the role which are business critical and must continue in the event of a staffing loss
- Development and maintenance of written processes and other guidance for business critical aspects of a role, which are stored in recoverable areas and regularly refreshed.
- Accurate and shared record keeping for key partners and other contacts that may be required in the event of a local issue.

- Pre-arranged collaborative agreements with neighbouring authorities or key partners to take on those aspects of a role which are considered to be business critical in the event of a loss of staff
- Accurate local maintenance of records of staff with key skills, qualifications and experience are available in the event of a loss of staff.
- Seeking advice and guidance in advance from Workplace Options on 0800 243 458 to support staff with additional needs if a local business continuity plan is activated.

In the event of a major incident affecting staffing, HR will, depending on the availability of the IT network:

1. Prioritise the availability of HR systems so that managers can run or refresh locally designed reports (developed in advance of the incident by service managers) to support the deployment of staff within their service area
2. Support local managers to produce pre-designed Oracle reports containing pertinent management information as defined by Services as part of their Business Continuity arrangements. These might include (but are not limited to):
 - a) Training and development undertaken, qualifications, memberships
 - b) Specialist attributes such as DBS checks
 - c) Staff who have claimed mileage to identify those who are able to drive
 - d) Contact information, grades, job roles and geographical locations of staff
 - e) Resource availability (e.g. working patterns, training, leave, absence)
3. Supply emergency advice and guidance about health, safety and wellbeing issues arising out of the Business Continuity issue which have not been pre-empted as part of local planning. This might include health and safety in temporary premises, accident and incident reporting, occupational health support and counselling services

In general, issues of this nature should be considered in advance in order to inform local Business Continuity planning.

Where a service requires specific staffing information to support them (such as a qualification or DBS clearance) it remains the responsibility of local managers to ensure that this information is captured in advance of any incident.

All Service BCP's contain a method by which all staff can be contacted and accounted for in the event of an incident without having access to either Oracle or Outlook system.

In exceptional circumstances where the event is so extreme and Service Business Continuity planning has not pre-empted the need for local staff mobilisation or

cannot invoke pre-arranged collaboration (for example with local partners or other Local Authorities employing staff with similar skill sets) HR will support Heads of Service to identify potential staff from the wider organisation who could be deployed at short notice to undertake emergency duties.

This will be dependent on the quality of information contained within Oracle and within other Service BCP's.

If there are no internal staff to deploy, HR will provide assistance with employing temporary and/or external staff from local agencies. Service managers must ensure that job descriptions, person specification and the specific details of skills required to maintain business as usual activity are maintained and up-to-date so that they might instruct HR quickly and accurately.

Once business as usual has resumed, HR can provide corporate advice for additional staff welfare and counselling, and what could be expected of employees at different periods of time after an incident or business disruptive event.

In addition, it is recommended that there is an evaluation regarding how the Plan was deployed, its effectiveness, and updated as appropriate based on the lessons learnt.

APPENDIX H - FM PLAN

The FM Corporate Plan will be invoked in the event of a major incident where a service is disrupted due to the partial loss, total loss or inaccessibility of staff accommodation/normal work premises.

It will be invoked when a service requires to be re-accommodated and where alternative arrangements cannot be made at local level. It is invoked by the Manager or nominated Deputy, when the trigger point has been reached. The authorised officer from the service to invoke the FM Plan is:

Andy Bere: 07971 111401

Immediate Accommodation Recovery Steps

The Council has little spare accommodation capacity at any one time. Alternative accommodation will be made available based on the Recovery Time Objectives of the affected service(s) which may require the suspension of some non-critical functions so that accommodation may be re-allocated. The Council will consider:

- An assessment of the property lost
- An assessment of the property still available
- An allocation of available accommodation to services depending on their RTO rating
- RTO1 services will occupy available accommodation with RTO2, RTO3 and RTO4 services suspended and displaced for a period of time

Recovery

To assist with the recovery, the Service Manager or nominated Deputy will:

- Estimate the duration of the incident
- Assess damage to premises
- Estimate the timeframe to restore the damaged facilities
- Carry out an accommodation assessment in conjunction with senior managers
- Identify alternative premises/secondary locations
- Make available additional cleaning arrangements at recovery sites
- Support the Incident Management Team if activated
- Authorise premises management expenditure

- Authorise procurement of additional resources/alternative accommodation as agreed by senior management.
- Arrange security for damaged facility
- Mobilise maintenance / repair personnel
- Procure any required repairs
- Mitigate property losses as far as practicable

Based on the information received, the Incident Management Team will allocate available accommodation resources. Temporary accommodation may be provided within the meeting rooms or function rooms to provide office accommodation in order to minimise disruption to other service areas.

Where larger numbers of staff require emergency accommodation or the incident is likely to be ongoing, non-critical services, typically RTO3 and RTO4 services may be suspended with accommodation occupied by RTO1 and RTO2 critical services.

Reinstating 'business as usual'

Facilities Management will work towards reinstating business as usual by implementing the following actions, as appropriate:

- Using emergency procedures to fast track the engagement of contractors to restore damaged facilities as soon as is practical.
- Engage with local partners including neighbouring councils, government agencies, NHS, and the third sector partners to share accommodation in the short to medium term.
- Following a protracted or total loss of premises, Estate and Asset Management will liaise with the local market to lease or purchase alternative accommodation of an appropriate specification and convenient location.
- Consider using available office space on a 24/7 basis
- It is recommended that there is an evaluation regarding how the Plan was deployed, its effectiveness, and updated as appropriate based on the lessons learnt.

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CABINET**25 May 2021**

| | |
|--|--|
| Title: Parking Permit Policy – Car Free Developments | |
| Report of the Cabinet Member for Enforcement and Community Safety | |
| Open Report | For Decision |
| Wards Affected: All | Key Decision: Yes |
| Report Author: Daniel Connelly, Parking Design Manager | Contact Details: Tel: 020 8227 3683 E-mail: daniel.connelly@lbbd.gov.uk |
| Accountable Director: Andy Opie, Operational Director, Enforcement and Community Safety | |
| Accountable Strategic Director: Fiona Taylor, Strategic Director, Law and Governance | |
| Summary | |
| <p>This paper sets out proposals in relation to the Council’s Controlled Parking Zone (CPZ) parking permit policy for those residing in existing and new housing developments which are deemed to be “car free”, “car light” or where residents living within the housing development have access to a private parking arrangement such as underground parking or private permit scheme. Housing developments which do have some levels of parking are often managed privately (not by the local authority). There may be circumstances where there are mixed planning conditions for different properties within a development and therefore permit eligibility will need to be reviewed on a specific case by case basis.</p> <p>The proposal, therefore, is that residents of properties referred to above are ineligible for a Council parking permit, unless there are exceptional circumstances. This proposal links the decisions made at the Planning Committee regarding the status of car parking for a housing development i.e Town and Country Act 1990 section 106 Agreements which are used to mitigate the impact of new homes on the local community and infrastructure and section 45 (3)(c) of the Road Traffic Regulations Act 1984 which states “In determining what parking places are to be designated under this section the authority concerned shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include ... (3) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section”.</p> | |
| Recommendation(s) | |
| <p>Cabinet is recommended to agree that the Council’s Controlled Parking Zone policy be updated to reflect that those residing in housing developments which are granted planning permission on the basis they are or will be deemed to be “car free”, “car light” or have own private parking arrangement or access to private car parks in accordance with 45 (3) of the Road Traffic Regulation Act, shall not be eligible for a parking permit, subject</p> | |

to the Operational Director, Enforcement and Community Safety being authorised to approve applications where he considers there to be exceptional circumstances.

1. Introduction and Background

- 1.1 The Parking Strategy 2016 -21 sets out a clear vision for parking in the borough. This vision was supported by 75% of respondents to the consultation. The vision is “To provide safe, fair, consistent and transparent parking services”.
- 1.2 This vision is supported by five main priorities that have been designed to reflect the competing parking needs in the borough. These priorities reflect the needs of residents, businesses, commuters, cyclists and pedestrians alike. The priorities are:
 - Reduce congestion caused by parked vehicles and improve road safety;
 - Make best use of the parking space available;
 - Enforce parking regulations fairly and efficiently;
 - Provide appropriate parking where needed;
 - Ensure that the low emissions and air quality strategy for London is at the heart of our decision making.

2. Controlled Parking Zones (CPZ) and Permit Eligibility Criteria

- 2.1 In 2018, Cabinet agreed the Controlled Parking Zone programme which aims to deliver the five main priorities set out above. A key part of this is the effective and fair management of how parking permits are issued to those that apply.
- 2.2 Within Controlled Parking Zones only residents who live directly within the boundaries of the particular zone and their visitors can apply for a permit which entitles them to park within permit holder bays at any time during the controlled hours. Whilst granting a permit allows the use of a space in a CPZ, there is no entitlement to or guarantee of a specific space within the zone. However, by discouraging certain groups of non-residents from parking in an area, a CPZ increases the likelihood that a resident can park close to their home and helps to encourage, via the use of emissions-based charges, a safer and healthier environment. Residents are required to live within the borough, their vehicles to be registered in the borough and to have an online permit account.
- 2.3 There is currently no limit on the number of resident permits per household although the emission charging structure, diesel premium and additional charges for multiple car ownership aims to reduce the number of vehicles parking within the borough. It is suggested this remains the case. However, parking demand will be monitored in each CPZ and should it be deemed appropriate due to over-subscribing of permits there may need to be limitations applied to the types or number of permits issued.
- 2.4 To ensure that those with mobility issues have better access to parking, those with a valid Blue Badge will continue to be able to park within our CPZ's without the need to obtain a specific permit. Typically, CPZ's are introduced on adopted public highway land and in some cases housing estate roads where requested by My Place. Private roads and associated properties remain excluded from the scheme.

3. Be First – New developments and Permit Eligibility Criteria

- 3.1 Barking and Dagenham is at the heart of London's eastward growth and will see significant housing growth over the next 20 years, with the potential to deliver up to 50,000 new homes across the borough. To accelerate this growth the Council established Be First, a wholly-owned urban regeneration company to take forward the delivery of the Council's own pipeline of new properties. This will make a significant contribution to delivering new homes, however it remains the case that the majority of homes will be delivered by the private sector. The scale of growth in the borough means that there needs to be careful management of the impact on existing and future residents' quality of life and access to services.
- 3.2 The Council also performs an important role as the Local Planning Authority (LPA). It is through this function that the Council can exercise controls to ensure that the impact of these new developments on existing infrastructure and services in the borough is mitigated by the developers. This includes formalising agreements with developers, through section 106 agreements, regarding the amount of parking available on individual developments. While much of the legislation regarding parking is set out at a regional and national level, each scheme is considered on an individual basis and, therefore, there needs to be an ongoing dialogue on schemes between the planning officers and the parking design officers to deliver the optimal solution within the wider policy framework.

4. What is a car free property or car light development?

- 4.1 Car-free properties are homes which have been built without car parking spaces. The idea is to reduce traffic congestion, reduce air pollution and better manage the limited amount of space available for on-street parking. By living in a car-free property, residents have agreed to certain terms as set out in their planning conditions or by their landlord. Usually, this means they cannot apply for an on-street parking permit i.e. within a CPZ. The resident's solicitor or landlord should have responsibility for explaining this agreement to buyers before they purchase or rent a property in a car-free development. The refusal to issue a permit will be tied in with the section 45(3) Road Traffic Regulation Act 1984 provision to take into account the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under section 45.
- 4.2 That a development is car free will be part of the planning decision. This arrangement should also be made clear in the section 106 agreement and typically, Be First planners should make this clear to all parties at inception stage so that expectations of both those who live there, the parking enforcement team and Council colleagues are clearly identified. In reality, it is very often the case that even in these types of car restricted developments, residents still decide to use a motor vehicle as a primary means of transport, which results in very high increases in parking demand within the area. Unfortunately, this then leads to concerns by existing local residents in terms of their ability to park, as well as impacting road safety, access for motorists and pedestrians, and air quality which are the very issues the Council and Be First are trying to improve.

- 4.3 This paper looks to formalise the need for Be First planners to agree the parking status of a development at design stage with the Parking service so they can fully understand the parking impact it will have on the area. In the event of not having sufficient parking in the area and in accordance with s45 (3) of the Road Traffic Regulation Act, the policy will be that the parking department reserve the right to not issue parking permits other than in exceptional circumstances as may be determined by the Operational Director, Enforcement & Community Safety

5. Consultation

- 5.1 There is a statutory process of consultation for new CPZ proposals. Consultation on this policy recommendation has been undertaken with the Inclusive Growth team and Be First who are in support.

6. Financial Implications

Implications completed by: Sandra Pillinger, Group Accountant

- 6.1 This is a proposal for the parking service to determine whether parking permits should be issued where residents are living in car-free or car-light developments or otherwise have access to private parking arrangements. There may be some loss of permit income but this is considered negligible in comparison with the benefits to be had from the ability to manage parking demand.

7. Legal Implications

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

- 7.1 The legal position is that many new developments, particularly where they are in-fill sites, would present unacceptable car parking strains on the existing neighbourhoods. Furthermore, concerns about parking pressures are one of the most common themes of objections. As a result, it can be a condition of the planning permission that the developer shall inform the incoming residents that the development will be car-free, and they must not apply for residents parking permits to park in a controlled parking zone (CPZ). It is the case that requirements are placed in the section 106 Agreement to that effect.
- 7.2 Planning is not the only consideration because control of the CPZ's is a Highways function not a planning function. It is therefore proposed to tie the consideration as to eligibility to apply for permit in accordance with section 45(3)(c) of the Road Traffic Regulation Act 1984. So, if a development has a planning condition that it shall be car-free then the Parking administration will be entitled to refuse an application in that that development has not got off-street parking capacity. In case there are special circumstances this eligibility criteria would be tempered to allow the Director responsible for the parking service to use their discretion where they determine there are exceptional circumstances.

8. Other Issues

- 8.1 **Risk Management** – Issuing permits to car free developments will go against planning conditions and guidance as well as impact the ability for local residents to park.

- 8.2 **Corporate Policy and Customer Impact** – An Equality Impact Assessment has been undertaken and is attached at Appendix 1 to the report.
- 8.3 **Health Issues** – Improvements to air quality through the reduction of car emissions and ownership, as well as improve road safety and access.

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

List of Appendices:

- **Appendix 1** – Equality Impact Assessment

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Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

About the service or policy development

| | |
|---------------------------|--|
| Name of service or policy | Parking Enforcement Services |
| Lead Officer | Daniel Connelly – Parking Design Manager |
| Contact Details | Email – daniel.connelly@lbbd.gov.uk |

| |
|--|
| Why is this service or policy development/review needed? |
| <p>This paper sets out the need to refuse eligibility to parking permits for those residing in existing and new housing developments which are deemed to be “car free”, “car light” or where residents living within the housing development have access to a private parking arrangement such as underground parking or private permit scheme.</p> <p>This proposal links the decisions made at Planning Committee regarding the status of the car parking for a housing development i.e Section 106 which is used to mitigate the impact of new homes on the local community and infrastructure and section 45 (3) c of the Road Traffic Regulations Act 1984 which states “the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section”.</p> <p>In the event of not having sufficient parking in the area the housing development is located in accordance with 3c, it will be that the Council’s parking service will not issue a parking permit other than in exceptional services. An example of exceptional circumstance may be if a resident has severe mobility issues.</p> |

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

| |
|--|
| <p>What impacts will this service or policy development have on communities? Look at what you know? What does your research tell you?</p> <p><i>Consider:</i></p> <ul style="list-style-type: none"> • 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. |
| <p>The Parking Strategy 2016-21 set out a clear vision for parking in the borough. This vision was supported by 75% of respondents to the consultation. The vision is “to provide safe, fair, consistent and transparent parking services”. This vision is supported by five main priorities that have been designed to reflect the competing parking needs in the borough. These priorities reflect the needs of residents, businesses, commuters, cyclists and pedestrians alike. The priorities are:</p> <ul style="list-style-type: none"> • Reduce congestion caused by parked vehicles and improve road safety; • Make best use of the parking space available; • Enforce parking regulations fairly and efficiently; • Provide appropriate parking where needed; • Ensure that the low emissions and air quality strategy for London is at the heart of our decision making. |

In developing this Strategy, the Council has developed a hierarchy of needs for parking in the borough, based on the responses to our consultation. This hierarchy forms a core part of our decision making for parking controls, the design of parking schemes and cost of parking services. The hierarchy of parking needs are set out below:

- Residents with a disability (blue badge holder);
- Non-residents with a disability (blue badge holder);
- Local residents;
- Priority care workers;
- Local business essential servicing;
- Short stay visitors and shoppers;
- Long stay visitors and shoppers;
- Long stay commuters

The main point of consideration in relation to this assessment is that the parking service will essentially be abiding by the conditions set at Planning Committee in relation to car free or car light developments which have been agreed by the local authority to improve road safety, air quality, congestion, and pedestrian safety by reducing the amount of vehicle usage on our local roads and estates. The justification for a car free/light development is based and the need to free up key areas for new properties to be built to meet the demand of a growing population. In addition, considerations are given to local transport link such as access to local train and bus services as well as access to local amenities such as shops and other community hubs. This approach is set out within the London Plan which is the statutory Spatial Development Strategy for Greater London prepared by the Mayor of London (“the Mayor”) in accordance with the Greater London Authority Act 1999.

In addition to the benefits already mentioned, car free developments and the right to reserve the issuance of permits within a Controlled Parking Zone (CPZ) for those who specifically reside there, protects existing local residents who already live in the area prior to the development being built.

When residents of these types of new developments occupy the property, it is the responsible of the landlord or solicitor of the buyer to make the parking arrangements clear. so the impact to those particular residents should be minimal or at least pre advised. The impact to those existing residents is far greater if we were to provide the new residents with permits to part within the local CPZ. This will have significant impact to parking availability on what is already a demanding area for parking. This will result in the most vulnerable members of the community potentially having difficulties to park such as blue badge holders who are able to park for free in CPZ's because they have mobility issues. The aim of a CPZ is to provide better access to parking for local residents and users such as business owners, visitors to family or shops, and local green space for example. A common complaint from residents is the impact new developments have upon their ability to park. despite the development being car free because quite often car free residents are requesting permits for multiple vehicles to park within the existing CPZ.

Linking back to the parking strategy and the Mayors London plan which have many of the same principals at heart we need to reserve the right to issue permits to those residents who reside in car free or car light developments. It should be mentioned that when parking is provided at some new developments. It is done so for blue badge holders only to meet the needs of resident living in adapted properties.

Demographics

Barking and Dagenham has:

- 208,182 residents – 7th smallest population in London
- 56,613 under 16s – highest proportion in London and the UK

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

- 131,749 16 to 64s – 4th lowest proportion in London
- 19,820 over 65's – 10th lowest proportion in London
- 33 average age – lower than London average (36.0)
- 58.2 male healthy life expectancy – below London average (63.5)
- 60.7 female healthy life expectancy – below London average (64.4)
- 46.7 average attainment 8 score per pupil (GCSE) – below London average (48.9)
- 12.4% have no qualifications – 2nd highest in London
- 86.5 births per 1,000 women of childbearing age – highest in London
- 89.0 crimes per 1,000 people – below London average (93.7)
- £305,000 average house price – lowest in London
- 18.7% English not first language – below London average (22.1%) for aged three-plus
- 7.7% unemployment – 2nd highest in London
- 68.1% employment – below London average (74.0%)
- 13% Department of Work and Pensions (DWP) benefits claimants – highest in London
- 50.5% Black and minority ethnic (BME) population – below London average (55.1%)
- 30.9% born abroad – below London average (36.7%)
- 4.7% Nigeria most common birthplace outside the UK, followed by India and Pakistan.

Sources:

- Office of National Statistics revised 2016 Mid-Year population estimates (Number of residents; Age range of residents; Average age of residents)
- Office of National Statistics 2011 Census (BME population; Born abroad; Most common birthplace; English not first language)
- Office of National Statistics Annual Population Survey (January 2017 to December 2017) (Have no qualifications)
- Office of National Statistics Annual Population Survey (January 2017 to December 2017) (Unemployment, Employment)
- Department of Work and Pensions November 2016 (Benefits Claimants)
- Office of National Statistics (Year ending September 2017) (Average house price)
- Metropolitan Police Service rolling 12 months to November 2017 (Crimes)
- Department for Education Summer 2017 (revised)
- Office of National Statistics 2016 (Births)
- Office of National Statistics 2014 to 2016 (Healthy life expectancy)
- APR18

| Potential impacts | Positive | Neutral | Negative | What are the positive and negative impacts? | How will benefits be enhanced and negative impacts minimised or eliminated? |
|-------------------------------------|----------|---------|----------|--|--|
| Local communities in general | x | | | The positive and negative impact have been mentioned above but there are two aspects to look at. Those existing residents who live with a CPZ prior to the development becoming operational and residents living within the new development. Emphasis should be given to protect parking for existing residents because new residents are clear as to the arrangement of the car free developments | By not issuing permit to new residents, we are simply enforcing the planning status of the developments, which in turn will protect parking for those existing residents who |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

| | | | | |
|---------------------------------------|--|---|---|--|
| | | | and should therefore not expect to be able to park their vehicle within the local area because this goes against the principals set out within this assessment, planning status and the Mayors London Plan. The main positive impact to local residents will consist of better air quality, safer roads and pavements as well as less congestion which will be achieved through restricting permit issuance. | require it and don't have the same status. The proposal is line with the priorities set out in the Parking Strategy 2016-21, to provide safe, fair, consistent and transparent parking services. |
| Age | | X | The borough has the highest population percentage of 0-19 year olds in the country at 31%. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Source: Census 2011). It is anticipated that some older people be encouraged to use public transport, particularly those over 60 who access to freedom passes and children are entitled to free or reduced cost public transport. | |
| Disability | | X | New developments will have a proportion accessible parking spaces if parking condition require it and should the estate contain adapted properties. Should a request be made from a blue badge holder who lives within the new development the case may be considered on its merits and providing there is sufficient parking with the CPZ to do so. A formal application will need to be made to the Council mobility team or Reside in conjunction with the parking department. Applications will need to be measured against existing and similar usage in the zone. Those with a disability also have access to free transport via the London wide freedom pass scheme. | There is provision for disabled badge holder parking throughout the borough with free parking in car parks and on pay and display bays. Badge holders may park for up to 4 hours in designated disabled bays and 3 hours on waiting restrictions denoted by yellow lines. We have a duty to minimise the effects on existing disabled users and those with access to blue badge holder parking bays |
| Gender reassignment | | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals on those people with gender reassignment. | |
| Marriage and civil partnership | | X | 41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same- | |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

| | | | | |
|---|--|---|--|--|
| | | | sex civil partnership (Source: Census 2011). There is no evidence to suggest a differential impact (direct or indirect) of the proposals based upon this protected characteristic. | |
| Pregnancy and maternity | | X | Teenage pregnancy rates are significantly higher than average. The rate of teenage conceptions in 2014 was 32.4 per 1000 population of females aged 15-17. This was the second highest rate in London. We also have the highest birth rate in London (Source: ONS). There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on pregnancy or maternity related issues. | |
| Race (including Gypsies, Roma and Travellers) | | X | The population ethnicity is 24.6% Black (African, Caribbean and Black Other) residents; 15.5% Asian (Bangladeshi, Indian and Pakistani); and 8% from other or mixed ethnic groups (Source: GLA population projections). There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on race. | |
| Religion or belief | | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals on those people differing religions or beliefs. | |
| Sex | | X | 51.5 % of the borough's residents are female, and 49.6% are male (Source: Census 2011). There is no evidence to suggest a differential impact (direct or indirect) based on sex. | |
| Sexual orientation | | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals on those people based on sexual orientation. | |
| Socio-economic Disadvantage | | x | There is no evidence to suggest a differential impact (direct or indirect) of the proposals on those people based on economic disadvantage | |
| Any community issues identified for this location? | | X | Applies to many locations across the borough, so nothing to specifically mention at this stage. | |

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.

If you have already undertaken some consultation, please include:

- Any potential problems or issues raised by the consultation
- What actions will be taken to mitigate these concerns

Before CPZ's are introduced we consult with all affected stakeholders including local residents, businesses and other community hubs.

Statutory consultation involves public notices displayed on-street and within local publications. In addition, the Council will seek to gauge public support for the CPZ by sending leaflets to local residents and asking for a response where appropriate

When introducing a CPZ, the principals of the parking strategy are applied in respect of the hierarchy of needs and the following factors;

- Reduce congestion caused by parked vehicles and improve road safety;
- Make best use of the parking space available;
- Enforce parking regulations fairly and efficiently;
- Provide appropriate parking where needed;
- Ensure that the low emissions and air quality strategy for London is at the heart of our decision making.

As previously stated by living in a car-free property, those residents have agreed to certain terms as set out in their planning conditions or by their landlord. The resident's solicitor or landlord should have the responsibility for explaining this agreement to buyers before they purchase or rent a property in a car-free development.

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 **Section1 and 2** and should be picked up in your departmental/service business plans.*

| Action | By when? | By who? |
|---|----------|---------------------|
| There will be a need to continually monitor this policy and it may be there are specifically cases that potentially require access to permits or special considerations to ensure any additional needs are met despite the status of the development being clear from the outset. | Ongoing | The Parking Service |

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.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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

Implications/ Customer Impact

The need to refuse access to parking permits to those residing in existing and new housing developments which are deemed to be “car free”, “car light” or where residents living within the housing development have access to a private parking arrangement such as underground parking or private permit scheme is important to protect safe and accessible parking to existing residents and other users such as blue badge holders.

This proposal links the decisions made at planning committee regarding the status of the car parking for a housing development i.e section 106 which is used to mitigate the impact of new homes on the local community and infrastructure. Particularly important to this report are the principals of the parking service and the Mayors London plan to improve road safety, air quality and greater access to parking for blue badge holder where our most vulnerable residents and visitors have additional need or mobility issues. This policy will help to achieve these benefits by reducing the amount of car ownership and parking demand within an area, as well as allowing the local authority to fully implement the parking conditions set out a planning.

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 |
|-----------|--|------------|
| Andy Opie | Operational Director for Enforcement | 26/04/2021 |
| | | |
| | | |
| | | |

CABINET**25 May 2021**

| | |
|---|---|
| Title: Procurement of External Enforcement Agent Service | |
| Report of the Cabinet Member for Finance, Performance and Core Services | |
| Open Report | For Decision |
| Wards Affected: None | Key Decision: No |
| Report Author: Karl Smith – Enforcement Agent Service Manager | Contact Details: Tel: 07925356337 E-mail: karl.smith@lbbd.gov.uk |
| Accountable Strategic Leadership Director: Mark Fowler, Strategic Director, Community Solutions | |
| <p>Summary:</p> <p>The Council currently uses a number of external Enforcement Agent companies to assist in collecting debts across various services including Council Tax, Business Rates, Parking, Housing Benefit Overpayments and General Income.</p> <p>The services were provided through the wider partnership with Elevate, which ended in December 2020. The contracts were novated from Elevate to LBBD in December 2020 with a one-year extension until 31 December 2021. Therefore, the Council is now looking to procure these services directly for a further period of up to four years (three years plus one-year extension) from December 2021.</p> <p>Under the current arrangements, the Council contracts with five companies who provide this service. Going forward, it is proposed to engage two companies for all required enforcement services across the council as a compliment to the in-house enforcement team.</p> | |
| <p>Recommendations</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Agree that the Council proceeds with the procurement of contracts for external Enforcement Agent services in accordance with the strategy set out in the report; and (ii) Authorise the Strategic Director of Community Solutions, in consultation with the Cabinet Member for Finance, Performance and Core Services, the Strategic Director of Law and Governance and the Managing Director, 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. | |

Reason(s)

To complete a procurement process so that the operational requirements for the service provision of enforcement activities including Council tax, business rates and parking debt recovery are captured under a contract. This procurement will ensure that the services can be provided with outcomes achieved which support ethical collection in line with the in-house enforcement service.'

This procurement will provide a more ethical and compliant way for the council to recover outstanding debt from those that live outside of the borough and promote closer working with the third sector to support vulnerable people who are in debt.

1. Introduction and Background

- 1.1 Since 2014 the collection of a number of Council income streams were delivered through the Council's partnership with Elevate. Those arrangements are now coming to an end and services are being brought back in-house over a phased period, completing in December 2021.
- 1.2 As part of those functions provided, Elevate contracted for the provision of debt collection services and therefore the Council will now need to procure these services directly. Procuring directly will allow services to be fully align to the Council's key priorities and can work effectively with the new in-house enforcement agent service that goes live in April 2021.
- 1.3 The in-house enforcement service will provide all enforcement services within the borough and those postcodes that are adjacent to it.
- 1.4 The report outlines the suggested approach to procuring the services that fall outside the in-house service, utilising the YPO national DPS to procure these services for a maximum period of four years commencing from December 2021.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured

- 2.1.1 The engaged companies would supply the following services for warrants and liability orders that fall outside of the scope of work conducted by the in-house enforcement team:
 - Pre-debt verification checks of relevant cases to identify deceased and bankrupt cases where enforcement is unlikely to be achievable.
 - Debt currently in scope (Liability orders, Business Rates and Parking Debt) and any future debt that comes in scope will be managed from any service within LBBD will be passed through the Internal Enforcement Agent Service Manager to be allocated either internally, or through the external enforcement suppliers.
 - Enforcement of warrants and liability orders through to conclusion of full payment or to the end of a natural outcome aligned with specified legislation, e.g. nulla bona, part paid, sale of goods or where there is evidenced justification.

- Post visit tracing for new addresses where the customer has been identified as gone away and new data to support the enforcement process that will allow further justified activity.
- Case allocation would be all cases that fall outside of the borough (borough to include adjacent postcodes). Should the expected volume of in-house cases grow beyond the estimated levels, some cases could be given to the external companies on a temporary basis.
- Assignment or allocation of cases can be achieved:
 - Work will be allocated across 7 regions throughout England and Wales as defined by the HM Courts & Tribunals Service estate map;
 - Where results are unsuccessful the cases would be reallocated as second issue to the other company.
- The pursuit of Non-UK parking debt would not fall within the scope of this tender.

2.2 Estimated Contract Value, including the value of any uplift or extension period

2.2.1 The contract does not directly cost LBBD any money to engage the services of the enforcement companies. The enforcement companies earn their income from the fees that are charged on each case and these are set out in legislation.

2.2.2 Below is an estimate of the value the enforcement companies may collectively make over the contract term. This is estimated as it is based on the volume of cases LBBD allocates to the enforcement companies. The volume of cases may increase / decrease as it is a demand led contract.

2.2.3 The figures in the table below represent current levels of performance but the expectation would be that these values increase.

| | Council Tax | Parking |
|--|----------------------|---------------|
| Total Cases per year | 1488 | 12245 |
| Compliance stage (10%) | £11,100.00 | £91,837.00 |
| Potential value of collected debt for LBBD | £179,968.00 | £248,472 |
| Enforcement stage (16%) | £50,384.00 | £414,389.00 |
| Potential value of collected debt for LBBD | £260,224.00 | £357,962.00 |
| Total | £61,484.00 | £506,226.00 |
| Contract term 3yrs +1 | £245,936.00 | £2,024,904.00 |
| | £2,270,840.00 | |
| Total potential value of collected debt for LBBD | £4,186,504.00 | |

2.3 Duration of the contract, including any options for extension

2.3.1 Three years with the option to extend for a further year.

2.4 Is the contract subject to (a) the (EU) Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?

2.4.1 Yes

2.5 Recommended procurement procedure and reasons for the recommendation

2.5.1 Further competition from the Yorkshire Purchasing Organisation (YPO) Enforcement Agency Services (953) Dynamic Purchasing System (DPS). There are 21 suppliers named on the DPS, the largest number of suppliers on a known DPS/Framework. Our incumbent suppliers are all named on the DPS. A DPS is similar to a framework but is open to allow suppliers to apply to be included on the DPS throughout the term the DPS is running. The DPS commenced on 1st April 2019 and expires on 31st March 2024.

2.5.2 One package of work will be issued via the DPS. LBBB will contract with the top 2 scoring suppliers. Over a set period, the IT system will allocate cases equally and fairly, including geographically, to each supplier. Allocating cases this way removes the risk of unfair allocation.

2.6 The contract delivery methodology and documentation to be adopted

2.6.1 The contract will be delivered by two separate enforcement companies. This will be from their own premises for the purposes of administration and subsequently at the specific premises of those with outstanding debts as detailed in each warrant and or liability order. The DPS terms and conditions will be used for the contracts.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract

2.7.1 The contract does not directly cost LBBB any money to engage the services of the enforcement companies. The enforcement companies earn their income from the fees that are charged on each case and these are set out in legislation. The benefit to LBBB is the debt that is collected and recovered through the process of utilising the Tribunals Courts and Enforcement Act 2007.

2.7.2 External enforcement companies should be able to demonstrate their approach to ethical enforcement to align with the in-house enforcement model. This would include their content and methods of communication with customers through digital options and traditional written methods. The service delivery of the companies will be required to evidence their commitment to vulnerable customers and integrated approaches to the third sector.

2.7.3 KPI's will be set for four high level areas.

- I. Collection of debt during the compliance period (the period between receiving the warrant/ liability order and an enforcement agent attending)
The additional fees at this stage are lower and gives a greater opportunity for the customer to resolve the debt.

- II. Collection of debt at the enforcement stage (where an enforcement agent has made an attendance at the premises of the customer)
- III. Referrals of the most vulnerable customers to third sector support centres.
- IV. The application of fees to cases. The purpose of this is to understand when and why additional fees have been applied allowing the identification of an ethical approach to case management.

2.8 Criteria against which the tenderers are to be selected and contract is to be awarded

2.8.1 10% Social Value, 90% quality. There will be no pricing evaluated as the fees and charges the Enforcement Agent applies are set by government legislation and cannot be altered.

2.8.2 There will be no financial charge to LBBD by the suppliers. Suppliers make their money by the fees and charges.

2.9 How the procurement will address and implement the Council's Social Value policies

2.9.1 10% of the potential marks awarded in the proposed evaluation criteria will review the social value benefits being offered by the bidder for the borough. We will give potential bidders access to the Council's Social Value Toolkit where more information is provided regarding the borough priorities, Social Value themes and ideas of outputs.

The evaluation process will take note of the Council's legal obligation to consider Social Value under the Public Services (Social Value) Act 2012.

2.10 Contract Management methodology to be adopted

2.10.1 The contract will be managed through monthly meetings with the separate enforcement companies. This will be open to the individual business areas for attendance as well. Revenues and parking. The contract will be managed by the Enforcement Agent Service Manager. Corporate Procurement will be managing the procurement process.

3. Options Appraisal

3.1 Option 1 – Internal Enforcement Agent Service provides the services. This option was rejected because cases can be located anywhere in England and Wales. The operational constraints would prevent the in-house team from working these cases effectively.

3.2 Option 2 – carry out an open tender. The option was rejected as there are known frameworks available to use that meet LBBD's requirements and with a large supplier base. Utilising a framework will reduce officer time and the procurement timelines.

3.3 Option 3 – utilise the CCS Debt Management Services RM6208 Framework. Rejected as there is only one supplier named on the framework.

- 3.4 Option 4 – utilise the Rotherham MBC. Rejected as the Framework ends in June 2021 and will not be extended or relet.
- 3.5 Option 5 – engage individual enforcement agents as contractors. This option was rejected because even though many enforcement agents within the industry contract to companies the appetite within the council for this approach has not been raised. Given the period of time available it would not be practical to research this option given the volume of operational need within this but will be explored in greater detail for the future.

4. Waiver

- 4.1 Not applicable.

5. Consultation

- 5.1 The proposals in this report were considered and endorsed by the Procurement Board at its meeting on 19 April 2021.

6. Corporate Procurement

Implications completed by Sam Woolvett, Corporate Procurement

- 6.1 This report outlines the intention to use the YPO DPS framework agreement as the preferred route to market running a mini competition for LBBD's specific requirements. This route to market is compliant with the Councils procurement rules and with the UK Procurement regulations.
- 6.2 Running a full open market tender would appear to be more labour intensive than the proposed route to market which on balance should result in the best overall value for money of the available options.
- 6.3 The award criteria are stipulated by the framework owners however with this agreement provision has been made to allow the customer to tailor the weighting to the specific requirement when running a mini competition.
- 6.4 Corporate Procurement will be managing the mini competition.

7. Financial Implications

Implications completed by: Nurul Alom, Finance Business Partner

- 7.1 There is no financial impact to the council's general fund as a result of this arrangement. The service provider will earn their money from fees charged directly to those in debt. This is governed by legislation. LBBD benefit from the contract on an income basis from the debt that is collected. However, there is inherent reputation risk for LBBD.

8. Legal Implications

Implications completed by Jean Nweke, Contracts & Procurement Lawyer (Law and Governance)

- 8.1 This report is seeking a decision to be made to procure external enforcement agent services from the Yorkshire Purchasing Organisation (YPO) Enforcement Agency Services (953) Dynamic Purchasing System (DPS), in accordance with the strategy set out in this report.
- 8.2 Under Regulation 34 of the Public Contracts Regulations 2015, contracting authorities may use a dynamic purchasing system for commonly used purchases the characteristics of which, as generally available on the market, meet their requirements.
- 8.3 The Council shall award the contract to the tenderer that submitted the best tender on the basis of an award criteria weighting of 10% social value and 90% quality.
- 8.4 There are no direct costs to the Council to engage the services of the enforcement agencies under the contract. However, it is estimated that the contract will have an approximate value of £2,270,840.00 in commission fees over the contract duration of three years from December 2021. There will be the option to extend the contract for one year. The contract will be based on the DPS's standard terms and conditions.
- 8.5 The proposals set out in this report would therefore appear to be legally permissible and compliant with the Council Contract rules and Procurement Contract Regulations 2015.

9. Other Implications

- 9.1 **Risk and Risk Management** – The risk to not implementing these contracts would prevent a significant volume of debt from revenues and parking being uncollected. The option of keeping the contract to only two suppliers improve the value of the contract and subsequently increases the focus on the supplied work.
- 9.2 **TUPE, other staffing and trade union implications** - The incumbent suppliers have confirmed that TUPE does not apply.
- 9.3 **Corporate Policy and Equality Impact** – An Equality Impact Assessment has been undertaken and is attached at Appendix A.

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

List of appendices:

Appendix A – Equalities Impact Assessment

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Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

About the service or policy development

| | |
|---------------------------|------------------------------------|
| Name of service or policy | Internal Enforcement Agent Service |
| Lead Officer | Karl Smith |
| Contact Details | 07925356337 |

| |
|--|
| Why is this service or policy development/review needed? |
| <p>The Internal Enforcement Agent (Bailiff) Service was agreed at Cabinet in January 2019 and through CSG on 19th March 2020.</p> <p>Setting up the Internal Enforcement Agent Service is part of the Core support service review. The service will comprise the collection of Council Tax, Business Rates and Parking incomes</p> <p>The new internal service will support the above strategy through:</p> <ul style="list-style-type: none"> • An increased emphasis on ethical collection forming a key component particularly aligned and integrated with the broader work of Community Solutions providing better outcomes for residents and supports earlier intervention for vulnerable households. • Closer strategic alignment with other LBBB services and increased control over enforcement activities. • Increased income collection and reduced debt. • An improved customer experience when dealing with internal Enforcement Agents. The Agents are bound by the National Standards for Certificated Enforcement Agents and introducing methods of working closer with residents to resolve their situation, giving agents greater incentive to minimise the impact of the debt and signposting vulnerable residents to appropriate services will create a better resident experience. |

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

| |
|---|
| <p>What impacts will this service or policy development have on communities? Look at what you know. What does your research tell you?</p> <p>Please state which data sources you have used for your research in your answer below</p> <p><i>Consider:</i></p> <ul style="list-style-type: none"> • 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. • It is Council policy to consider the impact services and policy developments could have on residents who are socio-economically disadvantaged. There is space to consider the impact below. |
|---|

The main community impact is in creating a service which places a greater emphasis on balancing the need of the Council to recoup debt with the need to support the resident and enable them to access support and payment plan options which will assist them to pay while not causing further negative impact on them. This is set out in more detail in the body of the report.

In summary, while traditional enforcement agents are incentivised to collect payment in full as quickly as possible, the proposed service involves agents trained in an alternative model which encourages communication with the resident and flexibility to offer payment plans. The proposed service includes an emphasis on reminders and clear referral pathways to the CAB and other agencies to discuss their needs around debt, which can also identify and begin to address and any other issues they are experiencing – as debt can be a symptom of a wider more holistic problem. The communications templates have been developed in consultation with behavioural scientists who suggested how to make these more approachable to encourage residents to engage.

There is a range of data to demonstrate that debt is not experienced equally across society and that nationally and locally there are some protected characteristics for whom debt is more likely to be experienced than others. However, the new service aims to minimise the negative impacts of debt and help residents to access support they need, understanding their holistic needs and supporting them to pay in an appropriate way rather than making demands which could cause further negative impacts. So while some demographics may be more likely to incur debt, the service aims to help everyone in the ways which are most appropriate for them.

Demographics

During this century Barking and Dagenham has become one of the fastest-changing communities in Britain:

- Between the 2001 and 2011 censuses the population rose from 164,000 to 186,000 and is projected by the Office for National Statistics (ONS) to rise to 228,000 people by 2043. The most recently available provisional population estimate from ONS is 212,906 as of 30 June 2019.
- The age of the community is changing with the highest birth rate in London, and a large number of young people – Barking and Dagenham has the highest proportion of under 16-year old's in the UK.
- The borough becomes more diverse each year – the proportion of the population identifying as coming from black and minority ethnic backgrounds increased from 19.1% to 50.5% between the 2001 and 2011 censuses, whilst those identifying as White British reduced from 80.9% to 49.5%. Ethnic projections available from the GLA forecast 66% of the borough population identifying as coming from black and minority ethnic backgrounds in 2020 compared to 34% identifying as White British.

Barking and Dagenham had the highest overall deprivation score in London according to the 2019 indices of deprivation published by the Ministry for Housing, Communities and Local

Government (MHCLG). This is because Barking and Dagenham had people in the borough die earlier, have poorer health and lower levels of education and skills than across London whilst too many residents are in low paid work and struggle to find suitable homes they can afford.

More nationalities, cultures and faiths are represented than ever before. The 2011 Census which showed 18.7% of the population aged 3 and over did not have English as their first language with 3.6% unable to speak English well or at all. More recent data taken from the council's latest School Census as of January 2020 shows that the main household language for 51.4% of pupils in Barking and Dagenham was not English (LBBD School Census January 2020).

Diversity is an asset and a strength, but it also brings challenges. As a commissioner and provider of public services we must keep up to date with demographic changes and adapt our approach to meet the needs and expectations of our residents. We must value diversity and understand that residents are individuals. As such we must evolve how we plan and deliver services that are inclusive, accessible, outcomes focussed, and personalised.

Age

The Borough has the highest proportion of 0-16 year old in the UK. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Census 2011).

Disability

Approximately 9,030 people of working age (16-64 years) are claiming disability allowance (DWP Nomis 2020). According to the latest ONS data, 16.9% of Barking and Dagenham residents aged 16-64 years were EA core (includes those who have a long-term disability which substantially limits their day-to-day activities), or work-limiting disabled as at December 2019 (ONS, 2020).

Gender

51.5 % of the Borough's residents are female, and 49.6% are male (Census 2011)

Gender reassignment

We estimate that there may be approximately 40 people in the Borough who have or who will undergo gender reassignment (Gender Identity Research and Education Society advice 2016).

Marriage and civil partnership

41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same-sex civil partnership (Source: Census 2011).

Ethnicity

The proportion of the population identifying as coming from black and minority ethnic backgrounds increased from 19.1% to 50.5% between the 2001 and 2011 censuses, whilst those identifying as White British reduced from 80.9% to 49.5%. Ethnic projections available from the GLA forecast 66% of the borough population identifying as coming from black and minority ethnic backgrounds in 2020 compared to 34% identifying as White British (GLA Population Projections). More specifically, the most recent population estimates suggest LBBD's population is made up 24.6% Black (African, Caribbean and Black Other) residents; 15.5% Asian (Bangladeshi, Indian and Pakistani); and 8% from other or mixed ethnic groups (Source: GLA population projections).

Religion or belief

56% of the population identify as Christian. 18.9% identify with no religion. 13.7% identify as Muslim (Census 2011).

Sexual orientation

Between 10,000 – 14,000 people in Barking and Dagenham are lesbian, gay and bisexual (Stonewall estimates).

The table below provides an indication of some of the impacts identified for the Internal Enforcement Agent Service predictive modelling system:

| Potential impacts | Positive | Neutral | Negative | What are the positive and negative impacts? | How will benefits be enhanced and negative impacts minimised or eliminated? |
|-------------------------------------|----------|---------|----------|--|---|
| Local communities in general | X | | | Positive – Greater engagement with those with outstanding debt will assist in finding the right structured path or plan to reduce their debt. In the longer term this will improve their quality of life. Vulnerable residents that are identified will be referred where possible with the correct lifecycles of ComSol | By using ethical enforcement, approachable enforcement agents and working with residents to reduce their debt can have a positive impact on their lives. Visiting resident and business properties may identify those who are vulnerable and have not been on the Council's radar previously. Using a service which is connected to support services means that these residents will be referred to the most relevant service(s) to support them and/or their families. |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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| | | | | <p>Reducing the amount of outstanding debt owed to the Council and generating additional income will allow the volume and breadth of services across the Council to be increased, supporting an increased number of residents. But it is also important to do this in a way which does not worsen the situation of people in need in the Borough, who could then fall into requiring support.</p> |
| Age | | X | <p>All residents that are passed to the department are sent a Notice of Enforcement (NoE) to advise them that unless payment or a payment plan is agreed an enforcement agent will visit. The statutory time frame is 7 days. To assist those that are digitally excluded this will be increased to 21 days as standard. The NoE will have various contact methods available to them including direct phone.</p> | <p>The Borough has the highest population percentage of 0-19 year olds in the country at 31%. The over 60 population accounts for one of the smallest percentages of population in England and Wales (Source: Census 2011).</p> <p>The vast majority of this 31% (0-17 years old) cannot be enforced against.</p> <p><i>The Taking Control of Goods Regulations 2013</i></p> <p><i>(1) The enforcement agent may not take control of goods of the debtor where—</i></p> <p><i>(a) the debtor is a child</i></p> <p>Older people may have barriers to communication such as electronic reminders, text or email and less likely than other groups to not be online*. Virtually all adults aged 16 to 44 years in the UK were recent internet users (99%) in 2019, compared with 47% of adults aged 75 years and over. Taking Control of Goods: National Standards document the elderly as being possibly vulnerable. The agent has a duty to contact the</p> |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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|-------------------|--|---|--|--|
| | | | | <p>creditor and report the circumstances in situations where there is evidence of a potential cause for concern. If necessary, the enforcement agent will advise the creditor if further action is appropriate.</p> <p>*https://www.ons.gov.uk/businessindustryandtrade/itandinternetindustry/bulletins/internetusers/2018</p> |
| Disability | | X | <p>Where a resident with a disability is identified and not known to the Council, they will be referred through the relevant channel to support them and offer guidance where needed</p> | <p>Residents with a disability are more likely to be indebted or out of work*</p> <p>Known disabilities are recorded in the Council's source system i.e. for blue badges.</p> <p>Motobility vehicles (3rd party) and those displaying blue badges are exempt from removal and items for everyday living are exempt from being taken into control.</p> <p>Under the Taking Control of Goods Regulations 2013 – Section 4, Exempt Goods</p> <p><i>(vii)any item or equipment reasonably required for—</i> <i>(aa)the medical care of the debtor or any member of the debtor's household;</i> <i>(bb)safety in the dwelling-house;</i></p> <p><i>(ix)any item or equipment reasonably required for the care of—</i> <i>(aa)a person under the age of 18;</i> <i>(bb)a disabled person; or</i> <i>(cc)an older person;</i></p> <p><i>(d)a vehicle on which a valid disabled person's badge is displayed because it is used for, or in relation to which there are reasonable grounds for</i></p> |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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|---------------------------------------|--|---|--|---|
| | | | | <p><i>believing that it is used for, the carriage of a disabled person;</i></p> <p><i>*Disability facts and figures / Disability charity Scope UK</i></p> <p>People with disabilities are within the potentially vulnerable group and the agent has a duty to contact the creditor and report the circumstances where there is evidence of a potential cause for concern. If necessary, the enforcement agent will advise the creditor if further action is appropriate.</p> <p>The difference between internet use in disabled and non-disabled adults was greater in the older age groups. For adults aged 75 years and over, 41% of disabled adults and 54% of non-disabled adults were recent internet users. In comparison, there was little difference in recent internet use for disabled and non-disabled adults in the 16 to 24 age group; 98% of disabled adults and 99% of non-disabled adults in this age group were recent internet users.</p> |
| Gender reassignment | | X | There is no direct evidence to suggest a differential impact (direct or indirect) of the proposals on transgender people | No impact. |
| Marriage and civil partnership | | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals based upon marital status. | 41.9% of the population aged 16 and above are married, 38.8% are single and never married, and 0.2% are in a same-sex civil partnership (Source: Census 2011). |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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|--|---|--|---|
| Pregnancy and maternity | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on pregnancy or maternity related issues. | N/A |
| Race (including Gypsies, Roma and Travellers) | X | <p>People from Black, Asian and other minority ethnic communities are most at risk from debt as a result of the economic impact of the coronavirus pandemic, new analysis by Institute for Public Policy Research (IPPR) has found.</p> <p>Among borrowers, those from Black communities had the highest relative debt levels, with an average equivalent to 18% of their annual gross income, compared with 12% across all groups. The service has been structured to provide 3 times the amount of time to gain debt advice. Direct telephone referrals will be provided to the advice sector to reduce the time taken to obtain advice and reduce associated stress.</p> <p>https://www.ippr.org/files/2020-11/helping-households-in-debt-nov20.pdf</p> | <p>The use of an ethical enforcement aims to provide a balance between enforcement and support for those who are in debt to the Council. While there may be inequality in people who fall into debt, this more supportive approach aims to work better for everyone, aiming to alleviate the negative impact of debt, which is felt disproportionately in some communities. Enforcement agents and Compliance Officers have undergone a level 3 training course that includes an understanding of the Equalities Act, Human Rights Act and cultural differences including holidays and festivals.</p> |
| Religion or belief | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on religion or belief. | N/A |
| Sex | X | There is no evidence to suggest a differential impact on the likelihood of debt and requiring the service based on gender. | N/A. |
| Sexual orientation | X | There is no evidence to suggest a differential impact (direct or indirect) of the proposals based on sexual orientation. | N/A |

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

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|--|----------|--|--|---|
| <p>Socio-economic Disadvantage</p> | <p>X</p> | | <p>People at a socio-economic disadvantage are self-evidently more likely to incur debt. This approach aims to support people in debt to pay and balance the Council's need to recoup money against the needs of the person who has incurred debt. This is a positive move away from more traditional bailiffs who would prioritise payment in full, which can further impact people at a socio-economic disadvantage.</p> | <p>Rather than a traditional approach where an enforcement agent/agency is paid for payment in full (creating pressure on residents and agents to give full payment as soon as possible), this model works as outlined above to give residents appropriate time to respond and incentivises accessing appropriate support, along with using agents who receive training in an alternative model to encourage communication and flexibility to offer payment plans rather than paid in full cases.</p> |
| <p>Any community issues identified for this location?</p> | | | <p>None identified</p> | |

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.

If you have already undertaken some consultation, please include:

- Any potential problems or issues raised by the consultation
- What actions will be taken to mitigate these concerns

This project was approved by cabinet in January 2019 as part of the Council's Core Support Services Workstream 1, Elevate Services. Consultation has taken place across a range of key officers and Heads of service through the business case, meetings and presentations outlining the benefits to the Council and the residents.

Internal Consultation

- Director of Transformation
- Chief Executive Officer
- Chief Information Officer
- Head of Support Lifecycle
- Head of Service Development
- Head of IT Projects
- Head of Insight & Innovation
- Behavioural Insight Lead
- Community Solutions Strategy Board
- IT and Transformation Leads
- The Council's political leadership

External Consultation

External stakeholders have been consulted on their views to gather information on this matter. Through the Welfare Stakeholder Board input has been obtained from Citizens Advice Bureau Dagenham.

Citizens Advice Bureau have through consultation, agreed to set up a direct referral scheme where Enforcement Agents and Compliance Officers identify vulnerable residents. This approach assists in keeping the level of debt to a minimum by intervening at an early stage before enforcement agent fees are applied. As such, making it easier to come to an agreement on paying the debt off in a structured, affordable manner.

3. Monitoring and Review

| How will you review community and equality impact once the service or policy has been implemented? <i>These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.</i> | | |
|--|----------|--------------------------|
| Action | By when? | By who? |
| Review actions of enforcement agents for quality assurance. Through body worn camera reviews, observations and through the Council's complaints and enquiry procedures. | Ongoing | Enforcement service team |
| Report the outcomes from the above reviews to the Community Solutions Board | Ongoing | Enforcement service team |
| Report and embed practice which responds to any identified equalities issues | Ongoing | Enforcement service 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 summarise 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 |
|--|
| <p>Project already agreed at Cabinet in Jan 2019</p> <p>The rollout of the in-house bailiff enforcement service will generally have a positive impact. Applying an ethical approach to collections will provide greater flexibility to enforcement agents that will allow them to work with residents in managing repayments, reduce their debt and improving their situation.</p> <p>Where vulnerable residents are identified enforcement agents will refer them to the most appropriate departments. This is an ongoing piece of work to develop and continually review how residents are signposted to the most relevant departments. Feedback will also be provided to manage any equality discrepancies.</p> |

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 |
|-------------|--|------------|
| Karl Smith | Enforcement Agent Service Manager | 6 May 2021 |
| Mark Fowler | Strategic Director | 6 May 2021 |
| | | |
| | | |

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CABINET**25 May 2021**

| | |
|---|---|
| Title: Future of Roycraft House, Linton Road, Barking | |
| Report of the Cabinet Member for Regeneration and Social Housing | |
| Open Report | For Decision |
| Wards Affected: Abbey | Key Decision: No |
| Report Author: David Harley, Head of Regeneration, Be First | Contact Details: Tel: 07870 278181 E-mail: david.harley@befirst.london |
| Accountable Director: Ed Skeates, Director of Development, Be First | |
| Accountable Strategic Leadership Director: Graeme Cooke, Strategic Director of Inclusive Growth | |
| Summary | |
| <p>The move to home working as a result of Covid-19 has confirmed that the Council is able to operate efficiently with reduced office space and in particular has identified that Roycraft House, a standalone office building in Barking Town Centre, will be surplus to requirements later this year. This opens up various potential opportunities and the chance to deliver a number of Council priorities.</p> <p>Compared to other Major Town Centres of its size/population, Barking has a limited and tired office stock which results in wider implications for daytime footfall/spend and the general economic health of the town centre. A number of office blocks have been converted to residential through permitted development rights further reducing supply and town centre employment. The recently adopted Barking Town Centre Regeneration Strategy recognised the importance of a vibrant town centre with a mix of uses where adaptability and flexibility are key features. The Council has an ambitious jobs target and Barking Town centre will need to play a role in achieving it. There is much debate about the future of town centres with covid quickening existing trends. Barking was already a place in flux and it will be important not to miss out on potential opportunities. The Roycraft House site can play an important role in delivering the objectives of the Strategy improving Barking's offer.</p> <p>A number of related workstreams are underway:</p> <ol style="list-style-type: none"> 1) Masterplanning wider site: Roycraft House sits within a wider plot with future development opportunities. Initial masterplanning work has been done looking at the medium/long term opportunities for this wider site which includes the Council owned London Road car park. 2) Last November a piece of work looking at the future of workspace in Barking town centre was commissioned – this work has now concluded and included an assessment of Roycraft House's potential for new hybrid/mixed use model of workspace. | |

- 3) High level feasibility of development options looking at both the potential of the existing building and the site's potential for redevelopment.
- 4) A separate piece of work looking at new ways of working and dispersed working including future needs for Council's accommodation in particular how a range of workspace can be provided across the Borough alongside Council services.
- 5) The Council has been looking at its economic development offer and the role asset management can play in this.

This report summarises those different workstreams and sets out the options considered.

A quick land sale is suggested to be ruled out as it would lose Council control of a high-profile town centre site with the risk that a poor quality residential conversion could come forward. As part of the study into the future of workspace in Barking Town Centre, a feasibility study for the reuse of Roycraft House looked at a 'hybrid' model of managed workspace with ground floor café/event space, backed by in-depth research of local businesses and demand. This highlights an extensive range of benefits that could be achieved for the Council, the business community and for the town centre's offer from the proposal. The report sets out an analysis of the proposal which is recommended as the medium term option for the site should a high quality proposal come forward through a tender process to workspace providers.

There is strong redevelopment potential of the wider site as set out in the masterplan vision but the workspace option would not prevent that work proceeding and being a future redevelopment phase or retained depending on decision making at the time.

Recommendation(s)

The Cabinet is recommended to:

- (i) Agree that tenders be sought for a workspace operator for Roycraft House on the terms set out in the report; and
- (ii) Note that a further report shall be presented to Cabinet on the outcome of the tender process and, if appropriate, seeking approval to enter into lease / contract arrangements with the preferred bidder.

Reason(s)

The reuse of Roycraft House can contribute to each of the Council's priorities of "Inclusive Growth", "Participation and Engagement" and "Well Run Organisation" through utilising Council assets to deliver a wide range of socio-economic benefits.

1. Introduction and Background

- 1.1 Roycraft House is one of the few large office buildings in Barking Town Centre. As it becomes surplus to Council requirements it offers the chance to secure revenue savings alongside delivering a range of positive benefits. Roycraft House is a 5-minute walk from Barking station - as such it is prime opportunity site. This report sets out the context and explores and assesses a range of options for the building/site.

The Building/Site

- 1.2 Roycraft House is a six- storey building of 35,000 sq ft in the Council's freehold ownership which has been used for Council/Elevate services for many years.
- 1.3 The area around Roycraft House is already starting to form a workspace/enterprise quarter with the well-established Barking Enterprise Centre, Maritime House - one of the prime office buildings in the town centre, the House for Artists under construction and the Three Sixty workspace on the ground floor of the Swan Housing development coming forward later this year.
- 1.4 Vacating Roycraft house and passing holding costs to another party would generate revenue savings for the Council. The annual running/maintenance costs for Roycraft are just over £450,000 per annum. Therefore, any option which involves transferring the day-to-day management of the building will make this annual revenue saving. Any closure would also require the building to be cleared of furniture etc which would be funded by the savings.
- 1.5 The relocation of the teams and services located within Roycraft House is included within the Council Dispersed Working Programme so that these services are maintained and delivered differently.

Town Centre Context

- 1.6 There is much debate about the future of town centres/High Streets and a recognition that covid has hastened the trends already underway. Last October Cabinet approved a new Barking Town centre strategy for 2020-30 setting out a clear vision and the steps to achieve it. Barking Town Centre will also play a key role in generating new jobs and helping council to meet its ambitious employment target. Adaptability and flexibility are key to success. The Council/Be First has always taken a strong interventionist approach to unlocking the full potential and there is much recognition that the best use of public assets is critical to successful town centres and even more so with the proposed change to Permitted Development Rights (PDR) allowing a number of town centre uses to change to residential without need for planning permission.
- 1.7 In June the Compulsory Purchase Order process will commence to facilitate the redevelopment of the Vicarage Field site and surrounding land.
- 1.8 It is important for the town centre economy that there are uses which attract daytime footfall otherwise retail, food and beverage and services would struggle. It is not currently possible to quantify the impact of the loss of Council staff at Roycraft House on the town centre economy given covid lockdowns and many businesses not trading however the benefits of locating footfall generating uses in town centres is well documented and often a focus of public policy. Covid-19 has also seen people's way of work changing and their preference to work more locally. The provision of local employment space is therefore key to build a more resilient town centre and reverse the trend of the loss of local talent to other boroughs.

Masterplan

- 1.9 Barking Town Centre is changing fast – within 200m of Roycraft House there are cranes up building the Crown House scheme and the House for Artists whilst the London Road (former White Horse scheme) has recently secured planning approval. The London Road car park and the London Road/James Street block have development potential. As such Be First's Design team have carried out some initial masterplanning looking at the area's potential. This identifies the existing and emerging employment/workspace/creative clustering in the area.
- 1.10 The masterplan work has identified how the Roycraft House land area can form the first phase of a masterplan (largely regardless of which option is chosen). It identifies the broad parameters of potential development. It identifies the importance of a new public space roughly where Roycraft House parking currently is which would be opposite the Listed Baptist Church and form the focal point for the masterplan. The rest of the site in the masterplan area offers the potential to deliver a mixed-use scheme including revised parking facilities, new homes and workspace and potentially a primary school.

2. Proposal and Issues

- 2.1 Be First and Inclusive growth team commissioned a piece of work looking at the future of workspace in the town centre. A team led by Workwild, who have hands on experience of delivering workspace, was commissioned in November 2020. Even without covid, they identified Barking was a place in flux. As part of their research they spoke to existing workspace operators in the town centre and a range of local businesses. They identified the local demand for workspace that is not currently being served, in particular for young people.
- 2.2 It is clear that more people will work from home than pre-covid however this is more likely to impact office space of large employers (like the Council) than smaller scale businesses. There is potential for a 'suburban expansion' of flexible workspace with some evidence to suggest demand for localised shared workspace may increase as companies/individuals move away from long leases to more flexible arrangements and a greater desire for more 'hybrid' type spaces than traditional offices. Aside from covid this aligns to the strategy of encouraging more of this type of employment in the town centre with the growth of entrepreneurship. Barking Enterprise Centres CIC now have three town centre locations and offer a range of business support. The Roycraft House proposal aims to complement rather than compete with BEC's offer providing a different and distinct offer overall increasing the workspace in the town centre aligned to the population growth for the benefit of all parties.
- 2.3 Whilst this would be a first for Barking and Dagenham there are similar examples across London and indeed a new GLA publication on '[Flexible Workspace in the High Street](#)' identifies the potential of surplus Council buildings to deliver such strong social and economic benefits particularly in the current climate. The selection process for an operator would ensure local engagement and partnerships so the model fits the needs and aspirations of the Borough.
- 2.4 Workwild, as part of its study into the future of workspace in Barking Town Centre, produced a feasibility study for the reuse of Roycraft House looking at a 'hybrid'

model of managed workspace with ground floor café/event space, backed by in-depth research of local businesses and demand. The proposal is substantially different from standard office space - indeed its whole success relies on successful curation of the space with associated branding/marketing. Rather than long leases occupiers would pay for licences or memberships. Whilst unique to Barking there are numerous examples across London with an established range of providers ranging from more socially orientated ones to more commercial ones. The model is recognised as having very strong economic and social benefits – it is more than workspace it is a destination – therefore ideal for improving Barking town centre’s offer. The Mayor of London’s [website](#) identifies a few case studies of Council assets converted into workspace and their emerging High Street Challenge Fund is likely to support similar projects as part of reimagining town centres. It is recognised as critical that there is strong local engagement as the scheme is developed and that it serves local needs rather than being ‘dropped in’ - as such it would be a unique facility meeting Barking’s needs.

2.5 Whilst Roycraft House’s physical appearance is an acquired taste, there are some interventions that could be made to enhance its look and make it more welcoming. The analysis recognises the current unwelcoming nature of the building’s entrance and recommends an alternative central entrance using the car park area as a welcoming gateway with outside space for activities. The building is an asset with value and its reuse with repurposing would be a more sustainable option than demolition. In an area of significant change, some retention and reinvention is recognised as being important even if the building has no particular heritage or aesthetic value.

2.6 Workwild identified the following benefits:

For the Council:

- A viable project with a financial return*
- Creating 282-398 jobs and 60-90 SMEs
- Interim solution to allow future masterplan allowing Council to retain control
- More sustainable option on retrofitting
- Testbed for different types of business demand and typologies

(*Workwild indicate that a scheme following a WSP’s model is viable – we will only know the rent offered via a tender process – it is unlikely to be substantial but would add to the savings made by not having the running costs.)

For businesses:

- An authentic and representative hub
- An ambitious and proud statement of intent
- Right type of space meeting existing and evolving demand
- Inbuilt flexibility for times of flux
- Builds breath and strength of WSP sector

For Barking:

- Building a brand/place recognition for BTC
- Next stage of workspace in Barking’s emerging enterprise quarter
- New public space and activity

- Pilot project in promoting workspace delivery and attracting further private sector investment.

Demand

- 2.7 As well as assessing local demand, as part of their work 'speed dating' type sessions were held with nine London based workspace providers (WSPs) - the general consensus was that Barking is one of the next places they were intending to focus on and that the site has real potential (location, size, condition). There is a strong recognition that 'hybrid' spaces (ie mix of uses) are the future but that curation, management and local engagement (and associated branding/look & feel) are critical to making these workspaces succeed. Whilst the WSPs want to be able to give the facility an independent and distinct identity they all highlighted the importance of working with the Council and local partners making it a local collaborative project.
- 2.8 If the Council is minded to proceed with the workspace option by seeing what responses WSPs make to a tender, then to ensure meaningful responses are received, it is critical that the tender pack includes a detailed package of information including survey information about the existing building. Tenderers will need to be clear about the building's utilities, conditions of mechanic and engineering (M&E) systems and structural condition to understand the fit-out costs in order to make informed tender responses.
- 2.9 There are a number of potential competitive grant funding opportunities this year and potentially this scheme may work as part of a comprehensive town centre regeneration scheme potentially providing capex or revenue funding.

Selection Process

- 2.10 The team will seek to secure an innovative and high-quality workspace operator to deliver an exciting workspace aimed at a range of types of businesses at Roycraft House. Discussions will be held internally to identify the most efficient and commercial attractive route for the operator selection e.g. via a lease bidding and/or contract procurement. The opportunity will be openly marketed and will be a selection based on both quality and price. Subject to approval by Cabinet on the appointment, the successful operator will be expected to enter into a lease and service level agreement.

Option for loan funding

- 2.11 The Council could offer loan funding towards the capital cost of the fit out works. This will increase the attractiveness of the offer to interest a wider range of bidders, it will also help to support smaller quality operators to achieve a fairer competition. There is also potential in making a small return for the Council. It is proposed to offer loan funding of up to 75% of the fit-out costs with repayment during the lease period with an interest rate to be agreed with Council at appointment.

3. Options Appraisal

- 3.1 There are different options for delivery with varying degrees of Council control but a tender process to select an experienced workspace provider (WSP) who would

convert, market and run the facility would be the simplest option. If the Council did want to pursue this option in the event that tender responses did not give the Council sufficient comfort of an experienced operator with robust business plan or satisfactory commercial return, then other options for Roycraft below obviously remain open. Similarly, if a lease was entered into for 7 or 10 years (suggested as a suitable length to ensure WSP make a return on capex costs), then after this date the Council has the opportunity to reconsider the site's future development options with higher values likely, with the asset remaining in the Council's control. Fit out/conversion funding would be required for the workspace and there are options whether the Council wants to contribute towards this to increase the rent or require the operator to fund it with likely decrease in rent offered. There may also be grant funding opportunities for the works.

- 3.2 The proposal is unlikely to result in a substantial rent for the Council especially in the initial years. There may be options for a turnover rent benefitting more from a successful scheme compared to a likely lower set rent. The rent will only be known through a tender process as WSPs produce business plans as part of their tender response. In addition to any rent, the Council would achieve the £450K saving set out in paragraph 1.4 as well as the growth in the value of the asset over the lease length.

Alternative Options

Land Sale

- 3.3 The Council could put the site on the market. There are very limited meaningful comparison figures for town centre sites of a similar size/nature but £6-7m would seem achievable. Given the accessible location, there would be interest however (subject to surveys of the building) the best returns for a purchaser would probably be by converting to residential plus potentially also adding additional storeys. The Council would have limited control over the quality and type of development other than planning controls which themselves may be limited due to Permitted Development rights. There are numerous examples (including in the Borough) of poor-quality conversions and the negative impact they have on their locality. This option would secure the revenue savings/holding costs swiftly and secure a capital receipt.
- 3.4 If the Council did want to avoid a poor-quality conversion it could of course demolish the building before selling resulting in the need for any purchaser to submit a planning application for new development.
- 3.5 Selling the site will reduce the council's control in delivering the longer-term coordinated masterplan and realising the real value of the site as such this option is not recommended.

Redevelopment by Be First

- 3.6 The existing Roycraft House could be demolished and the site redeveloped. A high-level appraisal suggests a residential scheme in excess of 150 units/ 7 floors is currently needed to justify the costs of redevelopment compared to reuse of the existing building which has a value. The Roycraft House site does not offer the scope for a very tall building on the corner due to adjacent sites and orientation. There is however the potential for taller buildings as shown in the wider masterplan area (up to 25 storeys). As such redevelopment at the moment is not

recommended but that further work should take place on developing the masterplan opportunities. Should no strong tender responses be returned for the workspace proposal obviously this option remains.

Primary School

- 3.7 There is requirement for a new 3 Form entry primary school serving the town centre catchment area. Whilst the actual square footage of Roycraft House is similar to the needs of a 3 Form entry school, conversions of existing buildings are not great for schools and it would be challenging and costly to address the requirements needed.
- 3.8 The wider masterplan however offers the scope for a larger redevelopment on the London Road car park site including the chance to create a mixed-use development which includes a modern urban primary school more easily meeting the specific requirements of the school as part of a well-designed scheme rationalising the use of space. This would also mean the school would not need to be in the prominent corner location.

Summary Table

| Outcome | Option | Advantages | Disadvantages |
|--|---|--|---|
| New homes, long-term transformation | Land Sale (no restrictions) | Capital receipt in year with limited additional costs | Only planning control of site's future. High likelihood of residential conversion under Permitted Development Rights |
| | Land sale post demolition | Prevents poor quality conversion. Control via planning | Capital cost of demolition |
| | Land Sale with Turnkey option | Additional | Procurement needed – additional capital required |
| | Residential Conversion/additional storeys By Be First (1b and 1C) | New homes. Better control of design and quality than selling site. | No capital receipt. Additional capital funding required. Constraints of existing building. |
| | Redevelopment of site – residential/mixed use. | Chance to deliver new building with high quality design, maximising | Limited scope for a significantly taller building. Likely to be higher cost than turnkey. |
| New employment space, interim solution | Refurbished offices (1a) | Lower cost interim solution if considering medium term redevelopment | Unlikely to be demand to fill whole block as standard offices at once - void costs for Council. Demand risk. No capital receipt. |
| | 'Hybrid' type Workspace | Highest level of socio-economic benefits. Destination facility improving town centre offer. Does not prevent sale/redevelopment in 10 years time | Whilst making revenue savings on operating / holding costs, rental income likely to be limited esp in early years. No capital receipt. Reliant on strong tender response. |

| | | | |
|--------------------------------------|----------------|-----------------------------|---|
| New school, long-term transformation | Primary School | Addressing identified need. | Sub optimal school if reusing existing building. No capital receipt or income |
|--------------------------------------|----------------|-----------------------------|---|

4. Consultation

- 4.1 Workwild's feasibility study involved consultation with a range of Barking Town centre stakeholders. The Barking Town Centre Stakeholder Group also endorsed the project.
- 4.2 The proposals in this report were considered and endorsed by the Corporate Strategy Group at its meeting on 18 March 2021.

5. Commissioning implications

Implication completed by Darren Mackin, Head of Commissioning and Place, Inclusive Growth

- 5.1 The potential to repurpose Roycraft house as affordable workspace provides an opportunity to diversify the borough's workspace offer in a key town centre location bringing new jobs and opportunities to the borough. Alongside this the proposals would also make a contribution to place making in the town centre, by improving the physical environment around the building and opening up space that is currently under used. The council we need to work closely with Be First through the procurement and selection of a potential partner. This will ensure that the space operates in line with our wider strategy for delivering Inclusive Growth. For example, the council will want to ensure that local residents and businesses are supported to access and benefit from the workspace. Adopting the proposed approach set out here in the short to medium term also leaves open options for a more comprehensive redevelopment of the area in the long term. This would allow the council to benefit from any value uplift of land in area as the wider town centre regeneration progresses.

6. Financial Implications

Implications completed by: David Dickinson, Investment Fund Manager

- 6.1 The report outlines a number of options that have been considered when Roycraft House becomes surplus to requirement. Roycraft House is a six-storey building of 35,000 sq ft and the Council owns the freehold.
- 6.2 When Roycraft is vacant, if it can either be sold or let out there will be savings of approximately £456,500 available to the Council.
- 6.3 An option for an immediate sale would mean the Council lose control of a key site within the Barking Town Centre and it is recommended that this option is ruled out. However, holding the site vacant for an extended period would have issues around not fully meeting the savings as the Council would still need to manage the site and ensure that it is secure.
- 6.4 The report recommends that the Council tenders for a workspace operator for a lease of up to 10 years. The Council will benefit from the savings outlined in the

report and potentially an additional financial return, although this is dependent on the outcome of the tender. The Council would maintain ownership of the key site, allowing flexibility and control with any future developments. A further positive outcome would be, depending on the tender responses, a high-quality operator could attract a range of different types of business to support the local economy.

- 6.5 The report does include an option for loan funding, which could progress a number of options, but careful consideration and due diligence would be required prior to any loan agreement to ensure that there is sufficient security and risk is mitigated.
- 6.6 Roycraft House is surplus to requirement due to the Council requiring less office space as a result of staff working from home. There are costs that the Council will incur when changing the way it delivers its services, with investment in dispersed working and hubs. The savings from Roycraft should be considered alongside these additional costs.

7. Legal Implications

Implications completed by: Dr Paul Feild Senior Governance and Standards Solicitor and Sayida Hafeez, Senior Property Solicitor

- 7.1 The Council is the freehold owner of the site both the building and its land including the attached ground level car park. The preferred option proposal in this report is to seek an occupier to take control of the building and site for a period of time potentially for up to ten years. At end of which the site may be developed according to a future master plan for the locality.
- 7.2 The preferred option would be to seek by tender an occupier which could deliver the use of the site as a workspace as envisaged by the Workwild consultancy in paragraph 2.4 above. Such activities will need to be regulated by use clauses. To achieve a necessary fit-out it may be necessary to carry out refurbishment works which would be financed either within the lease conditions or by means of a loan.
- 7.3 As observed the Council is the owner of the site and the granting of a lease is a disposal of land assets is and governed by the Local Government Act 1972, section 123. This provides that (subject to consent of the Secretary of State) a Local Authority should not dispose of its land for other than the best that can be reasonably obtained, unless the lease is for a term that does not exceed seven years. The proposed head lease would exclude the right to extend a commercial lease under the Landlord and Tenant Act 1954.
- 7.4 The procurement process is designed to get the best outcome to ensure value for money as required by the Best Value duty required by the Local Government Act 1999. The Council further has to power to enter the arrangements by virtue of 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.

7.5 Any loan by the Council would need to be secured on the property and against the company taking it out. The Council would need to satisfy itself that the borrower is of sound financial standing and able to repay the loan. It would also need to ensure that the loan itself did not breach state aid rules (referred to below). As the Council is part of local government it is an emanation of the state, the Council must comply with UK Law regarding giving subsidies. This means that local authorities cannot subsidise commercial undertakings or confer upon them an unfair economic advantage. While last year the UK left the European Union (EU), issues regarding state aid have not ceased. For example, there remains the EU-UK Trade and Cooperation Agreement and the UK membership of the World Trade Organisations agreement on trade. So, requirements regarding state assistance albeit somewhat less prescriptive than the EU remain. Nevertheless, under the proposals the Council will be entering into the arrangements mainly for financial purposes. The leasing and letting of Roycraft House are market activities and in agreeing final terms for the occupier and financial arrangements regarding any refurbishment/ alteration works the Council should be satisfied they are state aid compliant that is that there is no unlawful subsidy. To do this the Council should ensure it acts as a market operator would, meaning the terms it agrees should be such that an operator or investor in the private sector would agree to those terms given the same or similar circumstances and that the borrower would in fact be able to access such loans.

7.6 As a potential option the Council could seek evidence from a commercial adviser whether in their opinion market/private sector parties in the same circumstances would be likely to do agree to the same or broadly comparable terms which constitute the market norm. Such a report (confirming that private/market sector parties will do so) will evidence conformity and compliance.

8. Other Implications

8.1 Risk Management

| Risk/Issue | Description/Mitigation |
|------------|---|
| Risk (1) | Risk: Unable to attract quality bidder Mitigation: Discussing will be held internally to identify the most efficient and commercial attractive route for the operator selection. The selection process will also be supported by Workwild who has good knowledge of London and local operator market. |
| Risk (2) | Risk: Unable to secure a preferred operator Mitigation: This workspace option would not prevent that work proceeding and being a future redevelopment phase or retained depending on decision making at the time. This may however mean time are being lost in undertaking the bidding process. Officer should flag up the risk of limited high-quality bidder during the bidding stage. |
| Risk (3) | Risk: Preferred operator not delivering as intended Mitigation: The operator will enter into a lease and service level agreement which will capture all social and commercial output as per their returned bid. Provision can also be added to the lease to tie the failure of delivery of social value output with the termination of lease. |

- 8.2 **Contractual Issues** - Discussing will be held internally to identify the most efficient and commercial attractive route for the operator selection. Officers will also look at examples from other boroughs on best practice.
- 8.3 **Staffing Issues** – The selection process would be managed by Be First working with Inclusive Growth with the support of Workwild.
- 8.4 **Corporate Policy and Equality Impact** – The proposal to reuse Roycraft House as a hybrid workspace links to the corporate priorities of Well Run Organisation, Inclusive Growth, and Participation and Engagement. The building is now recognised to be surplus to requirements, as the Council has demonstrated it is able to work efficiently with reduced office space, and the proposal to change the usage will result in an annual revenue saving. The proposal also creates commercial and community spaces, based on research of local need and demand, bringing a range of socio-economic benefits to Barking Town Centre.

The equality impacts of the plan to vacate Roycraft House and the dispersed working arrangements for Council staff who worked there are being considered through a thorough Equality Impact Assessment process. The tendering process for choosing a provider to convert and operate the new workspace will need to ensure that a commitment to equality and diversity is considered as part of the evaluation of bids, so that the workspaces created are inclusive and accessible to all.

- 8.5 **Safeguarding Adults and Children** - The proposal has the potential to provide new commercial and community space in Barking town centre.
- 8.6 **Health Issues** - The proposal has the potential to provide new commercial and community space in Barking town centre, including public realm improvement to the ground floor space surrounding Roycraft House.
- 8.7 **Crime and Disorder Issues** – Any works and design will be reviewed to reduce any potential crime or disorder arising from the new development.
- 8.8 **Property / Asset Issues** – The property has been identified surplus to Council's requirement. The paper proposed the preferred option for the council to fully utilise and unlock the potential of the building. The refurbishment option is also the most sustainable option.

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

List of appendices: None

CABINET

25 May 2021

| | |
|---|---|
| Title: Development of Land at Transport House, 46-48 New Road, Dagenham | |
| Report of the Cabinet Member for Finance, Performance and Core Services and the Cabinet Member for Regeneration and Social Housing | |
| Open Report with Exempt Appendix 2 (relevant legislation: paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972) | For Decision |
| Wards Affected: River | Key Decision: Yes |
| Report Author: Lily Kwong, Be First | Contact Details: E-mail: Lily.Kwong@befirst.london |
| Accountable Director: Ed Skeates, Development Director, Be First | |
| Accountable Strategic Leadership Director: Claire Symonds, Managing Director, and Graeme Cooke, Strategic Director, Inclusive Growth | |
| <p>Summary,</p> <p>In January 2020, Be First were approached by developer 'Hollybrook Limited' with the opportunity to purchase a 149 units residential development at a site located south of New Road, Dagenham.</p> <p>The site (shown in appendix 1) consists of Transport House (0.14 hectares) and part of Premier Inn Dagenham's existing car park site (0.22 hectares). The Transport House site, owned by the Council, consists of a four-storey purpose-built office block and car parking. It is currently vacant and was previously occupied by Unite the Union until December 2020 when they moved to their new Dagenham East premises. Hollybrook Limited has acquired exclusive right to carry out development over part of the Premier Inn Car Park. An opportunity has been offered to the Council to work with Hollybrook to deliver a single development scheme across both the Transport House site and Premier Inn car park site.</p> <p>The proposal is for Hollybrook to deliver the overall development scheme and for the Council to purchase the final development scheme of 149 units for a fixed price from Hollybrook Limited via a development agreement, subject to satisfactory technical and legal due diligence. Be First, on behalf of the Council, would manage the transaction and development process to practical completion. The scheme would be held and operated by BD Reside and Barking and Dagenham Homes Limited as part of their residential portfolio with any financial surplus made being paid back to the Council. The Council will retain the freehold of Transport House while acquiring the freehold of the Premier Inn car park site at the end of the development.</p> <p>There are significant regeneration benefits for the Council in bringing forward the development and purchasing the scheme. The proposed scheme brings together two plots of land, one in private ownership and one owned by the council. The proposal provides an opportunity to coordinate and maximise housing delivery across the site. This creates a more efficient use of the land, reduces development costs and also means</p> | |

delivering one building that enable the creation of better sense of place around the development and stronger frontage to New Road.

Buying the development as a whole from an integrated developer contractor also enables the Council to acquire units at a price below that at which we could construct them. The Council also has access to financial support from the GLA.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the preferred option and tenure mix as set out in the report which would deliver 50% market rent and 50% affordable housing comprising 45 Affordable Rent homes let at up to 80% of market rent and 30 London Affordable Rent (LAR) homes;
- (ii) Approve in principle to enter into a Development Agreement with Hollybrook Developments to deliver 149 units for a total development cost of £44.5m for expected completion in 2024 subject to satisfactory due diligence;
- (iii) Approve in principle the borrowing of up to £37.7m within the General Fund to finance the entire development subject to satisfactory due diligence;
- (iv) Agree to allocate up to £3.8m restricted Right to Buy receipts, if required, to fund the construction and professional fees to support the financial viability of the affordable housing delivery;
- (v) Agree to allocate £3m GLA LAR grant funding, subject to a successful bid, to support the financial viability of the LAR tenure;
- (vi) Note that the scheme meets the Council's Investment and Acquisition Strategy financial performance metrics;
- (vii) Agree to the use of an existing or the establishment of a Special Purpose Vehicle(s) as required within the Barking & Dagenham Reside structure to develop, own, let, sell and manage and maintain the homes in accordance with the funding terms in a loan agreement between the Council and Special Purpose Vehicle; and
- (viii) Delegate authority to the Managing Director, in consultation with the Strategic Director of Law and Governance, to agree and execute any agreements and contract documents to fully implement the project.

Reason(s)

This project primarily helps deliver on the objectives of Inclusive Growth and A New Kind of Council

- Building affordable housing and sustainable communities
- Support the social and economic regeneration of the South Dagenham area
- Accelerate the delivery of new homes that might otherwise not be delivered as quickly

- Contribute to growing the Councils residential portfolio
- Deliver a financial return to the council through a long-term income stream

1. Introduction and Background

- 1.1. The development opportunity has been offered to Be First and the Council by Hollybrook Ltd (Registered No: 06867406) purchase the 149 new homes. This will deliver new affordable homes and help Be First accelerate delivery of affordable housing within the borough.
- 1.2. Hollybrook Ltd are an established, family run developer/contractor, operating in the UK, EU and USA. They have been operating for over 30 years and have built schemes across London, including Knights Road in Silvertown and Odessa in Rotherhithe for several leading housing associations. The Council also worked with Hollybrook on the Chequers Land development on the delivery of 62 residential units following Cabinet approval in May 2020.
- 1.3. With Hollybrook acquiring an exclusive right to carry out development over part of the Premier Inn Car Park, an opportunity has been offered to the Council to work with Hollybrook to deliver a single development scheme across both the Transport House site and Premier Inn car park site. It is proposed for Hollybrook to deliver the overall development scheme and for the Council to acquire the final development scheme of 149 units at a fixed price.
- 1.4. The proposed development site is located south of New Road, Dagenham, measures approximately 0.36 hectares. It consists of part of Premier Inn Dagenham existing car park site of 0.22 hectares (2,183sqm) and Transport House of 0.14 hectares (1,423 sqm).
- 1.5. The Premier Inn site is mainly to the west of Transport House consists of the hotel building in the north west and a large car park bordering Transport House. Hollybrook has secured principal agreement from the landowner Whitbread on the development rights over parts of the car park.
- 1.6. Transport House, acquired by the council in 2019, consists of a four-storey purpose-built office block dating back to the 1970s, constructed with a reinforced concrete frame. The site, currently vacant, was previously occupied by Unite the Union until December 2020 when they relocated to their new Dagenham East office.
- 1.7. The surrounding area, mainly residential to the north and commercial to the west, forms part of the 'South Dagenham Regeneration Area' a key future housing area as identified by Mayoral and Local Planning Policy. The site has a PTAL of 3 (moderate) and is relatively well served by public transport with Dagenham Dock railway station within 10-minute walk to the south and Dagenham Heathway station 15-minute walk to the north.

2. Proposal and Issues

- 2.1. The proposal is for the Council to grant a license to Hollybrook for the construction at the Transport House site, and the development and subsequent purchase of the

completed 149 units. This will be agreed via a development agreement (subject to satisfactory technical and legal due diligence) under exclusivity exemption provision. This proposal allows the council to achieve best value in terms of housing delivery and commercial return by working with adjacent landowner.

- 2.2. Be First, on behalf of the Council would manage the transaction and development process to practical completion. The scheme would be held and operated by BD Reside as part of their residential portfolio with any financial surplus made being paid back to the Council.
- 2.3. The completed development will see the council own the freehold of the whole development site and the developed units (i.e. both those on the Premier Inn car park and Transport House) subject to the agreement to grant a long leasehold to Whitbread for the car parking area to be re-provided for the hotel.
- 2.4. Payment terms are subject to agreement, but will include a deposit on entering into contract, a golden brick payment followed by a monthly drawdown for the duration of the development. The whole site's ownership will transfer to LBBD following the Golden Brick payment.
- 2.5. The development agreement will have provision for Be First to have step in rights to complete the development should the developer fail, and a full suite of warranties will be provided from all designers and sub-contractors who have design input into the scheme.
- 2.6. Subject to Cabinet approval, final technical and legal due diligence will be undertaken by Be First prior to the Council signing the development agreement. The cost of undertaking this work has been included in the Total Scheme Costs.
- 2.7. Reside and My Place have been consulted with regards to tenure, unit mix and specification, and discussions have been held to optimise available grant funding to determine desired unit mix. Discussions with the GLA have been positive and indicated that the grant to support the London Affordable Rent (LAR) units should be available to the Council if the decision to progress was taken.
- 2.8. Transport House is included in the Be First Business Plan 2020 list of sites that form the Council's Investment Programme as a potential pipeline scheme of circa 50 units that could be delivered in 23/24. The scheme is now forecast to be delivered in 2024/25 with 149 units, above what was assumed in the Business Plan.
- 2.9. The turnkey solution provides a number of benefits to the Council, including:
 - Additional housing units – With the inclusion of the Premier Inn car park, the proposal optimises the use of land and unlock additional housing delivery.
 - Cost & Risk - A lower risk delivery option for the Council with the Developer taking all construction cost risk in lieu of an agreed fixed price.
 - Regeneration - Offering the opportunity to unlock a development site and take a proactive role in investing in the future regeneration of the South Dagenham area.
 - Delivery certainty
 - Quicker delivery and income
 - Asset value growth

- 2.10. Key financial metrics on the proposal are included in Appendix 2 (this appendix is in the exempt section of the agenda as it contains commercially confidential information (relevant legislation - paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information).
- 2.11. The proposed scheme has been considered with respect to the wider area's regeneration context. While there are ongoing longer-term regeneration plans such as Beam Park and former Ford Stamping Plant to the east and south of the site, there are also developments that will be completed before this scheme, such as Merriellands Crescent, Chequers Lane and a new SEN school to the east of the site. Future residents of this scheme will therefore be benefiting from an existing neighbourhood and its amenities.
- 2.12. Early discussions have been held with neighbouring landowners and developers to coordinate design delivery and public realm provision to ensure maximum integration of the proposed scheme with future regeneration plans. This allows the development of individual plots to have regard to the future uses in neighbouring plots.

3. Options Appraisal

3.1

| Option | Advantages | Disadvantages |
|------------------------------|--|---|
| Do Nothing | <ul style="list-style-type: none"> • No cost to the Council | <ul style="list-style-type: none"> • Less homes delivered • No homes to be added to Council's residential portfolio • Negative net cost for holding Transport House • Loss of revenue income • No delivery control on private land |
| Be First direct delivery | <ul style="list-style-type: none"> • Direct control on Transport House delivery • Support the regeneration of South Dagenham | <ul style="list-style-type: none"> • Less homes delivered without access to private land • Less homes to be added to Council's residential portfolio • Higher delivery risk • Higher construction cost • No delivery control on private land |
| As set out in recommendation | <ul style="list-style-type: none"> • Delivery of new and affordable homes • Income generation • Support the regeneration of South Dagenham • More control over delivery timeframes | <ul style="list-style-type: none"> • Risk of developer default |

4. Consultation

- 4.1. The development will be subject to public consultation through the planning process.
- 4.2. The proposal in this report was considered and endorsed by the Council's Investment Panel in March 2021.
- 4.3. Briefing with River Ward Councillors was held in April 2021.

5. Commissioning Implications

Implications completed by: Darren Mackin, Head of Commissioning and Place, Inclusive Growth

- 5.1. The proposed scheme brings together two plots of land, one in private ownership and one owned by the Council. The site of the proposed development is on the edge of a major brown field regeneration project (Beam Park) and has the potential to act as a gateway site to the wider regeneration area.
- 5.2. Entering this agreement provides an opportunity to coordinate and maximise housing delivery across the site. This creates a more efficient use of the land, reduces development costs and also means delivering one building which better for creating a sense of place around the development.
- 5.3. Be First and the Council are working with Hollybrook on a turn-key development at Chequers Lane. To date, feedback from officers involved in this project has been positive about both the quality and approach Hollybrook take to delivering projects.
- 5.4. The tenure and bedroom mix have been agreed with the council and Reside. The decision to include an element of market rent in this development was taken on the basis that even before the wider regeneration of the area progresses, the site still benefits from good transport connections and access to local shops and services.

6. Commercial Implications

Implications completed by: Hilary Morris, Commercial Director

- 6.1. The proposal is recommending approval of a development agreement with Hollybrook to procure 149 residential units under a fixed price transaction.
- 6.2. This option has been proposed on the basis that the transaction will deliver an increased number of units, in a strategic regeneration location, than could be achieved by the Council independently developing units on Transport House alone.
- 6.3. The Be First Business Plan indicated that 53 units could be achieved at Transport House through direct delivery. Although the proposal is slightly more expensive the viability metrics are improved through the larger development.
- 6.4. The report sets out that the Council will enter into a development agreement without competition on the basis that it can rely on an Annual turnover of £40m and low risk of business failure exclusivity exemption to its Public Contracts.

Regulations obligations given Hollybrook will have secured an exclusive right to part of the site being developed. Gowlings have advised on this aspect of the transaction which indicates that this position is considered reasonable however a voluntary transparency notice could also be issued which would reduce the time limit for a third party potentially being able to bring a challenge. Gowlings recommend that this action be considered with Hollybrook Limited and its advisers and as such it would be recommended that this be actively considered by Be First as part of this approval.

- 6.5. The due diligence report on Hollybrook's financial standing indicates they have an annual turnover of £40m, tangible net worth of £31m and assets of £49m. The report considers Hollybrook to have a low/moderate risk of business failure although it must be noted that some financial markers outlined in the report do show a deterioration over the past 12 months and therefore due diligence on Hollybrook's financial standing should be reconfirmed prior to the contracts being executed.
- 6.6. The report sets out that step-in and other protections will be implemented within the development agreement and that a full suite of warranties will be made available to the Council to ensure it has adequate protection in the event of developer failure.

7. Financial Implications

Implications completed by: David Dickinson, Investment Fund Manager

- 7.1. The Transport House, New Road investment proposal includes Transport House (purchased by the Council in 2019) and part of the Premier Inn car park, which Hollybrook Limited have exclusive rights to carryout development on (rights provided by Whitbread).
- 7.2. Total long-term borrowing costs are £37.72m, with total development costs at £44.48m. £6.76m of grant, including Right to Buy receipts will be required. A base price has been agreed and to meet the Council's specification requirements.
- 7.3. The proposed scheme seeks to deliver 149 units, with 45 affordable homes, 30 LAR units and 74 PRS units. The LAR and PRS units are required to cover the shortfalls in income from the LAR units.
- 7.4. Although the returns average for the first 12 years, with a number of deficit years. There is uncertainty and greater risk from 50% of the scheme being PRS and it would be expected that the margins would be higher for this scheme. Lifecycle costs at £2.5k per unit are high and should improve the return if revised estimates are below this cost.
- 7.5. The report includes other options, including sale of the land or hold options. Both have been rejected as redeveloped is preferred. The option of Be First building either a smaller scheme of 53 units or obtaining development rights from Whitbread. This would be the usual route the Council would take and although it has been rejected as an option, there is insufficient detail outlining why this option was rejected.

- 7.6. There is significant regeneration in the area and it will be essential that this scheme is part of this redevelopment rather than lies at the edge of the development and is shut off from accessing the parks and infrastructure the developments will bring. The scheme will border two schools and the Premier Inn and a main road and therefore the location is not ideal and the impact on marketing the units, especially the PRS will need to be carefully considered. Further clarification of the build, including the look and feel of the units that will be located above the current Premier Inn car park should be highlighted in the report.
- 7.7. The spend profile includes a contingency and if it is not used it will improve the schemes return profile. Interest has been modelled for the development. This will be capitalised against the project and, although this increases the overall build costs, this reduces the pressure on the Council to cover the development period borrowing costs.
- 7.8. A service charge of £25 per unit per week has been included. Management and Maintenance are the standard assumptions used.
- 7.9. Further information on the key financial metrics are included in Appendix 2.

8. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Solicitor

Introduction

- 8.1. This report seeks the Cabinet authority for the Council to make an investment in a development known as 'Transport House'. It is on the south side of New Road (A1306). The development is proposed to be built by the Council pooling that part of the site owned by the Council and acquiring part of the car part owned by Premier Inn (Whitbreads). The Council's land was formerly used as a trade union office. The Council's development Company BeFirst was approached by the current developer who has acquired the right from Whitbreads to develop part of their site. The proposal is in a nutshell, that the Council enter a development agreement (which may be via a Reside Special Purpose Vehicle) with Hollybrook Developments to deliver 149 housing units for a total development cost £44.5m on a turn-key basis for expected completion in 2024, subject to satisfactory due diligence, including acceptable parent company and SPV checks and security arrangements. The transaction is anticipated to utilise the "golden brick" process. This is a method for establishing the most effective tax arrangements by transferring ownership at a certain point in the construction process.

Power to Carry out the Transactions

- 8.2. The Council has the power to enter directly or by a Reside SPV the development agreement by virtue of 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.

- 8.3. The general power of competence under section 1 of the Localism Act 2011 provides the Council with the power to do anything that individuals may generally 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. So, the Council can establish a Special Purpose Vehicle (SPV). Section 4 of the Localism Act 2011 provides, where the proposal or activity is for a commercial purpose the activity must be delivered through a company which would include a SPV.
- 8.4. Notably, the purpose of this proposal is to drive regeneration, to increase supply of affordable housing. Further support is available under Section 111 of the Local Government Act 1972 (1972 Act) 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.
- 8.5. In exercising the power of general competence and in making any investment decisions, the Council must also have regard to the following:
- Compliance with the Statutory Guidance on Local Government Investments;
 - Fulfilling its fiduciary duty to taxpayers;
 - Obtaining best consideration for any disposal;
 - 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);
 - Compliance with any other relevant considerations such as state aid and procurement.
- 8.6. Section 15 of the Local Government Act 2003, which 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 definition of an investment includes 'all of the financial assets of a local authority as well as other non-financial assets that the organisation holds primarily or partially to generate a profit' and for the avoidance of doubt it includes 'loans made by a local authority to one of its wholly-owned companies or associates'. In accordance with the Guidance (paragraphs 33 and 34), Councils can provide loans to their wholly owned vehicles, without adhering to a narrow definition of prioritising security and liquidity in relation to the investment in question, 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.

Land Disposal Consents – Transport House

- 8.7. As established the Council owns the Transport House site. Such an asset will be held in the Council's General Fund. Now, section 123 of the 1972 Act provides that a local authority may dispose of land held by them in any manner they wish providing that the disposal is for a consideration that is the best that can be reasonably obtained. If the consideration passing between the Council and the SPV for the land to deliver the development is not the best consideration reasonably obtainable in an arms length transaction, the disposal will require the consent of the Secretary of State. Whether the consideration obtained for the disposal is the best that can be reasonably obtained is a valuation question. Officers should instruct a valuer to determine the S.123 valuation for the property before a final decision to sign off the project (following Investment Panel Gateway 4 stage) and whether it is for the best reasonably obtainable consideration. Alternatively, if a SPV is not used then the disposal may occur later in the process to in all likelihood a Reside holding company. The same considerations will apply.
- 8.8. Under section 128(1) of the 1972 Act where consent to a disposal is required, the Secretary of State may issue a particular or give a general consent for certain types of disposal. The General Disposal Consent (England) 2003 has been issued pursuant to section 128(1) of the 1972 Act. This gives consent for a local authority to dispose of land for less than the best consideration that can be reasonably obtained if:
- i. the local authority considers that the purpose for which the land is to be disposed is likely to contribute towards achieving any one or more of the following objectives in respect of the whole or any part of its area, or of all or any persons resident or present in its area:
 - a. the promotion or improvement of economic wellbeing;
 - b. the promotion or improvement or social wellbeing;
 - c. the promotion or improvement of environmental wellbeing; and
 - ii. the difference between the unrestrictive value of land to be disposed of and a consideration for the disposal does not exceed £2m.
- 8.9. Unrestrictive value is defined as the best price reasonably obtainable for the land on terms intended to maximise the consideration, assessed in accordance with the procedures set out in the Technical Appendix which is annexed to the general consent. Therefore, before a final decision is made on the transfer of the property to the SPV, the must obtain valuation advice from a d qualified RICS valuer as to the difference between the unrestricted value and the consideration received, and that such consideration either amounts to best consideration or is within the parameters of the General Consent. In terms of the acquisition of the car park the Council can again utilise its Localism Act 2011 general power of competence and has further power with section 120 LGA 1972 to acquire land for the benefit and improvement of the borough.

State Aid and Subsidies – New Regime

- 8.10. Since the UK has left the EU and signed the Trade and Cooperation Agreement, and the Europe Union (Future Relationship) Act 2020 legislation has been passed.

It has not liberalised abilities for Local Authorities to set favourable loans or support enterprises. The final regime at time of writing has yet to emerge. The UK still has World Trade Organisation obligations. Nevertheless, until there is a general enabling power for the public sector to provide assistance, the existing principle that to avoid challenges of State Aid or Subsidies, transactions should be at market and economic operator terms still applies. Thus, any loan or finance passed to the project must be at market terms. Same too when considering the Transport House site when it is eventually disposed of into for example a Reside Vehicle, then unless the land is transferred at the said unrestricted value it could be treated as a form of State Aid or Subsidy. Furthermore, even if there were latitude, there remains an overriding principle of fiduciary duty on the Council in its stewardship of its assets and to manages its finances prudently and obtain best consideration in its endeavours.

- 8.11. The proposal is that the housing constructed will be delivered to the Council on a “turnkey” basis. That means the ownership passes in a form ready as to be agreed.

Funding Specifics

- 8.12. As set out in the Report proposal a potential source of funding is from the GLA. The benefit with the GLA funding is that the Council will not increase its indebtedness but will be subject to the conditions of the GLA funding. Consideration must also 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 receipts in conjunction with other funding. Officers and decision makers must be satisfied that combining funds in the manner envisaged is acceptable and within the rules. Although currently the Government is giving consideration to relaxing the rules around use of RTBs this has not yet taken place.

Procurement

- 8.13. The Council has sought advice with regard to the procurement process taking into account the need to comply with the Public Contract Regulations 2015 as amended.
- 8.14. Human Rights – As the development project as described does not seek the use of compulsory purchase powers or displacement of any residents there does not appear to be any critical risks associated with a Human Rights Act challenge, nevertheless, matters should be kept under review in case such considerations should arise.

Development / Land Risks and Considerations

- 8.15. Apart from the requirement to acquire an interest in the development at no more than the market value there will be the imperative to ensure that all land, development and environmental risks are identified and managed through feasibility studies to ensure the preferred development option is deliverable before significant expenditure, and mitigation strategies put in place. Potential risk arising include, but are not limited to, any third-party rights or restrictions or incumbrances which may frustrate or prevent the development of the land. In terms of environmental, construction and operational risks, extreme caution must be

exercised in a location so close to a still very busy highway the A1306. Being so close to the past intensive industrial land use may raise risks of historical land contamination and potentially presence of ordinance. If so, any remedial action and the costs of such remediation would need to be factored into the feasibility and viability considerations. Specifically, there should be early due diligence before contractually committing to the transaction to ensuring that the site is suitable for the construction of the development and is without risk of historical contamination, or in the alternative that any contamination is capable of being remedied and costs are both factored into the investment and acquisition price and do not compromise the viability of any residential development.

Taxation

- 8.16. As a commercial enterprise the proposal will be subject to a variety of taxation issues including SDLT, VAT and Corporation taxes. Specialist advice will need to be procured to ensure the most tax efficient structure is identified before any binding commitment is entered into.

Future Regulatory Issues

- 8.17. As currently structured the arrangement means that the Council / SPV will have overall responsibility for the building. New legislation regulating tall building operators is in draft form (Fire Safety Bill and Building Safety Bill) these will place further obligations on landlords. Furthermore, additional legislation may follow post the publication of the Grenfell Public Inquiry Report. These obligations are inevitably going to have cost implications and forward anticipation of the risks and liabilities and costs of such measures do need to be factored into the evaluation model of this development and its viability. Having said that the Council as an operator of tall building housing ought to be well placed to apply its growing expertise to such challenges.

9. Other Implications

9.1. Risk Management –

| Risk/Issue | Description/Mitigation |
|-------------------|---|
| Risk (1) | Risk: Developer Failure Mitigation: Likelihood is considered low but step in rights and performance bond will be in place to ensure Be First are able to complete the development. |
| Risk (2) | Risk: Substandard quality Mitigation: Agreed specification and robust monitoring by Be First appointed Clerk of Works with regular, on-site quality inspections. |
| Risk (3) | Risk: GLA LAR grant is not available Mitigation: Discussions are ongoing with the GLA at a senior level and current grant outlook is positive, so risk is considered low. |
| Risk (4) | Risk: Lettings risk on market rent product Mitigation: Project to seek early and active marketing of units. |

- 9.2. **Contractual Issues** – Head of Terms are in progress with a fixed price agreed. These Heads will form the basis of the Development Agreement. Please refer to legal section for more information.
- 9.3. **Staffing Issues** – The proposal will be delivered by Be First on behalf of the Council.
- 9.4. **Corporate Policy and Equality Impact** – This proposal will create 149 homes for residents of B&D, with a mix of 50% market rent and 50% affordable housing, contributing to the delivery of the Council’s Inclusive Growth ambitions and targets, as set out in the Borough Manifesto and Corporate Plan. The development will make efficient use of the land, which is currently non-residential, and create amenity spaces to build a sense of place. There are no specific equality implications to be considered at this stage.
- 9.5. **Safeguarding Adults and Children** – The proposal will provide new homes and amenity space as part of the development.
- 9.6. **Health Issues** – The proposal is for affordable housing to be made available to borough residents in need of affordable housing. The development will deliver private and communal amenity space.
- 9.7. **Crime and Disorder Issues** – The scheme will be scrutinised through the planning process, including Secure by Design review to reduce any crime or disorder arising from the new development.
- 9.8. **Property / Asset Issues** – The proposal will involve purchasing the site and building from the developer by way of a Development Agreement. The asset will be leased to BD Reside.

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

List of appendices:

Appendix 1 - Site Plan

Appendix 2 - Key Financial Metrics (exempt appendix)

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Site 1 – Premier Inn Car Park site that form part of the proposed development

Site 2 – Transport House site

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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