

Notice of Meeting

THE EXECUTIVE

Tuesday, 14 October 2008 - 7:00 pm
Council Chamber, Civic Centre, Dagenham

Members: Councillor C J Fairbrass MBE (Chair); (Deputy Chair); Councillor L A Smith, Councillor J L Alexander, Councillor G J Bramley, Councillor S Carroll, Councillor H J Collins, Councillor R C Little, Councillor M A McCarthy, Councillor M McKenzie MBE and Councillor Mrs V Rush

Date of publication: 3.10.09

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Chief Executive

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AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any personal or prejudicial interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - 30 September 2008 (Pages 1 - 5)**
4. **Budget Monitoring Report 2008/09 (Pages 7 - 25)**
5. **More Choice in Lettings (MCIL) and Sheltered Housing Assessment (Pages 27 - 57)**
6. **Places of Religious Worship and Associated Community Spaces Policy Scrutiny Panel - Final Report (Pages 59 - 78)**
7. **Improvements to Shopping Parades (Pages 79 - 87)**
8. **Any other public items which the Chair decides are urgent**
9. **Private Business**

Private Business

The public and press have a legal right to attend Council meetings such as the Executive, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended).

10. Pre-tender Contract for Monitoring of Legionella Bacteria in Water Systems in Schools and Public buildings (Pages 89 - 95)

Concerns a contractual matter - paragraph 3

11. Pre-tender Inclusion Report (Pages 97 - 102)

Concerns a contractual matter - paragraph 3

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

THE EXECUTIVE

Tuesday, 30 September 2008
(7:00 - 7:27 pm)

Present: Councillor C J Fairbrass MBE (Chair), Councillor J L Alexander, Councillor S Carroll, Councillor H J Collins, Councillor M A McCarthy, Councillor M E McKenzie and Councillor Mrs V Rush

Also Present: Councillor R W Bailey, Councillor W F L Barns, Councillor J E McDermott and Councillor P T Waker

Apologies: Councillor L A Smith, Councillor G J Bramley and Councillor R C Little

46. Declaration of Members' Interests

There were no declarations of interest.

47. Minutes (9 September 2008)

Agreed.

48. Pre Tender- Term Contract for Electrical Repairs and Minor Works in Schools and Public Buildings

Received a report from the Corporate Director of Regeneration seeking approval to tender for a Term Contract the Electrical repairs and minor works in public buildings and schools which covers day to day reactive electrical repairs and minor works.

The report asks for authority to seek tenders using the Restricted Procedure in accordance with the European Procurement Directives, for a three year term contract with the possibility of one year's extension subject to satisfactory performance for the Electrical Repairs and Minor Works in Public Buildings and Schools. It is anticipated that the new contract will commence on 1st April 2009.

Agreed in order to assist the Council to achieve its Community Priority of Making Barking and Dagenham Cleaner, Greener and Safer, to

- (i) The procurement of the term contract for Electrical Repairs and Minor Works in Schools and Public Buildings on the terms detailed in the report,
- (ii) In accordance with constitution (Contract Rule 3.6) Lead Member for Adults Councillor Collins to attend the subsequent evaluation and award of the contract process, and
- (iii) The Corporate Director of Regeneration is given delegated authority to award the contract following the agreed procurement process.

49. East London Transit (ELT) - Route Alignment for ELT Phase 1b and Temporary Transfer of Powers

Received a report from the Corporate Directors of Customer Services and Regeneration concerning the implementation of the East London Transit Phase 1a (ELT1a) along roads in the Borough and ELT Phase 1b (ELT1b) which has been identified as a strategic bus way transit link between Barking town centre and Dagenham Dock. Serving the major development site of Barking Riverside and sharing some sections of alignment with ELT1a.

Transport for London (TfL) is intending to make a compulsory purchase order (CPO) in October 2008 to allow it to acquire the land required for the ELT1b works where such land acquisition is not possible through negotiation. Only the highway authority for the roads in question is able to exercise the relevant power and this will not be transferred from LBBB to TFL until a section 8 agreement is entered into under the Highways Act 1980. Hence it is necessary to obtain Council approval for the route alignment and section 8 agreement by October 2008

ELT1b/TfL will be providing funding resources to the Borough to cover highway supervision fees. ELT1b/TfL will be expected to lead on a communications and engagement plan, with support of Council officers, in order to mitigate any potential costs to the Council for high levels of interest from the community.

Agreed, in order to assist the Council to achieve all of its Community Priorities of raising general pride in the borough and regenerating the local economy, to recommend to the Assembly:

- (i) That the Council approves the route alignment for ELT1b subject to a footpath/cycleway connection being provided directly between the first phase of Barking Riverside and Thamesview social and community facilities and that there is a direct public transport connection between Phase 1 Barking Riverside and Thamesview social and community facilities.
- (ii) That the Council enters into agreements with Transport for London pursuant to Section 101 of the Local Government Act 1972 and Section 8 of the Highways Act 1980 in order to transfer the functions and implement the proposals set out in this report
- (iii) That the Corporate Director of Customer Services in consultation with the Corporate Director of Regeneration and the Divisional Director of Legal and Democratic Services be authorised to agree the details of the Agreements.

50. Attendance at the Seventh Annual Assembly of Standards Committees

Received a report from the Corporate Director of Resources seeking approval for the attendance of the Chair of the Standards Committee and the three new legal partners at the Seventh Annual Assembly of Standards Committees taking place in Birmingham on the 13 and 14 October 2008.

The Council's framework of Rules for Conferences, Visits and Hospitality (Part D of the Council's Constitution) requires that the Executive's approval is obtained for attendance at conferences and similar events where the cost is likely to exceed £3,000.

Agreed in order to assist the Council achieve its Community Priority of better education and learning for all, to the attendance of the Chair of the Standards Committee and the three Legal Partners at the Seventh Annual Assembly of Standards Committees.

51. Review of Election Polling Stations

Received a report from the Corporate Director of Resources reviewing the Borough's polling districts and associated polling places.

The Council has a duty under the Electoral Administration Act 2006 to conduct a review of Borough polling districts and associated polling places every four years. The review undertaken by the Proper Officer for Electoral Registration (the Chief Executive), requires public consultation with a wide range of relevant interested persons/organisations to ensure full accessibility to polling stations for voting purposes by the local electorate, and in so doing to publish final proposals agreed by the Authority, which are subject to challenge through the Electoral Commission.

All Councillors, Local Members of Parliament and local political parties, together with identified relevant organisations such as those that may have an expertise to access to premises or facilities for people with disabilities were consulted with the consultation period closing on 15 February 2008. However in view of the number and complexity of some of the representations received and the need in some instances to consider the viability of alternative sites final reporting on the outcome of the Review was deferred until after the GLA/Mayoral elections held in May 2008.

Details of the initial proposals for polling districts and polling stations together with a summary of representations made on a ward by ward basis are set out in the report. This also includes a number of officer recommendations where appropriate.

Agreed in order to assist the Council to achieve its Community Priorities of promoting equal opportunities and celebrating diversity and developing rights and responsibilities with the local community, to adopt and publish the findings of the review having regard to the representations made and the officer recommendations on a ward by ward basis.

52. Private Business

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

53. Transforming the Careline Service

Received a report from the Corporate Director of Customer Services and the Corporate Director of Adult and Community Services outlining the various options for the future provision of Adult Careline Services in the borough and specifically recommends the option of developing a three way partnership with two neighbouring authorities.

Agreed in order to assist the Council to achieve all of its Community Priorities and as a matter of good financial practise to

- (i) The entering into of a partnership agreement with Redbridge and Tower Hamlets Councils for the provision of Careline Services (Option 6) and authorise the Corporate Director of Adult and Community Services and the Corporate Director of Customers Services, in consultation with the Divisional Director of Legal and Democratic Services, to enter into the necessary agreements;
- (ii) The waiving of tendering requirements, in accordance with the provisions of paragraph 4.1.3 of the Council's Contract Rules (Part D of the Constitution), to the extent that is necessary to enable the above proposals to proceed.

54. Modernisation and Rationalisation of Office Accommodation

Following an initial decision to pursue proposals to rationalise and improve the Council's office accommodation, received a report from the Corporate Director of Resources reviewing the programme and proposing a more limited, three year, cost effective accommodation strategy.

A key part of these proposals is to maximise the use of space within existing buildings through a combination of better use of IT, more modern ways of working and efficiencies achieved through business process and spatial re-design and at the same time reducing the number of operational buildings.

Approval is sought to pilot this new approach and begin a procurement process to modernise one floor of the Civic Centre Annex.

Agreed, in order to assist the Council to achieve all of its Community Priorities of raising general pride in the borough, making Barking and Dagenham Cleaner, Greener and Safer, to:

- (i) The development of a more limited accommodation strategy as part of the One Barking & Dagenham Programme, based on the four strategic aims outlined in the report,
- (ii) Officers proceeding with the procurement to modernise the Civic Centre Annex as part of a wider self funding programme to make better use of existing assets, and
- (iii) Re-direct funding from the existing Accommodation Strategy and IT budgets to cover the cost of circa £995,000.

55. Award of contract for Sydney Russell Day Nursery

Received a report from the Corporate Director of Children's Services advising Members of the result of the tendering exercise for Sydney Russell Nursery services and seeking approval from the Executive for the award of a three year contract to the provider Playaway Day Nursery at an annual cost of approximately £236,500 (these costs will be met by parents' fees not by the Council and are based on 27 places at £175 per place for 50 weeks) with a planned commencement date of 3rd November 2008.

The evaluation panel felt that Playaway Day Nursery would deliver the specified outputs and the best outcomes for the service.

Agreed, in order to assist the Council to achieve its Community Priorities of “Improving Health, Housing and Social Care” and “Better Education and Learning For All”, to the award of a three year contract, to commence on 3 November 2008 to the provider Playaway Day Nursery.

56. Tender for Alcohol and Criminal Justice Support Services

Received a report from the Corporate Director of Adult and Community Services concerning the procurement and delivery of Criminal Justice and Alcohol Treatment for adults, to be supplied to assist individuals to lead healthy alcohol/drug-free lifestyles and increase their opportunities to make a positive contribution in society.

The need to provide alcohol and criminal justice services has been subject to extensive consultation, with the benefit of input from all key agencies and professional groups and approval is sought to tender for Arrest Referral, 24/7 phone line, and Court Referral Services.

Noted that item 5.3 of the report should be amended to reflect the Contract being awarded to the successful provider/s for a period of 3 years rather than 1 year and

Agreed, in order to assist the Council to achieve its Community Priorities of “Improving Health, Housing and Social Care” , “Making Barking and Dagenham Cleaner, Greener and Safer” and Better Education and Learning For All”, to:

- (i) The procurement of criminal justice support services on the terms detailed in the report, and
- (ii) The procurement of alcohol treatment services on the terms detailed in the report.

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THE EXECUTIVE

14 October 2008

REPORT OF THE CORPORATE DIRECTOR OF RESOURCES

Title: Budget Monitoring Report August 2008/2009	For Decision
<p>Summary:</p> <p>The report updates the Executive on the Council's revenue and capital position for the period April to August of the 2008/09 financial year.</p> <p>The current forecast across the Council in respect of its revenue budget has identified that four departments are projecting in-year pressures amounting to £6.3million (Adult & Community Services £600k, Children's Services £4.5m, Customer Services £500k and Regeneration £700k). Overall this reflects a £400k reduction from the position reported in July. The largest pressure continues to remain within the Children's Services department, where significant budget pressures continue to arise from Looked after Children Placements and in meeting the Councils' Leaving Care responsibilities.</p> <p>Where pressures do exist, all departments will need to address these as part of their own, and the Council's, ongoing budget monitoring process so that they produce the necessary balanced budget by the year end. The outcomes and progress of any action plans will be monitored and reported to both the Resource Monitoring panels and the Executive through the regular budget monitoring meetings and reports.</p> <p>In terms of the forecasted overspend for Looked after Children Placements and in meeting the Councils' Leaving Care responsibilities, an action plan has now been put together which requires in-year savings to be achieved across all service departments and a provision for a contribution from Corporate contingencies and balances.</p> <p>For the Housing Revenue Account the forecast is that the year end working balance will be £2.5million compared with the budget projection of £3million.</p> <p>In regard to the Capital programme, the current working budget is £106.4million. Directors have been and are continuing to review the delivery of individual capital schemes to ensure maximum spend is achieved by the year end.</p> <p>Wards Affected: This is a regular budget monitoring report of the Council's resource position and applies to all wards.</p>	
<p>Recommendations</p> <p>The Executive is asked to:</p> <ol style="list-style-type: none"> 1. note the current position of the Council's revenue and capital budget as at 31st August 2008 (Appendix A and C, Sections 3 and 5 of the report); 2. approve the action plan to reduce the forecasted overspend in 2008/09 for Looked after Children Placements and in meeting the Councils' Leaving Care responsibilities, requiring in-year savings to be achieved across all service departments and a provision for a contribution from Corporate contingencies and balances (paragraph 3.3.3 of the report); 	

3. approve the following proposals within the Temporary Accommodation service (paragraph 3.4.3) being:
 - a) that in consultation with the Executive Portfolio Holder the Corporate Directors of Customer Services and Resources urgently review the level of weekly management charges applicable to temporary accommodation lettings and set revised charges as necessary to protect the Council's financial position;
 - b) that 28 days notice of any proposed increase in the weekly charges be given to all current occupants;
 - c) that a report on a "Working Families Policy " be brought to the Executive as soon as possible;
4. note the position and projected out-turn for the Housing Revenue Account (Appendix B and Section 4 of the report);
5. note that where pressures and targets exist, Directors are required to identify and implement the necessary action plans to alleviate these budget pressures to ensure that the necessary balanced budget for the Council is achieved by year end (section 3 of the report);

Reason

As a matter of good financial practise, the Executive should be regularly updated with the position on the Council's budget.

Implications:

Financial:

The overall revenue budget for August 2008 is indicating budget pressures across four of the Council's service departments totalling £6.3million. Where pressures and targets exist Directors are required to identify and implement the necessary action plans to alleviate these pressures. The working capital programme is now reported at £106.4 million.

Legal:

There are no legal implications regarding this report.

Risk Management:

The risk to the Council is that budgets are overspent and that this reduces the Council's overall resource position. Where there is an indication that a budget may overspend by the year end the relevant Director will be required to review the Departmental budget position to achieve a balanced position by the year end. This may involve the need to produce a formal action plan to ensure delivery of this position for approval and monitoring by the Resource Monitoring Panel and the Executive.

Similarly, if there are under spends this may mean a lower level of service or capital investment not being fully delivered. Specific procedures and sanctions are in place through the Resource Monitoring Panels, Capital Programme Management Office (CPMO), Corporate Management Team and the Executive.

Social Inclusion and Diversity:

As this report does not concern a new or revised policy there are no specific adverse impacts insofar as this report is concerned.

Crime and Disorder:

There are no specific implications insofar as this report is concerned.

Options Appraisal:

There are no specific implications insofar as this report is concerned.

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1. Introduction and Background

- 1.1 It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. It is now practise within the Council for this monitoring to occur on a regular monthly basis, which helps members to be constantly updated on the Council's overall financial position and to enable the Executive to make relevant decisions as necessary on the direction of both the revenue and capital budgets.
- 1.2 The report is based upon the core information contained in the Oracle general ledger system supplemented by detailed examinations of budgets between the budget holders and the relevant Finance teams to take account of commitments and projected end of year positions. In addition, for capital monitoring there is the extensive work carried out by the Capital Programme Management Office (CPMO).
- 1.3 The monthly Resource Monitoring Panels, chaired by the lead member for finance, and attended by Directors and Heads of Service, monitors the detail of individual departments' revenue and capital budgets alongside relevant performance data and this also enhances and forms the basis of this report.

2. Current Position**2.1 Overview for Revenue Budget**

- 2.1.1 The current forecast across the Council in respect of its revenue budget has identified that four departments are projecting in-year pressures amounting to £6.33 million as detailed below:

	<u>£'000</u>
Adult & Community Services	600
Children's Services	4,532
Customer Services	500
Regeneration	<u>698</u>
Total	<u>6,330</u>

The largest pressure is within the Children's Services department where significant budget pressures continue to arise from Looked after Children Placements, and in meeting the Councils' Leaving Care responsibilities. On the basis of existing commitments and projections to the end of the financial year, the forecast overspend in this area is £4.5million.

- 2.1.2 Details of each Department's current financial position are provided in Section 3 of this report. In those areas where budget pressures have been highlighted, continual work is being undertaken by Corporate Directors and their management teams to ensure a balanced budget is produced for the year end. To this end, Corporate Directors are identifying and delivering action plans to address and rectify these pressure areas and these plans will be actively monitored by the various Resource Monitoring Panels.

3. Service Position

3.1 General

- 3.1.1 Details of each Department's current financial position and the work being undertaken by Corporate Directors and their management teams, to ensure a balanced budget is produced for the year end, are provided in this section of the report.

3.2 Adult and Community Services Department

- 3.2.1 The department is currently projecting a £600k overspend position, which reflects a £150k reduction from the July position as a result of management actions taken in the last month.

However, it is clear that there continues to be some issues and pressures facing the Department at this time, but the Executive is reminded that the Department and its Management Team have a track record of dealing with issues and pressures throughout the year to deliver a balanced budget. The current projected overspend of £600k is primarily as a result of delays in the Older Persons Home Care Modernisation programme and the anticipated 2008/09 savings taken from the base budget.

- 3.2.2 The department's 2008/09 budget reflects a total of £3.35million of savings which includes the outstanding £900k of savings from last years Older Persons Modernisation Programme in the Home Support Service.

The Corporate Director and the management team have implemented several actions to ensure the targeted budget is achieved for the year end. These include reduction in the use of agency staff, overtime and vacancy management, tighter demand management of care budgets, exploration of partnering opportunities, utilisation of grants for existing services and part year effect of home support savings.

3.2.3 Adult Care Services

This service area is primarily Older Persons Residential and Home support provided by the councils remaining in-house services, and also includes the Passenger Transport Service. The net budget for this area is £7.1million. The budget pressures of £600k are being experienced in this area mainly due to the savings issues regarding the Older Persons Modernisation Programme and also some pressures within the Passenger Transport Service.

3.2.4 Adult Commissioning Services

This service area represents the Social Work and Care Management budgets in the department, together with services commissioned from the Independent and Private Sector. Service areas include Older Persons, Physical Disability, Learning Disability and Mental Health. The net budget for the area is £44.5million and is by far the largest area (70%) in cash terms in the department. The department has set itself some challenging targets in this area particularly around procurement and commissioning gains/savings. Interface issues with the local Hospitals and the PCT regarding Delayed Transfers of Care are acute in this area, and are carefully managed.

The Executive will recall pressures in previous years' regarding external care packages in this area that led to a review of the FACS eligibility criteria. It is envisaged that robust monitoring and gate-keeping will again be required in this area to contain demand within budgets in 2008/09.

3.2.5 Community Safety and Preventive Services

This service area includes CCTV, Community Safety & Parks Police, Substance Misuse, Neighbourhood Management and the Youth Offending Team. The total net budgets are in the region of £4million for this area. Minor pressures are being experienced in the Community Safety area at present.

3.2.6 Community Services and Libraries

This service area covers Heritage and Libraries, the Lifelong Learning Centre, Community Development and Halls, Community Cohesion and Equalities and Diversity. Net budgets are in the region of £7.6million and currently the budgets in this area are cost neutral.

3.2.7 Other Services, Central Budgets, Recharges, and Government Grants

The Adult and Community Services Department receive specific government grants, and incur recharges for departmental and divisional support. All specific grants will be used in support of existing service areas. Central budgets and recharges within the department are on target.

3.3 Children's Services Department

- 3.3.1 As previously reported, budget pressures experienced in 2007/08 from Looked after Children Placements and in meeting the Councils' Leaving Care responsibilities are continuing into 2008/09. On the basis of existing commitments and assessing the future profile for each of the 343 looked after children, the forecast is for an overspend on these budgets of £4.5m which is similar to that forecasted in July.

3.3.2 It is now clear that the pressures from Looked after Children Placements will not be able to be mitigated in 2008/09 and indeed will continue into 2009/10 and beyond. It will therefore be necessary for this financial pressure for future years to be dealt as part of the 2009/10 budget process.

3.3.3 However, in terms of the 2008/09 in-year position, it is essential that the Council addresses this issue by identifying a funding solution to eliminate the current overspend. As a result it is recommended that the forecasted £4.5m Children's Placement overspend in 2008/09 could be funded as follows:

	<u>£'000</u>	<u>£'000</u>
In year Contribution from Service Departments:		
- Adult & Community Services	600	
- Children's Services	600	
- Customer Services	600	
- Regeneration	300	
- Resources	400	
	<hr/>	2,500
Funding from Corporate contingencies and balances		2,000
Total		4,500

In terms of the call on funding from Corporate contingencies and balances, whilst it is recommended that this provision be set aside, the Council will continue to explore further measures to alleviate the overspending in Children's placements and to look to fund this balance from existing in-year budgets.

3.3.4 Elsewhere within Children's Services it is estimated that spending can be contained within the target budget. There are nonetheless a number of significant and potential variances that may partly offset each other, but the department is confident that in-year management action will contain all of those pressures. These actions include maximising grant funding, vacancy management, reviewing internal spend targets and pursuing third party income.

3.3.5 Schools

The carry-forward revenue balances for schools were £6million at 31st March 2008. All schools with balances are being asked to demonstrate why they are holding balances, with the Scheme for Financing Schools allowing for clawback where schools have no plans for balances in excess of DCSF thresholds, which are 8% for primary and special schools, and 5% for secondary schools. All schools with deficits are required to have a recovery plan and this is being actively managed by the Schools Support team in Corporate Finance.

3.3.6 Quality and School Improvement

The Quality and School Improvement budget is projected to overspend by £860k due to pressures relating to transport (£500k), Castle Green (£150k) and Morline House (£100k), which are partially offset by savings from vacancies in the school inspection and Assets areas.

In addition, the division will maximize the use of grants to assist with the departmental financial position.

3.3.7 Shared Services and Engagement

Much of the work of the Shared Services and Engagement division is either funded from SureStart Grant or from the Dedicated Schools Grant (DSG), with only around £1million funded from the General Fund. This division has some savings targets to deliver, as well as absorbing some of the Integrated Family Services work from a now disbanded division. There are not anticipated to be any major variances at this stage.

3.3.8 Safeguarding and Rights

The main budget issue for the Safeguarding & Rights service is that of the cost of Looked After Children placements and Leaving Care costs. On the basis of existing commitments the current forecast is for an overspend on these budgets of £4.5million.

The main reasons for this projected overspend include:

- Change in demographics – highest number of 0-18s;
- Significant improvements in the life chances of children in care;
- Complexity of cases with multiple presenting issues;
- A high number of children in need cases open to Safeguarding & Rights;
- Significant improvements in fostering service – judgment of ‘outstanding’ in January 2008 OFSTED inspection – including:
 - Not placing over approved numbers
 - Improved matching
- Deregistration of some foster carers;
- No recourse to public funds cases & new arrivals to LBBB;
- Lack of sufficient ‘edge of care’ projects to prevent admissions into care;
- Contact, transport and legal costs.

Extensive work has been done in analysing the activity that is producing these costs, with a view to identifying financial forecasts that are more sensitive to the care plans for individual children, taking account of future demand, but also to assess the likely effectiveness of any measures to prevent children having to go into care or to keep costs reasonable when this is not avoidable.

3.3.9 Children’s Policy Trust and Commissioning

At present, there are concerns about cost pressures being experienced by the catering service, whose costs are predominantly charged to the Dedicated Schools Grant. The division has a small pressure in the Youth Service (£70k) but is maximizing the use of grants and is planning to keep vacancies across the division which may result in an underspend of £80k to assist with the departmental financial position.

3.3.10 Other

Most of the costs here are for capital charges, on-going pension costs, central recharges and the costs of the Director of Children’s Services. Any savings in this area will be used to contribute to the departmental financial position.

3.4 **Customer Services Department**

3.4.1 The current review and forecast of the 2008/09 revenue budgets for the Customer Services Department has highlighted some areas of pressures which may result in an overspend of £500k. The Corporate Director and the management team have implemented several actions to ensure the targeted budget is achieved for the year end. These include holding vacant posts, reducing agency spend, implementing changes in the Private Sector leasing service, examining alternative funding arrangements in fleet management and securing additional income.

3.4.2 **Environmental and Enforcement Services**

The Environmental and Enforcement Section is projected to overspend by £30k due to forecasted overspends within the Refuse Collection service and the Vehicle Fleet service. There are however general underspends within other areas of the service which will mitigate these overspends. The Environment and Enforcement Division's financial/operational resources are continually being stretched due to the need to employ temporary staff to cover vacant posts. This is required to maintain high quality front line services. Whilst these pressures will continue throughout the year management's proactive approach and corrective actions should enable them to contain these pressures within existing budgets.

3.4.3 **General Housing**

The current review of the budget indicates an overspend of £405k. Significant financial pressures are projected during the current financial year and beyond as the Council strives to reduce its "Private Sector Licenced (PSL)" property portfolio as part of the Government's target to halve the number of households living in temporary accommodation by March 2010. The Council's performance in this area is being closely monitored by the Department of Communities and Local Government (CLG) and one of the new Comprehensive Area Assessment(CAA) National Indicators for single tier and district councils (NI 156) records a simple count of the number of households living in temporary accommodation.

Under the terms of the individual agreements with landlords, notice to the landlord of termination of the agreement is required during which the dwelling is likely to be "void" for a period to ensure that vacant possession is achieved. This amounts approximately on average to a hand back cost of £1,000 per unit, which needs to be included in the overall cost of managing the portfolio. Currently each letting includes a weekly management charge of £50 but as the portfolio is reduced overheads are unlikely to be reduced by a similar proportion as the same level of economies of scale will not be achievable.

The level of management charges is therefore currently under review and it is proposed that the decision on the level at which these need to be set for the remainder of 2008/09 and the whole of 2009/10 be delegated to the Corporate Director of Customer Services and the Corporate Director of Resources in consultation with the Executive Portfolio Holder.

It should be noted that any increase in management charges, as part of the weekly licence fee payable by licencees in PSL temporary accommodation, will attract housing benefit up to the subsidy cap limit.

A number of occupants of temporary accommodation who are not in receipt of housing benefit or who are only partially in receipt of it frequently have difficulty in being able to meet all or part of the weekly charges and as such this often results in uncollectable debts accruing. Officers in the Housing Advice Service are therefore currently preparing a "Working Families Policy" with the aim of bringing a detailed proposal in a report to the Executive at the earliest possible time.

Following successive reductions in the housing benefit subsidy cap in 2007/08 and 2008/09 it is likely that this will be unchanged for 2009/10 but that a new formula based on the Local Housing Allowance will be introduced in 2010/11 which will have a significant effect on "rent levels" and the cost of providing the service. Further information will be provided to members on this matter through the budget process as soon as it is available.

As a result of the current issues within Temporary Accommodation the Executive is being asked to approve the following changes:

- a) that in consultation with the Executive Portfolio Holder the Corporate Directors of Customer Services and Resources urgently review the level of weekly management charges applicable to temporary accommodation lettings and set revised charges as necessary to protect the Council's financial position;
- b) that 28 days notice of any proposed increase in the weekly charges be given to all current occupants;
- c) that a report on a "Working Families Policy" be brought to the Executive as soon as possible.

3.4.4 **Barking & Dagenham Direct**

The Service is currently projecting a marginal underspend of £1k. Although the Managers have reduced and renegotiated agency rates, ongoing pressures remain in the Emergency out of Hours Service and One Stop Shops, due to the use of agency staff to cover increasing volume of calls on refuse collection. To further mitigate the pressures, the cost of delivering the Emergency out of Hours Service will be recharged out in full to the client department, and the insufficient base budget will be addressed through the future transformation plans for the service.

3.4.5 **Customer Strategy**

This service is projecting a small overspend of £66k mainly in employee expenses. However, robust budgetary control should enable management to contain these pressures within existing budgets.

3.5 **Regeneration Department**

- 3.5.1 The August forecast for 2008/09 for the Regeneration Department is a projected overspend of £698k, an increase of £110k on last month. This overspend is mainly due to shortfalls in income particularly in respect of rental of commercial properties, transaction fees, land charges income and LSC funding. The Corporate Director and the management team have implemented several actions to ensure the targeted budget is achieved for the year end. These include holding vacant posts, tight controls on expenditure, maximising grant funding, exploration of partnering opportunities and generating additional income.

The current key issues for the department are:

- the creation of the Capital Programme Unit which, by drawing in staff and budgets from across the council, will require a re-structuring and the identification of savings;
- provision of free swims for under-18s – working in partnership with the PCT;
- delivery of the land disposal programme to support the capital programme and generate budgeted revenue income from transaction fees.

3.5.2 Directorate and PPP

The current projection is for an underspend of £121k mainly from holding posts vacant in order to assist with the departmental financial position.

3.5.3 Housing Strategy & Property

The main pressure for this division relates to potential delays in the delivery of the land disposal programme which will result in a loss of budgeted income in respect of transaction fees.

Other pressures include the loss of commercial rental income due to the economic slowdown and changes in Government regulations on payments for NNDR on empty properties. The current projection indicates potential overspend of £668k.

3.5.4 Spatial Regeneration

The current projection is a small overspend of £32k. The main pressure in this area is on income generation in the Local Land Charge service (£150k) and Planning (£92k) as a result of the slow down in the housing market. The division has identified some additional income which will generate compensating savings of £120k and also underspends in supplies and service budgets.

3.5.5 Leisure, Arts and Olympics

The current projection is for a small underspend of £23k.

Potential service issues in the near future include:

- Finalisation of the Leisure Centre Value for Money review scheduled for June 2008;
- Introduction of free swimming for under 18's in partnership with PCT in September;
- Broadway Theatre – potential financial risk to the council in relation to finalisation of access and usage arrangements for Barking College which are not able to be quantified at this stage.

3.5.6 Skills, Learning & Enterprise

The main financial pressure in the division relates to a shortfall of income in relation to LSC funding and other unbudgeted operational costs resulting in an overspend of £216k.

3.5.7 Asset Strategy & Capital Delivery

The current projection is for an underspend of £73k mainly due to staff vacancies. Potential service issues for the near future are around the delivery of the Capital Programme Unit. This involves the drawing together of significant numbers of staff and budgets from across the council to create a re-shaped structure to delivery both a more effective service and significant savings. Value for Money will form an integrated part of the process of creating the new function.

3.6 **Resources Department**

- 3.6.1 The Department has identified some pressures which could result in an overspend. These include the continuing costs associated with the implementation of Single Status due to the Trade Union requests for reviewed job evaluations and costs associated with the preparation for the “Investors in People” assessment. In addition, the Department is also experiencing a cost pressure in relation to its contribution towards various corporate initiatives.

The Corporate Director and the management team have implemented several actions to ensure the targeted budget is achieved for the year end. These include curtailing the use of agency staff, holding back posts for recruitment and tight control and prioritisation of spend such as supplies and services.

Overall the Department is confident that it will achieve its targeted budget by the end of the financial year through disciplined and robust financial management combined with timely and effective management decisions.

3.6.2 **Policy, Performance, Partnerships & Communications**

The current projection is for a small overspend. The main pressures currently identified within the division relate to reduced levels of income in relation to the cessation of Standards Fund grant for the Corporate Web Team (£31k) and a reduction in the amount of income received for filming at locations within the Borough (£10K). The majority of this shortfall can, however, be funded from existing budgets as there are currently a number of vacant posts.

3.6.3 **Legal & Democratic Services**

The current projection is for an overspend in this area due to additional energy costs in public buildings.

3.6.4 **Corporate & Strategic Finance**

There are currently a significant number of vacant posts within the division for which a number of agency staff has been approved to ensure that the service continues to deliver its statutory functions. A major recruitment process took place in June 2008 to fill a number of these positions, however a number of these posts were unable to be filled owing to the lack of suitable candidates. The division is currently reviewing how to attract suitable applicants into the organisation. In the meantime the division has to rely on the use of agency staff which may result in a pressure on its budgets. Managers have implemented tight controls on hours worked by agency staff and will continue to monitor the staff levels in order to ensure that costs are contained within existing budgets.

3.6.5 **ICT & e-Government**

The division currently has a number of vacant posts, several of which are at a senior level and are unlikely to be filled in the current financial year. In addition, supplies and services expenditure is under review and this is likely to produce a further curtailment in expenditure. As a result of these measures the division's budget is now projected to under spend by £171k by the end of the financial year.

3.6.6 Human Resources

The Division currently has a number of cost pressures including:

- The implementation of the Council's Single Status Strategy has been successful with the process set to be fully completed by the end of July 2008. However, there is still the need for some additional work (estimated at £80k) resulting from the legal challenges from the Trade Unions in respect of the "Knowledge and Experience Allowance";
- One-off costs in respect of the Statutory Equal Pay Review and the Administrative, Technical, Professional and Clerical (ATP & C) Staff Review. The cost of this work is estimated to be in the region of £45K;
- Cost pressures of around £30K in respect of the preparation for the Authority's "Investors in People (IIP)" assessment planned for October 2008.

The departmental management team are currently in the process of identifying the necessary funding sources to finance these costs.

3.6.7 Interest on Balances

The current position on interest from investments is that these are performing to the budget target. A proportion of the Council's investments continues to be managed by two external investment managers, and the Council's Treasury Management Strategy has once again set stretching targets for these managers in 2008/09 which are being closely monitored by the Corporate Finance Division. An element of these investments may require the use of investment instruments such as gilts to be used which require tactical trades to be undertaken. Inevitably there are risks and rewards with the use of such investment instruments, and whilst the Council needs to continue to review the manager's performance it also needs to be aware that these potential risks/rewards do exist.

The position of interest on balances is also affected during the year by both performance and actual spend on the Capital Programme and the delivery of the Council's disposals programme. Any positive position arising in these areas may allow Council balances to increase, however, at the same time any weakening of this position may lead to reductions in investment income.

3.6.8 Corporate Management

There are currently no immediate issues identified within Corporate Management and it is projected that this budget will break even by the end of the financial year.

4. Housing Revenue Account (HRA)

- 4.1 The Housing Revenue Account balances in 2008/09 are forecast to reduce by £706k due to the revenue contribution of £255k towards the Housing Modernisation Programme (Capital) and other net overspends of £451k. This revised projection compares to an original budgeted reduction of £255k.

Projected HRA Working Balance

Description	£000
Working Balance – 1 st April 2008	3,235
Projected Surplus / (Deficit) Balance 2008/09	(706)
Projected Working Balance – 31st March 2009	2,529

- 4.2 The income due from HRA tenants in respect of Housing Rents and service charges are currently forecast to overachieve by £431k. This additional income is due to higher rental income (£217k) as a result of lower than budgeted Right to Buy (RTB) sales in 2008/09 and the transfer from reserves of £214k from the proportion of the 53rd week's rent relating to 2008/09 financial year.
- 4.3 Supervision and management costs are projected to overspend by £891k due to increased energy costs of £301k, increased grounds maintenance and premises costs of £410k, increased agency costs of £90k and increased estate management costs of £90k. Proactive budget management has helped to identify potential budget pressures earlier and will enable budget holders/service managers to take corrective actions to contain these pressures within existing resources.
- 4.4 RTB sales were estimated to be 200 in 2008/09 which would generate capital receipts of £17.6million. The current projection for RTB sales has reduced significantly in light of the economic downturn faced by consumers to 80 sales. This is estimated to generate capital receipts of £7.6million, equalling a projected shortfall in capital receipts of £10million. The revised projection will impact on the available capital receipts to the Council for investment in capital projects, reducing the retained capital receipts.

5. Capital Programme

- 5.1 As at the end of August, the working budget on the capital programme had increased to £106.4m against an original budget of £65m. Since the original budget was set, the programme has been updated for approved roll-overs from 2007/08 and a number of new schemes for 2008/09.
- 5.2 These new schemes fall into two categories:
- (a) Provisional schemes from the 2008/09 budget report that have now been successfully appraised by the Capital Programme Monitoring Office (CPMO); and
 - (b) Schemes which have attracted additional external funding, and whose budgets have been increased accordingly.
- 5.3 Whilst the current projection is that total spend will be broadly in line with the budget by the year end (current projected expenditure is £100.7m), it is vitally important that projects and budgets are subject to robust scrutiny to ensure that timetables and milestones can be adhered to, and that budgets are realistic. As a result, Directors and sponsors, with support from corporate finance and CPMO, are currently carrying on this work which will include reviewing the delivery of individual capital schemes to ensure maximum spend is achieved by the year end.
- 5.4 The completion of capital projects on time and on budget not only supports the Council's drive to excellence through its Use of Resources score, but will also ensure that the benefits arising from our capital projects are realised for the community as a whole.

6. Consultees

6.1 The members and officers consulted on this report are:

Councillor Bramley Lead Member Resources
Corporate Management Team
Group Managers – Corporate Finance
Capital Programme management Office (CPMO)

Background Papers Used in the Preparation of the Report:

- Oracle reports
- CPMO reports

BUDGET MONITORING REPORT - AUGUST 2008

SERVICES	2008/09								
	Original Budget	Working Budget	Year to Date Budget	Actual to Date	Year to Date Variance - over/(under)	Forecast Outturn	Variance - over/(under)	Action in place/to be taken (*)	Projected Outturn 2008/09
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Adult & Community Services									
Adult Care Services	5,399	7,139	3,502	3,752	250	7,739	600	}	
Adult Commissioning Services	45,102	44,312	18,873	18,873	0	44,312	0	}	
Community Safety & Preventative Services	3,913	4,044	1,786	1,786	0	4,044	0	}	1,200 (600)
Community Services, Heritage & Libraries	7,499	7,732	3,174	3,174	0	7,732	0	}	
Other Services	643	431	1,330	1,330	0	431	0	}	
	62,556	63,658	28,665	28,915	250	64,258	600		1,200 (600)
Children's Services									
Schools	123,673	130,887	54,536	55,702	1,166	130,887	0	}	
Quality & School Improvement	14,026	14,236	5,932	9,365	3,433	15,096	860	}	
Shared Services & Engagement	3,018	2,950	1,229	2,342	1,113	2,950	0	}	600 3,932
Safeguarding & Rights Services	30,885	31,130	12,971	15,342	2,371	35,660	4,530	}	
Children's Policy & Trust Commissioning	3,525	3,443	1,441	2,123	682	3,363	(80)	}	
Other Services	6,902	6,988	2,912	1,927	(985)	6,210	(778)	}	
	182,029	189,634	79,021	86,801	7,780	194,166	4,532		600 3,932
Customer Services									
Environment & Enforcement	21,714	22,122	7,399	7,331	(68)	22,152	30	}	
Barking & Dagenham Direct	4,139	4,469	7,956	8,555	599	4,468	(1)	}	1,100 (600)
Customer Services Strategy	(75)	0	0	115	115	66	66	}	
Housing Services	673	681	1,182	1,265	83	1,086	405	}	
	26,450	27,272	16,537	17,266	729	27,772	500		1,100 (600)
Regeneration Department									
Asset Strategy & Capital Delivery	228	256	1,191	659	(532)	183	(73)	}	
Spatial Regeneration	4,297	4,346	1,810	2,466	656	4,379	32	}	
Skills, Learning & Enterprise	1,700	1,746	728	2,320	1,592	1,962	216	}	998 (300)
Leisure, Arts & Olympics	6,704	6,978	2,835	2,605	(230)	6,955	(23)	}	
Housing Strategy Services	(1,051)	(1,060)	(442)	44	486	(392)	668	}	
Directorate, Policy & Strategic Services	(31)	(77)	(98)	(147)	(49)	(198)	(121)	}	
	11,847	12,190	6,024	7,947	1,923	12,888	698		998 (300)
Resources									
Chief Executive	35	37	15	20	5	37	0	}	
Director of Resources & Business Support	130	131	55	94	39	131	0	}	
Corporate Finance	(296)	(266)	(111)	(83)	28	(266)	0	}	
Human Resources	51	74	416	447	31	74	0	}	
ICT & eGovernment	304	328	436	359	(77)	157	(171)	}	400 (400)
Partnerships, Policy, Performance & Communications	639	637	408	422	14	665	28	}	
Legal & Democratic Services	883	955	410	517	107	1,098	143	}	
Corporate Management	4,986	4,886	1,851	2,031	180	4,886	0	}	
General Finance	(15,668)	(25,560)	(14,963)	(15,373)	(410)	(25,560)	0	}	
	(8,936)	(18,777)	(11,483)	(11,566)	(83)	(18,777)	0		400 (400)
Contingency	1,200	1,170	0	0	0	1,170	0	}	0 0
Levies	7,182	7,182	3,530	3,530	0	7,182	0	}	0 0
TOTAL	282,328	282,328	122,294	132,893	10,599	288,658	6,330		4,298 2,032

* Subject to Executive approval on in-year departmental savings to support pressures in Children's Placements

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APPENDIX B

HOUSING REVENUE ACCOUNT - BUDGET MONITORING SUMMARY

Month August 2008

	Original Budget £'000	Revised Budget £'000	Budget Aug-08 £'000	Actual Aug-08 £'000	Forecast £'000	Variance £'000
Housing Revenue Account						
NET RENT OF DWELLINGS	(73,317)	(73,317)	(30,549)	(29,676)	(73,748)	(431)
OTHER RENTS	(2,593)	(2,593)	(1,080)	(494)	(2,583)	10
OTHER CHARGES	(5,542)	(5,542)	(2,309)	(2,451)	(5,618)	(76)
CONTRIBUTIONS TOWARDS EXPEDITURE	0	0	0	0	0	0
TOTAL INCOME	(81,452)	(81,452)	(33,938)	(32,621)	(81,949)	(497)
REPAIRS AND MAINTENANCE	21,754	21,754	9,064	9,023	21,811	57
SUPERVISION & MANAGEMENT	25,549	25,549	10,645	9,648	26,440	891
RENT, RATES AND OTHER CHARGES	379	379	158	0	379	0
NEGATIVE HRA SUBSIDY PAYABLE	17,046	17,046	5,812	5,812	17,046	0
NEGATIVE HRA SUBSIDY TRANSFERABLE TO GENERAL FUND UNDER TRANSITIONAL ARRANGEMENTS	4,611	4,611	0	0	4,611	0
DEPRECIATION & IMPAIRMENT OF FIXED ASSETS	19,963	19,963	8,318	8,318	19,963	0
CAPITAL EXPENDITURE FUNDED FROM REVENUE	255	255	0	0	255	0
HRA SHARE OF CDC COSTS	792	792	330	330	792	0
TOTAL EXPENDITURE	90,349	90,349	34,327	33,131	91,297	948
INTEREST EARNED	(1,660)	(1,660)	(692)	(692)	(1,660)	0
NET COST OF SERVICE	7,237	7,237	(303)	(182)	7,688	451
NET ADDITIONAL AMOUNT REQUIRED BY STATUTE TO BE DEBITED (OR CREDITED) TO THE HRA	(6,982)	(6,982)	(2,909)	(2,909)	(6,982)	0
MOVEMENT IN WORKING BALANCE	255	255	(3,212)	(3,091)	706	451
WORKING BALANCE B/F	(2,819)	(3,235)			(3,235)	0
WORKING BALANCE C/F	(2,564)	(2,980)			(2,529)	451

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APPENDIX C

CAPITAL PROGRAMME 2008/2009

SUMMARY OF EXPENDITURE - AUGUST 2008

<u>Department</u>	<u>Original Budget (1)</u>	<u>Revised Budget</u>	<u>Actual to date</u>	<u>Percentage Spend to Date</u>	<u>Projected Outturn</u>	<u>Projected Outturn Variation against Revised Budget</u>	<u>Projected Outturn Variation against Original Budget</u>
	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>	<u>%</u>	<u>£'000</u>	<u>£'000</u>	<u>£'000</u>
Adult & Community Services	3,661	3,799	317	8%	4,114	315	453
Children's Services	4,982	12,689	3,260	26%	12,538	(151)	7,556
Customer Services	5,683	13,710	2,404	18%	12,537	(1,173)	6,854
Regeneration	47,007	71,776	14,904	21%	67,981	(3,795)	20,974
Resources	3,675	4,402	1,316	30%	3,482	(920)	(193)
Total for Department Schemes	65,008	106,376	22,201	21%	100,652	(5,724)	35,644
Accountable Body Schemes							
Regeneration	-	11	-	0%	11	0	11
Total for Accountable Body Schemes	-	11	-	0%	11	0	11
Total for all Schemes	65,008	106,387	22,201	21%	100,663	(5,724)	35,655

Note

(1) Excludes provisional schemes approved at Executive 19th February subject to achieving 'four green lights' from CPMO appraisal

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THE EXECUTIVE

14 OCTOBER 2008

REPORT OF THE CORPORATE DIRECTOR OF CUSTOMER SERVICES

Title: More Choice in Lettings	For Decision
<p>Summary:</p> <p>The Council introduced More Choice in Lettings (MCIL) a new Allocations Policy in April 2005 for the Council's general needs housing stock. There have been several amendments to the policy since 2005 in response to issues raised in light of operational experience.</p> <p>This report highlights the need for further changes to the allocations policy as required by the Council's commitment to continuous improvement through service improvement plans and from feedback and recommendations following the Audit Commission Inspection of Homelessness, Allocations and Lettings in February 2008.</p> <p>The Council is committed to maximising transparency, by broadening the choice agenda and moving away from direct lets for particular customer groups.</p> <p>There is also a need to recognise the housing need of applicants living in supported housing to ensure a 'move' on process can be achieved to enable others to benefit from accessing supported housing.</p> <p>The original policy excluded sheltered housing. The assessment procedure for this client group has been updated and streamlined to provide a more customer focused approach. We wish to move to a position to include Sheltered Housing into the MCIL process by advertising Sheltered housing to ensure older residents of the Borough are not excluded from the choice agenda. This requires further consultation to ensure the method of allocation is fully understood, and supported by our older residents.</p> <p>Wards Affected: All</p>	
<p>Recommendation(s)</p> <p>The Executive is asked to agree:</p> <ol style="list-style-type: none"> 1. The amendments to the Allocations Policy to maximise MCIL and facilitate move on accommodation. 2. The updating and streamlining of the sheltered housing assessment criteria. 3. Delegate authority to the Corporate Director of Customer Services in consultation with the Housing Portfolio Member to authorise the inclusion of sheltered housing stock in MCIL subject to satisfactory further consultation with that client group. 4. Delegate authority to the Corporate Director of Customer Services in consultation with the Housing Portfolio Member to authorise the inclusion of further supported 	

accommodation following further consultation with Adult and Community Services.

5. To allow applicants who require smaller accommodation due to changes in circumstances the right to retain their waiting time.
6. That special schemes client group be considered through MCIL.
7. That the effective date of homeless acceptances cases be amended to the date of homeless application case taken.

Reason(s)

The recommended changes to the allocations process are intended to maximise transparency and choice. The changes support the Audit Commission recommendations, and are part of the service's improvement plans.

Implications:

Financial:

There is a cost attached to each advert placed on MCIL, this is estimated to be £12,000. This cost will be met within current resources.

Legal:

There are no specific legal implications arising from this report.

Risk Management:

The management of the risk associated with the delivery of sheltered accommodation being extended into MCIL have been built into the overall risk management plan for the Allocations & Lettings Policy.

Social Inclusion and Diversity:

In line with recommendations received from the Audit Commission Inspection of the Service in February 2008, consultation with appropriately identified groups has been initiated to assist in policy development. Greater transparency of MCIL will help demonstrate fairness of the system to all.

Crime and Disorder:

There are no specific implications as far as this report is concerned.

Options Appraisal:

Not applicable.

Contact Officer:

Anne Baldock

Title:

Group Manager –
Housing Advice

Contact Details:

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E-mail: anne.baldock@lbbd.gov.uk

1. Introduction and Background

- 1.1 More Choice in lettings (MCIL), launched in April 2005, replaced a very complex points system, that had a blanket approach to assessment. MCIL is fully compliant

with housing legislation, and adopts the spirit of offering choice, whilst being simple and transparent.

- 1.2 Instead of applicants being awarded points, in 19 different categories, there is a composite assessment of each application carried out based on 5 reasonable preference categories which reflect housing need, such as overcrowding, medical/welfare issues. Applicants either have or have not got a reasonable preference. Applicants with more than one reasonable preference have higher priority than applicants with one preference. In limited circumstances applicants may be awarded **additional preference**, this is where a reasonable preference has been applied and in addition, due to particular circumstances the applicant cannot remain in their home.
- 1.3 The exception to the reasonable preference categories is, Council tenants who are under-occupying their home, which is of particular interest to the Council as it is in high demand to meet housing need. Such applicants are awarded the status of 'Council Interest'.
- 1.4 The most significant change to the allocations procedure came by advertising vacant property, in a, now, weekly, magazine and on the website. Housing applicants bid for accommodation of their choice (within a given bed size). The bids are then ranked in order of priority as follows;
 - 1.4.1 Council Interest
 - 1.4.2 Additional Preference
 - 1.4.3 Housing Applicants with cumulative reasonable preferences.
 - 1.4.4 Housing Applicants with one reasonable preference.
 - 1.4.5 Housing Applicants with no reasonable preference.

Within each band the effective date (the date the level of priority was awarded, or an applicants circumstances changed), is the determining factor.

- 1.5 Short-listing of successful bidders takes place before an invitation to view is sent. This is to ensure that the successful bidder has a local connection, has had a home verification visit during the last year and has no rent arrears. Consideration may also be given at this time to other factors such as behaviour and financial matters. A full copy of the current Allocations Policy is attached for information as Appendix 1.

2. Current Position

- 2.1 The Housing Advice Service had an inspection of homelessness, Allocations and Lettings, by the Audit Commission in February 2008. Overall the view of Allocations and Lettings was: -
 - 2.1.1 The Housing Advice Service is providing a 'fair' service with promising prospects for improvement
 - 2.1.2 The range and quality of information available to customers is reasonable, and there is a fully accessible website.
 - 2.1.3 The allocations policy is clearly written and comprehensive, and the allocations process is well managed and transparent.
 - 2.1.4 Review processes for each stage of the allocation process are robust.

- 2.1.5 The choice-based letting system is well managed and bids for properties can be made 24 hours a day for four days per week.
- 2.1.6 Sheltered housing is excluded from the MCIL system.....this means that the MCIL scheme is not yet comprehensive and the Council is not yet maximising choice for all customers.

2.2 However in line with our existing Housing Improvement Plans, recommendations were made in respect of Allocations and letting that require a policy amendment, which is the purpose of this report.

3. Report Detail

- 3.1 At the time of introducing MCIL it was anticipated that the majority of lettings would be via choice, and the number of direct lets would be minimal. In practice we have continued to allocate approximately one third of properties via direct lets. This can give rise to suspicion, and is often the source of complaints. Residents are aware a property has a new tenant, but did not see the property advertised. Our objective is therefore to extend Choice as far as practicable, and this report proposes policy amendments in furtherance of this aim.
- 3.2 In April 2005, the Housing Service had started decanting the Lintons, and it was agreed by the Executive that we would complete this decant programme by making direct lets to the remaining tenants. Persuading other decant tenants to bid for accommodation rather than receive a direct offer met initially with some resistance and reluctance, we now, however, have successfully transferred the decanting procedure to allocations via choice.
- 3.3 The most significant number of direct lets is to particular customers, referred to as 'Special Schemes'. Special Schemes, includes; care leavers, customers with mental health issues or learning difficulties/disabilities, Key workers. Management Transfers and repair decants, and applicants requiring adapted property, also receive direct offers.
- 3.4 Our equality impact assessment identified that customers with particular needs should not be excluded from Choice if they are capable of independent living, as this restricts access to service. We also wish to maximise transparency to engender confidence in the allocations scheme.
- 3.5 However having consulted with colleagues who refer customers for direct lets, particularly Care Leavers, there was concern that this customer group would be disadvantaged by bidding as they would be competing with all applicants on the MCIL scheme. There was also concern that certain applicants may be reluctant to take up the initiative to help themselves, by bidding.
- 3.6 These concerns are fully acknowledged and can be addressed and monitored. In the first instance it is proposed that a new award of 'referral' category be introduced, for customers referred by Children or Adult Services where there is a particular need for settled accommodation. In terms of bidding priority this category will rank alongside with Additional preference, thereby ensuring a high band of priority for this group.

- 3.7 There is often concern about the bidding system and the fear that it may be complicated. In fact it is a very simple process. The bidding information published in the magazine and on the website is available in 21 community languages and is RNIB accredited.
- 3.8 Three things are needed to place a bid, an MCIL registration number, the applicant's date of birth and reference number for the property that the bid is for.
- 3.9 Staff across the borough at Stour Road, Barking Learning Centre and John Smith House, can place a bid for any applicants in difficulty, and training will be provided for any colleagues across the Council, as required, on how to place a bid. If any applicant is a particularly vulnerable an 'assisted bid' can be placed by an officer automatically on behalf of an applicant.
- 3.10 Of the 2200 bids placed by our applicants each week 83% are via the internet, as opposed to by telephone or text.
- 3.11 It is recognised that applicants who reside in accommodation sharing facilities with non-relatives / un associated people have a greater housing need than those sharing facilities with relatives / associated people; for example, applicants residing in a HMO, the Vineries ICL and Boundary Road. To reflect this housing need, applicants residing in this type of accommodation will receive a reasonable preference within the category of 'unsatisfactory housing'. This will facilitate the need for turnaround of this type of accommodation. For example:
- 3.11.1 An applicant with exclusive use of a bedroom, sharing facilities within the family home with full amenities would not receive a reasonable preference within the category of 'living in insanitary', overcrowded or unsatisfactory housing conditions.
- 3.11.2 An applicant residing in a household in multiple occupation, sharing wash / toilet and cooking facilities with other residents 'not associated' with the applicant would receive a reasonable preference to reflect the unsatisfactory housing conditions.
- 3.12 It is recommended that applicants residing in supported accommodation 'in borough', in the young persons 'Foyer' (opening end of November 2008) will have their applications assessed in line with Policy. If however the 'provider' of the Foyer formally refers a resident who has engaged with support services and confirms that there is an urgency and are ready for 'move on' accommodation, this application will be considered in line with the 'referral' category. This will guarantee the high banding of priority in line with 'special schemes' ensuring 'move on' and free up valuable space in supported housing projects which will, in turn, prevent youth homelessness.
- 3.13 We are also in consultation with colleagues in Adult and Community Services to consider the extension of choice to other clients in supported accommodation and ask that the Executive agree delegated authority to the Corporate Director of Customer Services in consultation with the Housing Portfolio Member to authorise this future change.

- 3.14 The effective date of an application is the date the MCIL application was made or when a new need arose, or circumstances changed. This has been a key feature in stopping queue jumping. For example:
- 3.14.1 A single person on the list waiting for 1 bedroom accommodation becomes pregnant; this person will join the 2 bedroom queue, with an effective date of notification of pregnancy. The applicant will not overtake applicants already in the 2 bedroom queue.
- 3.14.2 A family has a reasonable preference for over crowding, A Doctors letter is submitted for consideration, which attracts a second preference on medical grounds. The new effective date, is the date, the Doctors letter is submitted. So for bidding purposes, applicants with 2 preferences will be prioritised by their effective day. The earliest date coming highest.
- 3.15 This has worked effectively without challenge. However there have been a handful of incidents where an applicant's circumstances have changed and their need for accommodation has reduced. For example due to bereavement, the need has reduced from 2 bedrooms to 1 bedroom. Or a family who have been awaiting a transfer for some time need smaller accommodation because the children have left home. When the effective date has changed to reflect the change in circumstances this has been thought to be unfair. The proposal is in these limited circumstances the date remains the same. In other circumstances the effective date will be amended to reflect when the new need arose.
- 3.16 Whilst awaiting the outcome of a homeless application, LBBB applicants and applicants placed by 'other' local authorities in interim accommodation, will not be able to actively bid under the MCIL scheme.
- 3.17 Once the placing authority has issued a decision to a homeless applicant (section 184 Housing Act 1996 as amended), LBBB are obliged to assess the application in accordance with the MCIL Allocations Policy and invite the applicant to bid. If however a successful bid of interest is made and the applicant has not established a local connection with the borough, the bid of interest may be skipped.
- 3.18 In circumstances where the applicant has been placed into interim / temporary accommodation by another authority in accordance with homeless legislation, the Lettings Team will have regard to Statutory Instrument 2006 No. 2527 to determine whether a local connection has been established with LBBB.
- 3.19 Homeless applicants who LBBB have a 'main' duty to house, have their applications converted to a MCIL and are invited to bid interest in advertised properties. At present the effective date of the MCIL application is the date of the homeless decision. Dependent on the level of enquiries required to complete the homeless application, applicants may experience a prolonged wait for a homeless decision. This issue has been subject to recent complaints.
- 3.20 The process of awarding an effective date of an accepted LBBB homeless application is inconsistent with the assessment of a MCIL application in which the effective date is granted on the submission an application, not the later date of the completion of enquiries. As not to disadvantage a homeless applicant on the time taken to complete the enquiries into a homeless application, it is proposed that the

effective date of all homeless acceptance cases will be the date a formal homeless application is taken.

- 3.21 Sheltered Accommodation was not included when the MCIL policy was introduced. Therefore we have continued to assess applications using an out of date points system. There also has to be a supported Needs assessment.
- 3.22 When looking at the procedure, it is not customer focused and is confusing for the applicant as the assessment process is carried out in more than one place in the Council. We therefore propose a revised single assessment process which combines all elements of general needs applications and support needs applications.
- 3.23 The allocation of accommodation will continue to be by direct offer. However it is hoped to move to a position where sheltered housing can be advertised to include older residents in the choice agenda. However there was limited support for this approach following consultation at the Elderly Forum, but this was only a small selection of the community and further consultation will be carried out.
- 3.24 We will continue to make direct lets to Management Transfers and Repair Decants, and Applicants requiring Adapted Property, however all three processes are included for review in the Housing Service Improvement Plans for 2009.
- 3.25 The Allocations policy states that the Council reserves the power to make a direct offer to homeless households in LBBD Temporary Accommodation, if they have failed to bid successfully or refuse to bid for a suitable property within a year of accepting a main housing duty. In this instance the Council must enforce this right to avoid unnecessary prolonged use of Temporary Accommodation.

4. Implications

- 4.1 A new category of 'Referral' will be awarded Priority in line with Additional Preference to ensure applicants who have historically received a direct let will not be disadvantaged when bidding for accommodation. This will also apply to residents living in the 'Foyer' to ensure 'move on' is achieved to avoid blocking valuable resources needed to prevent homelessness.
- 4.2 The Policy for assessing General Need's housing applications will be adopted for Sheltered Housing Assessments, which will be carried out by the Support Team, at the same time they assess eligibility for Supporting People funded support. The Letting of Sheltered Housing will remain with Housing, and further consultation will be carried out to consider advertising Sheltered Accommodation.

5. Consultees

- 5.1 The following were consulted in the preparation of this report:

David Woods – Corporate Director of Customer Services
Stephen Clarke – Divisional Director of Housing Services
Councillor Liam Smith – Housing Services Portfolio Holder
Apostolos Vouyioukas – Divisional Director of Safeguarding & Rights
Tony McNamara – Customer Services Departmental Finance Team

Robin Hanton - Corporate Legal Services
Ken Jones – Head of Housing Strategy
Thomas Oyetunde- Group Manager Housing Support
Tim Miller – Supporting People Quality Manager
Bernard Hannah – Mental Health Commissioning Manager
Forum for the Elderly – 31 July 2008
The Vineries
Look Ahead Housing Association

Background Papers Used in the Preparation of the Report:

- Allocations Policy



MORE CHOICE IN LETTINGS
ALLOCATIONS POLICY.

London Borough of Barking & Dagenham.

INTRODUCTION.

This document outlines the policy for the London Borough of Barking and Dagenham Housing Allocations scheme called More Choice in Lettings (MCIL).

The Housing Allocations scheme introduced with effect from 28.04.2005 replaces a complex points system and fully complies with amendments to Part VI of Housing Act 1996 made by the Homelessness Act 2002, which

- Ensures the widest possible access to social housing for applicants by removing the power for Authorities to implement blanket exclusions of certain categories of applicant. In its place Housing Authorities are given the power to decide that individual applicants are unsuitable to be tenants as a result of serious unacceptable behaviour and break down existing barriers to cross-boundary applications.

Housing Authorities must consider all applications, and cannot exclude an applicant who for example is not currently resident in the borough. However, in determining relative priorities for an allocation, Authorities are able to have regard to whether or not applicants have a local connection with the district; can consider suitability as a tenant, and may take account of financial considerations.

- Rationalises the reasonable preference categories so they are squarely based on housing need;
- Ensure that existing Public Sector tenants seeking a transfer of accommodation have their application considered on the same basis as new applicants;
- Ensures that any necessary assistance is available free of charge to those who are likely to have difficulty in making an application for housing.

It tells you who can apply for housing, how to apply for housing, exemptions to who can apply, how we decide on priority, what help you can be given and how offers are made. This policy was correct at the time of writing. Our Policy is under continuous

review .If you have any individual queries that are not adequately addressed; please contact our More Choice in Lettings Team.

E-mail- housingadvice@lbbd.gov.uk

Telephone: 020 8227 3557

Fax: 020 8227 5080

Address: **London Borough of Barking & Dagenham**
Housing Advice Service
John Smith House
Bevan Avenue
Barking
Essex
IG11 9LL

More Choice in Lettings.

Aims of the Policy.

The policy aims to:

Offer applicants a more active role in choosing accommodation taking account of individual circumstances and waiting time.

Meet the wider objectives of this district's housing needs as set out in the Authority's Housing Strategy.

Maximise the use of and efficiently let all housing stock available to the Council.

Provide applicants with sufficient information to make informed choices about opportunities for rehousing and understand the criteria and process adopted by the Council.

Offer applicants open and fair access to housing, provide choice and recognise diverse needs.

Promote sustainable communities.

To reflect a balance between the housing needs of existing tenants and new tenants, whilst ensuring best use of our stock

Realise better service quality and deliver a Best Value lettings system.

Who can apply?

- Anyone age 16 or over. (This includes applying for both Council and Registered Social Landlord tenants)
- Applicants aged 16 and 17 years will require a rent guarantor before taking up any property. This guarantee may be given by the parents of the applicant or one of the parents or adult family member of the applicant; who will have to write a letter of undertaking about the applicant and assuring the council that he will ensure that the tenancy is well managed in accordance with its terms and conditions or letter from the Social Services for applicants who have just left care.

Exceptions to who can apply.

The Council can exclude you from joining the Scheme if, your behaviour as a tenant or the behaviour of a member of your household is or has been in the past unacceptable (for example, if your landlord is evicting you or you were previously evicted from accommodation because of serious anti-social behaviour).

Unacceptable Behaviour: -

The Council will consider whether you or any one in your household who is guilty of behaviour as defined in grounds 1-7 of s84 of the Housing Act 1985. These are;

- Rent arrears or breach of tenancy agreement;
- Nuisance or annoyance to neighbours and / or illegal or immoral use of the property and / or perpetrator of domestic violence
- Deterioration in the condition of the property due to acts of waste by, or neglect or default of, the tenant or a person residing with him. In case the act

was committed person residing with him and the tenant refuse to take steps for the removal of the lodger;

- The tenant induced the Council to grant the tenancy by a false statement made knowingly or recklessly by the tenant;
- The tenancy was assigned to the tenant or to a predecessor in title and a premium was paid either in connection either in connection with that assignment or the assignment which the tenant or predecessor himself made;
- The property is part of a building mainly used for non-housing purposes which was let to the tenant as an employee of the landlord and the tenant is guilty of conduct such that, having regard to the purpose for which the building is used, it would not be appropriate for him or her to continue to occupy the accommodation.

If you are subject to Immigration Control and your status specifically excludes you from public housing assistance, or if you are not habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man) you will not be able to apply for a home under the scheme.

Asylum seekers cannot be assisted through this policy, they are advised to contact National Asylum Seeker Service (NASS) located at Voyager House, 30 Wellesley Road, Croydon, CR0 2AD. Telephone Number:020-86330304 Or Fax 020-86330130

How to apply for re-housing?

If you wish to apply for alternative accommodation, you must fill in a Home Choice application form. You can get one from the following offices.

Community Housing Partnership

90 Stour Road
Dagenham
Essex RM10 7JF

Housing Advice Service

John Smith House
Bevan Avenue
Barking
Essex IG11 9LL

Barking Learning Centre

Barking and Dagenham Direct
Department
2 Town Square
Barking IG11 7LU

Or we can send you a form if you phone 020 8215 3000. Once you have filled the form, you should return it or post it direct to the Home Choice Assessment Team. If you have difficulty filling in forms and cannot visit the office, we will arrange to visit you at home.

HOME VISIT

All applicants are subject to a visit without, which they cannot be offered council property.

No Fixed Abode applicants: - Applicants, who do not have any settled accommodation, may apply for re-housing via MCIL. If the applicant is moving amongst friends/relatives. All addresses will be visited, and details checked with the host. The applicant will be required to provide proof of residence. Alternatively a letter from each host to confirm the situation may be required. Proof of residence in their previous settled accommodation must be provided in order to gather more information that may be relevant to their application.

If this is not available, the case will be passed to the Team Leader or Group Manager, Housing Advice Service for consideration.

Homeless Applicants: - may not receive a home visit, as in depth checks on their homeless circumstances are carried out at a point of application by the caseworkers.

Council Tenants: - We expect in future to visit all tenants who have applied to MCIL. However, until the backlogs of cases have been cleared; verification checks will be carried out using Estate Management System and Rent Accounts.

Elderly Applicants: - The Council appreciate that not all elderly applicants are fit to bid for property under More Choice in Lettings. Therefore our Choice Letting Officers will carry out assessment whether an applicant may require sheltered accommodation or not. If the outcome of such enquiries reveals that applicant will require sheltered accommodation, necessary enquiries and allocation of property will be carried out outside the bidding system. However, if an elderly applicant still feels that he or she will be able to maintain tenancy on his or her own without any support or

sheltered accommodation, such applicant will be asked to bid for property of his or her choice like every other applicant.

Duty of applicants to be truthful: -

It is the responsibility of every applicant to provide necessary information and documents that will assist the Council in carrying out enquiries on their application. It is therefore an offence to knowingly or recklessly makes a statement, which is false in a material particular to the application to induce the Council in making judgement on such application. Or knowingly withhold information or documents, which the Council have reasonably required applicant to give in connection with such application. The Council will take necessary action against such applicant as stated in Section 171 of the Housing Act 1996 and Ground 5 in Schedule 2 to the 1985 Housing Act as amended by the 1996 Act, s.146.

The circumstances in which an offence is committed could include:

1. Any false information or documents given on an application form;
2. Any false information given in response to subsequent review letters or other updating mechanisms;
3. Any false information or documents given or submitted by applicants updating the proceedings of a review.

Required proof:

The Council will ask all applicants to provide independent documentary proof of the following:

- Identity i.e. passport and/ or birth certificate, and/or letter from the Home Office;
- Relationship between applicant and all those named on the application;
- The property you currently live in i.e. tenancy agreement, council tax document, electoral register document etc;
- Proof of address in the last 5 years

And for every person on the application the Council will request for the following documents:

- Full birth certificate, passport and or Home Office letter

- Marriage certificate
- Adoption/foster certificate
- Benefit book
- Any other documents

How we assess your application

Reasonable preference

We will investigate your circumstances and assess your needs to decide whether or not you have '**reasonable preference**' for rehousing.

In accordance with s167 of the Housing Act 1996 Part VI as amended by the Housing Act 2004 provides that reasonable preference should be given to people who fall into any of the following categories.

This will apply if you:

- are homeless as defined by homelessness legislation;
 - are homeless and owed certain duties by any housing authority;
 - are living in insanitary or overcrowded housing or living in unsatisfactory housing conditions;
 - have serious medical, disability or welfare problems which are directly related to your current housing circumstances;
 - need to move to a particular area in the district to avoid hardship either to yourself or to others.
- **Cumulative Reasonable Preference.**

We do not just look at each reasonable preference category. If you qualify under more than one category, we will take this into account when assessing your housing need.

If you qualify for two reasonable preference categories, we will give you more priority than someone who qualifies in just one.

Additional preference.

We may give you additional preference if you fall within the reasonable preference categories and have an urgent housing need. These urgent needs include people who are:

- owed a homelessness duty as a result of being;
victims of domestic violence;
victims of racial or sexual harassment;
witnesses of crimes or victims of crime who would be at risk of intimidation (violence or threats of violence) if they stayed in their current home;
- or you have urgent medical or social reasons.

We will give you additional preference in these (and possibly other) situations. If we are satisfied that your circumstances are such that it is **impossible for you to remain in your current accommodation.**

No reasonable preference.

If you do not fall within the reasonable preference or additional preference categories listed above your application will not be awarded any preference.

Private Decant:

The Council appreciate that the private landlord may want to carry out repairs in their property; which sometime may make the accommodation to be inhabitable. If such accommodation becomes unsuitable to occupy during the period of the repairs after getting all necessary confirmation form the Environmental Department. Such applicants will be provided with temporary accommodation if the repairs will be carried out within 8 weeks. The Council will arrange the interim accommodation. If an applicant has a special need, the council will carry out occupational therapy assessments to ensure that the accommodation provided meet the needs of the applicant. The applicant and his landlord will be asked to sign a temporary re-housing agreement.

If the repairs will take more than 8 weeks, the applicant may be advised to contact our Homeless Unit to consider their application under the Homelessness Act 2002.

How the Council will allocate property.

The changes introduced by the Homelessness Act 2002 amendments are designed to enable housing authorities to offer applicants a choice of accommodation while continuing to give reasonable preference to those with the most housing need.

We have replaced a complex system of applicant prioritisation with an assessment procedure, which reconciles housing need and waiting time. We will assess whether or not an applicant falls into one or more reasonable preference categories and whether or not his/her circumstances are so severe that he/she should be awarded additional preference. Within these categories the length of time an applicant has been waiting will be the deciding factor in determining who is rehoused.

We advertise available properties inviting applicants to bid for them. Essentially this will enable applicants to choose where they want to live. **However, not all properties that become empty will be advertised because in certain limited circumstances we will continue to make direct offers.**

Council Decants.

There is a significant decant programme underway across the borough which will continue beyond the introduction of More Choice in Lettings. In order to maintain continuity within the current programme residents eligible to decant will be made offers of suitable accommodation in the area of their choice date of tenancy will be used to determine priority. They will also be encouraged to bid for properties of their choice. Their date of tenancy will be used as the effective bidding date and assessed housing needs will determine the size of accommodation the tenant can bid for.

Should a tenant fail to make a bid, a direct offer will be made within six months of the target date for completing the decant, to avoid any delays in the programme. Tenant's who exercise their right to bid will be awarded Additional Preference for the purpose of prioritising the bid.

Management Transfers.

A Management Transfer is a special procedure that recognises a tenant's urgent need to move. Supporting evidence from other agencies such as Police, Social Services and Domestic Violence groups is essential to achieve a Management Transfer. However the Community Housing Manager has discretion where Police evidence is lacking to recommend a Management Transfer if they are satisfied from all relevant information available that the household's quality of life is affected by persistent offensive harassment. The Head of Landlord Services and the Group Manager, Housing Advice Service must countersign this recommendation.

In view of the urgency involved with Management Transfers, one direct offer of suitable accommodation in line with the Boroughs Management Transfer Policy will be made. Should the tenant decline a reasonable offer, they may lose their Management Transfer Priority, and revert to the bidding process in accordance with the reasonable preference criteria.

Special Schemes.

A number of direct referrals classed as 'special' are received by the Housing and Health Department. In order to respond to the need to re-house such clients without delay a direct offer will be made at the earliest opportunity. Special schemes include;

- Young persons leaving care: It is the interest of the local authority that applicants that belong to this group are not street homeless. The Council's Social Service Leaving Care team will nominate applicants in this category.
- Clients with learning difficulties: - This group may also be considered for direct offer, following a referral from relevant agencies.
- Clients with mental health problems: - Clients with serious mental health problems, confirmed by a psychiatrist will be considered by the council for a direct let.
- Key workers: - Key workers are defined as public sector employees such as National Health Service workers, Police, Teacher, employed in our borough

in an essential role where the employee is a permanent member of staff and retention or recruitment to the post is critical. The Head of Service must support any request for a key worker to be re-housed. This scheme is meant to assist those who are homeless or do not currently have a social tenancy and / or do not currently live within a reasonable distance of their workplace.

- Fostering Families: - The Council's Social Services Department may recommend to the Housing Allocation Department any families that have been approved to foster a child and require an additional bedroom.
- In the light of persistent increase in the number of single adult within this borough, who are homeless but have no priority need under the Part VII of the Housing Act 1996. The Council has decided to exercise its discretion under extenuating circumstances to provide direct offer to some applicants in this category, subject to the availability of appropriate Housing Stock. The decision to consider any applicant for housing assistance under this discretion must be approved by the Group Manager, Housing Advice Service.

All of the above client groups will be assessed taking account of supportive evidence from relevant agencies working with the client. Whilst a direct let will be considered these clients are not precluded from bidding and will be awarded priority following a composite housing assessment.

Housing applications received from the Multi Agency Public Protection Panel, will be considered by the panel and if appropriate made a direct offer. **This client group will be excluded from the bidding process.**

Size of Bedroom Eligibility: -

The table below indicate the size and number of bedroom that an applicant can bid for. The policies of our partners [Housing Associations] regarding the bedroom size and number of residents that will be approved to occupy them may vary from the Council's bedroom guide. Where the Registered Social Landlord's Policies differ from the Council bedroom guide, we will endeavour to advertise this information in our Home Choice Magazine.

TABLE OF BEDROOM ELIGIBILITY

SINGLE APPLICANT	BEDSIT
SINGLE APPLICANT/COUPLE WITHOUT CHILDREN	1 BEDROOM
PREGNANT WOMEN (EXPECTING FIRST CHILD) CHILDLESS COUPLES RELEASING LARGER HOUSE PARENT/S WITH ONE CHILD PARENT/S WITH TWO CHILDREN (SAME SEX) TWO ADULTS (IE; SIBLINGS)	2 BEDROOMS
PARENT/S WITH TWO CHILDREN OF DIFFERENT SEX PARENT/S WITH TWO CHILDREN PLUS PREGNANT PARENT/S WITH THREE CHILDREN PARENT/S AND FOUR CHILDREN (DUE TO THE SCARCITY OF FOUR BEDROOM PROPERTY PARENT/S WITH FIVE CHILDREN OR MORE WILL ALSO RECEIVE CONSIDERATION FOR 3 BEDROOM PARLOUR PROPERTY WITHIN THE PERMITTED NUMBER)	3 BEDROOMS 3 BEDROOM PARLOUR
PARENT/S AND 5 - 6 CHILDREN PARENT/S AND 5-7 CHILDREN	4 BEDROOMS 4 BEDROOM PARLOUR
PARENT/S AND 7 OR MORE CHILDREN	5 BEDROOM +

OTHER RELATIVES MAY BE INCLUDED ON AN APPLICATION SUBJECT TO THEIR RELATIONSHIP WITH THE APPLICANT AND IN ACCORDANCE WITH RECOGNISED FAMILY MEMBERS.

Exceptions to our Bedroom Size Eligibility are:

- Broader Choice:
 1. Applicants who indicate interest in a property above 5th floor in high –rise blocks will be allowed to bid for any property of their choice regardless of whether they meet bedroom requirements. For instance an applicant who is registered for 2-

bedroom property can bid for 3-bedroom property on the high-rise block above 5th floor. This information will be advertised in our Home Choice Magazine.

2. Due to the acute shortage of 4 bedroom properties, applicants registered for 4 bedroom properties or larger will also be allowed to bid for certain 3 bedroom properties. Applicants for these properties will be ranked according to the number of bedrooms they need, with 4 bedroom applications being ranked above 3 bedroom applicants.

More choice in lettings.

Under the scheme the majority of properties, which become empty will be advertised on a weekly basis in the Barking & Dagenham Home Choice magazine, which will be distributed to all libraries within the borough and the Housing offices listed on page 3. The purpose of this is to invite applicants to bid for the properties. By 'bid' we simply mean apply for the property.

How to bid.

Applicants can bid for any property that is of the appropriate size in accordance with their assessed need. Bidding is simple: it can be done either by;

- Telephoning the bidding hotline on 0845 650 4125
- Accessing the website www.ellchoicehomes.org.uk
- Kiosk in any of our Housing Offices

Applicants will be allowed to bid for one property advertised in the magazine from the Friday of publication through to midnight on the following Monday. Bids must be submitted before the closing date. Where several households have bid for the same property the system will inform you what your position in the queue will be if you decide to bid. Your position may subsequently change if other bids are placed and the system will enable you to withdraw your bid and transfer your interest to other properties should you so wish.

Short Listing Criteria

The short-listing of applicants for properties commences a day after the bidding has closed. The procedures are designed to ensure that the council achieves its target re-let time for void property. Allocations Officers are responsible for short listing of applicants. The Officer will go through the list of all applicants that bid for each property and check for the following information: -

- The property is suitable for the needs of the applicants; with emphasis on any special needs (if any)
- Check to confirm that visit has been carried out within the last year (Please see page 6 regarding Home Visit Procedures), if not request for the visit to be carried out within 2 days. If the applicant is not available within 2 days the Lettings Team will consider the next person on the queue.
- If applicants have previously been subject to immigration control, we will check that their immigration remains valid
- For council tenants, we will check their rent accounts and records of their behaviour on the system. Any adverse information may affect the applicants in securing alternative property.

Apart from the above information; what determines an applicant bidding position for a particular property are: -

- **Additional Preference:** - If more than one applicant with additional preference bids for a particular property. The shortlist will rank these applicants in order of earliest effective date first.
- **Cumulative Preference:** -Applicants with more than one reasonable preference that bids for a particular property. The shortlist will rank these applicants in order of earliest effective date first.
- **Reasonable Preference:**-If more than one applicant with reasonable preference bids for a particular property. The shortlist will rank these applicants in order of earliest effective date first.

Effective Date

The effective date, which is part of the factors, which determine when an applicant will be re-housed, is determined at the time the application is registered. For homeless applicants their effective date will be the date will accept statutory duty to re-house them. If there any significant changes in the circumstances of an applicant that may required changes in their preference or additional bedroom requirement, their effective date will be the date the new amendment is approved on their application.

The council may short list up to three applicants for each property.

The Role of a Visiting Officer

1. Check proof of identity and date of birth of the applicant and all member of their household, child benefit book, medical card etc
2. Check proof of resident in the last five years
3. Check the rooms, facilities and tenure claimed are correct
4. Check that the applicants have all necessary immigration documents that confirm that they are eligible for housing assistance
5. Details of the landlord
6. Note any changes i.e. family make up & sight documents.

The Visiting Officer has no power to inform applicants that their application is likely to be deferred or have their priority reduced. It is the role of the visiting officer to report back to the Application and Housing Allocations Teams who will assess the priority of an application.

Reasons and justifications to disallow certain bids

Our allocations scheme attempts to reconcile waiting time and housing need. These are the overriding factors, which we are required to consider in determining priority. We can however take other factors into account to determine the priority of applicants and award less priority than would otherwise be the case. We will not apply a blanket policy, we will give due consideration on a case-by-case basis.

Applicants who bid will not be invited to view even if they emerge first in the bidding process if any of the following applies:

- **Finances** – the resources available to an applicant should not exceed £50,000. Any resources taken into account should enable the applicant secure their own accommodation. This can include an applicant’s ability to rent in the private sector.
- **Owner-occupier** - If the applicant owns a property this does not automatically mean that we award less priority. If they were successful in a bid for a property, we would need to carry out a composite assessment of their needs. For example, we may need to take into account any medical problems that would affect their ability to stay in their home or any change in their financial circumstances that means their current home is not affordable / sustainable.
- **Rent Arrears** – All applicants should have clear rent accounts. Rent arrears will result in less priority being awarded than would otherwise be the case. However, the Allocations Manager can take into account extenuating circumstances where an applicant’s rent account is in arrears and have discretion in waiving the award of less priority. Extenuating circumstances may include:
 - A delay in processing a new Housing Benefit Claim. The Allocations Manager will give regard to the fact that submission of a claim for Housing Benefit, will not automatically mean that the tenant will be entitled to Housing Benefit.
 - Arrears accrued due to monthly rent payments where the account is consistently clear when the rent is paid on a regular basis
- **Behaviour** – an applicant’s behaviour or that of a member of their household that affects their suitability to be a tenant. Unacceptable behaviour for example minor rent arrears or neighbourhood nuisance may result in the applicant receiving less priority than would otherwise be the case. (Here the test is less rigorous than the eligibility rules.)
- **Local Connection** – Consideration will be given to whether or not the applicant has a local connection with this Borough. This means, the Council will take account of whether the applicant is normally resident or employed within this

Borough or the applicant has family connections or special circumstances that require them to live locally. If the applicant does not have a local connection this may result in them receiving less priority than would otherwise be the case.

- Council/Housing Association tenants who have indicated their interest in buying their property and that right has been established as stated under Section 125 of the Housing Act 1985.
- Applicants placed in interim/temporary accommodation within this borough by other local authorities under various statutory legislations and the consideration for their applications are yet to be determined or duty discharged. Such applicants will be allowed to register for this scheme, but their application will be suspended pending the placing Authorities determining such pending application or duty discharged.

Viewing Procedures

The council may short list up to three applicants to view a property. All successful applicants will be sent a letter before the viewing date informing them of the location of the property and the time of the viewing. The purpose of viewing the property is to see the internal and external features of the property and seek any further clarifications from the Estate Officer regarding the property. All applicants that have been short-listed for a property will have their application deferred temporarily until we know the result of the viewing. This will mean that they will not be able to bid in the next cycle.

All viewings will be carried out, the Monday following the closing of the bidding process, should Monday fall on a Bank Holiday then viewings will take place on the next working day. You will be notified if there are any changes to the viewing arrangements

The viewing officer will be the Estate Officer who manages the property. The Officer will explain the general principle of multiple viewing to confirm with each prospective tenant their position on the bidding list and the property will be offered in that order, subject to satisfactory identification checks.

The Viewing Officer may decide whether it is appropriate to allow all prospective tenants to view simultaneously or to conduct the viewing individually in the order of bid preference. Factors such as the type of property and who wishes to view will help determine this. It is the responsibility of the viewing officer to ensure that viewing is undertaken safely. Should an officer, for whatever reason, decide it is unsafe to conduct the viewing then an alternative date and time will have to be arranged.

The applicants will be invited to bring one adult with them to view the property. The property may still be undergoing repairs; therefore applicants will be advised not to come with young children.

When the prospective tenants have had sufficient time to see inside the property and their questions have been answered the selection process will begin. The person who is first on the bidding list should be invited to accept or decline the property. An acceptance / decline form will be completed by the Estate Officer and counter-signed by the applicant.

If the first bidder declines the property, the process will be repeated with the second bidder. Similarly if they refuse it, is offered to the third person. Where all three applicants refuse a property we want to track the reason why. This may influence any other work to be carried out in the property or how it is advertised in the future. The applicants on the reserve list will then be considered for the property, if they also refuse the property. This property may therefore be re-advertised in the next bidding cycle or let out directly to applicants under special circumstances.

If the property is ready to let, the viewing officer will telephone the Lettings Team and advise them who is the successful applicant. If the applicant is satisfied with the conditions of the property, arrangement will be made to sign the tenancy agreement

If for any reasons, the applicants could not sign the tenancy on the viewing date, arrangement should be made during the course of the week for the sign up process to be completed

However, if the property is not yet ready to let, the viewing officer will notify the Lettings Team on their return to the office advising them the name of the successful

applicant. Lettings will then pre-allocate the property to the successful applicant. The sign up process will then be completed as soon as possible pending the completion of repairs.

Restriction on certain properties

In the role of landlord the council is required to take account of the views of tenants to ensure the best use of council stock and sustain diverse communities. Therefore in certain limited circumstances the Council reserve the right to place restrictions e.g. age or gender, upon bidders for particular properties.

Can we cancel an application?

Any application can be cancelled in the following circumstances:

- If an applicant is re-housed by a Council or another Social Housing provider, such as a Register Social Landlord
- If they become the owner of property. If the applicant wishes to apply from their new address, then they will have to make a fresh application
- If any Council or other social housing provider tenant is evicted by the courts for anti-social behaviour.
- If an applicant does not reply to the series of the annual review letters the Council may cancel the application. If the applicant subsequently re-applies, their registration date will start again and will not be backdated to the earlier date. If the applicant had a previous application that has been cancelled for this, or any other reason we will not generally reinstate the applicant on the scheme with their old registration date unless it can be proved that an official error has occurred or the applicant was unable to respond due to exceptional circumstances.

People we owe a homeless duty to (Part V11 of the Housing Act 1996)

In general, applicants will not be penalised for refusing any offers of accommodation made to them through the scheme. However if an applicant to whom the Council has a homeless duty pursuant to, Part VII Housing Act 1996 (as amended by the

Homelessness Act 2002) refuses an offer of accommodation deemed suitable, the Council may discharge duty under the above mentioned Act. The council reserved the power to make direct offers to homeless applicants who are unsuccessful in their bids or those refuse to bid for a suitable property within one year of our decision accepting full duty to re-house them. If they refuse such offer, the council will discharge its duty and legal action will be taken to evict them from their temporary accommodation. When they find their own accommodation they can apply to join the scheme but will not have a reasonable preference on homeless grounds. However, the applicant may choose to accept the offer of accommodation but still request a review on the ground of suitability.

Notification and Reviews.

Notification

If the Local Authority decides that an applicant is ineligible due to their immigration status or unacceptable behaviour the applicant must be notified in writing and be given clear grounds for the decision.

If the local authority decides not to give the applicant any preference under the scheme because of unacceptable behaviour serious enough to make them unsuitable to be tenants of the authority the applicant must be notified in writing and be given clear grounds for the decision.

Applicants must be notified that they have the right on request to be informed of any decision about the facts of their case which have been or are likely to be taken into account in considering whether to make an allocation to them.

Reviews.

The local authority must inform an applicant that they have the right to request a review in certain circumstances. These are:

- An applicant has the right to request a review of a decision that they are ineligible due to their immigration status or unacceptable behaviour and the right to be

informed of the decision on review and the grounds for that decision.

- Applicants have a right to request a review of a decision not to give the applicant any preference under the scheme because of their unacceptable behaviour is serious enough to make them unsuitable to be a tenant of the authority.
- Applicants have the right to request a review of a decision about the facts of the applicant's case, which have been or are likely to be taken into account in considering whether to make an allocation to them.

The Local Authority when informing the applicant of their right to a review within 21 days, must also inform the applicant that they have the right to be informed of the decision of a review and the ground for it. The Local Authority must complete the review within 56 days.

Transparency

Each available property will have a short description that will include the number of bedrooms, floor level, rent, location of the property and information about facilities in the property and its neighbourhood. The Council will also provide information about preference and effective date of the successful applicant.

Such feedback is crucial as it enables applicants to assess their chances of success in subsequent bids. It can also assist applicants in refining their preferences. The Council cannot guarantee precisely when an applicant will be successful in his or her bid; as this may depend on the type of property bid for, the location of the property, whether they have reasonable or additional preference, number of people bidding for that property etc.

Confidentiality

The fact that a person is an applicant for an allocation or housing accommodation shall not be divulged (without consent) to any other member of the public. However such information may be shared with other public agencies such as Department for Work and Pensions, Council Tax, Housing Benefits etc.

Transitional Protection

Transitional protection will be awarded to all current categories 'A' medicals who will be awarded additional preference. All other waiting list applicants will be assessed under More Choice in Lettings Policy.

Annual Review of Applications.

In order to keep accurate data, and inform Housing Development and Strategy an annual review of each live application will be carried out, each applicant on the anniversary of their application will receive a review letter, which they must complete and return in order to remain registered.

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THE EXECUTIVE

14 OCTOBER 2008

**REPORT OF THE PLACES OF RELIGIOUS WORSHIP AND ASSOCIATED
COMMUNITY FACILITIES POLICY SCRUTINY PANEL**

FINAL REPORT OF THE PLACES OF WORSHIP RELIGIOUS AND ASSOCIATED COMMUNITY FACILITIES POLICY SCRUTINY PANEL	FOR DECISION
<p>Summary</p> <p>The Council regularly and increasingly receives requests for support to religious organisations seeking premises either for religious worship or community use targeted at members of a specific religious or minority ethnic community, which may include space for religious worship. In such instances, support is requested either in terms of financial contribution and/or opportunity cost – e.g. the use of an asset for the proposed purpose, rather than for any other purpose the Council may previously have considered.</p> <p>In a diverse community such as Barking and Dagenham it is important that all religious faiths in the borough have the ability to worship in appropriate premises. It is also important that decisions related to any support for such premises are made in a clear, transparent and consistent way, informed by a policy which is designed to promote community cohesion in the borough.</p> <p>At present there is no formal policy adopted by the Council in relation to this matter and consequently there is therefore a significant risk that decisions will be taken that are either inconsistent or without consideration of all the relevant implications.</p> <p>A Scrutiny Panel was established to consider a draft policy on support for premises of religious worship in the borough. This took into account evidence from a number of relevant religious organisations, and internal and external witnesses, considering the nature and scale of demand. The panel reviewed relevant planning and other policy guidance including that relating to race equality and social cohesion. There was consideration of how places of religious worship may be provided for in future regeneration schemes, as well as the availability of council resources to meet demand, and reference was made to relevant experience from elsewhere in the UK.</p> <p>In light of its investigations and the representations received, The Scrutiny Panel recommends the adoption by the Council of the following draft policy for support to places of religious worship:</p> <ol style="list-style-type: none"> <li data-bbox="150 1731 1414 1805">(1) The Council is proud of the borough's diversity, and of the contributions that faith groups make to building a strong community in Barking and Dagenham. <li data-bbox="150 1843 1445 2056">(2) The Council is committed to taking action to build connections between communities, rather than perpetuating divisions between different communities. While respecting the importance of religious observance for a significant proportion of the borough's population, the Council is equally concerned to ensure that use of community facilities for purposes other than religious worship should be open to and accessed by the widest possible range of residents. 	

- (3) The Council has increased the flexibility of its approach to the identification of sites which may be suitable for places of religious worship, in its Planning Advice Note 4. It is anticipated that this will increase the potential number of sites which may be used for places of religious worship in the borough, while retaining due regard for the amenities of local residents.
- (4) In the context of limited financial resources and Government guidance on single group funding, the Council will not provide revenue or capital funding to support the provision of places of religious worship.
- (5) The Council may require developers to provide support in cash or in kind to enable the re-provisioning of a place of religious worship where there is a requirement to remove it in order to achieve a development consistent with the aims of the Local Development Framework. Such support may reflect part or full costs of such re-provision.
- (6) In order to maximise available resources to meet its priorities, and with reference to Government guidance on single group funding, the Council will not transfer any of its building assets on a peppercorn or discounted rate to support the provision of places of religious worship, unless a need for community facilities has been identified in the Local Development Framework, and subject to (7) below.
- (7) In its Local Development Framework, the Council will identify suitable sites for use as community facilities. The following proposal will be recommended for inclusion in the Local Development Framework:
 - (a) For development schemes identified as significant within the Site Specific Allocations, developers will be required to provide x hectares of community facilities per 1,000 homes (the actual figure to be determined via the LDF process). This provision shall be limited to the provision of shell and core of the facility, with no ongoing revenue provision.
 - (b) The Council may also, from time to time identify sites which it owns which are surplus to requirements, and which are potentially suitable for use as community facilities.
 - (c) Once such sites for use as community facilities have been identified, officers will consult with ward Members and make recommendations to the Executive for the type of use of the facility (e.g. community hall or place of worship), based on an options appraisal, considering:
 - (i.) Supply and demand for generic community space in the area (i.e. community halls)
 - (ii.) Faith profile of the local community in terms of what is known at present and what is projected for at least the next 5 years, in consultation with the Faith Forum
 - (iii.) Any particular issues such as transport or natural boundaries which affect where and how people will travel to and from to access the facility

- (d) Where Executive agrees that the space should be used as a place of worship, the Faith Forum will invite interested parties to submit a proposal with detailed business case for its use. Officers will assist the Faith Forum to develop a robust appraisal of the various proposals, continuing to consult with ward Members, and including:
 - (i.) Analysis of the robustness of proposals for the organisation to meet capital and revenue funding requirements
 - (ii.) Consideration of the appropriateness of the proposed faith or denomination in relation to current and projected communities in the relevant geographical area of the borough and use and availability of existing facilities
 - (iii.) Potential impact on local residents in terms of parking, noise etc
 - (iv.) Assessment of the impact of the proposal in terms of equalities and community cohesion
 - (v.) The assumption that properties will be transferred on a long lease either to the organisation in question or to a community-based management organisation which would manage it on the organisation's behalf.
 - (vi.) Potential to maximise use of the premises, including the potential for their dual use, both for faith- and non-faith purposes, but also for more than one faith and/or denomination.
 - (e) The Faith Forum will present a recommendation to the Executive for the use of the space, based on the appraisal, and the Executive will take this into account when deciding how the space should be allocated.
- (8) The Council will provide support to religious organisations in the borough including (but not limited to):
- (a) Advice on how to establish and manage groups so that applications to be commissioned to provide services, and funding applications to outside organisations will be successful
 - (b) Notification (via the Faith Forum) of sites which are due to become available for disposal on the open market which may be suitable for use as places of religious worship
 - (c) Advice from planning officers to support religious groups to understand which sites may be suitable as places of religious worship, and advice to support religious groups to prepare planning applications
 - (d) Retention or removal of restrictive covenants as applicable, where consistent with considerations of residents amenities, to facilitate the provision of places of religious worship

- (e) Advice and support to religious groups to identify and approach shared use venues in the borough for the purposes of use as places of religious worship (such as community halls, schools etc)
- (f) Advice and support to religious groups in the management of premises and services (addressing issues such as health and safety, child protection etc)
- (g) Financial support to the Faith Forum to enable it to fulfil its role in relation to this policy

Wards Affected: All

Recommendation

The Executive is asked to:

Consider the Places of Religious Worship and Associated Community Spaces Policy Scrutiny Panel's draft final report and, if appropriate, respond in a separate report or verbally to the Assembly on 10 December 2008.

Reason(s)

The proposed policy will, if adopted, assist in achieving the Community Priority of promoting equal opportunities and celebrating diversity. It will also assist in achieving the corporate priority of delivering value for money services by assisting to align financial planning to deliver corporate priorities.

Implications:

Financial:

A policy is proposed which will clearly states that the Council will not provide revenue or capital funding to support the provision of places of religious worship. If this policy is adopted, there will be no financial implications to the Council. A policy framework is also proposed in relation to the provision of places of religious worship as part of major new developments in the borough.

Where the appraisal process proposed leads to a decision that a place of religious worship should be provided on a new development, this would be provided as part of a s106 agreement. Use of developer contributions for that purpose will mean that the same amount cannot be spent on meeting other Council priorities as part of the same development.

Financial support to the Faith Forum to enable it to fulfil its role in relation to the proposed policy can be provided within existing resources.

Legal:

The Race Relations (Amendment) Act 2000 amended Local Authorities duties under the Race Relations Act 1976. Section 71 (a) establishes a duty to eliminate unlawful racial discrimination; and (b) to promote equality of opportunity and good relations between persons of different racial groups. The Local Government Act 2000 section 2 empowers a local authority to take measures to promote the social well-being of the community. The policy set out in this Report accords with these obligations and sets out a creditable plan to move forward the Councils vision of greater community cohesion.

<p>Risk Management: A policy in relation to places of religious worship is proposed in order to mitigate and minimise the risk of decisions being made without a clear logic or transparency, and with no reference to Council priorities.</p>		
<p>Social Inclusion and Diversity: It has been recognised that this policy will have implications for BME groups and faith groups. The policy proposes measures to mitigate the implications for these groups through non-financial support, while at the same time ensuring that best practice in terms of community cohesion is delivered. Further details can be found in section 6 of the report.</p>		
<p>Crime and Disorder: No specific implications.</p>		
<p>Options Appraisal: In hearing evidence to inform the development of the proposed policy, the Panel has reviewed a number of possible alternative options:</p> <ul style="list-style-type: none"> a) To provide revenue and capital funding support to places of religious worship: this option is not proposed in the context of limited financial resources, and in light of emerging Government guidance in relation to single group funding. b) To relax planning guidelines in relation to places of religious worship: this option is not proposed in light of the need to protect the amenities of all borough residents and in the interests of community cohesion. c) To provide no support whatever to places of religious worship: this option is not proposed in light of the importance of religious worship to significant numbers of the population, and the particular challenges and opportunities offered by Thames Gateway. 		
Contact:	Title:	Contact Details:
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1. Introduction

- 1.1 The Scrutiny Management Board at their meetings held on 17 October and 7 November 2007 agreed to set up a scrutiny panel to consider developing a Council policy on support for new premises of religious worship in the borough. The terms of reference for the Panel were agreed as follows:

- To review good practice and emerging thinking in relation to support for places of religious worship by local authorities.
- To analyse the nature of local demand for places of religious worship in Barking and Dagenham, both now and in the medium-term.
- To hear and consider evidence from interested parties to inform the development of the policy.
- To identify partner organisations who may assist the Council in the achievement of its objectives in relation to this policy.
- To draft a policy in relation to Council support for places of religious worship, for recommendation to the Executive for adoption.

2. Membership

- 2.1 Membership of the Scrutiny Panel comprised Councillors J McDermott (Lead Member), R Bailey, N Gill, W Northover, L Rustem and J White. Major Nigel Schultz, Chair of the Faith Forum, and Frances Jones, an officer from Tower Hamlets Council were co-opted to provide external support and advice to the Panel.
- 2.2 The Independent Scrutiny Support Officer was Christine Shepherd, former Head of Human Resources and the Lead Client Officer was Heather Wills, Head of Community, Heritage Services and Libraries. Democratic Services Support was provided by John Dawe and Tina Robinson.

3. Work programme

- 3.1 The Panel established a work programme based on the terms of reference, across a range of meetings held between January and May 2008, the detail of which is set out in **Appendix A**.

4. Visits and evidence gathering

- 4.1 From the outset it was felt important to ensure that a wide range of religious and other organisations should get the opportunity to submit evidence in writing and orally to the Panel. It was also agreed to undertake visits to a number of religious venues to get an understanding of the religious needs of various sections of the community. These visits were also used to hear evidence from the religious lead of the venues.
- 4.2 The visits were undertaken to the following venues:
- Salvation Army, Barking
 - Singh Sabha Gurdwara, Barking
 - Al Madina Mosque, Barking
- 4.3 The summary of the discussions from these meetings is set out in **Appendix A**.

5. Policy considerations

5.1 There are a number of contexts which a policy on new premises for religious worship should take into account:

- Individual religious group(s) approaching the Council seeking funding for premises wholly or partly for religious worship.
- Individual religious group(s) approaching the Council seeking to use an asset owned by the Council wholly or partly for religious worship.
- In the context of demand for places of religious worship in the community, and opportunity arises for the provision of community space as part of a new development, and a decision is required as to which group should benefit from that opportunity.

5.2 In addition any new policy will need to take into account good and emerging practice elsewhere in the country as well as the wider policies relating to the development of social and community infrastructure.

5.3 When considering the development of a policy in relation to places of religious worship, the Panel has identified the following issues which the Council should address:

- Minority ethnic communities which have come to the borough comparatively recently do not have the benefits of land and buildings which were developed by established communities decades or even hundreds of years ago.
- Places of religious worship can be a valuable focus for local community activity, support and identity.
- The Council is required, when considering how to spend or allocate its resources, to identify what will best deliver value for money, within the context of achieving its priorities.
- The Council is legally required to promote race equality and community cohesion in the borough, in addition to its commitment to these priorities through the community strategy.
- In the context of many requests for support, can the Council ever meet demand? If not, how can it avoid making invidious choices?

5.4 The Government has recently conducted a consultation programme related to proposed guidance in relation to 'single group funding'. The five guiding principles of the proposed guidance are as follows:

- there is a clear link between equality and cohesion and it is necessary to work with particular groups to tackle evidenced need amongst particular communities or groups experiencing inequalities
- all groups need to consider how they can promote cohesion and integration as well as meeting the diverse needs of the community

- the evidence shows that building relationships between people promotes cohesion- Government is therefore keen for funders to use their resources to promote activities which help to build relationships wherever appropriate.
- to meet goals on integration and cohesion, funders should seek to find the appropriate balance between bridging activities, building relationships and links between people from different backgrounds, and activities which support particular groups alone.
- all of this will be driven by the local context and specific local needs at the time of funding.

5.5 The guidance therefore identifies key questions to be considered when local authorities and other funders are making funding decisions:

- Is there a clear case for this activity to be funded even though it will only involve one group or community? Or can we harness this funding to contribute to wider goals on integration and cohesion?
- Can the organisation delivering this activity include, in its project plans, plans for future interaction across groups?
- Is there a need for a particular communications plan for this funding decision?
- Is this funding aligned with the area's wider community cohesion strategy?

5.6 The Government is currently considering responses received to the consultation period, and a final version of the guidance is anticipated before the end of the summer.

5.7 In light of the above, the draft policy proposed by the Panel appears in the recommendations of this report.

6. Social Inclusion and Diversity implications

6.1 The Panel recognised that in drafting a new policy there will be potential implications for the following groups:

- Black and Minority Ethnic (BME) groups: the groups in the borough which do not have adequate premises for religious worship are predominantly BME communities, particularly Pentecostal churches and Muslim communities. It is therefore these groups which are primarily affected by any continuing lack of provision of places of religious worship.
- Faith groups: by definition, this policy relates to faith groups.

6.2 It is also the Council's policy to consider implications in terms of community cohesion when considering new policies. Emerging best practice in terms of community cohesion, as identified by the Commission on Integration and Cohesion, and the Department for Communities and Local Government, suggests that, when deciding how to allocate resources, funders should seek to find the appropriate balance between bridging activities - building relationships and links between

people from different backgrounds - and activities which support particular groups alone.

- 6.3 The Council is legally required to provide many services, such as social care for adults and children, and education. In a context where resources are limited, the Council will prioritise those services which it is legally obliged to deliver.
- 6.4 The vast majority of places of religious worship in the borough were and are funded by the religious communities themselves: both in the case of established communities, such as the Church of England, and for newer communities such as Islamic and Sikh faiths. In this context, financial provision to support particular faith groups and not those who have already provided their own could be seen as discriminatory as well as invidious.
- 6.5 In this context, financial support for the provision of places of religious worship for single groups would:
- Run counter to best practice guidance relating to community cohesion.
 - Divert limited Council funds from other services which are Council priorities/ statutory duties.
- 6.6 This draft policy formalises a practice which has, on the whole, always been the case, so there will be no withdrawal of existing provision. It is therefore questionable whether a decision not to provide something which has not been provided before can be considered a 'negative impact' on religious or BME groups. Nevertheless, the Council will take positive action to mitigate the impact on groups who do not have adequate premises for religious worship through a range of interventions designed to assist religious groups to put themselves in the best position to find and afford suitable premises.

7. Consultees

- 7.1 The following were consulted in the preparation of this report:

Panel members of Places of Religious worship and associated community facilities policy Scrutiny Panel
Portfolio Holder, Neighbourhood Services and Communities
Head of Spatial Regeneration
Chief Executive
Corporate Director Adult & Community Services
Corporate Director Childrens Services
Corporate Director Customer Services
Corporate Director Regeneration
Corporate Director Resources

Background Papers Used in the Preparation of the Report

- *Race Relations (Amendment) Act 2000*
- *Our Shared Future*, Commission for Integration and Cohesion, 2007

- *Cohesion guidance for funders: consultation*, DCLG, 2008
- Minutes of Panel

Summary of issues considered by the Panel

1. Meeting of 22 January 2008

- 1.1 The Panel agreed that it was important to establish how many religious groups existed in the borough. Major Schultz noted that there are approximately 200 different faith groups currently operating in the borough, of which 140 are registered with the Faith Forum.

It was further agreed that all organisations registered with the Faith Forum should be invited to submit evidence in writing or orally to the Panel. It was also agreed that meetings of the Panel would take place in a variety of faith venues in the borough to assist the Panel to understand a range of issues facing those faith communities.

2. Meeting of 20 February 2008

- 2.1 The Panel considered a report of recent demographic trends in the borough, and noted in particular:

- The borough's population is projected to increase significantly, from 165,700 in 2006 to 225,000 by 2024
- The 2001 census, which asked respondents for the first time about their religion, showed that:
 - 113,100 residents in the borough (69%) claimed to be Christian
 - 25,100 (15.3%) stated 'No religion' and 13,800 (8.4% did not state a religion
 - The second largest religion was Islam at 7,100 (4.4%), followed by Hinduism at 1,867 (1.1%) then Sikhism at 1,800 (1.1%), Judaism at 500 (0.3%), Buddhism 400 (0.2%) and other religions at 308 (0.2%)
- Since 2001, the black African population in the borough has increased by 73%. A significant proportion of this community comes from Nigeria. The 2001 census showed that 84% of Nigerians were of the Christian faith (as compared to 69% of the borough's population as a whole).
- Since 2001 the Bangladeshi population in the borough has grown by 171%. The 2001 census identified that 93% of people in the borough of Bangladeshi origin were Muslim.
- The Office of National Statistics does not record figures for the number of people of Eastern European origin who now live in the borough, although anecdotally it is believed that these figures are rising. Of those borough residents born in Eastern Europe, the 2001 census identified that approximately 50% were of Christian faith and 50% were of Muslim faith.

- 2.2 The Chair of the Faith Forum noted that Eastern Europeans seen recently in the borough are predominantly Catholic. Of the African community he suggested

there is a 50 / 50 Christian split, between Church of England and Pentecostal communities.

- 2.3 It can therefore be assumed that religious faith will continue to be an important aspect of life for a significant proportion of the population in the foreseeable future, and that Christian and Muslim faiths will be particularly represented in the community.

3. Meeting of 6 March 2008

- 3.1 The meeting was held at the Salvation Army Citadel in Barking. Major Schultz (Salvation Army and Chair of Faith Forum) explained that as well as its use by the Salvation Army, the premises are also used by a number of other newer churches which do not have their own premises. A representative of the Assemblies of God Church explained that they were using these premises while building a congregation in the borough, and would expect to raise funds for their own premises in due course via their national church.
- 3.2 Major Schultz stressed that social cohesion is not just about bringing faiths together but supporting cohesion across the whole community. In that respect the Salvation Army is providing great help and support to the community and therefore any financial support the Council may decide to provide to local faith groups can only be to the benefit of the local community.
- 3.3 The Panel considered a paper relating to the make-up of faith and religion in the borough. The paper noted that whilst the Church of England has had a stronghold in Barking and Dagenham in the past, the Pentecostal churches have far more centres for worship in the borough at present and the number of these is on the increase. There is a move from the traditional churches and faiths to the non traditional, such as the Church of God and the Pentecostal churches. Members of Islamic faith are also increasing, although the number of worship centres is still small.
- 3.4 The Panel also considered a paper relating to the contribution of faith communities to social and economic life in the borough. Today, faith groups are still the largest providers of youth activities, training and skills provision, community work and services to the vulnerable members of society. All faith groups in the borough carry out community work as this is part of their teaching. The majority in the borough serve varying communities, not just their own. Within the borough there are approximately 500 community programmes running and 2,000 children and youth activities running every week. In addition advice and counsel is provided to individuals in the community on an ongoing basis, by all faith groups.

4. Meeting of 12 March 2008

- 4.1 The meeting was held at the Singh Sabha Gurdwara in Barking. The President of the Gurdwara explained that the Gurdwara covers the Barking and Dagenham, Havering, Newham and Redbridge areas. The Gurdwara is a registered charity and has assets of £7m. It was noted that whilst the primary function of the Gurdwara is a centre of worship, it also acts a place of Sikh culture and a social and education facility for all communities, providing events designed to encourage integration and understanding between people of different religious and cultural

backgrounds. The Gurdwara provides a kitchen which provides free vegetarian food and tea to visitors every day from both the Sikh and non Sikh communities.

- 4.2 The Gurdwara does have a number of small rooms which have no religious function, which could be used by any section of the community; subject to the users respecting and observing the religious observances of the whole facility such as no smoking, no intoxication (from drugs or alcohol) and wearing of a head covering. However, the Gurdwara Management Committee explained that whilst they would be extremely happy to manage a facility adjoining the Gurdwara on behalf of the whole community, providing for example wedding receptions and the social side of religious festivals for all denominations, it would not be acceptable to share their prayer hall as a multi faith facility.
- 4.3 One problem that the Gurdwara faces is the lack of capacity for special occasions, such as weddings and funerals, when the facilities are extremely stretched to deal with over 500 people at once. Facilities are also stretched on main worship days when on average 400 to 500 people visit the Gurdwara throughout the day to pray or visit the kitchen. This problem is more pronounced during the main religious festival days and periods. The Gurdwara would like to expand the facilities at the site, and have been in negotiation with the Council to expand onto the adjoining land, either through a purchase, lease or management agreement of a facility. This would enable them to provide improved library, children's centre, elderly centre, gym and life skills classes (e.g. English classes). The Gurdwara is totally self-supporting and would be happy to fund the facility themselves. At this time no decision has been made by the Council in relation to this proposal.
- 4.4 The Panel received a report on the scale and nature of demand for places of religious worship and associated planning policy guidance from the Head of Spatial Regeneration. It was noted that it is difficult to accurately assess the true nature and demand for religious meeting places in the borough. However, the Council can identify where planning applications have been granted or refused for religious meeting places through its planning records. It can also show where enforcement action has been recorded against religious meeting places taking place in locations without planning permission. The report identified that, since January 2007:
- 3 applications relating to places of worship have been approved
 - 3 pre-application enquiries have been received
 - 10 enforcement actions have been taken in relation to sites being used as places of worship without appropriate planning permissions
 - 2 appeals in relation to places of worship have been dismissed and 1 withdrawn
- 4.5 Many religious meetings are taking place in the borough without planning permissions, in properties not designed for that particular use. Many residential properties are most likely being used for small religious meetings as this is seen by the users as being the only practical option for certain groups. This trend is common throughout London. Another current issue around meeting places is where a group acquires a property (e.g. an industrial building on an industrial

estate) to practice its faith without having regard to the planning laws associated with doing this.

- 4.6 The Council wants to make sure that any religious meetings are held in places that are suitable for the use and will not impact adversely upon neighbouring uses, particularly residential. In order to ensure that prospective religious meeting place clients are fully informed of the proper planning process, a Planning Advice Note (PAN) and Plain English summary have been prepared. The PAN gives clear advice to prospective religious meeting place users as to the planning position re their proposals. One of the key things that it stresses is the need to talk to planning officers in the Council before any land or property is acquired so that they can be clear that their proposal is likely to be acceptable.
- 4.7 As part of the PAN, the Council's planning policy has been revised to allow religious facility usage in areas which will have little impact (noise, disturbance and parking) in certain circumstances, such as the edges of industrial areas which are on a bus route. It was confirmed that, because of the probable effect on neighbouring premises, residential premises would be unlikely to gain planning consent for the purposes of religious use.
- 4.8 The meeting was advised that Barking Riverside will contain 10,800 homes and will have four neighbourhood centres, each of which will have space for a place of worship. The work at Barking Riverside has been discussed with the Faith Forum: 20 organisations have requested that space. A number of the organisations have said that the allocated spaces are not big enough, particularly not to enable the social and community work done by religious groups or to allow for expansion.
- 4.9 It was aimed for the space to be multi faith but how this will be managed will be decided by the Barking Riverside Trust, not the Council. Concern was raised that a 'custodian approach' could result in conflict amongst users.
- 4.10 The Faith Forum's view is that the neighbourhood faith space should be allocated as one centre for Christian faiths and the other centres for other faiths. Cllr Bailey raised concern that this could result in people wishing to live near to their faith centre and this could cause problems later.

5. Meeting of 6 May 2008

- 5.1 The meeting was held at the Al Madina Mosque in Barking. It was explained that the Mosque complex consists of the main Mosque hall, which has two full sized prayer halls, and the separate education halls building. The buildings cost £2.5m to build and the freehold was bought from the Council several years ago. The complex costs around £175,000 a year to run. All building and running cost are met by donations by the Muslim community.
- 5.2 The complex provides Islamic classes, Hadith, Arabic and Tajweed classes, and home school facilities. Courses in martial arts, calligraphy and silat, as well as specific activities for women and children are provided. The premises are licensed for marriage ceremonies. Funeral services are also held.

- 5.3 There are five prayer times every day. The prayer halls can hold up to 3,000 worshippers and on Friday the number of people attending is around 4,000. During major festivals, numbers swell to around 10,000.
- 5.4 Early immigrants into the borough came predominantly from Pakistan. The Mosque was therefore founded by this group. The local Muslim community has grown in recent years and became more diverse, and people attending the Mosque now include Bengali, Arabic, Somali, Pathan, Turkish, the wider African and Asian continent communities. To ensure that a greater number of people can participate in the services the Mosque now ensures that Friday prayers are in English as this helps cut across all the different language barriers.
- 5.5 The catchment area for the Mosque is Barking and Dagenham, but a number of residents from Redbridge also attend due to its close proximity to the borough boundary. The Mosque does not see a need to set up another mosque in the Dagenham area, being of the view that it would be divisive to set up a mosque for different nationalities or language speakers. It was explained that Islam does not have any national boundaries. However, it was noted that this was not a view shared by all members of the Muslim community.
- 5.6 It was explained that the Mosque would like to expand the site to provide a youth club and exercise / gym area on the parking area at the site. The Mosque had to give an undertaking not to reduce the parking on the site when the mosque / extension and educational hall was built. The Mosque considered that the car park area is under utilised except for peak times during major festivals. The Mosque would like the Council to be more flexible about the potential parking disturbance caused to the local area.
- 5.7 With regard to the Thames Gateway and Barking Riverside developments, it was explained that it would not be acceptable to the Muslim community to have or share a prayer hall as a multi faith facility, indeed any facility that had decorations other than of the Muslim faith would be unacceptable.
- 5.8 The Panel heard evidence from:
Cllr S S Gill, Assistant Portfolio Holder, Race and Faith
Cllr Emmanuel Obasohan
Rev Roger Gayler, Chris Gallehawk, (Faith Forum Executive)
- 5.9 Points made in the evidence and ensuing discussion included:
- There had been a renaissance in people attending places of worship across all religions and denominations and this was causing demand to extend existing facilities as well as a need for new facilities where new communities are being created. For example, the Catholic Church had seen a major increase in attendance in a short period as a result of eastern European migrants.
 - On the whole, congregations are not asking for financial help as they can provide this themselves, but for a flexible approach to planning conditions to enable them to create or build their own place of worship. For example, it was proposed that premises which have a history of regular public use should not be refused planning consent as places of religious worship.

- There are churches (eg the Methodists) which allow access for other Christian denominations to use their facilities both for services and social activities. There is however a tension in some cases where facilities are shared, such that newer communities can only access sites at the least popular times.
- If congregations do not have their own premises, the cultural aspects and social and community interaction associated with having a 'home' or 'ownership' of a facility is lost. This makes it difficult for groups to undertake their community assistance and support work. A difference was noted between congregations in search of a home (which could be anywhere) and a religious group seeking to serve a particular community.
- Historic tensions between communities can make space sharing difficult. Even within the same denomination there have been recent violent conflicts and this could make people uneasy or unhappy to worship in the same place.
- The Council would wish to make it clear to faith groups that there is no preference either to old communities or to the new communities to the area. However, it was noted that new communities are finding it difficult to establish premises because of the limited number of sites now available and the closeness of potential facilities to residential areas.
- There was potential for the Council to offer advice to religious groups on preparing robust business cases where groups sought to be commissioned to provide activities on behalf of the Council. Such business cases should address how revenue funding requirements in future years would be met. The view was expressed that advice but no financial support should be provided.
- It was suggested that where a site is being disposed of by the Council which is next to an existing faith centre then there should be a requirement to offer and discuss with the faith group the option to take a lease on some or all of the area (depending on size). If the faith group cannot or do not take this option up within a short period then the Council should then decide if it is offered for full development.
- The role of the Faith Forum as the main vehicle to represent all faiths in negotiations with the Council was noted. This should enable different denominations to discuss different views and reach a shared view without the Council getting involved in disputes.
- The lack of local provision means that people are travelling for many miles and away from their local community to attend places of worship, which was exacerbating traffic and parking problems around the facilities that are already there. It was further noted that transport links often do not pass close to places of worship.
- There was concern that no place or area of land has been set aside where major residential development is occurring, for example in Barking Town Centre, and whilst this potential area may need to be 'bid' on by the faiths

and not all would have been successful at least one of the faith groups would have been catered for.

- There was concern that the Council should not be left with ‘empty, unattractive shells’, should the faith group migrate to different residential areas at a later date.
- Council policy should seek to increase the use of existing facilities and integration, not segregation of different communities in separate facilities.
- It was suggested that spaces at Barking Riverside should be made available as generic community facilities – e.g. community halls – rather than places of worship for specific religious groups
- There was potential for restrictive covenants to be retained on religious buildings to ensure they remained accessible for worship, or for them to be imposed where there was a lack of provision.
- The Muslim and Sikh communities were cited as examples of good practice in that they had developed and funded their own places of worship.

6. Meeting of 28 May 2008

- 6.1 The meeting received a presentation by a representative of the Living Word Church, a French-speaking church with 500 members in its congregation, but which could not meet all together as it did not have sufficiently large premises. The church was meeting in a Community Centre early in the evening as this was the only facility available, but this did not enable the full range of services the church wished to provide to its community.
- 6.2 The meeting received a report relating to the various kinds of requests for support received by the Council in respect of places of worship which have financial implications, and considering the scope for the Council to respond to these. The Council receives many requests for support to religious organisations which have financial implications. Requests for support can be categorised in the following ways:
- Capital funding
 - Revenue funding
 - Use of assets (eg buildings) which would otherwise be disposed of or used for another purpose
 - Contributions in relation to new developments by developers
- 6.3 The Council has agreed its Capital Programme for the next four years. There are no capital funds available now, nor for the foreseeable future, which could be made available for the purposes of supporting places of religious worship. Capital funding could only be made available if:

(a) The Council took a decision not to proceed with a capital scheme already agreed,

or

(b) The Council found the revenue funding requirements of the relevant prudential borrowing necessary to increase capital spending.

6.4 'Spare' revenue funds do not exist which could be diverted to support places of religious worship. Revenue funding will normally only be provided where a voluntary or community organisation has been commissioned to deliver against Council objectives (such as community capacity-building or community cohesion) or Council services (such as youth services).

6.5 The value of all properties no longer required by the Council has been identified and calculated as contributing to the Council's Capital Programme. It is therefore necessary to maximise the market value of each site disposed of. If any property were either to be used for another purpose (such as to be allocated to an organisation for the purposes of religious worship) or were to be disposed of at a value lower than the full market value assumed for the capital programme then either:

(a) Reductions would have to be made to capital schemes already agreed

or

(b) Alternative properties to the same value would have to be disposed of

It is highly likely that many of the Council's current sites will be required for the delivery or support of services in some form. It is therefore considered unlikely that any properties may become available which could be used as places of religious worship without having a detrimental effect on schemes already agreed, or future service needs.

6.6 The Council may use developer contributions to ensure the provision of infrastructure such as community facilities in order to build sustainable communities. Places of religious worship would be included in a definition of community facilities. Any decision to require the provision of community facilities through use of developer contributions will have financial implications since these are resources which cannot be used for another purpose, such as alternative infrastructure, or additional housing. Where facilities are provided through developer contributions, it is anticipated that only land or possibly the shell of the property will be provided through this route: any potential user of the space would have to find both capital funding to fit it out, and also revenue funding to maintain and run it ongoing.

6.7 A possible policy in relation to the use of developer contributions to establish places of religious worship was considered.

6.8 The Chair of the Faith Forum stressed that, since faith communities would be going into areas such as Barking Riverside where there was no existing faith provision (and hence no guaranteed source of revenue funding), it could not be expected that they could fund the fit-out of premises for worship. There were also resource implications for the Faith Forum to facilitate a process of negotiation between developers, the Council and faith communities. The Faith Forum would

expect that the developer would provide these resources. The potential, if such premises were not provided, for there to be excessive traffic from Barking Riverside to Barking Town Centre, was also identified.

- 6.9 It was suggested that if the facilities on Barking Riverside were used as community halls rather than places of worship, this could generate a revenue stream for the Council. *[Since clarified that any revenue arising from community halls at Barking Riverside would flow to the Barking Riverside Community Development Trust]*. It was further suggested that schools are a good venue for community activities, including religious worship.
- 6.10 Legislation and guidance relating to Council support for places of religious worship was considered, as summarised below:
- Race Relations (Amendment) Act 2000 – local authorities must monitor the impact of policies on ethnic minorities and take action to address any negative impacts. The Council also carries out such monitoring in relation to other equalities themes and to community cohesion
 - The Government is encouraging local authorities to support ‘bridging’ activities and meaningful interaction between different groups
 - The Government has been consulting on draft guidance relating to funding for single groups. If adopted in due course, it is expected that the guidance will require local authorities, when making funding decisions, to consider whether there is an evidenced need to fund a single group, rather than funding which will support a range of groups and interaction between them.
- 6.11 A presentation was received from the Head of Community Cohesion at Boston Borough Council. It was noted that, although that borough had experienced a considerable and rapid growth in population, arising from migrant workers associated with the agricultural industry and who were essential to the local economy, this had not led to an increased demand for places of religious worship.
- 6.12 A presentation was received from the Head of Community Cohesion at Hillingdon Borough Council. Hillingdon is a very diverse borough, with very limited land availability or premises for hire, but is experiencing demand from BME communities for places of worship.
- 6.13 Having established that it was not Hillingdon Borough Council’s policy or priority to provide financial support in relation to premises of religious worship, the Council had consulted with local religious groups to understand their distinct religious and cultural needs, and the following alternative methods of support were being provided:
- Training for Imams to enable them to understand the ways in which their venues could be offered for the benefit of the wider community,
 - Mediation to address in-fighting within and between communities.
 - Use of Electoral Services officers to assist in ensuring unbiased elections at religious organisations’ AGMs.

- Commissioning religious organisations to provide culturally appropriate services only where it is most appropriate to do so- eg support relating to domestic violence.
- An information pack including details of a group of agents who can advise religious groups on what land is available and what can be built upon, plus contacts for planning officers who go and meet with religious organisations to explain what they can and cannot do in relation to planning conditions and amenity issues.
- Advice on how to establish and manage groups so that applications to be commissioned to provide services, and funding applications to outside organisations will be successful

6.14 As part of the redevelopment of the RAF site at Uxbridge, a shared venue had been developed for religious education and debate (not premises for worship or for sole use by any one religious group), which was being managed by the Faith Forum. The Council had recognised that people's culture was very important to their sense of identity and place, and so will support activities relating to groups' cultural activities but not their religion. Where possible and appropriate, connections would be sought between groups seeking to provide services on the same theme – e.g. different communities providing support to people suffering post-traumatic stress.

6.15 A report was received which summarised experiences elsewhere in the provision of multi-faith premises. Such premises were common in universities, prisons, hospitals and shopping malls. One example quoted was of a venue which had different spaces for each faith, but a common area to come together. However, no example had been identified currently in existence of a mainstream public multi-faith venue.

6.16 Plans are however in train for such a facility as part of the development of the Greenwich Peninsula. A multi-faith steering committee (established as a charitable trust) has been liaising with the developer to plan such a venue. There is considerable goodwill associated with this development, based upon existing multi-faith working, and considerable optimism that it will lead to a multi-faith venue on the Peninsula when it is developed.

END

The Executive

14 October 2008

REPORT OF THE CORPORATE DIRECTOR OF REGENERATION

Title: Improvements to Shopping Parades	For Decision
<p>Summary:</p> <p>The council has made available through the Capital Programme £1m to undertake improvements to shopping parades around the Borough. It is recognised that the shopping parades play an important function in providing local employment and also play a key role within the community. In a number of cases the appearance of these areas presents a negative image, deters investment and fails to enable people to have pride in their surroundings.</p> <p>A Health Check of 41 of the Borough's neighbourhood centres was undertaken in 2006 to provide an evidence base for planning policies. The environmental quality of the shopping centres was identified as a key factor in determining the attractiveness of a parade.</p> <p>A number of local shopping parades have been identified within the report that would benefit from capital investment to their public realm. It is noted that not only works to the public realm would be required within these areas, but additional work with other partners/organisations which could also link in to any suitable funding from Safer Neighbourhood team, environmental and enforcement services, Neighbourhood Management Team, freeholders, leaseholders, Children's Services, Business Links and TfL may also be required in order to make a significant and lasting change. TfL have also indicated that they would look sympathetically on proposals similar to those undertaken at Dagenham Heathway.</p> <p>The aspiration of the project is to assist with halting the local economic decline being experienced within these parades, to attract private sector investment into these areas, to deter anti social behaviour and to raise the level of local pride by residents.</p> <p>Wards Affected: River, Eastbrook, Parsloes, Valence, Chadwell Heath, Whalebone</p>	
<p>Recommendation(s)</p> <p>The Executive is asked to agree:</p> <ol style="list-style-type: none"> 1. The list of identified shopping parades in paragraph 3.1 as the priorities for improvement 2. To the undertaking of further feasibility studies around these identified shopping parades including consultation with residents and retailers to understand the needs and aspiration of parade users. 3 The commissioning of urban designers to undertake a design strategy for the identified shopping parades. 4. To the re-profiling of the allocated £500,000 in 2008/09 and 2009/10, to £200,000 in 2008/09 to undertake feasibility, consultation and design and £800,000 for the implementation of the proposed project in 2009/10 subject to CPMO appraisal. 	

Reason(s)

To assist in the achievement of the Council priorities making Barking and Dagenham cleaner, greener and safer, raising general pride in the borough and regenerating the local economy.

Implications:**Financial:**

Funding of £1 million has been allocated to this project in the Capital programme for 2008/09 and 2009/10. Any work with identified partners regarding additional funding that could be available to further enhance the work proposed will be undertaken within the existing resource capacity within Regeneration. Where there is a need to engage consultants and designers this will be undertaken in line with the Council's procurement process. A bid has been put forward to TfL under their Local Implementation Programme (LiP) 2009/10 to further enhance the proposed work by the council, the result of the bids will not be known until December 2008.

Legal:

Legal agreements with leaseholders and freeholders will be required to undertake work to their forecourts, shop frontages and/or buildings prior to commencement of the project. Section 2 of the Local Government Act 2000 enables the Council to incur expenditure if this is considered likely to achieve the promotion or improvement of the environmental well-being of the Council's area. In doing so the Council must have regard to its Community Strategy.

Risk Management:

If the outlined recommendations are not agreed it will have an adverse effect upon the council being able to achieve its aspirations of regenerating the local economy, making these areas safer and raising the public aspirations for these parades. These areas would therefore continue to decline and become a blight upon the surrounding environs.

Social Inclusion and Diversity:

Feasibility work will include more detailed consideration of Social Inclusion and diversity issues including consultation and Equalities Impact assessment will be undertaken on any detailed proposals that come forward.

Crime and Disorder:

It is part of the project proposal to work with the Police, Safer Neighbourhood team and Children's services to design out as far as possible any crime and disorder problems within the identified areas.

Options Appraisal:

Do nothing option was rejected as to do nothing would not achieve the aspirations of the Council and would mean that the capital programme funding would not be spent.

The report sets out options that would enable the authority to achieve its aspirations for revitalising the proposed shopping centres and increasing the public perception of these areas.

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1. Introduction and Background

1.1 The Borough's shopping parades play an important function in providing local employment and also serving a key role for their local communities. However in a number of cases the appearance of these areas presents a very negative image deterring investment and failing to enable people to have pride in their surroundings. This report identifies a number of parades which would benefit from investment in order to combat their continued economic decline, anti social behaviour and their negative public realm image.

1.1.1 In 2006 a Health Check of 41 of the Borough's Neighbourhood centres was carried out to provide an evidence base for planning policies. Environmental quality is identified as the key factor in determining the attractiveness of a parade to consumers and retailers. The state of a local parade can also influence how people see the area they live, as it is likely to be a key local destination, and one of the main venues for meeting their neighbours. Environmental quality not only includes the public realm, but also how the parade is maintained, and the state of the buildings and retail units themselves.

1.1.2 Through the Local Development Framework (LDF) process it is recognised that some local parades that are no longer viable will be de-designated. This process is underway through the Site Specific Allocation work. However, excluding the Heathway and Barking Town Centre, 36 shopping areas in the Borough are being safeguarded in the LDF with a significant proportion requiring improvement works to a varying degree. Appendix 1 sets out the list of the 36 ranked in terms of needing environmental improvement in the 2006 report. This gives an indication of a potential programme list however it does not reflect other issues which should influence the priorities (regeneration potential, impact of improvements, local community engagement, ability to attract other funding sources, anti-social behaviour etc).

1.1.3 Whilst environmental improvements are important if the physical state of the shops/buildings themselves is extremely poor, public realm works alone are unlikely to make any significant impact on the image of the parade or improving local image of the parades. It is therefore proposed that where the council is not the property owner that discussions are held with the freeholders/leaseholders to investigate the possibility of the council assisting with refurbishment of the frontages of the retail units and/or buildings. More detailed work is required in assessing which parades will require property investment and what scope there is to encourage this. This particular part of the project will need to be developed with Barking and Dagenham Enterprises, Property Services and Private Sector Housing.

2. Current Position

2.1 The council has identified £1m towards public realm improvements to shopping parades. In order to assess which of the shopping parade/s should benefit from investment it was decided to use the 2006 Health Check as the basis for the identification of areas which would benefit the most together with an additional consideration of the regeneration impact of improvements.

2.2 Within the study all the shopping parades/centres were ranked in order of the quality of their public realm with (1) being good and (41) being very poor. The centres identified in the table below were ranked quite low regarding the quality of the Public Realm.

2.3 A preliminary scoping exercise has been undertaken at a number of the centres highlighted within the report. A detailed feasibility study will be required in order to assess the requirements of the centres identified, highlighting short, medium and long term aspirations for those areas.

2.4 It is recognised that to be able to make any viable and long term difference to any of the identified areas will require close working partnership with internal and external organisations. Initial discussions have already taken place with Children’s Services Department, Police (Tiger Op, Business Crime Unit), Neighbourhood Management, Transport for London (TfL), Barking and Dagenham Enterprises and Property services to gauge their level of support for the project and to highlight any present concerns regarding the areas. Support will also be linked to work proposed to be undertaken by the borough’s Town Centres’ Manager to establish a retail association for the rest of the borough. A Barking Retail Association is already in existence which meets to discuss issues of concern to retailers such as security and safety, parking, cleanliness and signage.

2.5 A scheme of shop front improvements, together with a style guide (Planning Advice note 7) has already been implemented at Dagenham Heathway. This was accompanied by short courses in how to structure visual display more effectively. This input of skills ensures that the individual retailers can make the best of the physical improvements.

3. Proposed Parades

3.1 The five parades listed below have been identified for more detailed feasibility work to be undertaken. The £1m Capital Programme funding available is unlikely on its own to be able to transform all five parades however five have been chosen in case additional external funding is made available as set out in Section 4. Feasibility work carried out now will support the bids and enable quicker implementation if successful.

Shopping Centre/Parade	Health Check Ranking	Ward
Broad Street	34	River
Reede Road	35	Eastbrook
Martins corner	36	Parsloes/Mayesbrook
Chadwell Heath	7	Chadwell Heath/Whalebone
Andrews Corner	9	Valence

3.2 Andrews Corner and Chadwell Heath have been included onto the list of priority areas for investment even though they have not been ranked as low as the other centres highlighted for investment. Andrews Corner has been highlighted by Safer Neighbourhood team as an area that has suffered instances of anti social behaviour.

3.3 Chadwell Heath is one of the largest shopping areas outlined by the project. One half of this shopping district belongs within the boundaries of Redbridge. There have been comments from residents from a Community Action Day in February 2008 which was undertaken by Neighbourhood Management which stated that residents were concerned

by the amount of pavement area being left by traders for pedestrians to walk on and a number of anti social behaviour problems were also highlighted. Over a 2 year period approximately 7 accidents involving pedestrians and motorists have occurred on High Road Chadwell Heath. As part of the public realm improvements traffic and pedestrian movements will be investigated and modifications may be undertaken. Traffic engineers will need to be consulted regarding any solution that would deal with traffic flows and pedestrian access.

3.4 In the instance of Martins Corner many of the units suffer from a lack of private investment to the upper floors of the buildings, any proposed improvements within these areas should also make an assessment of undertaking works to those buildings especially those above ground floor level. Within the last 3 years there have been a number of minor accidents involving pedestrians within the Martins Corner area. Any proposed improvement will need to take into account present conflicts between the pedestrian and motorist.

3.5 The present condition of Broad Street is that there are several shops that are vacant and have been for some time. Investment via the provision of on street parking provision has been provided by the Council within the last 2-3 years. Within the last 9 months crime statistics have show that there have been high incidents of disorder calls and crime against the person. Any public realm works within this area will seek to be co-ordinated with the Police and the Barking and Dagenham Enterprises.

3.6 Reede Road is within a residential area and is one of the smallest shopping areas identified but an important part of this community. The area has parking on the forecourt areas and on street parking which is designated part on the footpath and the road. This restricts pedestrian access within this area. The footpath areas are cluttered and any public realm improvements will need to address the issue of the motorist and pedestrian access to the shops and de-cluttering to these areas.

4. Financial Implications

4.1 Funding for this project has been made available from the council's capital programme for £500,000 in 2008/09 and £500,000 in 2009/10. However, given the proposals in this report authority is now requested to reprofile these sums as below and that the project progresses subject to the usual CPMO appraisal process:

	2008/09 (£)	2009/10 (£)	Total (£)
Fees Internal	25,000	70,000	95,000
Works	50,000	730,000	780,000
Other Consultants	125,000		125,000
Total	200,000	800,000	1,000,000

4.2 All revenue implications will be discussed and agreed at the feasibility stage of the proposed project. A palette of materials will be agreed with the respective departments prior to development to ensure that the materials are robust and durable. No materials will be used where an added cost would be incurred by the respective department. All ongoing revenue costs will be contained within existing departmental budgets.

4.3 In order to deal effectively with the shopping parades steps have begun to identify other funding streams which would help to deliver a more comprehensive programme. Funding has been sought from Transport for London (TfL) from their Walking Programme and Town Centres allocation, £1.1m 2009/10 and £1.25m 2010/11. The table below identifies which parades have had funding secured forwarded to TfL. Confirmation of the funding submissions will not be known until December 2008. This table excludes the Council funding which could be used to accelerate some of this work.

Parade	2009/10	2010/11
Reede Road		150,000
Chadwell Heath		950,000
Broad Street		150,000
Gale Street	950,000	
Martins Corner	150,000	
Total	1,100,000	1,250,000

4.4 Discussions will continue with Barking and Dagenham Enterprises to investigate the availability of any of the LEGI funding for undertaking improvements to shop frontages within the areas identified. The Children's Services Department have also received funding from the Government and are looking at undertaking specific work with the young people in the Borough especially in areas where there are known problems.

4.5 Staffing resources to undertake this project will be met through the project costs.

5. Consultees

5.1 The following were consulted on the content of this report:

Councillors

Councillor McCarthy – Portfolio member for Regeneration
 Councillor S Carroll – Portfolio member for Customer Services
 Councillor R C Little – Portfolio member for Culture
 Councillor T J Justice – Chadwell Heath
 Councillor N E Smith – Chadwell Heath
 Councillor N Connelly – Eastbrook
 Councillor R J Barnbrook – Goresbrook
 Councillor Miss T A Lansdown – Goresbrook
 Councillor W Northover – Goresbrook
 Councillor Mrs D Hunt – Mayesbrook
 Councillor Mrs C A Knight – Mayesbrook
 Councillor H J Collins – Parsloes
 Councillor R W Doncaster – Parsloes
 Councillor D A Tuffs – Parsloes
 Councillor I S Jamu – River
 Councillor L A Smith – River
 Councillor Mrs P A Twomey - River
 Councillor Mrs S A Doncaster – Valence
 Councillor D Hemmett – Valence
 Councillor L Rustem – Valence
 Councillor J R Denyer – Whalebone

Councillor Mrs M West – Whalebone
Councillor J R White – Whalebone

Regeneration

Alex Anderson – Finance
Keith Wilson – Property Services
Alan Lazell – Skills and Learning Enterprise

Resources

Gary Ellison – Highways Maintenance

Children's Services Department

Meena Kishinani – Children's Policy & Trust Commissioning

Adult and Community Services

Sarah Armstrong - Marksgate & Chadwell Heath Neighbourhood Management
Teresa Evans – Adult & Community Services – Equality and Diversity

External

Charmaine Laurencin – Metropolitan Police business unit
Carl Horsman – Community Safety Enforcement & Policing (CSEP) - TfL

Background Papers Used in the Preparation of the Report:

- London Borough of Barking and Dagenham Neighbourhood Centre Health Check
January 2006

Appendix 1

LBBB Shopping Parade

Ranking of Quality of Public Realm*	Parade
(Best) 1	Edgefield Court
2	Faircross Parade
3	Talworth Parade
4	Goresbrook Road / Chequers Parade
5	Althorne Way
6	Green Lanes (incl.Rowallen Parade)
7	Chadwell Heath (prime area)
8	The Merry Fiddlers
9	Andrews Corner
10	Rush Green
11	Gibbards Cottages (Upney Lane)
12	Five Elms
13	Gale Street (Becontree Tube Station)
14	Oxlow Lane / Hunters Hall Road
15	Dagenham East (South)
16	Whalebone Lane South
17	Robin Hood
18	Marks Gate
19	The Round House
20	The Triangle
21	Lodge Avenue
22	Matapan
23	Fanshawe Avenue
24	Dagenham East (North)
25	Eastbury
26	Movers Lane
27	Royal Parade / Church Street
28	Stansgate Road
29	Princess Parade, New Road
30	Westbury
31	Eastbrook
32	Chadwell Heath (secondary area)
33	Farr Avenue
34	Broad Street
35	Reede Road
Worse 36	Martins Corner

This ranking from Atkins 2006 study is based on scores for 11 criteria:

- 1) Condition of carriageway and pedestrian surface
- 2) Seats, planting, litter bins, public art
- 3) Public facilities, telephones, bus stops/shelters
- 4) Graffiti, vandalism
- 5) Market Stalls/Trades
- 6) Barriers to Movement
- 7) Cycle Parking
- 8) Maintenance and repair of buildings
- 9) Personal security
- 10) Wheel chair access
- 11) Rear Access

Some of these aspects may have changed since 2006 and any prioritising should consider the relevance/importance of these criteria.

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