

# Notice of Meeting



## CABINET

**Tuesday, 21 October 2014 - 6:00 pm**  
**Council Chamber, Town Hall, Barking**

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

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### AGENDA

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

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the meetings held on 25 September and 7 October 2014 (Pages 1 - 13)**
4. **Budget Monitoring 2014/15 - April to August 2014 (Month 5) (Pages 15 - 42)**
5. **Transport Projects to Deliver Growth - Update and Review (Pages 43 - 59)**
6. **Response to the Thames River Crossings Consultation (Pages 61 - 76)**
7. **Response to London Infrastructure Plan 2050 (Pages 77 - 85)**
8. **Adoption of Community Infrastructure Levy Charging Schedule (Pages 87 - 175)**
9. **Renaming of Northern Relief Road (Pages 177 - 181)**

10. **Procurement of a Bespoke Children's Early Intervention Support Packages Service (Pages 183 - 192)**
11. **Re-tender of Translating and Interpreting Services (Pages 193 - 219)**
12. **Procurement of New Contract for the Supply of Security Industry Authority (SIA) Licensed Personnel (Pages 221 - 233)**
13. **Domestic and Sexual Violence Provision in the London Borough of Barking and Dagenham (Pages 235 - 250)**
14. **Any other public items which the Chair decides are urgent**
15. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

#### **Private Business**

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

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

## MINUTES OF CABINET

Thursday, 25 September 2014  
(6:34 - 8:00 pm)

**Present:** Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Laila Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr James Ogungbose, Cllr Lynda Rice, Cllr Bill Turner and Cllr Maureen Worby

### 18. Declaration of Members' Interests

There were no declarations of interest.

### 19. Minutes (4 August 2014)

The minutes of the meeting held on 4 August 2014 were confirmed as correct.

The Cabinet Member for Children's Social Care requested clarification on Minute 4 (Corporate Priority Performance Reporting – End of Year 2013/2014) in relation to where statistical information suggesting that Barking and Dagenham had the highest level of domestic violence figures in London had emanated from.

The Cabinet Member for Children's Social Care also referred to the cost of social care and housing from other Local Authorities placing families into the Borough that he had raised at the last meeting.

### 20. Budget Monitoring 2014/15 - April to July 2014 (Month 4)

The Cabinet Member for Finance introduced a report updating the Council's revenue and capital position for the four months to the end of July 2014.

The Council began the current year in a better financial position than the previous year with a General Fund (GF) balance of £27.1m. The Council's approved budget of £165.3m for 2014/15 included a budgeted drawdown of reserves of £1.0m, agreed by Assembly in February 2014. This budget gap formed part of the savings requirement for 2015/16.

The Cabinet noted that at the end of July 2014 (Month 4), there was a projected overspend of £3.5m, predominantly on the Children's services budget. Since the publication of the report further pressures had been identified on the service, which would be mitigated by further controls on all expenditure.

The total service expenditure for the full year was projected to be £168.8m against the budget of £165.3m. The projected year end overspend coupled with the reserve drawdown would reduce the General Fund balance to £22.6m at the year end.

The Housing Revenue Account (HRA) was projected to break-even, leaving the HRA reserve at £8.7m. The Cabinet Member for Finance advised Cabinet that he had asked officers to consider why the reserve was so high for the HRA.

The Capital Programme had been updated to reflect changes approved at Cabinet on 30 June 2014, including roll forwards and re-profiles. The capital budget at 31 July stood at £154.9m.

The report also presented a request for a new capital budget of £307,000 to upgrade the Environmental Asset Database, 'Confirm', to be funded from existing invest to save revenue sources.

The Cabinet Member for Finance confirmed that the report before Members instilled good financial practice within the Council.

Cabinet **resolved** to:

- (i) Note the projected outturn position for 2014/15 of the Council's General Fund revenue budget at 31 July 2014, as detailed in paragraphs 2.4 to 2.9 and Appendix A of the report;
- (ii) Request a report from the Corporate Director of Children's Services setting out the detailed reasons for the directorate's forecast overspend and options for eliminating the overspend;
- (iii) Require all Chief Officers and budget managers to authorise only essential expenditure relating to their service areas;
- (iv) Note the progress against the agreed 2014/15 savings at 31 July 2014, as detailed in paragraph 2.10 and Appendix B of the report;
- (v) Approve 2014/15 HRA savings as detailed in paragraph 2.11 and Appendix B and note progress on delivery at 31 July 2014;
- (vi) Note the position for the HRA at 31 July 2014, as detailed in paragraph 2.11 and Appendix C of the report;
- (vii) Note the projected outturn position for 2014/15 of the Council's capital budget as at 31 July 2014, as detailed in paragraph 2.12 and Appendix D of the report; and
- (viii) Approve the new capital budget of £307,000 to fund the upgrade to the Environmental Asset Database, 'Confirm', as detailed in paragraph 2.12 of the report.

## **21. Barking Town Centre Strategy 2014-18**

(Cllr Lynda Rice arrived at 18:42 for the commencement of this item)

The Cabinet Member for Regeneration presented a report concerning the draft Barking Town Centre Strategy, which was appended to the report.

Barking Town Centre was identified as one of the five Growth hubs in the Council's new Vision and Priorities and formed a key part of the adopted Growth Strategy. The draft Barking Town Centre Strategy had been produced in order to establish a

shared way forward and set out how partners could work together realising Barking's full potential.

The draft Barking Town Centre Strategy had five strategic objectives which together aimed to ensure Barking realised its full potential and established its own unique position in East London as a place to live, work, learn and spend time. The five objectives were:

1. **Housing Delivery:** Provide a wider choice of quality housing.
2. **Places of Work:** Increase the town centre's profile as a place to do business, enable the creation of attractive workspaces and create more jobs.
3. **Barking as East London's cultural hub:** Increase creative industries and participation in arts and culture.
4. **Accessibility:** Improve the transport infrastructure and provide convenient access to the town centre.
5. **Place making:** Continue to improve the quality of buildings, spaces and to value the heritage and diversity. Plus, engaging Barking's diverse communities in delivering the vision.

The strategy set out the detail of numerous development opportunities and included an action plan of deliverables.

Reference was made to Barking becoming the cultural hub of East London, which would promote the creative industries and participation in arts and culture. Rather than seeking to compete with neighbouring large retail centres such as Lakeside and Westfield, the aim was that Barking would become a destination place for alternative shopping and cultural events.

With regard to consultation, the Cabinet Member for Regeneration advised Cabinet that there would be an exhibition rather than a public meeting to ensure engagement with local people.

Cabinet Members spoke in support of the draft Barking Town Centre Strategy and made a number of observations which included:

- Creating a theme in the Town Centre, especially with the cultural offer growing;
- Becoming a zone for culture;
- The need for regular cleaning of the Town Centre especially in relation to bird droppings;
- Changing the frontage of Barking Station and articulating a greater vision for station improvements such as lifts, escalators and making the case to Transport for London for a bus stop outside the station;
- Creating spaces for young people;
- Greater signage for the area;
- Aspirations for a cinema;
- Increased arts activities outside Barking Town Hall.

In response to some of the comments made, the Cabinet Member for Regeneration advised that whilst there were already retail opportunities in the Town Centre, there would be further opportunities in Barking Riverside also.

There had been an increase in eating establishments coming to the Town Centre which in itself was attracting trade.

With reference to Barking Station frontage and improvements, it was noted that the bridge infrastructure was a significant barrier to achieving major structural changes. That said it was acknowledged that improvements were required to improve accessibility. Unfortunately due to the footprint of the station, it would not be possible to introduce escalators although lifts could be brought in.

Reference was made by the Cabinet Member for Children's Social Care to the private rental development by Grainger plc in the Town Centre and has asked for an analysis of the pros and cons of this type of development.

Finally, the Cabinet Member of Regeneration confirmed that the Council was committed to increased signage and to examine the business case for a cinema.

The Leader responded to a question regarding TfL zoning and confirmed that the cost had been estimated at £7m, meaning such a proposal would not be appropriate for the Council to undertake at this time.

Cabinet **resolved** to:

- (i) Approve the draft Barking Town Centre Strategy (Appendix 1) for public consultation; and
- (ii) Authorise the Director of Growth to make any non-substantial amendments to the Strategy following the public consultation and, in consultation with the Cabinet Member for Regeneration, to approve the final version for publication, subject to the proviso that any proposed substantial amendments to the Strategy are presented to the Cabinet for decision.

## **22. London Overground Gospel Oak to Barking Line - Extension to Barking Riverside**

The Cabinet Member for Regeneration presented a report on the proposal to extend the London Overground line to Barking Riverside.

The delivery of a rail link to Barking Riverside was a key infrastructure requirement to deliver much of the anticipated growth over the next 10 years including new housing and jobs of importance for the Borough and London. Transport for London (TfL) was to start to seek powers in 2015 to construct the extension to Barking Riverside of the Gospel Oak to Barking line. These powers would be secured under the Transport and Works Act and a preferred route for the scheme was being proposed by TfL following extensive technical studies on route options.

The Cabinet Member for Regeneration requested that two further recommendations be included, one to request from TfL that the Hammersmith and City line use Platform 1 at Barking Station if the Overground extension went ahead and the second to assure residents that there would be minimum disruption during the works.

The Cabinet Member for Education and Schools questioned as to whether further

stations could be provided along the line, however it was considered that this would increase journey time. In response to a further question, it was also noted that a tram system would not be appropriate at this time.

The Cabinet Member for Children's Social Care felt the Council should be working up the business case to deliver a second station to serve Thames View / Great Fleete and that careful thought needs to be given to secure good bus links to the station(s), all of which will require focussed lobbying of the next London Mayoral candidates.

Cabinet supported the proposal and felt encouraged that those residents already living in Barking Riverside would benefit from a new train station.

The Cabinet Member for Finance raised a query in relation to the anticipated investment required of this Council of £9.0m over the three year period from 2017 to 2019 for which there is currently no provision in the Capital Programme. In response, the Chief Finance Officer advised Cabinet that he anticipated that the Council would recoup their costs through the additional investments the link would bring.

Cabinet Members also discussed issues relating to potential new housing-related opportunities in the area brought about by new transport links and it was noted that an appropriate report would be presented to the Cabinet in due course.

Cabinet **resolved** to:

- (i) Strongly support, in principle, the proposal to extend the London Overground line to Barking Riverside and the action of making a Transport and Works Act Proposal;
- (ii) Support the broad route alignment as detailed in the report;
- (iii) Support the continued safeguarding of the Docklands Light Railway line through Barking Riverside;
- (iv) Support any designs which provide for a second rail station near Thames View East;
- (v) Support the proposal to extend the London Overground line to Abbey Wood Station in Bexley; and
- (vi) Note that a further report will be presented to Cabinet setting out the financial implications of any proposed contribution by the Council towards the London Overground line extension to Barking Riverside;
- (vii) Ask TfL to examine the possibility of the Hammersmith and City Underground line using Platform 1 at Barking Station, if the London Overground line is extended to Barking Riverside; and
- (viii) Assure residents and commuters that there will be minimum disruption during the works to the proposed new line.

## **23. Supporting londoneast-uk Business and Technical Park**

The Cabinet Member for Regeneration presented a report on the londoneast-uk Business and Technical Park proposal on the former Sanofi site, Rainham Road South, Dagenham.

Sanofi had been working closely with the Council to deliver an employment-led legacy for the site including the retention and reuse of the company's laboratory and scientific manufacturing facilities. The facilities would cost tens of millions to build from scratch and offer scope for a wide range of science sectors as well as other industries (e.g. food) that would benefit from controlled conditions. Their reuse as a multi-occupation science park would secure a much stronger future for skilled jobs in the borough as well as helping change perceptions of the local economy and linking the borough with growth sectors.

The site was one of the five key Borough development sites in the Growth Strategy which recognised its critical role in delivering jobs, businesses and physical regeneration. Cabinet Members supported the proposal and noted that it could provide up to 1,000 new jobs in the area.

In response to a question from the Cabinet Member for Children's Social Care, Members were advised that the Council would be seeking to forge relationships and synergies between the site and the local universities.

Cabinet **resolved** to:

- (i) Confirm the Council's support for SOG Ltd establishing a science and technology park utilising Sanofi's science facilities at their Dagenham East plant;
- (ii) Approve the means by which the Council shall support the project as set out in section 3 of the report; and
- (iii) Approve the grant of full discretionary business rate relief for londoneast-uk for two years to assist with early occupation of the site.

## **24. Review of Planning Policy for South Dagenham**

The Cabinet Member for Regeneration presented a report reviewing the planning policy for South Dagenham.

Combined Chequers Corner, the Ford Stamping Plant and Beam Park sites were one of East London's largest regeneration opportunities, one of the Borough's five growth zones and a major brownfield site with great potential for housing and commercial activity for 2,500 new homes and over 1,000 new jobs.

The history of these sites and their current status were explained. The preferred option was for a mixed use residential development on Beam Park and the Ford Stamping Plant with a new centre at Chequers Corner incorporating the existing stores at Merrielands Crescent, the Premier Inn hotel and Brewers Fayre restaurant, a potential Ford Heritage Centre and some of the new community facilities necessary to support the new housing.

The Cabinet Member for Education and Schools was reassured that the review of the Local Plan, which could take between 18 to 24 months, would not hold up progress.

Cabinet **resolved** to endorse a residential-led mixed use scheme at South Dagenham incorporating Beam Park and the Ford Stamping Plant with a new District Centre focused at Chequers Corner, as detailed in the report.

## **25. People Strategy 2014/15**

The Cabinet Member for Central Services presented a report on the People Strategy 2014/15, which was focused on assuring that the Council was “well run” from a people management, development and leadership perspective.

It was recognised that the Council was going through a period of significant change and, to be successful in the future, would need to have the right people with the right skills motivated to perform well. Sustaining high levels of staff engagement through change was challenging.

The Council had, with staff, developed a revised set of organisational values. These sat alongside the new vision and priorities to define what the Council wanted to achieve and the culture of the organisation needed to be successful.

The actions in the People Strategy sought to reinforce that culture, strengthen line management and the consistency with which policies were applied and ensure that two-way communications with staff was effective.

The Cabinet Member for Environment sought clarification on the accountability of Trade Union Secretaries and was advised by the Group Manager for HR Strategy that ultimate accountability lay with their members but would circulate details to Members to confirm the accountability / hierarchy arrangements.

The Cabinet Member for Children’s Social Care raised concerns that there was no explicit reference in the Strategy to black and minority ethnic (BME) groups and in particular there was no representation at a senior management level. Further concerns were raised by the Cabinet Member in relation to the results of the staff survey. It was considered that whilst the overall response rate was very high, the numbers of positive responses were very low and it was felt that more analysis of the results was required. The Cabinet Member also requested more analysis to be provided of Stage 3 grievances, which were referred to in the report. .

In response, the Cabinet Member for Central Services advised that a separate report was due to be presented to Cabinet shortly addressing the issue of BME representation within the Council. With regard to the staff survey, the Group Manager for HR Strategy advised that the People Strategy contained statistics from the staff survey of where action was required.

Cabinet Members were encouraged by such a high response rate to the staff survey and noted how it informed the People Strategy 2014/15.

The Leader expressed his support for the Strategy and commented that the

Council was in a far stronger position than in previous years, pointing out that Barking and Dagenham was soon to be one of the first London Councils to sign up to the Gender Equality Charter.

Cabinet **resolved** to adopt the People Strategy 2014/15 at Appendix A to the report.

## **26. Contract for Asbestos Removal Works in Residential, School and Corporate Buildings**

The Cabinet Member for Housing presented a report on the proposed procurement of a new contract for the provision of asbestos removal works in residential Council properties, schools and corporate buildings.

The current provision was not compliant with recently implemented internal Council rules, and had therefore been reviewed. The new contractual arrangements were expected to bring about continued efficiency, elimination of waste and improved value for money through market-competitive pricing, contractual improvements and process redesign.

Cabinet **resolved** to:

- (i) Agree the procurement of a contract for the provision of asbestos removal works in residential council properties, schools and corporate buildings in accordance with the strategy set out in the report; and
- (ii) Authorise the Interim Director of Housing, in consultation with the Cabinet Member for Housing, the Chief Finance Officer and the Head of Legal and Democratic Services, to conduct the procurement and award the contract to the successful bidder.

## **27. Contract for Electrical Repairs and Minor Works in Public Buildings and Schools**

The Cabinet Member for Finance presented a report on the proposed procurement of a new term contract for electrical repairs and minor works in public buildings and schools which covered day-to-day reactive electrical repairs and minor works.

Cabinet Members attention was drawn to the scoring matrix on the basis of 70% price and 30% quality and the Cabinet Member for Finance confirmed that this would not mean a reduced quality service.

Cabinet **resolved** to:

- (i) Agree the procurement of a new Term Contract for the Electrical Repairs and Minor Works in Public Buildings and Schools in accordance with the strategy set out in the report; and
- (ii) Authorise the Corporate Director of Adult and Community Services, in consultation with the Cabinet Member for Finance, the Chief Finance Officer and the Head of Legal and Democratic Services, to conduct the procurement and award the contract to the successful bidder.

## **28. Debt Management Performance and Write-Offs 2014/15 (Quarter 1)**

The Cabinet Member for Finance introduced the performance report for the first quarter period of 2014/2015 in respect of the debt management function carried out by the Revenues and Benefits Service within Elevate East London, together with details of the debts written-off as uncollectable during the period and comparable information from the previous year. He highlighted the fact that year on year the overall level of write-offs has continued to reduce.

The Cabinet Member for Education and Schools added that the level of general income had increased considerably which contributed to the positive position.

Cabinet **resolved** to:

- (i) Note the contents of this report as it relates to the performance of the debt management function carried out by the Revenues and Benefits service operated by Elevate East London, including the performance of enforcement agents; and
- (ii) Note the debt write-offs for the first quarter of 2014/15 and that a number of these debts will be published in accordance with the policy agreed by Cabinet.

## **29. Building Maintenance Term Contract for School and Public Buildings**

Further to Minute 29 (24 July 2012), the Cabinet received a report on the outcome of the procurement process, evaluation of tenders and selection of preferred bidder.

Cabinet **resolved** to approve the award of the Building Maintenance Term Contract for School and Public Buildings to Kirkman and Jourdain Limited on the terms set out in the report.

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# MINUTES OF CABINET

Tuesday, 7 October 2014  
(6:05 - 6:30 pm)

**Present:** Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Laila Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr James Ogungbose, Cllr Lynda Rice, Cllr Bill Turner and Cllr Maureen Worby

**Also Present:** Cllr Rocky Gill, Cllr Sam Tarry and Cllr Dan Young

## 30. Declaration of Members' Interests

There were no declarations of interest.

## 31. Budget Strategy 2015/16

Before consideration of this item, the Leader reminded those present that as a number of the budget savings proposals (as set out in Appendix B) would be subject to public consultation at the relevant Select Committees, he did not intend to open them up for questioning at this evening's meeting.

The Cabinet Member for Finance presented a report setting out the high level revenue budgets and savings proposed for 2015/16 to 2017/18, within the context of the Government funding reductions.

The report focused on:

- A summary of the national funding position and the provisional finance settlement;
- The Medium Term Financial Strategy and a three year summary level financial model for the Council;
- The current net budget gap for 2015/16 to 2017/18 of £53.5m, although that may change significantly when the Government announces the finance settlement;
- Proposed savings representing changes to services which are operational and/or organisational and do not represent a change in policy and/or have front line service implications that could be implemented following Cabinet approval. Those savings would still be subject to consultation with the relevant stakeholders, such as staff and the Trade Unions in line with Council policy, and
- Proposed savings that require formal public consultation prior to Cabinet taking a decision on implementation.

The Cabinet Member for Finance highlighted the financial pressures that the Council faced, which amongst other things included addressing the financial implications of the Care Act 2014, the Children and Families Act 2014 and changes to regulations governing the use of CCTV for parking enforcement.

A wide range of savings proposals had been put forward and were before

Members in Appendix A (savings proposals for Cabinet approval) and Appendix B (savings options requiring public consultation before the Select Committees in October and November 2014). The outcome of the public consultation would be fed back to Cabinet in December to enable final decisions to be made, which would then feed into the main Budget Framework and Council Tax setting report to both the Cabinet and the Assembly in February 2015.

The Cabinet Member for Finance advised that if all the proposed savings were made, the Council would still be short of funding and therefore officers have been instructed to come up with more saving proposals to meet the challenging targets set by the Government.

The Cabinet Member for Regeneration enquired as to the anticipated costs the Council may be facing in relation to implementing the Children and Families Act 2014 and the Care Act 2014, as well as the potential loss of income from the changes around CCTV parking enforcement. The Chief Finance Officer advised that the estimated costs of the legislative changes could mean needing to identify an additional £1.25m, whilst the potential loss of income from CCTV parking enforcement was currently estimated at £1.5m, although that could rise.

The Cabinet Member for Education and Schools sought more details on the funding reduction of £1.823m on the business rates deficit which the Chief Finance Officer clarified was based on assumptions of income against the anticipated numbers of claims likely to arise.

Cabinet **resolved** to:

- (i) Note the current projected financial position for the Council for 2015/16 to 2017/18 as set out in this report;
- (ii) Approve the saving proposals for management implementation for 2015/16 to 2017/18 as set out in Appendix A to the report; and
- (iii) Note and release for consultation the savings proposals that require formal consultation as set out in Appendix B to the report.

## **32. LGA Peer Challenge Report and Implementation Plan**

The Leader presented a report setting out the findings of the Local Government Association (LGA) Corporate Peer Challenge which took place in late July 2014.

The Council had invited the LGA to undertake a Corporate Peer Challenge to help provide reassurance, challenge and to give an indication about the organisation's ability and capacity to deliver on its plans, proposals and ambitions. The Leader commented that the Council was aiming to become more corporate focused and a fully fit-for-purpose organisation and, with that in mind, he was pleased to advise that many of the recommendations set out within the Peer Review report were already being undertaken.

The Leader further advised the Cabinet that he had been informed that the Council had achieved 'Bronze' status in its Investors in People accreditation.

Cabinet **resolved** to:

- (i) Note the findings in the LGA Corporate Peer Challenge report at Appendix 1 to the report; and
- (ii) Agree the implementation plan at Appendix 2 to the report and that quarterly progress updates be presented to Cabinet as part of monitoring the corporate delivery plan.

### **33. Corporate Delivery Plan**

The Leader presented a report on the Corporate Delivery Plan which would enable the Council to monitor progress against the delivery of the new vision and priorities as agreed by the Assembly on 17 September 2014.

Cabinet **resolved** to:

- (i) Agree the Corporate Delivery Plan 2015/16 - 2016/17 at Appendix 1 to the report, including the priority projects and key performance indicators (KPIs); and
- (ii) Agree that progress be reported to Cabinet quarterly and to the Public Accounts and Audit Select Committee every six months.

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**CABINET****21 October 2014**

<b>Title:</b> Budget Monitoring 2014/15 - April to August 2014 (Month 5)	
<b>Report of the Cabinet Member for Finance</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Steve Pearson Group Accountant, Corporate Finance	<b>Contact Details:</b> Tel: 020 8227 5215 E-mail: steve.pearson@lbbd.gov.uk
<b>Accountable Director:</b> Jonathan Bunt, Chief Finance Officer	
<p><b>Summary</b></p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the five months to the end of August 2014, projected to the year end.</p> <p>The Council began the current year in a better financial position than the previous year with a General Fund (GF) balance of £27.1m.</p> <p>The Council's approved budget of £165.3m for 2014/15 includes a budgeted drawdown of reserves of £1.0m, agreed by Assembly in February 2014. This budget gap forms part of the savings requirement for 2015/16.</p> <p>At the end of August 2014 (Month 5), there is a projected overspend of £4.3m, predominantly on the Children's services budget after the agreed application of the remainder of the Children's Services reserve. It should be noted, however, that the Director of Children's Services will be presenting a report to November's Cabinet setting out in detail the reasons for the directorate's forecast overspend and any available options for substantially reducing or eliminating the Children's Services overspend. Members should also note that at September's Cabinet meeting, Chief Officers and budget managers were required to authorise only essential expenditure relating to their service areas.</p> <p>At its 7<sup>th</sup> October meeting, Cabinet agreed a number of savings proposals for future years towards the delivery of a balanced budget. Given the projected overspend in the current year, it is recommended that, where possible, any savings proposals agreed by Cabinet that could be implemented this year should be done so. It is anticipated that these initiatives will lead to a reduction in the overspend for this financial year and the initial impact of these measures will also be reported at the November Cabinet as part of the budget monitoring update.</p> <p>The total service expenditure for the full year is currently projected to be £169.6m against the budget of £165.3m. The projected year end overspend coupled with the reserve drawdown will reduce the General Fund balance to £21.8m at the year end.</p>	

The Housing Revenue Account (HRA) is projected to break-even, leaving the HRA reserve at £8.7m. The HRA is a ring-fenced account and cannot make or receive contributions to/from the General Fund.

The Capital Programme has been updated to reflect changes approved at Cabinet on 30 June 2014 and 25 September 2014. The capital budget now stands at £156.0m. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur.

### **Recommendation(s)**

The Cabinet is recommended to:

- (i) Note the projected outturn position for 2014/15 of the Council's General Fund revenue budget at 31 August 2014, as detailed in paragraphs 2.4 to 2.9 and Appendix A of the report;
- (ii) Agree to the implementation of any savings proposal agreed at 7<sup>th</sup> October Cabinet in the current financial year where it is possible to do so;
- (iii) Agree to the use of £500k from the Adults & Community Services reserve to fund work on the implementation of the Care Act 2014, as detailed in paragraph 2.4;
- (iv) Note the progress against the agreed 2014/15 savings at 31 August 2014, as detailed in paragraph 2.10 and Appendix B of the report;
- (v) Note progress against the agreed 2014/15 HRA savings as detailed in paragraph 2.11 and Appendix B of the report;
- (vi) Note the overall position for the HRA at 31 August 2014, as detailed in paragraph 2.11 and Appendix C of the report;
- (vii) Note the projected outturn position for 2014/15 of the Council's capital budget as at 31 August 2014, as detailed in paragraph 2.12 and Appendix D of the report and
- (viii) Approve the new capital budget of £709k for a Regeneration scheme to acquire and demolish the former Remploy site on Creek Road as detailed in paragraph 2.12.

### **Reason(s)**

As a matter of good financial practice, the Cabinet should be regularly updated with the position on spend against the Council's budget. In particular, this report alerts Members to particular efforts to reduce in-year expenditure in order to manage the financial position effectively.

## **1 Introduction and Background**

- 1.1 This report provides a summary of the Council's General Fund and HRA revenue and capital positions. It also provides an update on progress made to date in the delivery of the agreed savings targets built into the 2014/15 budget, setting out risks to anticipated savings and action plans to mitigate these risks.

- 1.2 It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. This is achieved within the Council by monitoring the financial results on a monthly basis through briefings to the Cabinet Member for Finance and reports to Cabinet. This ensures Members are regularly updated on the Council's overall financial position and enables the Cabinet to make relevant financial and operational decisions to meet its budgets.
- 1.3 The Budget report to Assembly in February 2014 provided for a target of £15.0m for the General Fund balance. The revenue outturn for 2013/14 led to a General Fund balance of £27.1m. The current projected position, unless addressed, would mean a reduction in the General Fund balance to £21.8m, but still above the target general fund balance of £15.0m.
- 1.4 The additional level of reserves above the minimum level provides the Council with some flexibility in its future financial planning but, to take advantage of that, it is essential that services are delivered within the approved budget for the year. Overspends within directorate budgets will erode the available reserves and therefore limit the options that reserves could present in the medium term.

## 2 Current Overall Position

- 2.1 The following tables summarise the spend position and the forecast position of the General Fund and Housing Revenue Account (HRA) balances.

<b>Council Summary 2014/15</b>	<b>Net Budget £000</b>	<b>Full year forecast at end August 2014 £000</b>	<b>Over/(under) spend Forecast £000</b>
<b>Directorate Expenditure</b>			
Adult and Community Services	55,576	55,576	-
Children's Services	61,849	66,501	<b>4,652</b>
Housing and Environment	24,085	24,085	-
Chief Executive	21,059	20,663	<b>(396)</b>
Central Expenses	3,795	3,795	-
<b>Total Service Expenditure</b>	<b>166,364</b>	<b>170,620</b>	<b>4,256</b>
Budgeted reserve drawdown	(1,044)	(1,044)	-
	<b>165,320</b>	<b>169,576</b>	<b>4,256</b>

	<b>Balance at 1 April 2014 £000</b>	<b>Forecast Balance at 31 March 2015 £000</b>
General Fund	27,138	21,882*
Housing Revenue Account	8,736	8,736

\*The forecast general fund balance includes the £4.3m projected overspend plus the £1m planned drawdown from reserves.

## 2.2 Chief Finance Officer's comments

The current Directorate revenue projections indicate an overspend of £4.3m for the end of the financial year, made up as follows:

- £0.4 underspend in the Chief Executive directorate mainly as a result of vacancies within the directorate; and
- £4.7m overspend in Children's Services mainly due to demand pressures in the Complex Needs and Social Care division.

As noted above, the currently forecast overspend within Children's Services represents the greatest area of risk to delivering a balanced budget for 2014/15. A report will be prepared by the Corporate Director of Children's Services for the November Cabinet setting out in further detail than is contained below the reasons for the overspend, including quantification of service demand and any changes in unit costs that have arisen since the budget was set. The report will also set out the options for significantly reducing or eliminating the adverse budget position currently being presented to Cabinet, both for this and future financial years in the context of the provisions contained within the Council's medium term financial strategy.

Alongside the actions by Children's Services, September Cabinet agreed that Chief Officers and budget managers only authorise expenditure on areas that are essential to the delivery of their service. The effects of this measure and not yet reflected in the positions in this report and will be included in the budget monitoring report to the November Cabinet.

At its meeting on 7 October, Cabinet agreed a number of savings proposals for future years as part of the Budget Strategy report. Due to the projected overspend in the current financial year, it is recommended that these proposals be implemented as soon as possible so a part year benefit can occur towards the 2014/15 position.

Whilst the currently forecast overspend would result in a reduction in the Council's General Fund balance, it would still remain above the budgeted target of £15.0m. The Chief Finance Officer has a responsibility under statute to ensure that the Council maintains appropriate balances.

The Chief Finance Officer, after consideration of the factors outlined in the CIPFA guidance on Local Authority Reserves and Balances 2003 and the other financial provisions and contingency budgets held by the Council, set a target GF reserves level of £15.0m. The General Fund balance at 31 March 2014 was £27.1m and the current forecast balance for the end of the financial year is £21.8m.

At the end of August 2014, the HRA is forecasting a balanced budget, maintaining the HRA reserve at £8.7m.

## 2.3 Directorate Performance Summaries

The key areas of risk which might lead to a potential overspend are outlined in the paragraphs below.

## 2.4 Adult and Community Services

<b>Directorate Summary</b>	2013/14 Outturn £000	2014/15 Budget £000	2014/15 Forecast £000
Net Expenditure	55,191	<b>55,576</b>	<b>55,576</b>
Projected over/(under)spend			-

The Adult and Community Services directorate is overall forecasting a balanced budget position for 2014/15. This position is after a number of pressures within the service, particularly for Mental Health and non-residential care budgets for all client groups. These pressures have been evaluated and appropriate management actions within the service will be implemented as necessary. The net budget includes the full allocation of £4.2m social care funding transfer from NHS England; this is allocated by local Section 256 agreement and is part of our Better Care Fund (BCF) as taken to the Health and Wellbeing Board (H&WBB) in March 2014.

A savings target of £2.4m is built into the 2014/15 budget. These are largely all in the process of being delivered or necessary changes have already been made. Any shortfalls are being covered within the relevant division.

The Adult and Community Services budget includes Public Health, responsibilities for which transferred over to the Council in April 2013. The service is wholly grant funded, i.e. a net budget and the grant for 2014/15 is £14.2m. The grant contributes towards the Council's preventative agenda by promoting healthy outcomes for adults and children. At the end of the last financial year there was an underspend of £785k, which as a ring-fenced grant has been carried-forward into the current financial year.

The future social care funding regime is becoming increasingly challenging with a number of existing funding streams being rolled together. A further BCF submission has been prepared ahead of the September deadline, a paper for which was taken to the last H&WBB. There is also further work being undertaken on planned implementation and financial impact of the Care Act. A grant of £125k has been awarded by the Department of Health to meeting initial implementation costs; further resource costs of £500k are estimated over the next 12 months which, if Cabinet agrees, it is proposed to be funded from reserve monies of £3.2m, set aside for future pressures within the directorate.

## 2.5 Children's Services

<b>Directorate Summary</b>	2013/14 Outturn £000	2014/15 Budget £000	2014/15 Forecast £000
Net Expenditure	65,016	<b>61,849</b>	<b>66,501</b>
Projected over/(under)spend			<b>4,652</b>

Children's Services delivered a balanced budget for 2013/14 by utilising £1.5m of its directorate reserves, but it was reported that the financial position was masking significant demand pressures within the Complex Needs and Social Care division and the demand continues into 2014/15.

The position was managed in 2013/14 through flexible use of government grants. For example, the change from Local Authority Central Spend Equivalent Grant (LACSEG) to Education Support Grant (ESG), the changes to the funding of statutory services to two year olds from General Fund to the Dedicated Schools Grant released £2.7m of ongoing funding to invest in social care demand pressures, savings from other service areas within the directorate and utilising the Children's reserves of £1.5m enabled a balanced budget for 2013/14. The additional funding of £2.7m has now been included within the Children's Service base budget for 2014/15 in support of the social care demand pressures and an additional £3m included in the MTFs for 2015/16.

Overall the Service is forecasting in 2014/15 an over spend of £6.1m less the remaining Children's Service reserve of £1.5m equalling £4.6m reported overspend. The other divisions within Children's Services are currently endeavouring to mitigate this overspend using existing resources and work is now underway to review all costs to ameliorate the increase in demand within Social Care and quantify the service demand and changes in unit costs since the budget was set. The requested report to the November Cabinet will set out options for significantly reducing or eliminating the adverse budget position and will also provide quantifiable growth data, analysis and trends. Benchmarking analysis is being undertaken within East London Solutions with the use of additional capacity to assist.

The current reporting for 2014/15 indicates that current levels of social care need due to the demographic growth within social care has impacted on caseloads within the Assessment and Care Management teams and recruitment challenges have led to a reported budget deficit of c£1.0m. Recruitment alternatives are currently being explored to reduce the overspend through the introduction of a number of innovative ways of recruitment, i.e., visits to graduate fairs, a dedicated social worker recruitment officer, exclusive social worker webpage and recruitment fairs. It is anticipated that agency spend will be reduced by recruiting permanent staff to a redesigned structure.

An increase in Legal costs due to the complexities of cases and large sibling groups is forecasting a pressure c£0.8m, and a review of the legal costs and complexities is currently being undertaken.

Legislative changes relating to 'No Recourse to Public Funds' (NRPF) claimants has placed an additional budget pressure of c£2m in support to these children and families. The expenditure on NRPF has seen a huge increase due to the rise in numbers of families and children being supported and the increase in subsistence payments for children plus now for parents as well. Previous subsistence payments were for children only. The whole process around this cohort is currently under review and challenge using existing resources and now having direct access to the Home Office database for validation, also work with housing continues to seek alternative accommodation as opposed to the current bed and breakfast arrangements.

The Placements team is forecasting a possible overspend of c£1.0m that comprises of a number of small overspends within the adoption and fostering service though these have saved significant costs to the other higher cost placements budgets. Work is underway to improve the accuracy of reporting. SEN Transport is

forecasting an overspend of c£0.2m due to high demand for pupil transport assistance.

In total a budget pressure of c£5.0m exists within the Complex Needs and Social Care division due to demand pressures from children in the borough. Despite the increase in numbers of Looked After Children subject to plans we remain below our statistical neighbour rates per 10,000 for Looked After Children. Our caseloads, whilst moving to acceptable levels remain well above the Munro recommendation and continue to lead to recruitment and retention challenges that reflect within the budget pressure reporting.

## 2.6 Dedicated School Grant (DSG)

The DSG is a ring fenced grant to support the education of school-age pupils within the borough. The 2014/15 DSG allocation is £228.0m, covering Individual Schools Budgets, High Needs and Early Years services.

## 2.7 Housing and Environment

<b>Directorate Summary</b>	2013/14 Outturn £000	2014/15 Budget £000	2014/15 Forecast £000
Net Expenditure	25,586	<b>24,085</b>	<b>24,085</b>
Projected over/(under)spend			-

The projection to year end is to break even. Potential pressures have been identified within these budgets, however, it is expected that they will be managed within the service.

Environmental Services is forecast to breakeven at year end, however, there is risk of pressure in the region of £1.9m that will need to be managed by the service in order to deliver a breakeven position.

Potential risks are a combination of pressures on staffing budgets, income target pressures, increased ELWA disposal costs and increasing fuel and utility costs. The single largest risk is the street lighting electricity budget with risk of £629k due to increasing energy costs. A significant element of risk is outside the services direct control, however, an action plan is being developed to support mitigation.

Mitigating actions include reviewing income opportunities, holding posts vacant, ensuring recharges and income collection are up to date and maintaining spend restraint across the service. Alongside this, the service is reviewing budgets with a view to realigning and bringing allocation in line with requirement.

Environmental Services has a savings target of £904k in 2014/15. Current projections indicate a shortfall of £470k. This is captured in the forecast position as well as mitigating actions. The shortfall is mainly due to actions awaiting the future use of 2 and 90 Stour Road and loss of income generating assets affecting the Parking Service.

## Housing General Fund

Current projections indicate a breakeven position in 2014/15. The main risk to this position is the level of temporary accommodation placements, and in particular, the numbers within Bed and Breakfast. There were 74 Bed and Breakfast placements as at the end of August 2014 which is a reduction from the July 2014 position of 105 placements. This is a manageable position within current budgets, therefore, if the number of placements remains in this region the Housing General Fund is expected to outturn within budget.

The level of Temporary Accommodation rent arrears, and impact of welfare reform, continues to be monitored. Arrears have reduced slightly from the position at the end of 2013/14, therefore, the current level of bad debt provision provides sufficient coverage. The position will continue to be closely monitored throughout the year.

### 2.8 Chief Executive's Directorate

<b>Directorate Summary</b>	2013/14 Outturn	2014/15 Budget	2014/15 Forecast
	£000	£000	£000
Net Expenditure	18,475	<b>21,059</b>	<b>20,663</b>
Projected over(under)spend			<b>(396)</b>

The Chief Executive (CE) department at this stage is reflecting a projected year end underspend position against its revised budget of (£396k). The underspend position is mainly attributed to in year vacancies across the department and services making some transitional arrangements to deliver 2015/16 savings.

The department has also absorbed additional pressures this month arising from shortfalls projected against the school buyback income targets in HR & Payroll and, depending on the timing of any appointment, the potential impact of changes expected with the shared Chief Executive arrangement with Thurrock. The department had been set a savings target in 2014/15 of £1.2m which has been achieved.

### 2.9 Central Expenses

<b>Directorate Summary</b>	2013/14 Outturn	2014/15 Budget	2014/15 Forecast
	£000	£000	£000
Net Expenditure	4,382	<b>2,751</b>	<b>2,751</b>
Projected over(under)spend			-

Central Expenses continues to project a break-even position for its budget at the end of August. It should be noted that a potential risk has materialised due to a recent fire incident at the ELWA owned waste management plant at Frog Island which impacts all ELWA boroughs. Work is currently underway to assess the extent of the cost/timeline for remedial works and there is scope for both disruption to service provision and large additional costs. While it is hoped that all legitimate costs will be claimed from insurance, there is potential for the ELWA levy payable by Barking and Dagenham to higher than budgeted for at the start of the financial

year. This will be monitored closely in the coming weeks and mitigating actions identified where possible.

## 2.10 In Year Savings Targets – General Fund

The delivery of the 2014/15 budget is dependent on meeting a savings target of £8.7m. Directorate Management Teams are monitoring their targets and providing a monthly update of progress which is summarised in the table below. Where there are shortfalls, these will be managed within existing budgets and do not affect the monitoring positions shown above.

A detailed breakdown of savings and explanations for variances is provided in Appendix B.

<b>Directorate Summary of Savings Targets</b>	<b>Target £000</b>	<b>Forecast £000</b>	<b>Shortfall £000</b>
Adult and Community Services	2,438	2,398	<b>40</b>
Children's Services	2,964	2,964	-
Housing and Environment	1,129	659	<b>470</b>
Chief Executive	1,219	1,219	-
Central Expenses	971	971	-
<b>Total</b>	<b>8,721</b>	<b>8,211</b>	<b>510</b>

## 2.11 Housing Revenue Account (HRA)

The HRA is currently forecast to breakeven.

### **Income**

Income is expected to overachieve by £360k. Pressure of £186k on garage rents, due to a higher than expected void level, is more than offset by additional income from water charges to tenants and an expected overachievement on interest received on HRA cash balances.

The main risk to this position is the impact of welfare reform. Some provision has been made within the budget through increased bad debt provision plus the availability of discretionary housing payments, and the position is being monitored closely. In addition to this, stock movements are being monitored as an increasing level of right to buy activity could impact on income levels.

### **Expenditure**

Expenditure is expected to overspend by £360k. Expenditure pressure within the caretaking service and delayed delivery of savings provide the main risk, however, this is expected to be mitigated through underspending budgets and the one off receipt of recovered water and sewerage overpayments. Current forecasts indicate delivery of £4.9m of the £6.1m saving requirement with a shortfall of £1.2m. This is primarily due to delays in commencing restructures, the ongoing review of energy billing within communal areas and non-receipt of income from Reside for the provision of Housing Management and Repairs and Maintenance services due to

higher than expected void levels. Delayed or reduced delivery will be managed within the HRA to ensure a breakeven position.

### HRA Balance

It is expected that HRA balances will remain at £8.7m. There is a budgeted contribution to capital resources of £35.5m.

## 2.12 Capital Programme 2014-15

The Capital Programme forecast against budget as at the end of August 2014 is as follows:

	2014/15 Revised Budget £'000	Actual Spend to Date £'000	2014/15 Forecast £'000	Variance against Budget £'000
Adult & Community Services (ACS)	10,056	3,270	10,351	295
Children's Services (CHS)	30,806	9,284	30,690	(116)
Housing & Environment (H&E)	5,410	226	5,390	(20)
Chief Executive (CEO)	8,901	1,940	8,651	(250)
<b>General Fund subtotal</b>	<b>55,173</b>	<b>14,720</b>	<b>55,082</b>	<b>(91)</b>
Housing Revenue Account (HRA)	100,808	22,968	89,994	(10,815)
<b>Total</b>	<b>155,981</b>	<b>37,688</b>	<b>145,076</b>	<b>(10,906)</b>

The detail for individual schemes is in Appendix D.

### Summary

The capital programme for 2014/15 has a revised budget of £155.9m. Against this Directorates are currently predicting a net underspend of £10.9m.

### Additions to the Capital Programme

The capital programme now reflects two new schemes that have been given approval by Cabinet, resulting in an overall increase to the budget of £1.0m compared to that reported last month. These are the upgrade of the Environmental Database, 'Confirm', (£307k), as approved by Cabinet in September 2014 and the Universal Infant Free School Meal Project, to upgrade/enhance school kitchens (£708k), as approved by Cabinet in June 2014.

Cabinet is now asked to approve the further addition to the capital programme of a new Regeneration project for £709k, to acquire and demolish the former Remploy site on Creek Road. The acquired site would be used to generate economic development in the area and also generate future capital receipts to the Authority from the sale of land. A capital budget will be created for this project, and the future capital receipts will be made available for funding the scheme.

### **Adult & Community Services (ACS)**

Adult & Community Services has a 2014/15 budget of £10.0m, which includes £7.8m for the Barking Leisure Centre. There is currently a projected overspend of £295k, which is in respect of the Barking Park project, for costs that have been delayed from the previous year. All other schemes will be reviewed to identify any budgets that can be released towards the overspend, otherwise a request will be made to Members for the cost to be met from reserves. There are no predicted variances on any of the other current schemes.

### **Children's Services (CHS)**

Children's Services has a 2014/15 budget of £30.8m. The majority of this budget is to fund various school expansion projects. An overall net underspend/slippage of £116k is currently forecast. This is due to a projected underspend of £218k on the Valance Halbutt Expansion, and a projected overspend of £101k on the Eastbury Primary Expansion.

### **Housing & Environment (H&E)**

Environmental Services has a 2014/15 capital budget of £5.4m which will fund various schemes such as the Street Lighting replacement, Highways Improvement programme and Parking schemes. At this stage, there are currently no pressures and officers are working to ensure all external funding is drawn down from funding bodies and that projects run to schedule. Current projections indicate an underspend of £20k in relation to final retention for the Barking Park Tennis project.

### **Chief Executive (CEO)**

The Directorate has a revised 2014/15 budget of £8.9m, and is currently reflecting an overall variance of (£250k), due to slippage on a Regeneration scheme. This is due to the Bath House project, as there has been a delay in the commencement of works. It is expected that the majority of the costs will now be incurred in 2015/16.

Schemes within Asset Strategy and ICT and are currently forecast to spend to budget.

### **Housing Revenue Account (HRA)**

The HRA has a revised capital programme for 2014/15 of £100.8m and is currently forecasting an overall underspend this year of £10.8m.

### **Estate Renewal**

The estate renewal schemes within the programme are currently expected to spend to budget

### **New Build**

The new build programme is currently showing a variance of £10.8m variance due to slippage on various schemes including £5.8m on the Leys Project and £3.6m on the Margaret Bondfield Project. This is partly due to consultation with residents and the subsequent need to revise scheme deliverables and partly due to design revisions.

### **Investment in own stock**

This budget is currently showing an overall net underspend of £25k, which is derived from various individual scheme over and underspends. It is currently forecast that the Decent Homes Central scheme and the Repairs and Maintenance

Capitalisation/Boiler Replacement project will exceed their budgets by £1.2m and £1.6m respectively. However, these overspends are more than offset by underspends in other areas, including the In Year Priorities budget of £950k, which is no longer required.

## 2.13 Financial Control

At the end of August, the majority of key reconciliations have been prepared and reviewed. Where they are outstanding, an action plan has been put in place to ensure that they are completed by the end of the financial year.

## 3 Options Appraisal

- 3.1 The report provides a summary of the projected financial position at the relevant year end and as such no other option is applicable for appraisal or review.

## 4 Consultation

- 4.1 The relevant elements of the report have been circulated to appropriate Divisional Directors for review and comment.
- 4.2 Individual Directorate elements have been subject to scrutiny and discussion at their respective Directorate Management Team meetings.

## 5 Financial Implications

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

## 6 Legal Issues

- 6.1 Local authorities are required by law to set a balanced budget for each financial year. During the year there is an ongoing responsibility to monitor spending and ensure the finances continue to be sound. This does mean as a legal requirement there must be frequent reviews of spending and obligation trends so that timely intervention can be made ensuring the annual budgeting targets are met.

### **Background Papers Used in the Preparation of the Report:**

Oracle monitoring reports

### **List of Appendices**

- **Appendix A** – General Fund expenditure by Directorate
- **Appendix B** – Savings Targets by Directorate
- **Appendix C** – Housing Revenue Account Expenditure
- **Appendix D** – Capital Programme

## GENERAL FUND REVENUE MONITORING STATEMENT

### August 2014/15

Directorate	Outturn 2013/14	Revised Budget	Forecast Outturn	Forecast Variance
	£000	£000	£000	£000
<b><u>Adult &amp; Community Services</u></b>				
Adult Social Care	45,354	27,554	27,515	(39)
Commissioning & Partnership		10,583	9,970	(613)
Culture & Sport	6,822	4,469	4,547	78
Mental Health	3,803	3,422	4,111	689
Public Health	(786)	785	785	-
Management & Central Services	(2)	8,763	8,648	(115)
	<b>55,191</b>	<b>55,576</b>	<b>55,576</b>	<b>-</b>
<b><u>Children's Services</u></b>				
Education	6,576	5,533	5,533	-
Complex Needs and Social Care	39,205	32,597	36,943	4,346
Commissioning and Safeguarding	9,607	9,199	9,505	306
Other Management Costs	9,628	14,520	14,520	-
	<b>65,016</b>	<b>61,849</b>	<b>66,501</b>	<b>4,652</b>
<b><u>Children's Services - DSG</u></b>				
Schools	169,101	176,960	176,960	-
Early Years	13,226	19,329	19,329	-
High Needs	22,920	26,874	26,874	-
Non Delegated	2,715	1,920	1,920	-
Growth Fund	2,489	3,037	3,037	-
School Contingencies	590	-	-	-
DSG/Funding	(211,041)	(228,120)	(228,120)	-
	-	-	-	-
<b><u>Housing &amp; Environment</u></b>				
Environment & Enforcement	22,425	20,499	20,499	-
Housing General Fund	3,161	3,586	3,586	-
	<b>25,586</b>	<b>24,085</b>	<b>24,085</b>	<b>-</b>
<b><u>Chief Executive Services</u></b>				
Chief Executive Office	(144)	(85)	(46)	39
Strategy & Communication	(305)	-	(70)	(70)
Legal & Democratic Services	212	468	213	(255)
Human Resources	(71)	45	(30)	(75)
Corporate Finance & Assets	15,510	18,010	17,975	(35)
Regeneration & Economic Development	2,994	2,621	2,621	-
	<b>18,196</b>	<b>21,059</b>	<b>20,663</b>	<b>(396)</b>
<b><u>Other</u></b>				
Central Expenses	(5,013)	(7,636)	(7,636)	-
Levies	-	9,685	9,685	-
Contingency	9,395	1,746	1,746	-
Budgeted Reserve Drawdown		(1,044)	(1,044)	-
	<b>4,382</b>	<b>2,751</b>	<b>2,751</b>	<b>-</b>
<b>TOTAL</b>	<b>168,371</b>	<b>165,320</b>	<b>169,576</b>	<b>4,256</b>

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**Directorate Savings Targets: Progress at Period 5**

Ref:	Detail	Target £000	Forecast £000	Variance £000	Current Position
<b>ACS/SAV/09</b>	Adoption of a mixed economy approach for the library service: closure of Rush Green library, transfer of Robert Jeyes library into a community management arrangement and a wholly volunteer led service at Marks Gate library.	593	593	-	Cabinet resolution 23 July 2013 that the difference between the original budget saving of £593k and the anticipated saving of £400k will be managed by the application of corporate contingency in 2014/15, and that for 2015/16 the shortfall be addressed as part of the budget savings requirement.
<b>ACS/SAV/11</b>	Reduce funding for care packages	200	200	-	Saving to be achieved from care budgets
<b>ACS/SAV/12</b>	Management Reductions (reduce social care GM)	40	40	-	Post deleted saving will be achieved
<b>ACS/SAV/13</b>	Homelessness Prevention	120	120	-	Budget and delivery of saving transferred to Housing
<b>ACS/SAV/14</b>	Reduce Carers Contract	14	14	-	Provider (Carers of Barking & Dagenham) informed of reduction
<b>ACS/SAV/15</b>	Advocacy - reduce to statutory provision	42	42	-	Plans to deliver this saving are in place
<b>ACS/SAV/16</b>	Do not extend core funding for DABD	35	35	-	Plans to deliver this saving are in place
<b>ACS/SAV/19</b>	Reduce business support in Adult Social Care	16	16	-	Post deleted saving will be achieved
<b>ACS/SAV/20</b>	Delete Arts Team	96	96	-	Deletion of Arts Development manager post in December 2013.
<b>ACS/SAV/21</b>	Delete Events Team and end all directly delivered and commissioned arts events and programmes	68	68	-	Deletion of Events team and programme scheduled before the end of the year.
<b>ACS/SAV/23</b>	Valence House - Heritage Education Team	40	40	-	Plan to deliver this saving in place.
<b>ACS/SAV/25</b>	Delete Neighbourhood Crime Reduction Team	133	133	-	Service redesign: savings to be achieved through utilisation of external funding streams

## Appendix B

<b>ACS/SAV/26</b>	Delete Anti Social Behaviour Team	121	121	-	Service redesign: savings to be achieved through utilisation of external funding streams
<b>ACS/SAV/28</b>	Reduce strategic commissioning posts	28	28	-	Post deleted saving will be achieved
<b>ACS/SAV/29</b>	Reduce dedicated support to service users and carers	19	19	-	Post deleted saving will be achieved
<b>ACS/SAV/30</b>	Metropolitan Police - Cease Funding Parks Team	160	160	-	Plans to deliver this saving are in place
<b>ACS/SAV/31</b>	Youth Offending - Cessation of triage and prevention interventions	200	200	-	Plans to deliver this saving are in place
<b>ACS/SAV/33</b>	Supporting People Grant Changes	200	200	-	Steps to deliver this saving has been confirmed with Housing colleagues
<b>Feb 2012 Assembly</b>	Remodelling homecare services in line with the principles of personalisation	100	100	-	Saving achieved following choice & control restructure
<b>Feb 2012 Assembly</b>	Revisions to pricing framework for Care Home Placements	24	24	-	Pricing framework revised - saving will be achieved
<b>Feb 2012 Assembly</b>	Changes to in-house residential care service for adults with a learning disability (80 Gascoigne)	50	50	-	To be achieved by moving service users currently in high cost external placements to 80 Gascoigne Rd
<b>Feb 2012 Assembly</b>	Remodel of learning disability day, volunteering and employment services	100	100	-	Plans to deliver this saving are in place
<b>Feb 2012 Assembly</b>	Expanding commercial opportunities at heritage venues	40	0	40	Income budget to be added to shortfall in current Eastbury House income generation so it is expected that this saving would add to this shortfall. However, the shortfall is expected to be absorbed within the wider Culture & Sport income targets
<b>Total Adult &amp; Community Services</b>		<b>2,438</b>	<b>2,398</b>	<b>40</b>	

## Appendix B

Ref:	Detail	Target	Forecast	Variance	Current Position
		£000	£000	£000	
CHS/SAV/16	Adult College –Saving in General Support	100	100	0	On target to be achieved
CHS/SAV/17	Education -Advisory Teachers	200	200	0	On target to be achieved
CHS/CS03	Education -Borough Apprentice Scheme	50	50	0	On target to be achieved
CHS/SAV	Education - Attendance	40	40	0	On target to be achieved
CHS/SAV/17	Education – Special Inclusion Team	50	50	0	On target to be achieved
CHS/SAV/19	Education	200	200	0	On target to be achieved
CHS/SAV/20	Education – Youth Services Central	460	460	0	On target to be achieved
CHS/SAV/21	Education – SSE Early Years and Childcare	50	50	0	On target to be achieved
CHS/SAV/22	Commissioning -SSE Children’s Centres Central	1,614	1,614	0	On target to be achieved
CHS/SAV/07	Commissioning - CAMHS	50	50	0	On target to be achieved
CHS/SAV/CS07a	Commissioning – Performance and Information	55	55	0	On target to be achieved
CHS/SAV/CS07b	Commissioning –Commissioning and Partnerships	25	25	0	On target to be achieved
CHS/SAV/13	Commissioning – Performance and Information	70	70	0	On target to be achieved
<b>Total</b>		<b>2,964</b>	<b>2,964</b>	<b>0</b>	

Ref	Detail	Target	Forecast	Variance	Current Position
		£000	£000	£000	
H&E/SAV/13	Environmental Services - Remove infrastructure and reduction in maintenance; and identify alternative community use for spaces where possible	195	195	0	20 GMO staff (0.5 FTE's) have been removed from the Grounds maintenance budget. Staff impacted have either left or are in other non-GMO roles.
H&E/SAV/15	Recharge GF works to the Parking Account	100	0	100	Savings not achieved due to mitigating the loss of assets including Axe Street Car Park, Becontree Heath Car Park and areas of CPZ which were removed resulting in lost income from permits sales. Also decreases in income for Pay and Display as fees were not increased to take into account the convenience charge for telephone parking.
H&E/SAV/16	Housing Advice Service - Reduction in temporary Accommodation Costs	225	225	0	Savings delivered through reduction in B&B use/Increased hostel and other housing options
H&E/SAV/17	Parking - increase the volume of enforcement activity delivered by surveillance cameras and cars; and implement paperless parking systems including online and telephone payments and automatic number recognition.	300	225	75	<p>-Generation of <b>£150k</b> for increased levels of enforcement and efficiencies within the service.</p> <p><b>-Paperless parking and enforcement by ANPR - £55k</b></p> <p>Paperless parking project is due to go live in April 2015; there has been a delay in this going live due to other IT issues that have occurred. To be rolled forward to 2015/16</p> <p><b>-Online permit sales</b></p> <p>This is in place and the footfall of customers is down by 10% since April 2014. As the on-line applications increase this has had an effect on resource in the back office. Savings is not achievable as it was taken by the one stop shop and not by parking.</p> <p><b>-Consultation - £20k</b></p> <p>A review of the service to be undertaken only part year saving to be delivered. Full year equates to £40k</p>

## Appendix B

Ref	Detail	Target	Forecast	Variance	Current Position
		£000	£000	£000	
<b>Feb 2012 Assembly</b>	Making Parks more commercially sustainable	9	9	0	Savings delivered through income received from Masts
<b>FIN&amp;RES/SAV/19</b>	Facilities Management - Closure of buildings as part of the office accommodation strategy	300	5	295	Savings not yet achieved as both 2 & 90 Stour road buildings have not yet closed.
<b>ACS/SAV/13</b>	Homelessness Prevention	120	120	0	Savings delivered and affected staff have been retained due to Public Health grant funding obtained.
<b>Total</b>		<b>1,129</b>	<b>659</b>	<b>470</b>	

Ref:	Detail	Target	Forecast	Variance	Current Position
		£000	£000	£000	
<b>FIN&amp;RES/SAV/01</b>	Regeneration - delete a post in the Transport Planning team from 2014/15	53	53	0	Savings achieved and post deleted.
<b>FIN&amp;RES/SAV/06</b>	Efficiencies through implementation of Oracle R12	200	200	0	Savings achieved
<b>FIN&amp;RES/SAV/18</b>	Merger of the Corporate Client and Capital Delivery Teams	125	125	0	Restructure completed and savings achieved
<b>FIN&amp;RES/SAV/20</b>	Regeneration - Further savings on the Economic Development and Sustainable Communities Team	240	240	0	Savings achieved
<b>FIN&amp;RES/SAV/21</b>	Regeneration - Further savings in the Employment & Skills Team	307	307	0	Savings achieved
<b>FIN&amp;RES/SAV/22</b>	Regeneration - additional income from the increase in nationally set planning fees.	52	52	0	Income target increased, savings on track to be delivered.
<b>CEX/SAV/09</b>	Human Resources - Cost of Health and Safety Team	56	56	0	Savings achieved, post deleted
<b>CEX/SAV/10</b>	Strategy & Communications - Further reduction and sharing of Service	70	70	0	Savings achieved and shared arrangement with Thurrock Council in place.

<b>Feb 2012 Assembly</b>	Merge Payroll and HR Support (within Elevate)	116	116	0	Achieved
<b>Total</b>		<b>1,219</b>	<b>1,219</b>	<b>0</b>	

### HRA Savings

Detail	Target	Forecast	Variance	Current Position
Cease Sheltered Housing warden service to London and Quadrant and closure of St Mary Sheltered Housing Unit	103	103	0	Service recharged to L&Q
Efficiency savings for housing Repairs and Maintenance	490	490	0	Expected to deliver saving
Undertake a economic, technical and operational review of DLO	500	500	0	On-going restructure expected to deliver saving
Capitalisation of Voids	1,000	1,000	0	Charged to appropriate capital budget
Reduction in concierge due to demolition of blocks	300	300	0	Service no longer in place following demolition of blocks
Tenants Resource Centre	15	15	0	Achieved via a reduction in discretionary spend
Reduce provision for bad debts in HRA 2014/15	500	500	0	Bad Debt provision level expected to be sufficient
Increased commission on Water Services	251	251	0	Achieved. Higher percentage negotiations ongoing
Provide leasehold management services to Thurrock Council	50	50	0	First quarter invoice to be submitted
Reduction in Corporate Recharges to the HRA	743	743	0	Achieved as part of recharge review
CDC Reduction	126	126	0	Achieved as part of recharge review
Neighbourhood Management	92	61	31	ACS expect to achieve 75% saving
Additional rental income on Street Purchase	70	52	18	A number of properties have not be occupied for the full year the expected rental income is therefore £52k
Energy billing housing property communal areas	318	0	318	Not currently expected to be achieved – review underway
Tenants Participation Team restructure	40	40	0	Budget saving achieved
Housing and Neighbourhood Staffing Structures	510	150	360	Not currently expected to be achieved in full. Current projection is £150k will be delivered if implemented in Q4
Repairs and Maintenance services provided to B&D Reside	190	0	190	Due to the high level of Voids income will not be passed to the HRA

## Appendix B

Housing Management services provided to B&D Reside	77	0	77	Due to the high level of Voids income will not be passed to the HRA
Reduction improvement team and fleet	226	0	226	Six improvement staff and one quality assurance post transferred to R&M - staff are unbudgeted. Line management was transferred at the end of 13/14.
Vehicle contract hire	23	23	0	This particular vehicle was removed, however, there remains a wider pressure on vehicle costs.
Caretaking supplies	100	100	0	This budget was reduced and spend is currently on track to be at the revised level.
Reduction in caretaking and fleet	201	201	0	5 Staff positions across localities were removed and a further fleet reduction delivered.
Ground Maintenance reduction	60	60	0	2 x Grounds maintenance operatives were removed from the structure. Saving delivered. There remains a significant pressure of establishment spend within the service.
Reduction of two working supervisor posts from Environmental Services	66	66	0	2 x Working hands supervisors were removed from structure. Savings delivered. There remains a significant pressure of establishment spend within the service.
Closure of Abbey Depot	40	40	0	Depot was closed and no associated premises costs are to be incurred. Saving delivered.
Quality Assurance Post	41	41	0	Staff member has left. Saving delivered.
<b>TOTAL</b>	<b>6,132</b>	<b>4,912</b>	<b>1,220</b>	

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HRA MONITOR 2014-15 AUGUST

APPENDIX C

HRA CATEGORY	Budget	ATD	Forecast	Variance
A. Rents	(87,000,000.00)	(35,640,533.56)	(87,000,000.00)	0.00
B. Non Dwelling Rents	(2,503,000.00)	(1,108,907.16)	(2,316,862.95)	186,137.05
C. Other Income	(16,401,400.00)	(13,307,584.93)	(16,583,699.09)	(182,299.09)
D. Capitalisation of Repairs	(2,000,000.00)	0.00	(2,000,000.00)	0.00
E. Repairs & Maintenance	19,205,000.00	13,904,244.40	19,713,004.00	508,004.00
F. Supervision and Management	37,768,500.00	8,228,371.18	37,831,558.04	63,058.04
G. Rents, Rates & Other	700,000.00	479,219.33	600,000.00	(100,000.00)
H. Revenue Contribution to Capital & Depreciation	35,453,000.00	146,654.90	35,453,000.00	0.00
I. Bad Debt Provision	4,669,900.00	2,001,257.19	4,659,000.00	(10,900.00)
J. Interest Charges	9,759,000.00	(101,849.18)	9,659,000.00	(100,000.00)
K. Corporate & Democratic Core	685,000.00	0.00	685,000.00	0.00
L. Interest Received	(336,000.00)	0.00	(700,000.00)	(364,000.00)
<b>Grand Total</b>	<b>0.00</b>	<b>(25,399,127.83)</b>	<b>(0.00)</b>	<b>(0.00)</b>

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## 2014/15 CAPITAL PROGRAMME - as at the end of August 2014

Project Level Detail	Current Year Budget	Current Year Spend	Current Year Forecast	Current Year Variance
<b>Adult &amp; Community Services (ACS)</b>				
FC00106 - Private Households DFGs	573,715	362,574	573,715	0
FC02266 - PGSS - Barking Park		295,373	295,373	295,373
FC02855 - Mayesbrook Pk Athletics Arena	212,220	17,805	212,220	0
FC02870 - Barking Leisure Centre	7,888,877	2,466,924	7,888,877	0
FC02888 - Direct Pymt Adaptations	385,333	123,740	385,333	0
FC02913 - 80 Gascoigne Road Care Home	3,672		3,672	0
FC02976 - Community Capacity Grant	991,908	3,500	991,908	0
<b>ACS Total</b>	<b>10,055,725</b>	<b>3,269,915</b>	<b>10,351,098</b>	<b>295,373</b>
<b>Chief Executive (CEO)</b>				
FC02458 - New Dag Library & Customer 1st	73,666	40,599	73,666	0
FC02542 - Backlog Capital Improvements	990,442	55,753	990,442	0
FC02565 - Corporate Accom Strategy	1,010,842	364,186	1,010,842	0
FC02577 - Legionella Works Public Buildings		(10,751)		0
FC02578 - Asbestos Works - Public Buildings	15,916	964	15,916	0
FC02587 - Energy Efficiency Programme	150,000	14,615	150,000	0
FC02596 - LEGI Business Centres	80,000	(7,537)	80,000	0
FC02738 - Modernisation and Improvement Capital Fund	2,040,814	533,660	2,040,814	0
FC02771 - Automatic Meter Reading Equip	19,952		19,952	0
FC02775 - Barking Town Centre Links Project - Links to Town Sq & Abbey Green		525		0
FC02819 - London Road / North Street		2,579		0
FC02821 - Shopping Parade Enhancements	151,032	2,896	151,032	0
FC02841 - Biking Borough Initiative (TFL)		(515)		0
FC02877 - Oracle R12 Joint Services	1,584,196	199,156	1,584,196	0
FC02891 - Merry Fiddlers Junction Improvements Year 2 (TFL)		(1,317)		0
FC02893 - Thames Road Corridor Improvement Scheme		5,205		0
FC02895 - Chadwell Heath Station Improvements (TFL)		6,935		0
FC02898 - Local Transport Plans (TFL)	66,500	50,673	66,500	0
FC02901 - Creekmouth Arts & Hrtge Trail	170,550	19,675	170,550	0
FC02902 - New Market Square (Shrot Blue Place) - Barking Phase II	146,491	6,717	146,491	0
FC02914 - Barking Job Shop Relocation	45,504		45,504	0
FC02926 - Outer London Fund Round 2		20,749		0
FC02928 - Captain Cook Site Acquisition and Public Realm Works (Abbey Leisure Centre)	316,109		316,109	0
FC02962 - Principal Rd Resurfng 2013-14	532,000	484,967	532,000	0
FC02963 - Mayesbrook Nghbrhd Imprv 13-14	47,500	52,302	47,500	0
FC02965 - Safer & Smarter Travel Programme		(2,003)		0
FC02969 - Economic Dev Growth Fund	324,775		75,000	(249,775)
FC02994 - Renwick Rd/Choats Rd Saf Imprv	712,500	14,997	712,500	0
FC02995 - Ballards Rr/New rd Jnc Impr	95,000	76,978	95,000	0
FC02996 - Barking Town Centre Improv	237,500		237,500	0
FC02997 - A12 Whalebone Junction Improv	47,500		47,500	0
FC03000 - MAQF - Green Wall Project	42,000	7,750	42,000	0
<b>CEO Total</b>	<b>8,900,789</b>	<b>1,939,755</b>	<b>8,651,014</b>	<b>(249,775)</b>

## 2014/15 CAPITAL PROGRAMME - as at the end of August 2014

Project Level Detail	Current Year Budget	Current Year Spend	Current Year Forecast	Current Year Variance
<b>Children's Services (CHS)</b>				
FC02217 - John Perry Children's Centre	9,619		9,619	0
FC02310 - William Bellamy Children Ctr	6,458		6,458	0
Schools Devolved Formula Capital	1,096,721	226,373	1,096,721	0
FC02723 - Skills Centre	170,000	161,094	170,000	0
FC02724 - Basic Needs Projects	5,615	14,682	5,615	0
FC02736 - Roding Primary Cannington	136,939	5,570	136,939	0
FC02745 - George Carey CE Primary School (formerly Barking Riverside Primary)	300,000	6,313	300,000	0
FC02751 - School's Kitchen Ext 10/11	10,826	10,735	10,826	0
FC02759 - Beam Primary School Expansion	81,231		81,231	0
FC02784 - Manor Longridge	320,416	12,675	320,416	0
FC02786 - Thames View Junior School Expansion and Refurbishment	28,592	4,516	28,592	0
FC02787 - Cambell Junior School	17,626		17,626	0
FC02790 - St Georges New Primary School	25,385		25,385	0
FC02799 - St Josephs Primary - Expansion	20,601		20,601	0
FC02800 - St Peter's Primary - Expansion	33,869		33,869	0
FC02826 - 512a Heathway conversion to a Family Resource Centre	69,948		69,948	0
FC02860 - Monteagle Primary - QF	80,549		80,549	0
FC02861 - Eastbury Primary - Exp	275,000	226,744	375,000	100,000
FC02862 - Gascoigne Primary - Exp	44,756		44,756	0
FC02863 - Parsloes Primary - Exp	34,972		34,972	0
FC02864 - Godwin Primary - Exp		3,331	1,027	1,027
FC02865 - William Bellamy - Inf/Jun Exp	2,500,000	1,344,214	2,500,000	0
FC02867 - Southwood Primary - Exp	1,060		1,060	0
FC02878 - 512a Heathway (phase 2)	7,222		7,222	0
FC02900 - Becontree Primary Expansion	24,347		24,347	0
FC02906 - School Expansion SEN projects	500,000	37,065	500,000	0
FC02909 - School Expansion Minor Projects	500,000	101,030	500,000	0
FC02918 - Roding Cannington	38,642	703	38,642	0
FC02919 - Richard Alibon Expansion	771,769	870,080	771,769	0
FC02920 - Warren/Furze Expansion	50,026	8,521	50,026	0
FC02921 - Manor Infant Jnr Expansion	1,850,000	1,492,941	1,850,000	0
FC02922 - Valence Halbutt Expansion	232,616	11,432	15,000	(217,616)
FC02923 - Rush Green Expansion	167,648		167,648	0
FC02924 - St Josephs Primary Extn	94,985	71,983	94,985	0
FC02929 - SMF 2012/13	968,394	332,883	968,394	0
FC02932 - Trinity 6th Form Provison	152,690		152,690	0
FC02953 - All Saints expansion 13-15	3,883,568	2,719,120	3,883,568	0
FC02954 - Jo Richardson Expansion 13-15	2,745,000		2,745,000	0
FC02955 - Barking Riverside City Farm	287,709	(180,943)	287,709	0
FC02956 - Marsh Green Primary 13-15	200,000	5,707	200,000	0
FC02957 - John Perry school Exp 13-15	1,420,320	766,809	1,420,320	0
FC02958 - Fanshawe Adult College 13-15	144,053	1,010	144,053	0
FC02959 - Rober Clack Expansion 13-15	100,000	2,908	100,000	0
FC02960 - Parsloes Fanshawe Primary Exp	1,614,132	47,143	1,614,132	0
FC02972 - 2 Year Old Nursery Places	1,304,806	390,448	1,304,806	0
FC02974 - Robert Clack Artificial Football Pitch	283,329	22,644	283,329	0
FC02975 - Barking Abbey Artificial Football Pitch	629,797	47,454	629,797	0
FC02977 - Barking Riverside Sec Free Sch	3,000,000	158,193	3,000,000	0
FC02978 - SMF 2013/14	804,260	349,313	804,260	0
FC02979 - Gascgn Prmry - Abbey rd Depot	1,998,398		1,998,398	0

## 2014/15 CAPITAL PROGRAMME - as at the end of August 2014

Project Level Detail	Current Year Budget	Current Year Spend	Current Year Forecast	Current Year Variance
FC02998 - Marks Gate Junior School 2014-15	496,750	11,401	496,750	0
FC03010 - SMF 2014-16	557,629		557,629	0
FC03013 - Universal Infant Free School Meals Project	708,101		708,101	0
<b>CHS Total</b>	<b>30,806,374</b>	<b>9,284,089</b>	<b>30,689,785</b>	<b>(116,589)</b>
<b>Housing &amp; Environment GF (H&amp;E)</b>				
FC02567 - PGSS Abbey Green	9,093	475	9,093	0
FC02764 - Street Light Replace 09/10	1,417,969	129,392	1,417,969	0
FC02817 - Mayesbrook Park Improvements	10,926		10,926	0
FC02873 - Environmental Improvements & Enhancements	94,763	10,792	94,763	0
FC02886 - Parking Strategy Improvements	91,245		91,245	0
FC02887 - Frixlands Workshop Major Works		3,428		0
FC02911 - Quaker Burial Ground	48,312	1,619	48,312	0
FC02912 - Barking Park Tennis Project	27,397		7,397	(20,000)
FC02930 - Highways Improvement Programme	2,450,171	52,115	2,450,171	0
FC02964 - Road Safety Improv Schms 13-14	328,475	26,403	328,475	0
FC02981 - Parkmap Scheme (TMO)	57,126		57,126	0
FC02982 - Controlled Prkng Zones (CPZ's)	255,155		255,155	0
FC02999 - Rippleside Cmtry Prov 2014-15	63,000	1,854	63,000	0
FC03011 - Struct Rep's & Maintce-Bridges	250,000		250,000	0
FC03012 - Environmental Asset Database Expansion	306,428		306,428	0
<b>H&amp;E Total</b>	<b>5,410,060</b>	<b>226,079</b>	<b>5,390,060</b>	<b>(20,000)</b>

## 2014/15 CAPITAL PROGRAMME - as at the end of August 2014

Project Level Detail	Current Year Budget	Current Year Spend	Current Year Forecast	Current Year Variance
<b>Housing Revenue Account (HRA)</b>				
FC00100 - Aids & Adaptation	800,000	99,584	800,000	0
FC02811 - Members Budget	360,000	18,155	324,000	(36,000)
FC02820 - Boroughwide Estate Renewal	6,680,000	2,164,185	6,680,000	0
FC02823 - Council Housing Phase 3	300,000	225,565	300,000	0
FC02916 - Lawns & Wood Lane	2,039,158	1,564,586	1,980,276	(58,882)
FC02917 - Abbey Road (Phase 1)	5,458,000	2,721,477	5,458,000	0
FC02931 - Leys New Build Dev (HRA)	12,530,000	1,784,135	6,745,276	(5,784,724)
FC02933 - Voids	1,000,000	0	1,000,000	0
FC02934 - Roof Replacement Project	2,400,000	1,461,748	1,900,000	(500,000)
FC02938 - Fire Safety Works	1,600,000	(150,539)	1,600,000	0
FC02939 - Riverside House Refurb	270,000	1,820	270,000	0
FC02943 - Asbestos Rmval Communal Areas	420,000	123,882	420,000	0
FC02945 - Street Properties Acquisition	400,000	6,244	400,000	0
FC02950 - Central Heating Installation Phase 2	2,000,000	155,358	2,371,905	371,905
FC02961 - Goresbrook Village Housing Development	7,684,000	1,633,253	7,684,000	0
FC02970 - Marks Gate Open Gateway Regen Scheme	11,394,000	854,965	12,067,237	673,237
FC02983 - Decent Homes Backlog Prog	5,750,000	7,623,242	6,950,000	1,200,000
FC02984 - Becontree Heath Envelop Proj	2,880,000	1,167,159	2,440,000	(440,000)
FC02988 - Margaret Bondfield New Build	5,119,000	716,290	1,500,000	(3,619,000)
FC02989 - Ilchester Road New Build	1,500,000		500,000	(1,000,000)
FC02990 - Abbey Road Phase II New Build		20571.6		0
FC02991 - North St	1,300,000	110	300,000	(1,000,000)
FC03001 - Decent Homes (North)	10,543,956	10,375	10,543,956	0
FC03002 - Decent Homes (South)	9,705,264	10,375	8,746,176	(959,088)
FC03003 - Decent Homes (Blocks)	3,400,000		3,087,914	(312,086)
FC03004 - Decent Homes (Sheltered)	1,800,000	3,240	1,800,000	0
FC03005 - Decent Homes Small Contactors	275,000		275,000	0
FC03006 - In Year Priorities 2014-15	950,000		0	(950,000)
FC03007 - Windows	250,000		250,000	0
FC03008 - R&M Capitalisation/Boiler Replacement	2,000,000	752,270	3,600,000	1,600,000
FC03009 - Leys Estate - Phase II				0
<b>HRA Total</b>	<b>100,808,378</b>	<b>22,968,051</b>	<b>89,993,740</b>	<b>(10,814,638)</b>
<b>Grand Total</b>	<b>155,981,326</b>	<b>37,687,888</b>	<b>145,075,697</b>	<b>(10,905,629)</b>

## CABINET

21 October 2014

<b>Title:</b> Transport Projects to Deliver Growth - Update and Review	
<b>Report of the Cabinet Members for Regeneration and Environment</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Daniel Pope, Development Planning Group Manager	<b>Contact Details:</b> Tel: 020 8227 3929 E-mail: daniel.pope@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director Regeneration	
<b>Accountable Director:</b> Steve Cox, Director of Growth	
<p><b>Summary:</b></p> <p>At its meeting on 22 October 2013, Cabinet agreed the transport projects necessary to unlock the regeneration of London Riverside and the actions to deliver these (Minute 47 refers). This report provides an update on progress with these actions and provides a review of the priorities in the light of the Borough's new vision and priorities. It also takes into account the Mayor's Infrastructure Plan 2050 which is the subject of a separate report.</p> <p>The Borough's new vision and priorities recognise Barking and Dagenham as London's growth opportunity comprising the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk. To deliver this it is recommended that the transport projects agreed last year are updated and added to as shown below. These are in no particular order:</p> <ol style="list-style-type: none"> <li>1. A13 as a priority transport corridor for investment to relieve congestion and facilitate movement</li> <li>2. Barking to Stratford direct rail link with ultimately an eastern spur of Crossrail 2</li> <li>3. New C2C stop at Dagenham East underground station</li> <li>4. Moving Barking Station from zone 4 to zone 4/3 and renaming Hammersmith and City line, Hammersmith to Barking line.</li> <li>5. Direct rail access from Stratford to Stansted</li> <li>6. London Overground extension to Barking Riverside (zone 3/4) and to Abbey Wood Crossrail Station and continued safeguarding of the DLR from extension to Dagenham Dock</li> <li>7. Barking Station Improvements</li> <li>8. New road river crossing from South Hornchurch to Belvedere followed by Gallions Reach to Woolwich.</li> <li>9. Barking Riverside to Gallions Reach river crossing.</li> <li>10. Improved public transport links to Royal Docks, Barking Riverside, South Dagenham, Chadwell Heath and Romford</li> </ol> <p>It is recommended that these projects are embodied in the emerging Local Plan, so that</p>	

the Council can be clear with those responsible for delivering new transport infrastructure what its priorities are and why. It also lists a number of updated actions for the Council to support the delivery of these projects. The report ends with an updated Vision for Transport which provides an image of what transport in Barking and Dagenham would be like in 2030 if the Council's transport priorities were delivered.

### **Recommendation(s)**

The Cabinet is asked to agree:

- (i) To support and lobby for the following key transport projects to assist in delivering the five growth hubs:
  - 1. A13 as a priority transport corridor for investment to relieve congestion and facilitate movement
  - 2. Barking to Stratford direct rail link with ultimately an eastern spur of Crossrail
  - 3. New C2C stop at Dagenham East underground station
  - 4. Moving Barking Station from zone 4 to zone 4/3 and renaming Hammersmith and City line, Hammersmith to Barking line.
  - 5. Direct rail access from Stratford to Stansted
  - 6. London Overground extension to Barking Riverside (zone 3/4) and Abbey Wood Crossrail Station and continued safeguarding of the DLR extension to Dagenham Dock.
  - 7. Barking Station Improvements
  - 8. New road river crossing from South Hornchurch to Belvedere followed by Gallions Reach to Woolwich.
  - 9. Barking Riverside to Gallions Reach river crossing.
  - 10. Improved links to Royal Docks, Barking Riverside, South Dagenham, Chadwell Heath and Romford
- (ii) The actions listed in paragraph 2.41 of the report to support the delivery of these transport projects.

### **Reason(s)**

This report reviews the transport projects necessary to unlock the regeneration potential of Barking and Dagenham, London's growth opportunity and in particular the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk.

## **1. Introduction and Background**

- 1.1 Barking and Dagenham enjoys a pivotal location at the centre of an internationally significant growth zone with the Royal Docks, Stratford and Lower Lea Valley to the west, the M11 and Stansted Corridor to the north and the Thames Gateway to the east. It is home to some of London's most significant development opportunities. However investment in transport infrastructure is necessary to unlock their potential.
- 1.2 The Borough's new vision and priorities recognise Barking and Dagenham as London's growth opportunity comprising the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable

Industries Park and Londoneast-uk. 22 October Cabinet 2013 agreed a list of transport projects and associated actions to unlock the regeneration potential of London Riverside (Minute 47 refers). This report provides an update on progress with these actions and provides a review of the priorities in the light of the Borough's new vision and priorities. It also takes into account the Mayor's Infrastructure Plan 2050 which is the subject of a separate report.

## 2. Proposals and Issues

### **Priority 1 - A13 as a priority transport corridor for investment to relieve congestion and facilitate movement (reworded so consistent with Barking and Dagenham new vision and priorities)**

- 2.1 Agreed action of 22 October Cabinet 2013 – The Council writes to Transport for London to ask it to include the A13 between Lodge Avenue and Gale Street on its list of schemes to assess the feasibility of undergrounding; and to get more clarity on the status of the Renwick Road Junction improvements and the timing of the Lodge Avenue Flyover replacement.
- 2.2 Priority review and action update – The latest data from Transport for London shows that by 2021 due to population and business growth, delays on the A13 are forecast to grow by over 30% in Barking and Dagenham in the morning and evening peaks with the Lodge Avenue and Renwick Road junctions particularly affected. The whole of the A13 corridor is also one of the most polluted roads in London with particularly poor air quality at the Lodge Avenue flyover and Goresbrook Junctions. This reinforces the need for improvements in these locations.
- 2.3 The original grade separated Renwick Road Junction scheme commissioned by Transport for London is estimated to cost £75 million. A less expensive alternative is for a bus bridge across the A13, a slip road off the A13 into Renwick Road and a road linking Renwick Road to the Lodge Avenue Roundabout. A Council study has confirmed the bus bridge is feasible at a cost of between £10-£12 million and the link to lodge Avenue roundabout would cost around £20m. This link would be complicated by the need to compulsorily purchase affected land. In addition under the Design Building Finance Operate contract for the A13 Transport for London are obliged to replace the Lodge Avenue flyover before 2025. Clearly, in the interests of minimising disruption and economies of scale it would make sense to undertake these two projects at the same time, which would mean bringing forward the Lodge Avenue flyover replacement. Transport for London's response to the Road Task Force highlights that Renwick Road Junction Improvements will be funded from the £4bn set aside in the TfL Business Plan 2016-2021/22 for investment in the TfL road network. However there is currently doubt about this commitment as this funding may be may be used as part of TfL's contribution to the London Overground extension to Barking Riverside.
- 2.4 Transport for London's response to the Road Task Force report also states that Transport for London will assess by mid 2014 possible locations for roofing over or tunnelling major roads to minimise traffic impact, enable development and reduce community severance, especially to reduce community impacts in growth areas. Officers consider that the A13 between Lodge Avenue and Gale Street is a prime candidate in this regard. This would remove the severance caused by the A13 and enable free movement from Renwick Road across to Castle Green and the

Becontree Estate as well as unlocking additional housing land. This is a radical solution, with a number of challenges to overcome, but one that officer's recommend is worth investigating since Transport for London is looking for possible locations.

- 2.5 The Council wrote to Isabel Deding on 4 December on these matters. Isabel confirmed that this will be informed by the study that TfL are currently undertaking on the A13 which will assess opportunities for improvements along the A13 corridor in the short, medium and long term in the context of growth. An interim report is due October 2014 and is due to be complete by end of 2014. This is also tied into the river crossing options. The Council has consistently argued that both these improvements should be complete before the Silvertown Tunnel opens in 2021.

New Action – Council to review A13 report and in agreement with Lead Member for Regeneration agree an appropriate response.

**Priority 2 - Barking to Stratford direct rail link with ultimately an eastern spur of Crossrail (reworded so consistent with Barking and Dagenham new vision and priorities)**

- 2.6 Agreed action of 22 October Cabinet 2013 - The Council commissions a study into the feasibility and cost of improving the "Forest Gate Cut" junction to allow direct trains to run between Barking and Stratford
- 2.7 Priority review and action update – C2C have recently been awarded the new fifteen year Essex Thameside franchise. This commences in 9 November 2014 and runs until 2029. As part of this they have committed to running 25% of weekend services to Stratford and onto Liverpool Street from 2015.
- 2.8 Ultimately the best way to achieve a direct rail link from Barking to Stratford is via an extension of Crossrail 2. Having previously been discounted by the Mayor of London this option has recently resurfaced. The Council met members of the Transport for London Crossrail 2 team on 24 April 2014 and this was followed by a visit to Barking on 18 July 2014. The Council also wrote to the Mayor of London on 23 June 2014 confirming its support for the scheme and also restating the business case. Transport for London has done some preliminary work on the feasibility of the link which has highlighted that most recent demand models include potential uplift.
- 2.10 Transport for London have confirmed that a decision on whether to proceed with a more detailed feasibility study into a spur to Barking via Stratford will be made after they have reviewed the responses to the recent consultation on the Crossrail 2 alignment. During June and July TfL consulted on a number of detailed Crossrail 2 issues including two route alignments north of Angel. The Council responded to this consultation making the case for the Barking link, supporting the Hackney northern alignment and that land for the Hackney junction box should be safeguarded which is necessary to allow the spur to be created. If this does proceed and there is a sufficiently strong business case, consultation would take place next summer. However Crossrail 2 would not come to Barking before 2030.
- 2.11 In parallel with this the Council has recently tendered for a study into the feasibility and cost of improving the "Forest Gate Cut" junction to allow direct trains to run between Barking and Stratford as agreed by Cabinet. The cost is £110,000, which

is more than originally envisaged and greater than the funding the Council has available through its Local Implementation Plan Local Transport Fund. If the funding is confirmed a consultant can be appointed to undertake this commission. This would investigate a number of options using existing infrastructure including Barking to Stratford and onto Liverpool Street and Barking to Stratford and then onto Fenchurch Street via West Ham gas curve. The report could be delivered in February 2015 and then fed into Network Rail's Greater Anglia Rail Study which will influence the priorities for Control Period 5 (2019-2024). This would enable the Council to make the case for more immediate improvements to Barking to Stratford rail services.

New Action – Subject to funding officers to report back to Cabinet on Barking to Stratford report recommendations and next steps in May 2015.

### **New Priority 3 - New C2C stop at Dagenham East underground station**

- 2.12 This links to priority 2. When the first consultation on the tender for the Essex Thameside franchise was launched in 2012 the Council responded amongst other things that a metro style service should be introduced to provide enhanced services in Outer London. It was suggested that these services could start at Upminster and run into Stratford and Liverpool Street to relieve pressure on services into Fenchurch Street. This does not feature in the final specification for the recently awarded franchise. However a C2C stop at Dagenham East station would significantly bolster the ambitious plans for london-east-uk. Network Rail is currently developing its Anglia Route Study. Although this has a planning horizon of 2043 it is also being used to identify the requirements for Control Period 6 (2019-2024). The draft Study is due to be published at the end of October 2014 with the final version published June 2015. It is recommended that the Council respond to the draft study that funding should be identified for a stop at Dagenham East in Control Period 6. It is also recommended that the Council explore the potential for this with National Express the current franchise holder.

New Action – Officers to submit to the consultation on the draft Anglia Route Study that funding be earmarked in Control Period 6 for a C2C stop at Dagenham East stations.

### **New Priority 4 - Moving Barking Station from zone 4 to zone 4/3 and renaming Hammersmith and City line, Hammersmith to Barking line.**

- 2.13 The Mayor of London has recently announced that Stratford will move from zone 3 to 3/2. The implementation of the rezoning of Stratford station has been scheduled for January 2016, as TfL will need to agree the necessary changes to the Travelcard Agreement with the Association of Train Operating Companies and the Department for Transport. In response the Council wrote to the Mayor of London on 23 July 2014 welcoming the Mayor's decision as it recognises the reality that London's centre of gravity is marching inexorably east and that the travel zones need updating to reflect this not only in Stratford but also Barking. Barking exhibits the characteristics of inner London and is London's next opportunity but rezoning Stratford in isolation increases the perceptual gap between it, Stratford and Central London. The main reason for rezoning Stratford is to make it a more attractive place to invest and there is a fear that this will have the opposite impact on Barking if it is

left unchanged. It also undermines Convergence which is focused on ensuring that the host boroughs have the same social and economic chances as their neighbours across London.

- 2.14 After Stratford, Barking is East London's best connected town centre offering London Overground, Underground and C2C mainline train connections and the Council hopes to establish a direct rail link to Stratford. This has led to a dramatic rise in passenger use over the last five years at the station and Barking has risen from 79<sup>th</sup> to 40<sup>th</sup> busiest station in the country. However whilst someone travelling from Stratford to Canary Wharf will from 2016 be able to do so entirely within zone 2, the same journey from Barking involves zones 2, 3 and 4 and the extra cost this entails. It would also be hugely beneficial for residents to be able to travel to Stratford within the same zone. Currently residents of East Ham are in zone 4/3 and can travel to Stratford and Barking without changing zones. Rezoning Barking Station to zone 4/3 would reduce the costs for local residents to travel to the employment centres of Central London, Stratford and Canary Wharf and increase the attractiveness of Barking as a place to invest for house builders and employers and accelerate the area's ambitious growth plans. This in turn would further increase the number of passengers travelling through Barking Station which may offset any loss of revenue to Transport for London and the Train Operating Companies. Transport for London have responded however that the rezoning of Stratford is a unique position which cannot be replicated elsewhere in London. Therefore officers recommend that a business case is developed to confirm the benefits and cost of this change.
- 2.15 Recently significant improvements have been made to the Hammersmith and City line. However anyone relying on the line's name for directions would have no clue as to the fact that it starts or ends in Barking. It would clearly be beneficial to raising the profile of Barking Town Centre for the name of the line to more accurately reflect its route. Therefore in line with the recently approved Barking Town Centre Strategy it is proposed to ask Transport for London to rename the Hammersmith and City line the Hammersmith to Barking line.

New Action – Subject to funding being available a detailed business case is prepared to evidence the benefits of moving Barking Station from zone 4 to zone 4/3.

### **New Priority 5 – Direct rail access from Stratford to Stansted**

- 2.16 The Airports Commission published its interim report into UK airport capacity/connectivity on 17 Dec 2013. It recommended that in the short term better use is made of existing capacity and improving transport links to existing airports. In the medium/long term it is recommending 3 options to increase airport capacity - a 2<sup>nd</sup> runway at Gatwick, a 3<sup>rd</sup> runway at Heathrow, or an extension of one of the existing Heathrow runways to allow simultaneous take offs/landings. The Commission has rejected the Isle of Grain option.
- 2.17 Neither the Gatwick nor Heathrow options will have a significant effect on growth in Barking and Dagenham when compared to the transformational impact of an inner Thames Estuary Airport. The original submissions to the Davies Commission included separate proposals from the Mayor of London and the Manchester Airport Group (MAG) to expand Stansted with between one and four new runways. As with

the Inner Thames Estuary option the Mayor of London's Stansted option would be served by high speed rail services from Stratford and express services from Waterloo which converge at a new rail hub at London Riverside en-route to the respective airports. However this involves a rail alignment through the Dagenham Corridor. Unless this was tunnelled it would have a significant impact on an area which is Green Belt, protected open space and a site of importance for nature conservation.

- 2.18 Whilst favouring the Mayor of London's five run way Stansted proposal over the less ambitious MAG option the Davies Commission did not shortlist any of the Stansted airport options. It reasoned that volumes have fallen in recent years, and there is considerable spare capacity, unlike at Gatwick. In addition, a large hub airport would be close to the cost of the Estuary, highly disruptive to airspace and would not present the same regeneration opportunities.
- 2.19 In its analysis of the five run way option the Davies Commission recognised that it would not impact on any internationally designated sites and would be cheaper to build than the Inner Thames Estuary Option. However it would have a greater local noise impact (there would be no impact on Barking and Dagenham), involve the loss of 2,000 hectares of high quality agricultural land, six villages and potentially 150 listed buildings and four scheduled monuments. It also identified significant risks associated with the level of additional capacity provided. The commission considered for operational reasons that it would be difficult to achieve more than 1 million movements at the airport lower than the 1.25 million predicted and cancelling out therefore the extra capacity attributed to it once the closure of Heathrow had been taken into account. For this reason the Commission did not consider that a five runway hub at Stansted offered a credible option. The Commission also did not recommend the incremental option of building a single additional runway at Stansted since it is currently operating at half its additional capacity and is not forecast to reach capacity until 2040 and is not significant cheaper than Gatwick which has a wider 45-60 minute catchment area. However the Commission is committed to reviewing the airports current planning restrictions which prevent it operating to its maximum capacity and recognises that Stansted may be a plausible option for a second additional runway in the 2040s. Clearly the poor performance of Stansted is at odds with London's centre of gravity moving east and the rapid population expansion it is experiencing. Rail links from Stansted to east London are poor and a direct link from Stratford is necessary to increase accessibility to East London to enable the airport to realise its full potential and address its current underutilisation.
- 2.20 The Commission will now work to determine the most suitable location/design for new airport capacity between now and 2015. This will involve more detailed assessment work followed by consultation on the options in Autumn 2014 with a view to making a final recommendation by summer 2015.

New Action – The Council responds to the Autumn consultation highlighting that whatever option is chosen that investment in improved rail access to Stansted is necessary, especially from Stratford.

**Priority 6 - London Overground extension to Barking Riverside (zone 3/4) and Abbey Wood Crossrail Station and continued safeguarding of the DLR extension to Dagenham Dock.**

- 2.21 Agreed action of 22 October Cabinet 2013 - The Council writes to the Treasury in advance of the Autumn Statement restating the business case for the London Overground extension from Barking Town Centre to Barking Riverside. The Council continues to work in partnership with Transport for London, Greater London Authority and Barking Riverside Limited in establishing the business case for this scheme.

Priority review and action update

- 2.22 Once it became clear that the Transport and Works Acts for the original DLR alignment from Beckton to Dagenham Dock was unlikely to be resurrected in the short to medium term, due its cost, which at the time was estimated at £750 million, Council officers and Transport for London turned to consider more affordable alternatives. As well as different DLR alignments which avoided the need for tunnelling an extension of London Overground to Barking Riverside was also put forward. This is estimated to cost a quarter of the original DLR extension. The Mayor of London confirmed his support for this in his Vision 2020. Following the Chancellors support for the scheme in the 2013 Budget considerable progress has been made on the business case and the funding for the scheme and the expectation is that there will be a positive announcement in the Autumn budget statement.
- 2.23 The extension will provide four car trains four times an hour on a fully electrified line now that the Government has confirmed £115m funding for the electrification of the Barking to Gospel Oak link. The link could open in 2019 at the earliest with an estimated cost of £190 million. The new station would be within 10 minutes walk of most of the development. An initial public consultation is planned in September 2014 and a further public consultation in March 2015 in advance of a Transport and Works Act application. It is not clear what zone the station will be in but clearly similar arguments apply here as they do at Barking Station for it to be in zone 3/4. A report to Cabinet on 25 September 2014 provided more details including the implications for the original DLR route and East London Transit. Cabinet agreed to strongly support in principle the proposal to extend the London Overground line to Barking Riverside, the safeguarding of the Docklands Light Railway route through Barking Riverside and to support any designs which provide for a second rail station near Thames View East.
- 2.24 Also following an idea put forward by the Council, the Mayor's Infrastructure Plan highlighted the potential for a new London Orbital Railway. The eastern link would be created by extending London Overground from Barking Riverside to Abbey Wood Crossrail Station. This was also supported by 25 September Cabinet and will be added to this priority. This would necessitate designing the new line at an appropriate gradient to allow it to be tunnelled beneath the Thames at a later date. Therefore priority five becomes: **London Overground Extension to Barking Riverside and Abbey Wood Crossrail Station and continued safeguarding of DLR extension.**

New action – Council to London Infrastructure Plan 2050 and River Crossings consultation expressing support for London Overground Extension to Abbey Wood Crossrail Station but calling for it to be brought forward to 2025.

### **Priority 7 - Barking Station Improvements**

- 2.25 Agreed action of 22 October Cabinet 2013 - The Council continues to engage with the shortlisted bidders with regard to the invitation to tender for the Essex Thameside franchise due to be issued in September 2013 and uses its funding contribution to secure the improvements by 2017.
- 2.26 Priority review and action update – Barking Station is the only station in East London other than Stratford where London Overground, London Underground and National Rail services intersect. It is served by 50 trains an hour. Rail station usage data shows that from 2007 to 2013 the number of passengers entering and exiting Barking Station increased from 3,762,562 to 8,072,356. In the process Barking has risen from 79<sup>th</sup> to 40<sup>th</sup> busiest station in the country.
- 2.27 The Council continued dialogue with the shortlisted bidders and wrote a letter of support to three of the four bidders securing their commitment to delivering the desired improvements to the station. National Express (C2C) was awarded the franchise on 27 June 2014 which runs from November 2014 to November 2029. This includes a commitment for a £5.2 million refurbishment of Barking Station including lifts to all platforms, increased gateline, reconfigured concourse and general updating of the fabric of the station which is Grade II listed. These improvements are expected to be completed by 2017. The Council has committed, through its Local Implementation Plan, to contribute £900,000 of funding to this. By the time Cabinet meets the Council should have had its inception meeting with C2C and Transport for London and agreed a timetable for the improvements.

### **Priority 8 – New Road River Crossing**

- 2.28 Agreed action 1 of 22 October Cabinet 2013 - The Council confirms its backing for a road tunnel or bridge at Gallions Reach in favour of a new ferry and in addition to the Silvertown Tunnel during the consultation in October 2013. The Council should also use this opportunity to restate the case that the Lodge Avenue Flyover and Renwick Road Junction Improvements should be implemented before the Silvertown Tunnel opens in 2021
- 2.29 Priority review and action update – The river crossings consultation that was expected in October 2013 took place from 7 July 2014 to 12 September 2014. It included another bridge option at Belvedere. The Council's response is the subject of a separate report to this Cabinet. It recommends that the Council supports both the South Hornchurch to Belvedere and Gallions Reach to Woolwich options but that Belvedere should be prioritised; that a Gallions Reach bridge must accommodate East London Transit; that improvements to the A13 including a replacement flyover at Lodge Avenue and Renwick Road Junction improvements are completed before any river crossing opens, and finally that a new crossing is necessary across the River Roding linking Barking Riverside to Gallions Reach for local traffic and public transport. This priority is necessary to improve access to the Royal Docks. Therefore, subject to Cabinet approval, this priority changes to:

- **Priority 8 - New road river crossing from South Hornchurch to Belvedere followed by Gallions Reach to Woolwich.**
- **Priority 9 - Barking Riverside to Gallions Reach river crossing.**

2.30 Agreed action 2 of 22 October Cabinet 2013 - The Council writes to the Department for Transport asking it to delay a decision on the Lower Thames Crossing until the Davies Commission reports on its preferred option for increasing airport capacity

2.31 Priority review and action update – The Council wrote to the Secretary of State for Transport on 4 December 2013 to this affect. On 15 July 2014 the Government announced it will appraise option A (an alignment close to the Dartford River Crossing and option B (connecting the A2 and M2 to the M25 via the A13) in detail before making a decision in 2015. This should coincide with the timetable of the Davies Commission on airport capacity.

**Priority 10 - Improved links to Royal Docks, Barking Riverside, South Dagenham, Chadwell Heath and Romford**

2.32 Agreed action of 22 October Cabinet 2013 - The Council writes to the Mayor/Transport for London to ask for the previous ELT 3 scheme from Barking Town Centre to the Royals be put in the Transport Strategy and included within their next business plan

Priority review and action update

Barking Town Centre to the Royals

2.33 The Council wrote to Isabel Dedring on 4 December 2013 on these issues. Isabel responded that this is an important long-term link that has been identified in the East London Sub-Regional Transport Plan. There is already an existing bus connection and the potential to enhance this over time as demand increases is subject to funding being available. Clearly the Royal Docks benefit from excellent access from the west but very poor access from the east which needs to be remedied. This includes public transport links to the City Airport, Crossrail at Custom House and the potential new Asia Pacific 24 hour city.

2.34 This is linked to the river crossing options. The original Thames Gateway Bridge included the plan to link East London Transit from Barking across the bridge to the Greenwich Waterfront Transit. Officers recommend that if the Gallions Reach option is selected a similar high quality bus link is integrated into it. In advance of this officers will continue to work with Transport for London and landowners to progress the Barking to Royal Docks Bus Corridor. In this regard the Freshwharf development is particularly important. The developer is due to submit a revised planning application for this scheme and the opportunity exists to use some of the S106 to pump prime enhancements to the existing bus service although this must be balanced against the need to fund new school places.

New Action – Council to continue to lobby for inclusion of ELT3 in Mayor of London Transport Strategy and next business plan and in advance of this seek to secure enhancements to existing 366 service through revisions to Freshwharf Estate development.

## Barking Riverside

- 2.35 Progress has also been made on improving bus services to Thames View, Barking Riverside and Dagenham Dock. In 2009 Transport for London received £18.5 million from Government to introduce East London Transit. These works were completed in 2013. In September 2013 EL1 was extended to the Rivergate Centre. From August 2014 the frequency of EL1 and EL2 was increased to one bus every five minutes. Barking Riverside itself will enjoy 11 buses an hour which is the combined frequency of EL1 and 387.
- 2.36 The London Overground extension means that there is an increased emphasis on improving East London Transit to ensure that there is excellent access to the new station from Barking Riverside, Thames View and Great Fleete. The previous report expressed doubt that the Council's application to the LEP for funding for road infrastructure would be successful. However the LEP has now agreed to a loan of between £8-10 million to the Council to build Crown Street which is a key piece of road from Renwick Road, along with the commitment from the developer to build the key links from Long Reach Road to Crossness Road and from Mallards Road to River Road. This will allow buses to run through Barking Riverside and onto the Barking Riverside Secondary School and ultimately to provide a comprehensive transit network throughout the development. As the transit network is rolled out officers will work closely with Transport for London, the GLA and Bellways to ensure that Thames View and Great Fleete benefit from investment in services.

## South Dagenham

- 2.37 23 September Cabinet agreed to the principal of a residential-led mixed use scheme at South Dagenham incorporating Beam Park and the Ford Stamping Plant with a new District Centre focused at Chequers Corner. The report highlighted that this would enable the currently underutilised Dagenham Dock Station to serve the Ford Stamping Plant site and the western part of Beam Park. Improved buses will be important to maximising access to Dagenham Dock Station as well as the proposed new Beam Park station in Havering.
- 2.38 Currently New Road is served by 175 (part), 174 and 287 bus services, but only the 287 serves one of the nearby train stations (Rainham). No services currently serve Dagenham Dock Station. The Council has secured a financial contribution of £100,000 towards the implementation of the Dagenham Dock interchange, £30,000 for bus stops, a £370,000 contribution towards rerouting of buses through the site and a contribution of £100,000 towards public realm improvements from the Orion Park development. This will fund an existing bus service (to be confirmed) to Dagenham Dock station with the potential for this to be extended through the Ford Stamping Plant site to Beam Park. Transport for London is currently preparing an Action Plan of transport improvements for Beam Park in advance of procuring a development partner in 2016.
- 2.39 Finally north south bus links across the borough remain poor as bus and rail/underground lines are generally focused on east west alignments into central London. This is despite the fact that 42% of people who work in the borough live in the borough, 24% of people who work in the borough come from Havering and 10% of residents in LBBB who work, work in Havering. Therefore whilst it is important to

increase accessibility to growth hubs such as Stratford, Canary Wharf and the City it is equally important to increase accessibility to more local employment opportunities. For example the TfL journey planner reveals it takes 51 minutes to travel by bus from Chadwell Heath to Dagenham Dock compared to 79 minutes to walk. It takes the same time to get from Barking to Paddington as it does Barking to Romford by bus. Therefore residents wanting to access employment opportunities in Dagenham Dock or Romford are constrained by the existing public transport infrastructure. It is therefore suggested that the feasibility of a Tram along the main route followed by bus route 5 (the 7<sup>th</sup> busiest bus route in London) from Barking to Romford and a separate route connecting Dagenham Dock, Dagenham Heathway, Chadwell Heath stations and Marks Gate should be explored. This could intersect at Merry Fiddlers or Martin's Corner providing a new interchange. Transport for London are due to launch a new approach to bus priority, bus network development and stakeholder engagement and therefore this is an opportune moment to explore these ideas with them. It is currently the case that TfL is not increasing direct bus subsidy and that any new services are expected to be compensated for by savings from other bus services or pump primed via S106. However with the forecast population growth across East London this is not a sustainable strategy and the improvements suggested above are necessary to cope with the increasing demands being put on the borough's bus infrastructure. In response to ongoing issues with the route 5 the Council has recently written to Transport for London to request a fundamental review of this service and it is suggested that the opportunity is also taken to review north south bus routes also. Therefore it is proposed to change this priority to: **Improved bus links to Royal Docks, Barking Riverside and South Dagenham, Chadwell Heath and Romford.**

New Action – Council to agree with Transport for London extension of existing bus route to Dagenham Dock Station using S106 monies from Orion Park.

New Action - Council to seek a review of north – south bus links across the borough and explore the potential with TfL for a tram connecting Dagenham Dock to Marks Gate and Barking to Romford.

2.40 In light of the above officers recommend that the Council's transport priorities are as follows:

1. A13 as a priority transport corridor for investment to relieve congestion and facilitate movement
2. Barking to Stratford direct rail link with ultimately an eastern spur of Crossrail
3. New C2C stop at Dagenham East underground station
4. Moving Barking Station from zone 4 to zone 4/3 and renaming Hammersmith and City line, Hammersmith to Barking line.
5. Direct rail access from Stratford to Stansted
6. London Overground extension to Barking Riverside (zone 3/4) and Abbey Wood Crossrail Station and continued safeguarding of DLR.
7. Barking Station Improvements
8. New road river crossing from South Hornchurch to Belvedere followed by Gallions Reach to Woolwich.
9. Barking Riverside to Gallions Reach river crossing.
10. Improved links to Royal Docks, Barking Riverside, South Dagenham, Chadwell Heath and Romford

## **Updated actions**

2.41 It is recommended that the following updated actions are undertaken in support of these projects:

- New Action – Council to review A13 report and in agreement with Lead Member for Regeneration agree an appropriate response.
- New Action – Subject to funding officers to report back to Cabinet on Barking to Stratford report recommendations and next steps in May 2015.
- New Action – Officers to submit to the consultation on the draft Anglia Route Study that funding be earmarked in Control Period 6 for a C2C stop at Dagenham East stations.
- New Action – Subject to funding being available a detailed business case is prepared to evidence the benefits of moving Barking Station from zone 4 to zone 4/3.
- New Action – The Council responds to the Autumn consultation highlighting that whatever option is chosen that investment in improved rail access to Stansted is necessary, especially from Stratford.
- New Action – Council to respond to London Infrastructure Plan 2050 and River Crossings consultation expressing support for London Overground Extension to Abbey Wood Crossrail Station but calling for it to be brought forward to 2025.
- New Action – Council to continue to lobby for inclusion of ELT3 in Mayor of London Transport Strategy and next business plan and in advance of this seek to secure enhancements to existing 366 service through revisions to Freshwharf Estate development.
- New Action – Council to agree with Transport for London extension of existing bus route to Dagenham Dock Station using S106 monies from Orion Park.
- New Action - Council to seek a review of north – south bus links across the borough and explore the potential with TfL for a tram connecting Dagenham Dock to Marks Gate and Barking to Romford.

2.42 The report to 21 October Cabinet 2014 included a draft transport vision to provide an image of what transport in Barking and Dagenham would be like in 2030 if the Council's transport priorities were delivered. Of course this is the best case scenario but in trying to secure these improvements it helps to be able to communicate a clear vision for how they will transform the borough. An updated version of the vision is provided below.

### **Updated Barking and Dagenham Transport Vision 2030**

2.43 Over the next 20 years unprecedented investment in transport infrastructure will have transformed the connections Barking and Dagenham enjoys with the Thames Gateway, the Royal Docks, Stratford and the Lower Lea Valley and the M11 and Stansted Corridor and helped fulfil the unrivalled opportunities for new jobs and housing within its five growth hubs.

2.44 By 2017 Barking Station will provide a fitting gateway to the town centre, providing genuinely step free access, an unobstructed entrance hall, and expanded gate line inside a listed building restored to its original grandeur. This will coincide with its

new zone 3/4 status. By 2018 London Underground improvements will be complete increasing capacity by 17%. In the same year the station will be served by an enhanced electrified London Overground service, with four five car trains an hour including an extension to Barking Riverside by 2019. This, along with extended East London Transit services and a new road link to the Royal Docks will unlock further phases of Barking Riverside including a new district centre adjacent to the Barking Riverview School. By 2025 C2C will stop at Dagenham East boosting Dagenham's position within the med-city triangle and new tram services connecting Barking to Romford and Dagenham Dock to Marks Gate will transform the ability of local residents to access local jobs. In 2030 the arrival of Crossrail 2 services and the extension of the London Overground to Abbey Wood will have elevated Barking's status, surpassing that of the previously higher order centres of Ilford and Romford and making it one of East London's most compelling places to live, work and visit.

- 2.45 By 2015 Transport for London will have agreed plans to tunnel the A13 between Lodge Avenue and Gale Street allowing the Council to proceed with a transformational masterplan for the area south of Castle Green including the Scrattons Farm Estate, banishing the severance caused by the A13 whilst at the same time improving the flow of traffic along the A13 by replacing the Lodge Avenue Flyover and removing the Renwick Road signals. Enhanced bus services will reach Dagenham Dock Station and then on through the New Heart for Dagenham across the thriving community of Beam Park on route to Beam Park and Rainham Stations. A new road river crossing to Belvedere will transform the attractiveness of the borough's core industrial areas as places to invest and will boost growth across the borough's six priority growth sectors.

### **3. Options Appraisal**

- 3.1 This report reviews and recommends the transport projects necessary to unlock the regeneration potential of the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk. It is necessary for the Council to be clear on what its transport priorities are so that it can embody these in its Local Plan and Economic Growth Strategy and lobby for transport improvements from a position of strength.

### **4. Consultation**

- 4.1 This report asks members to agree the transport projects regarded as necessary to unlock the regeneration potential of the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk. Once agreed they would be embodied in the emerging Local Plan which is subject to an extensive process of consultation during its preparation. In addition transport projects such as river crossings, railway extensions and bus service improvements must go through statutory consultation processes in order to get consent.

### **5. Financial Implications**

Implications completed by: Carl Tomlinson Group Finance Manager

- 5.1 The report recommends the transport projects that the Authority should prioritise as these are felt to be of importance in maximising the development potential of the

five growth areas. The economic regeneration and further development of this area will have positive financial implications for the Authority in terms of Business Rates, Council Tax, Section 106 payments, Community Infrastructure Levies and New Homes Bonuses. Obviously, at this early stage, without knowing which of the proposed projects will be supported by Central Government and the Mayor for London, the longer term financial implications of this report are not possible to quantify.

- 5.2 Paragraph 2.41 indicates the more immediate actions which are felt to be necessary in order to support the transport projects that should be prioritised. The costs associated with these actions can be met from existing Regeneration and Economic Development budgets.
- 5.3 The costs of a study into the feasibility and cost of the Barking to Stratford direct rail link exceeds the £100,000 received annually from TfL for local transport funding and funding would also need to be found to help fund a business case into the rezoning of Barking Station.
- 5.4 The report mentions in paragraph 2.25 that the Council will commit £900,000 of its local transport funding towards the cost of the proposed Barking Station improvements. This sum was included in the Authority's Local Implementation Plan for 2014/15 to 2016/17, the details of which were approved by the Cabinet on 24<sup>th</sup> September 2013
- 5.5 Paragraph 2.34 mentions the Council has been successful in its application for a potential loan from the Local Enterprise Partnership (LEP) of between £8-10 million. These funds would be used to build Crown Street which is a key route in terms of providing a road network to serve the Barking Riverside Development. Although the construction of this road will be the responsibility of Barking Riverside Ltd (BRL), they will not have funds available until the development is at a more advanced stage.
- 5.6 As far as this potential loan is concerned, no further action will be taken until agreement is reached with TfL on how bus priority will be treated on the road as this has implications on the construction costs.
- 5.7 At this stage, financial consideration of the appropriateness of such a loan arrangement has not been conducted. An assessment of whether this is a viable way forward needs to be undertaken. This issue will need to be clarified and addressed in order to ensure the Authority is not exposed to a substantial financial risk. Any future consideration would be brought to Cabinet.
- 5.8 If this loan was to be pursued as a means of funding this road, there will need to be back to back loan agreements made between the LEP and LBB&D, which would also be reflected in a loan agreement between LBB&D and Barking Riverside (BRL) so that all liability/risk for repayment falls with BRL.

## 6. Legal Implications

Implications completed by: Paul Field Senior Lawyer

- 6.1 As identified in the report the Council as a Local Planning Authority is obliged to establish a Local plan for its area. It must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework. These potential opportunities will inform the authority's Local plan going into the future.
- 6.2 The effect of some of the proposals may not only have economic effects but environmental and sustainability impacts too. For example works to the A.13 could considerably improve people lives in terms of noise and emissions reductions and open up sites for development. For the Council to shape these proposals it may involve procurement and tending of expertise and such commissioning will be subject to European contract rules.
- 6.3 The Government acknowledges the need for local government to be able to speak up for communities and by Section 1 of the Localism Act 2011 ("The Act") introduced a new "general power of competence" for local authorities, defined as "the power to do anything that individuals generally may do" and which expressly includes the power to do something for the benefit of the authority, its area or persons resident or present in its area. This power enables the Council to press its case more broadly for supporting the transport projects outlined in this report than on planning interests alone should Members so decide.

## 7. Other Implications

- 7.1 **Risk Management** - Should any of the priorities be abandoned or delayed, or alternative schemes progressed, it will be necessary to review the implications and report back to Cabinet. However by agreeing its transport priorities and the actions listed in 2.41 the Council will be doing what it can to support their delivery and reduce the risk that schemes are chosen which are less beneficial to the regeneration of the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk.
- 7.2 **Staffing Issues** - The actions listed in paragraph 2.41 would be the responsibility of the Council's Regeneration Division and specifically the Transportation Planning and Policy Team. As part of agreed savings the team lost a post in 1 April 2014 but the team should have the capacity to deliver these actions.
- 7.3 **Customer Impact** - This report reviews the transport projects necessary to unlock the regeneration potential of the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk. The regeneration of these growth hubs is crucial to delivering the vision for the borough of encouraging growth and unlocking the potential of Barking and Dagenham and its residents.
- 7.4 **Health Issues** - This approach on the face of it makes best use of limited resources. It also ensures that new infrastructure is identified only after other

approaches have been appraised and considered. It promotes and supports a more sustainable transport network by encouraging efficient use of existing road and rail resources, encouraging sustainable mode choices through targeted rail enhancements and providing better opportunities for strategic public transport and freight movements. In respect of tackling the determinants of health the benefits are three fold subject to health impact assessment:

- improving journey times and connections – to tackle congestion and the lack of integration and connections in transport which impact on our high level objectives for economic growth, social inclusion, integration and safety
- reducing emissions – to tackle the issues of climate change, air quality and health improvement which impact on our high level objective for protecting the environment and improving health, and
- improving quality, accessibility and affordability – to give people a choice of public transport, where availability means better quality transport services and value for money or an alternative to the car.

**7.5 Property / Asset Issues** - These transport projects in particularly the Barking to Stratford direct link and London Overground extension are likely to have a positive impact on land and asset values and should inform the Council's management of its land and property portfolio within the five growth hubs of Barking Riverside, Beam Park/Ford Stamping Plant, Barking Town Centre, London Sustainable Industries Park and Londoneast-uk..

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

**List of appendices:** None

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## CABINET

21 October 2014

<b>Title:</b> Response to the Thames River Crossings Consultation	
<b>Report of the Cabinet Member for Regeneration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All wards but especially River, Abbey and Thames.	<b>Key Decision:</b> Yes
<b>Report Author:</b> Tim Martin, Transport Planning & Policy Manager	<b>Contact Details:</b> Tel: 020 8227 3939 E-mail: timothy.martin@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director of Regeneration	
<b>Accountable Director:</b> Steve Cox, Director of Growth	
<p><b>Summary</b></p> <p>In July 2014 Transport for London (TfL) launched a third phase of a public consultation on a proposed package of new road based river crossings between east and south east London. The proposals, which include a new ferry at Woolwich, a ferry/bridge at Gallions Reach and a bridge at Belvedere, have been further developed following the last consultation exercise in Autumn 2012 and include more detailed analysis of the likely traffic, environmental and economic impacts of the various proposals.</p> <p>This report provides a summary of the four options set out in the consultation, and outlines some of the specific issues that may arise if they were to be implemented and the potential implications for the borough. The main issue for discussion is whether the Council remains in favour of a fixed link crossing at Gallions Reach, as detailed in its Officer level response to the 2012 consultation and also reconfirmed by Cabinet on 22 October 2013, or whether any of the alternative options would result in greater benefits for, or have fewer negative impacts on, the borough (Minute 47 refers).</p> <p>A new bridge at Belvedere or Gallions Reach could stimulate new retail and leisure development in Barking Town Centre boosting the aspiration for it to become East London's cultural hub. In addition the Belvedere option is forecast to deliver 1700 new homes in London Riverside and generate a more significant increase in new jobs throughout the borough than Gallions Reach through the boost it will give to industrial development and proposals such as the Billingsgate Market. Therefore whilst officers recommend that both fixed-link road crossings in east London should be supported; Belvedere should be built first due to its greater economic benefits.</p> <p>When the Gallions Reach bridge is built officers consider that it must accommodate East London Transit. In addition to the Thames River Crossings a new road link across the River Roding to Barking Riverside is also necessary for local traffic and public transport to improve access to the Royal Docks.</p>	

## **Recommendation(s)**

The Cabinet is recommended to:

- (i) Agree that the Council's response to the river crossings consultation:
- Supports both fixed-link road crossings in east London; Belvedere should be built first and be pursued as a top priority by Transport for London so that it is built by 2025 to support growth in Barking and Dagenham.
  - Requires improvements to the A13, including a replacement flyover at Lodge Avenue and Renwick Road Junction Improvements be completed by 2021 irrespective of which option is pursued;
  - States that if the Belvedere option proceeds then the impacts on boroughs roads to the north and A13 must be assessed in more detail and the appropriate improvements made in advance.
  - States that if the Gallions Reach option proceeds that it must accommodate East London Transit.
  - States that a new road link across the River Roding to Barking Riverside must be provided for local traffic and public transport.
  - Reiterates support for the London Overground extension from Barking Riverside to Abbey Wood, but that this should not be seen as an alternative to the proposed river crossings.
- (ii) Agree that the Council work with neighbouring North East London Strategic Alliance and Growth boroughs to press the case for a fixed crossing as soon as possible.

## **Reason(s)**

The creation of a new transport infrastructure has the potential to help grow the borough by providing residents and businesses with improved access to new/alternative job opportunities and markets through reduced journey times.

## **1. Introduction and Background**

- 1.1 Following an extensive consultation exercise in Autumn 2012, Transport for London (TfL) has further developed a set of proposals for new vehicle river crossings in east and south east London, with options including a new ferry at Woolwich, a ferry/bridge at Gallions Reach and a bridge at Belvedere. TfL has used the responses from the last consultation to develop the proposals further and is now encouraging the public and stakeholders to provide further comments on these to help determine which, if any, of the proposals to take forward. Separately to this consultation exercise, TfL is developing proposals for a new road tunnel at Silvertown and plans to undertake further consultation on this in Autumn 2014.
- 1.2 The proposed river crossings are designed to make the area more attractive to live, visit, and do business by reducing delays and making journey times more reliable. Alongside ongoing investment in public transport infrastructure (e.g. Crossrail), these additional crossings are designed to support the continued growth and regeneration of east and south east London.

- 1.3 This report provides a summary of the various proposals set out in the consultation, and outlines some of the specific issues that may arise if they were to be implemented and the potential implications for the borough. Additional information on scheme costs/funding arrangements is also provided.

## 2. Proposal and Issues

### *The case for additional river crossings*

- 2.1 The need for improved river crossings in east London is driven by several important issues, namely to facilitate local road traffic movements that are essential to the proper functioning of east London and which are constrained by the lack of current connectivity; and facilitating the future economic and population growth in the area which will also have an essential component of cross-river road traffic which needs to be accommodated in an efficient manner. Other important considerations include the need to make a decision on a replacement for the Woolwich Ferry as the current ferry nears the end of its working life; and the need to address long-standing concerns regarding potential local traffic impacts in east London. A number of important issues in the case for additional crossings are described below:

- *Demand for cross river movements is well in excess of opportunities to cross, generating significant traffic congestion at existing crossing points of the highway network*, particularly at Blackwall Tunnel (TfL surveys indicate an average 19 minute journey time on northbound approach in the am peak – a delay of 11mins/km). The estimated economic cost of these delays is some £17.5m every year;
- *The lack of crossing opportunities is a barrier to movement and economic activity*. With a greater concentration of crossings, businesses in west London benefit from better access to markets than those in east London. The barrier imposed by the river also increases the cost of doing business in east London. Furthermore, a recent TfL survey indicates that a third of all businesses in east London see the river as a barrier to the development of their businesses;
- *The barrier to movement limits the size of labour market and retail catchments and inhibits economic activity*. Data suggests that east London boroughs have a much higher proportion of workers that live within the same area in which they work and that businesses generally have a lower labour force catchment area to draw upon. This is a potentially contributing factor to the lower employment density in east London. There is also evidence that the barrier effect affects the vitality of retail centres in east London;
- *The lack of crossings creates a lack of resilience with the existing highway network*. Cross river journey time reliability is poor in east London due to the poor resilience of the highway network, linked to the small number of crossings. In the event of a tunnel closure or reduction in capacity on any of the existing road crossings, the consequent traffic congestion and delays are widespread, and it can take time to recover. This can have a detrimental effect on quality of life and performance of the local economy. For example, in a recent survey of businesses in east London, 67% of firms considered that poor reliability of cross river travel acted as a constraint on or disruption to their business to an extent;
- *There are physical limitations on access for large vehicles at the Rotherhithe and Blackwall tunnels and Tower Bridge*. The Woolwich Ferry is the only option for some HGVs crossing the Thames between central London and the Dartford Crossing. The ferry is relatively low capacity and long delays can be

encountered. Congestion on both sides of the Woolwich Ferry caused by queuing traffic has negative environmental impacts in terms of air quality and noise;

- 2.2 East London is home to a high proportion of businesses that rely on good road links to access customers/suppliers, and there is expected to be further growth in road freight during the next 20 years, which is likely to generate additional road based trips from these road dependent industries, and drive the demand for premises with good highway accessibility. In addition, the area has also seen a rise in road based trips resulting from population growth, and in some areas travelling by road is still the fastest way to access many parts of east London. However, despite significant investment in cross river public transport infrastructure in east London in recent years (e.g. Jubilee line extension to Docklands/Stratford, DLR extensions to Lewisham/Woolwich, Crossrail), there has been no increase in cross river highway capacity since the construction of the southbound Blackwall tunnel in the 1960s and the QE2 bridge in Dartford in 1991.
- 2.3 In light of the above, TfL is proposing the development of several new road-based river crossings in east London, including a tunnel linking the Greenwich Peninsula and Silvertown (options for this are currently being developed separately) and a package of other options, including a new ferry at Woolwich, a ferry/bridge at Gallions Reach and a bridge at Belvedere. Further information on each of these proposals is set out below.

### **3. Options Appraisal**

#### **Option Selection**

- 3.1 A range of schemes and locations were put forward as options for consideration as part of the River Crossings programme, either identified by TfL or proposed by stakeholders and the public in response to consultation. The options have been examined over the last two years in a variety of technical reports and consultations and assessed in terms of their potential to address the wider objectives identified in section 2, above, and their broad costs and benefits.
- 3.2 A number of options were found not to meet the wider objectives or requirements and were not taken forward – this includes stand-alone options for walking/cycling, public transport and road user charging. However it was recognised that the needs of these modes need to be considered in any short-listed options. The conclusion from the assessment process was that a road-based crossing was required to fully address the wider objectives, and three locations – Woolwich, Gallions Reach and Belvedere were identified where such a crossing should be considered. A number of different crossing types were considered at these locations with four options identified as most likely to meet the wider objectives. These are:
- A replacement vehicle ferry at Woolwich;
  - A new vehicle ferry at Gallions Reach;
  - A new road bridge at Gallions Reach; and
  - A new road bridge at Belvedere.

These are shown on the map below. The ferry and the bridge at Gallions Reach follow the same alignment across the Thames so are represented by B. The replacement vehicle ferry at Woolwich is A and the Belvedere crossing is C.



### **A - A Replacement Ferry at Woolwich**

- 3.3 Under these proposals, the existing Woolwich ferry service could be replaced by an enhanced service with new terminal infrastructure. The new ferry would have up to around 30% more capacity than at present and could be implemented as either propeller-driven or chain-driven. The cost of providing a replacement ferry is estimated at £100m - £200m, with annual running costs at around £5m. The earliest a replacement ferry could be in operation would be early 2020s.
- 3.4 The replacement ferry option has the following impacts:
- Connectivity – a new ferry service at Woolwich would have higher carrying capacity, but would not generate significant improvements in connectivity over the river;
  - Economic Development – this option would not provide significant support for economic development in the area;
  - Resilience – a new fleet of ferries would provide greater reliability compared to the existing service, but would still be subject to delays and cancellations, and would be unable to provide significant additional resilience when other crossings faced disruption.

### **B1 - New Ferry at Gallions Reach**

- 3.5 A ferry at Gallions Reach would provide a link between Thamesmead on the southern side and Beckton on the northern side. It could offer some modest improvements on the current Woolwich Ferry service, including allowing a vehicle carrying capacity of up to double that currently offered by the Woolwich Ferry, with the ability to carry high-sided HGVs. The new ferry assets (likely to be propeller-driven due to environmental issues) would be expected to have a useful operating life of 30 years or more.
- 3.6 Although likely to cost slightly more than replacing the Woolwich Ferry in situ (current construction cost estimates are between £150m - £250m with an annual running cost of £5m), it provides the added benefits of providing a new cross river link in an area of poor current connectivity. Woolwich would remain connected to the Royal Docks by the foot tunnel and DLR, and shortly by Crossrail. It is estimated that a new ferry could be in operation by the early 2020s.
- 3.7 When assessed against TfL's wider objectives for river crossing, the Gallions Reach ferry option was found to achieve the following:
- Connectivity – a ferry service at Gallions Reach would allow the existing cross river connectivity between the Blackwall and Dartford crossings to be maintained and enhanced, with particular benefits for the hinterland on either side of the river in and around the ferry terminals;
  - Economic Development – this option would promote local development and allow increased employment and education opportunities;
  - Resilience – introducing a ferry in this location would have traffic benefits over a replacement ferry at Woolwich, due to additional space for waiting vehicles to queue away from the main road network.

- 3.8 Officers consider that the two ferry options are sub-optimal solutions which would delay the construction of a new river crossing and represent poor value for money. Therefore the remainder of this report focuses on a comparison between the two bridges to help inform the Council's decision on this issue.

### ***B2 - A Bridge at Gallions Reach***

- 3.9 A potential alternative to a ferry at Gallions Reach would be a bridge linking the A2016 Western Way in Thamesmead with the A1020 Royal Docks Road. The design of a bridge at this location would be based on the principal objective of its use being primarily by local traffic (with an origin or destination in east or south east London) and would be built with two lanes in each direction – one for general traffic use, with the second lane reserved for buses and goods vehicles only. Cyclists and pedestrians would also be able to use the bridge.
- 3.10 A bridge at this location would be a more expensive option (current costs estimated at £350m - £600m with annual operational/maintenance costs of £0.5m), and would take at least four years longer to deliver than either of the ferry options so would unlikely to be in operation until 2022 at the earliest. In the meantime, TfL would need to upgrade the Woolwich Ferry so it could continue to operate at least until the new crossing was complete.

### ***C - A Bridge at Belvedere***

- 3.11 Proposals for a river crossing at Belvedere came out of the 2012 consultation. Although not in current policy, TfL consider it warrants further examination as it appears capable of addressing a range of objectives.
- 3.12 The proposed site of a bridge at Belvedere is 10km downstream of the Blackwall Tunnel and 8km upstream of the Dartford Crossing and would link Belvedere in Bexley and Rainham in Havering. As with the Gallions Reach bridge, it would carry two lanes in each direction - one for general traffic and one potentially reserved for buses and heavy goods vehicles, and would be open to cyclists and pedestrian. The main bridge structure would be about 2,100 metres long and would be connected to the north to the A13 at the Marsh Way junction and to the south to the A2016 at the Picardy Manorway junction.
- 3.13 Due to the increased distance from London City Airport, the height available in which to build the bridge is less restricted than Gallions Reach. This means a wider range of bridge forms is possible and early design work has shown that a more conventional cable-stayed bridge (similar to the Queen Elizabeth II Bridge at Dartford) would likely be the preferred type of bridge in this location.
- 3.14 With the construction of a bridge at Belvedere there would need to be consideration given to whether the Woolwich Ferry would continue to operate or would be replaced by the bridge.

### ***Delivery Timescales, Costs and Funding Options***

- 3.15 Both bridge options are major engineering projects. The construction of the Gallions Reach bridge is easier in terms of the fact that land has already been safeguarded

for the route. The Belvedere bridge would take longer to build as some land assembly is required. The earliest possible opening date for the Gallions Reach bridge would be 2022, but could be as late as 2025, whilst the earliest possible opening date for the Belvedere bridge would be 2025, but could be as late as 2030.

- 3.16 The cost of implementing the Gallions Reach bridge is estimated at between £350m - £600m. Implementing a new bridge at Belvedere could cost between £500m - £900m. The additional cost of extending the life of the Woolwich Ferry until either bridge option is delivered would also need to be factored in – this is likely to be lower than the estimated £100m - £200m required for a replacement ferry.
- 3.17 There is currently no funding set aside in TfL’s budget for any of the river crossing options and a means of paying for them would need to be identified. TfL consider that the most appropriate way to fund the projects would be to charge a toll for using the ferries or the bridges. Tolling would provide a new revenue stream to pay for the crossings, and would ensure that those who benefit most from these projects (i.e. the users) help to pay for them in return.
- 3.18 As well as helping to fund the new infrastructure, TfL are of the view that tolling would be necessary to manage traffic demand (in theory, a toll may encourage drivers to consider whether they could use an alternative route, or travel at a different time). However, if a toll was applied to any new crossings in the area, the Blackwall Tunnel, and the proposed new Silvertown Tunnel, would also need to be tolled due to its close proximity to these crossings. TfL currently has no plans to toll the nearby Rotherhithe Tunnel as it believes this primarily serves a different set of destinations and would therefore be unlikely to be affected significantly by traffic changes as a result of the new crossings.
- 3.19 Significant additional work is required before a tolling scheme for any new river crossings could be formally proposed. Further consultation would also be required. Particular issues to be considered include:
- *Toll charges* – The charges are likely to be similar to the tolls charged on the Dartford crossing (currently £2 for cars, £2.50 for two-axle goods vehicles, and £5 for HGVs). Charges at around these levels should help to manage traffic while not constraining economic activity and growth. In addition, because traffic is heavier northbound in the morning and southbound in the evening, the toll could vary depending on the direction of travel, the time of day, and the day of the week. There could also be discounts for individuals, organisations, or account-holders;
  - *Toll timings* - Tolls might only apply during certain hours of the day (e.g. there might not be any tolls at night when there is less traffic);
  - *Toll collection* - It is not intended to have toll booths but to allow ‘free flow’ tolling as will be implemented at the Dartford Crossing from October 2014. Drivers could also be offered various ways of paying, to ensure that paying the toll was as easy and convenient as possible.

### ***Bridge Options Benefits and Impacts***

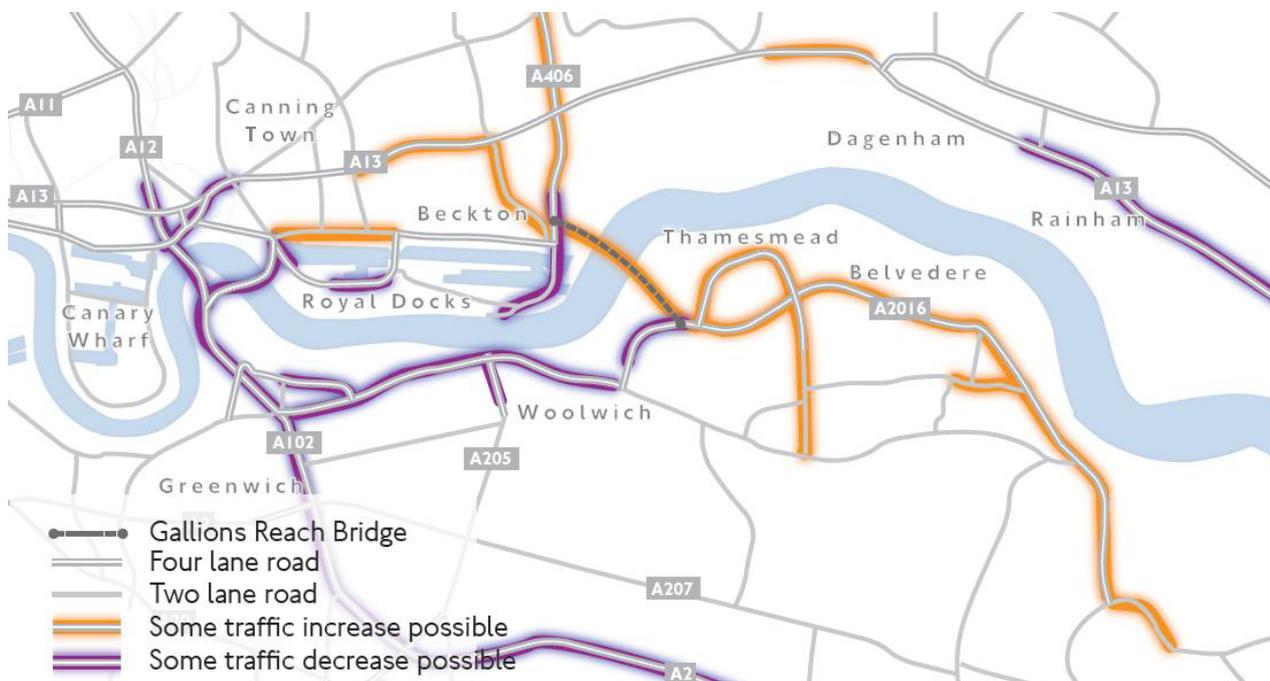
- 3.20 The proposals outlined above could potentially make a huge difference to some of the biggest transport problems in east and south east London. They are designed to improve connections between areas that are separated by the River Thames, and

help boost the economy of this growing part of London. Improved crossings could also help to reduce delays and congestion, which in turn would save people and businesses time and money, as well as contributing to a more pleasant environment. The key traffic, environmental and economic benefits and impacts of the two bridge options are considered in further detail below.

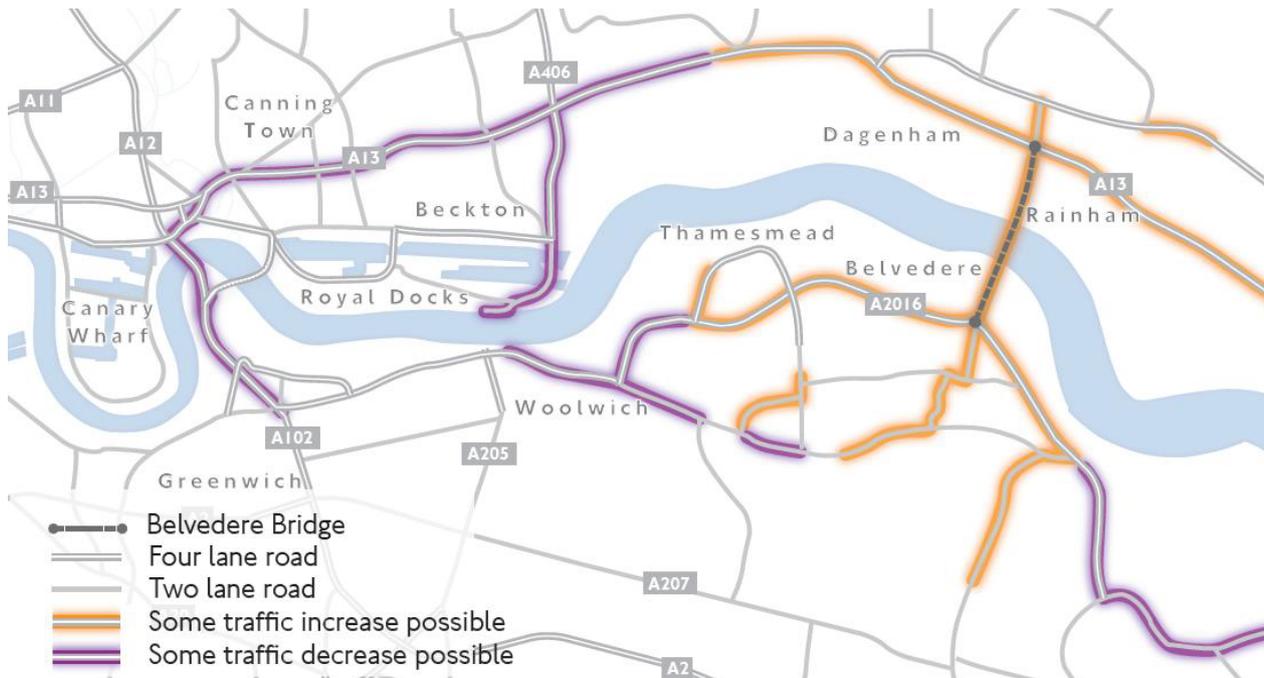
### **Traffic Impacts**

3.21 By 2021 (referred to as the 'baseline case' in TfL's modelling work) due to population and business growth, delays on the A13 are forecast to grow by over 30% in Barking and Dagenham in the morning and evening peaks, with the Lodge Avenue and Renwick Road junctions particularly affected. Analysis suggests that neither crossing option will significantly improve these traffic impacts, and it is likely that congestion on the A13 and A406 will be worse in the future (see Figures 1 & 2, below). Therefore officers recommend that improvements to the A13 particularly a replacement flyover at Lodge Avenue and Renwick Road Junction Improvements be completed by 2021 irrespective of which option is pursued.

**Figure 1: Traffic Impacts 2021 - Gallions Reach Bridge (B2)**



**Figure 2: Traffic Impacts 2021 - Belvedere Bridge (C)**



- 3.22 Modelling undertaken by TfL shows that the Gallions Reach option would increase delays in the morning peak at the A406, A13 roundabout and to a lesser extent on the approaches along the A13. However, overall delays in Barking and Dagenham decrease by 4%. In the evening peak, traffic flows would increase not only on the A406, but also on Alfreds Way west of Lodge Avenue and Ilford Lane, with consequential deterioration in junction delays in Barking Town Centre. However delays at the Lodge Avenue junction on the A13 improve.
- 3.23 Modelling for the Belvedere Bridge option indicates that in the morning peak traffic flows would increase east of Lodge Avenue, particularly between Marsh Way and the M25. However, there would be minimal additional delays to traffic in the area (and a benefit in this respect for Barking Town Centre), as well as a significant 7% reduction in delays for Thurrock. In the evening peak significant additional delays (6%) would be experienced on the A13, particularly at Renwick Road.
- 3.24 In terms of trip origins, modelling indicates that most journeys over the Belvedere bridge from the north would originate in the borough, East Newham, Havering and west Essex. Trip origins for the Gallions Reach bridge are more focused in Newham Redbridge and Barking. It is estimated that between 87-93% of trips made using a bridge at Gallions Reach would be local, with the figure rising to 91-97% for the Belvedere option.
- 3.25 If the Gallions Reach option is chosen then officers recommend that the A406/London Road junction be subject to detailed modelling with any improvements identified made before the bridge opens. It is also recommended that if the Belvedere option is chosen that further modelling is undertaken on the impacts on roads to the north of the A13 and the A13 itself. For example, modelling suggests a significant increase in traffic flows along Rainham Road, Heathway and Porters Avenue. As such, the Council would need to be confident this bridge would not worsen the blight already caused by HGVs trying to reach the A12 and M25 through

the borough. Officers are less concerned about the Gallions Reach option in this respect due to the direct access it provides onto the North Circular.

- 3.26 The Council has argued consistently that before the Silvertown Tunnel opens in 2021 that the Lodge Avenue Flyover and Renwick Road Junction improvements should be completed. The baseline data for 2021 shows that irrespective of when or where any new crossings are implemented these improvements are needed urgently.
- 3.27 The original Thames Gateway Bridge proposal included the plan to link East London Transit 2 with the Greenwich Waterfront Transit. This would also have provided a high quality transit link between Barking and the Royal Docks. Officers recommend that if the Gallions Reach option proceeds that the Council insists that it includes this original ambition thereby improving access from Barking Town Centre to the employment opportunities at the Royal Docks, the proposed Crossrail Station at Custom House and finally the regeneration opportunities in Woolwich.
- 3.28 Linked to this whilst the London Overground extension to Barking Riverside and potentially Abbey Wood is vital to the delivery of Barking Riverside and also the regeneration of Barking Town Centre this does not remove the importance of a link south of the A13 to the Royal Docks. It is therefore recommended that irrespective of which river crossing option is chosen that the Council makes the case for a link road for public transport and local traffic to be provided from River Road to Gallions Reach.
- 3.29 The Mayor's 2050 Infrastructure Plan includes the ambition to further extend London Overground services to Abbey Wood Crossrail Station. Officers recommend that this opportunity is taken to support this proposal which was originally suggested by the Council. However this should not be seen as an alternative to a new road crossing since they achieve different objectives.

### ***Environmental Impacts***

- 3.30 An environmental options study has been carried out by TfL to consider the various environmental impacts of the river crossing options, including the potential impacts on local heritage, ecology, and the environment. The key findings were as follows:
- ***Community and Private Assets:*** No significant impacts are likely to occur with regards to land-take or planned developments at Gallions Reach as the options fall within an area of vacant previously developed land. Demolition of industrial buildings on the south side of the river would be required at Belvedere if this option is taken forward;
  - ***Cultural Heritage:*** Both options would involve some risk of disturbance of archaeological remains;
  - ***Ecology and Nature Conservation:*** No significant adverse impacts on terrestrial ecology were identified for either option. There is the potential for disturbance of protected marine species during construction of the Gallions Reach bridge;
  - ***Effects on all Travellers:*** The Gallions Reach option would alleviate the severance between the communities of Beckton and Thamesmead. The transport links and connectivity are likely to be significantly improved allowing residents to easily access facilities on both sides of the river. The length of journeys between these two residential areas would be significantly reduced. The

Belvedere option would alleviate the severance between the residents of Belvedere and Rainham as well as employees in industrial areas on both sides of the river;

- *Ground Conditions*: There is significant potential for contamination of groundwater and release of ground gas as a result of piling/foundation works at both the Gallions Reach and Belvedere crossings;
- *Materials*: The construction of a bridge at Gallions Reach would likely involve the removal of historic hazardous waste. The bridge option at Belvedere would require the demolition of various existing structures;
- *Water Environment*: Moderate adverse impacts with regards to the water environment are identified primarily with the bridge option at Gallions Reach;
- *Noise and Vibration*: A bridge option at Gallions Reach would result in a major adverse increase in noise levels on the A1020 Royal Docks Road. Increases are also indicated on Royal Albert Way and A117 Woolwich Manor Way. The Belvedere bridge options would lead to noise increases on the A13 close to the junction with Marsh Road, although this is considered to be a moderate adverse impact.
- *Emissions Impact*: Both options appear to have a broadly neutral impact overall but there is the possibility of increases in mono-nitrogen oxide emissions within Newham with a bridge at Gallions Reach, which could influence the concentration of nitrogen dioxide in the area.

3.31 Whichever option(s) is pursued, the study recommends further detailed environmental studies be undertaken and appropriate mitigation measures employed both during construction and operation.

### ***Economic Development Impacts***

3.32 For all four options the increase in access to jobs (by car) is greatest for residents living south of the river since the new crossings would give them access to the jobs north of the river. The increase is significantly less in the opposite direction as residents living in boroughs north of the Thames already have better access by road to jobs in areas such as Canary Wharf and the City. For example, when considering the Gallions Reach option, only a 4% increase in access to jobs is forecast for Barking, whilst the figures for the rest of the borough is 6%. In comparison, the figures for Thamesmead, Erith and Belvedere show increases of 148%, 231% and 211% respectively. There are similar disparities in business accessibility and access to economically active population.

3.33 The corollary of this is that the increase in access to the labour force (by car) is greatest on the north side of the river, because of the increased availability of labour from south of the river. This could potentially stimulate business investment in Barking and Dagenham where although increased access to jobs is modest, there is a more significant increase in the access to labour.

3.34 Therefore, the River Thames is not as much a barrier for residents north of the Thames as it is for those to the south. Consequently, new river crossings could increase the attractiveness of residential development south of the river, particularly in areas such as Thamesmead and Belvedere. That said a new bridge at Belvedere or Gallions Reach could stimulate new retail and leisure development in Barking Town Centre boosting the aspiration for it to become East London's cultural hub. In addition the Belvedere option is forecast to deliver 1700 new homes in London

Riverside and generate a more significant increase in new jobs throughout the borough than the Gallions Reach option through the boost it will give to industrial development and proposals such as the Billingsgate Market.

- 3.35 In conclusion, in terms of access to labour the Gallions Reach option is better for Barking businesses but in terms of access to jobs for local residents and the impact on new development the Belvedere option is better. Therefore the Belvedere option is better for the borough overall economically than the Gallions Reach option however this must be balanced with its marginally worse highway impacts.

#### **4. Consultation**

- 4.1 The River Crossings Consultation began on 7 July 2014 and closes on 12 September 2014. TfL will then review the responses and provide a report to the Mayor on the findings of the consultation, with a decision on which, if any, of the proposals to take forward expected in Spring 2015. In the interim, TfL is planning to undertake further consultation in Autumn 2014 on proposals for a new road tunnel at Silvertown.

- 4.2 In light of the findings outlined in section 3, above, it is recommended that the Council's response:

- Supports both fixed-link road crossings in east London; due to its greater economic benefits Belvedere should be built first and be pursued as a top priority by Transport for London so that it is built by 2025 to support growth in Barking and Dagenham.
- Requires improvements to the A13, including a replacement flyover at Lodge Avenue and Renwick Road Junction Improvements be completed by 2021 irrespective of which option is pursued;
- States that if the Belvedere option proceeds then the impacts on boroughs roads to the north and A13 must be assessed in more detail and the appropriate improvements made in advance.
- States that if the Gallions Reach option proceeds that it must accommodate East London Transit.
- States that a new road link across the River Roding to Barking Riverside must be provided for local traffic and public transport.
- Reiterates support for the London Overground extension from Barking Riverside to Abbey Wood, but that this should not be seen as an alternative to the proposed river crossings.

#### **5. Financial Implications**

Implications completed by: Carl Tomlinson, Group Finance Manager

- 5.1 The report recommends that the option to build a bridge at Belvedere is supported although neither of the two proposed bridges will be situated in the Borough. However, due to the close proximity of both options, if either is adopted, there will be significant implications for the Borough's road network and local economy. The earliest that either of the proposed road bridges could be completed is 2022 and, with no certainty of how the national or local economy will be at that time, an accurate assessment of the financial implications of this report is not possible.

- 5.2 If either option is adopted, however, it is likely that traffic flows in the Borough will increase which will result in the need for more frequent and costly repairs to the local road network.
- 5.3 The costs of responding to the consultation exercise and any further consultation that becomes necessary will be met from existing Regeneration and Economic Development budgets.
- 5.4 The cost of any significant traffic surveys will be met by TfL.
- 5.5 The report mentions the need for a number of significant infrastructure improvement projects. These include a replacement flyover on the A13 at Lodge Avenue, improvements to the Renwick Road junction, a road link across the river Roding from River Road to Gallions Reach, improvements to East London Transit and the extension of the London over ground rail network to Barking Riverside.
- 5.6 If any of these projects are progressed, they will be the subject of separate Cabinet reports where the financial implications can be fully assessed. As large infrastructure projects, however, the Authority would not be responsible for their funding, the necessary finance would be provided by TfL with the support of Central Government.

## **6. Legal Implications**

Implications completed by: Paul Field, Senior Governance Lawyer

- 6.1 The implications of the proposals could be far reaching in terms of regeneration for the borough together with the effects of greater movement between the borough and south of the Thames. Such considerations and potential opportunities will inform the authority's Local plan going into the future.
- 6.2 The effect of some of the proposal may not only have economic effects but environmental and sustainability impacts too. For example works to the A13 could considerably improve people lives in terms of noise and emissions reductions and open up sites for development. For the Council to shape these proposals it may involve procurement and tending of expertise and such commissioning will be subject to European contract rules.
- 6.3 The Government acknowledges the need for local government to be able to speak up for communities and by Section 1 of the Localism Act 2011 ("The Act") introduced a new "general power of competence" for local authorities, defined as "the power to do anything that individuals generally may do" and which expressly includes the power to do something for the benefit of the authority, its area or persons resident or present in its area. This power enables the Council to press its case more broadly for supporting the transport projects outlined in this report than on planning interests alone should Members so decide.
- 6.4 As the options crystallise there is likely to be a need to commission consultancy advice on the specific steps and measures the Council will need to take to secure the best interests of the community should the decision to construct a new crossing be finalised. As observed above the Council has the power to do so.

## 7. Other Implications

- 7.1 **Risk Management** – The report details the impacts of the river crossing options. Depending on the option(s) progressed; the Council will lobby TfL to ensure appropriate mitigation measures are put in place to alleviate these issues/risks. In the case of the Belvedere Option this means a detailed study of impacts on roads to the north of the A13 and in the case of the Gallions Reach option a study on impacts on roads within Barking Town Centre and in particular the A406/London Road junction. The Council will ask for Transport for London to undertake these studies and ensure appropriate funding for mitigation is provided on borough roads.
- 7.2 **Staffing Issues** – The location of a new river crossing at either Gallions Reach or Belvedere may result in reduced journey times to work for some Barking & Dagenham employees, particularly those living in south east London. However, the latter option may lead to increased congestion on certain parts of the borough road network, which in turn could lead to increased delays/journey times.
- 7.3 **Corporate Policy and Customer Impact** – The creation of a new river crossing has the potential to help grow the borough by providing residents and businesses with improved access to new/alternative job opportunities and markets through reduced journey times between east and south east London.
- 7.4 **Safeguarding Children** – The location of a new river crossing at either Gallions Reach or Belvedere may result in increased traffic flows on different parts of the borough road network, which in turn could lead to an increase in road casualties. This is a particular issue given the borough's growing population and, in particular, the large increase in the number of children. Therefore appropriate mitigation measures will be necessary on borough roads to deter rat running especially by HGVs.
- 7.5 **Health Issues** – Air quality adjacent to some sections of the borough's highway network is already poor and there are concerns that any increase in traffic flows as a result of the proposals could exacerbate the problem. Further analysis of the traffic and environmental impacts of all the options, and in particular the Gallions Reach and Belvedere bridge options, is required to understand the potential impacts to peoples' health. However a greater concern is the growth in traffic levels forecast up to 2021 which is a more significant issue than the more modest impact of the river crossing options.
- 7.6 **Crime and Disorder Issues** – Any future river crossing in the area would need to provide safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 7.7 **Property / Asset Issues** – The location of a new river crossing at either Gallions Reach or Belvedere may result in increased traffic flows on different parts of the borough road network, which in turn could lead to increased wear and tear on our highway assets and the requirement for more frequent, costly repairs.

**Background Papers Used in the Preparation of the Report:**

- Consultation document on options for new river crossings in East London, TfL, July 2014;
- Crossing options Technical Reports (Engineering, Environment, Regeneration and Traffic).

**List of appendices:** None.

**CABINET****21 October 2014**

<b>Title:</b> Response to London Infrastructure Plan 2050	
<b>Report of the Cabinet Member for Regeneration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> David Harley, Group Manager Economic Development and Sustainable Communities	<b>Contact Details:</b> Tel: 020 8227 5316 E-mail: <a href="mailto:david.harley@lbbd.gov.uk">david.harley@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director Regeneration	
<b>Accountable Director:</b> Steve Cox, Director of Growth	
<p><b>Summary</b></p> <p>The Mayor of London has published a draft London Infrastructure Plan 2050 for consultation. It is the first time for decades that a strategic long term plan for infrastructure in the Capital has been developed which considers how growth can be achieved. It sets out London's proposed overall infrastructure needs, the costs of these to 2050 and suggests different options for delivering and financing. Highlighting population pressures on infrastructure and the dependence of future economic growth upon its expansion, the plan outlines improvements across six areas: transport, green infrastructure, digital infrastructure, energy, water and waste management.</p> <p>Given the Council's priority of 'Growing the Borough' the Infrastructure Plan is welcome and the Council's response sets out general support but highlights infrastructure needs related to Barking and Dagenham which supports the borough's growth and contributes towards London's overall growth. Transport infrastructure is clearly an important part of the Infrastructure Plan and therefore the response includes the priorities discussed as part of a separate Cabinet agenda item with more detail provided in that report.</p> <p>Appendix 1 forms a draft response from the Council to the Mayor in response to the consultation which ends on 31 October.</p>	
<p><b>Recommendations</b></p> <p>The Cabinet is recommended to approve the Council's formal response to the Mayor of London's London Infrastructure Plan 2050 as set out in Appendix 1 to the report.</p>	
<p><b>Reason(s)</b></p> <p>The recommendation contributes towards the Council's priority to grow the borough by pushing for infrastructure requirements which would support growth.</p>	

## **1. Introduction and Background**

- 1.1 The draft London Infrastructure plan 2050 is the first time for decades that a long term plan for the capital's infrastructure has been developed. Such thinking is essential to ensure London's growth can occur in a strategic, planned way for the benefit of existing and new residents - it is therefore strongly welcomed given the priority for growing the borough.
- 1.2 The Infrastructure Plan 2050 helps make the case for ongoing devolution of powers and funding from Central Government to the capital to ensure infrastructure is delivered to achieve growth.
- 1.3 The plan is based on an assumption that London's population will grow by 3.1 million (37 per cent) between 2011 and 2050. As a result the Plan anticipates the following impact on infrastructure demand:
- 50 per cent increase in demand for public transport, but unevenly distributed, falling heavily on the Underground (up 60 per cent) and rail (up 80 per cent) rather than roads
  - at least 49,000 homes each year
  - equivalent of 600 new schools and colleges to address increasing school age population
  - a modest increase in energy demand (up 20 per cent) but with a significant shift from domestic gas consumption to electricity
  - an increased importance of green space (as green infrastructure)
  - the need for fast digital connectivity in all parts of London
  - a need to increase airport capacity
  - increased reusing or recycling materials
- 1.4 The Plan has specifically excluded analysis of NHS infrastructure because of the lack of any meaning full information from the NHS. The GLA also do not envisage they will have any powers in this area in the future.
- 1.5 Transport infrastructure clearly forms a significant element of the Infrastructure Plan therefore the response includes a focus on the transport priorities agreed as part of a separate Cabinet agenda item.
- 1.5 Appendix 1 sets out a draft response to the consultation.

## **2 Options Appraisal**

- 2.1 Not applicable.

## **3. Consultation**

- 3.1 The Mayor of London's consultation is open to all to respond. The Barking and Dagenham Chamber of Commerce have responded separately.

#### **4. Financial Implications**

Implications completed by: Carl Tomlinson, Finance Group Manager

- 4.1 The appendix to this report sets out the proposed formal response to the Mayor of London's Infrastructure plan. Many of the projects mentioned in the response have been the subject of separate Cabinet reports so their financial implications, where quantifiable, have already been set out.
- 4.2 In general, the proposed response recommends the transport and infrastructure projects that the Authority feels the Mayor for London should prioritise as these are felt to be of importance in maximising the development potential of the Borough. The economic regeneration and further development of the area will have positive financial implications for the Authority in terms of Business Rates, Council Tax, Section 106 payments, Community Infrastructure Levies and New Homes Bonuses. Obviously, at this early stage, without knowing which of the proposed projects will be supported by the Mayor for London and Central Government, the longer term financial implications of this report are not possible to quantify.
- 4.3 The costs of responding to the London Infrastructure Plan and any further consultation that becomes necessary will be met from existing Regeneration and Economic Development budgets.

#### **5. Legal Implications**

Implications completed by: Paul Feild Senior Governance Lawyer

- 5.1 The Government acknowledges the need for local government to be able to speak up for communities and by Section 1 of the Localism Act 2011 introduced a new "general power of competence" for local authorities, defined as "the power to do anything that individuals generally may do" and which expressly includes the power to do something for the benefit of the authority, its area or persons resident or present in its area. This power enables the Council to press its case more broadly for supporting the regeneration projects outlined in this report than on planning interests alone should Members so decide.

#### **Public Background Papers used in the preparation of the Report:**

Mayor of London's London Infrastructure Plan 2050

(<https://www.london.gov.uk/priorities/business-economy/vision-and-strategy/infrastructure-plan-2050>)

#### **List of appendices:**

- Appendix 1: Draft response to Mayor of London's draft London Infrastructure Plan 2050

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## London Borough of Barking and Dagenham Response to London Infrastructure Plan 2050

The London Borough of Barking and Dagenham strongly supports the concept of a London Infrastructure Plan 2050 as contributing to the necessary long term consideration of London's growth and how it can be achieved to the benefit of existing and new residents and businesses. The Plan acknowledges the growth potential of East London and Barking and Dagenham provides substantial growth opportunities. 'Growing the Borough' has been formally adopted as one of the Council's three priorities under the vision of 'One Borough; one community; London's growth opportunity'. The Council has produced a Growth Strategy setting out the Borough's potential for growth and how it can be achieved.

As well as long term strategic planning for infrastructure, the London Infrastructure Plan recognises the critical importance of funding and we support the ongoing pressure for greater devolution of powers and funding from Central Government to local and regional government with a strong focus on prioritising where substantial residential and employment growth can be unlocked by the public and private sector working together.

The Mayor of London plays a critical role in three of the Borough's Growth hubs – the London Sustainable Industries Park at Dagenham Dock, Barking Riverside and Beam Park. All three offer opportunities for the Mayor to showcase the latest sustainable infrastructure as part of the development plans and we would encourage the Mayor to continue to actively engage with the Borough in ensuring these developments fulfil their potential.

This response addresses the key sections in the plan:

### Public Transport

We support the Plan's assertion that public transport is essential to deliver growth. The following are the Council's key public transport priorities which deliver growth for London:

- **Barking to Stratford direct rail link with ultimately an eastern spur of Crossrail 2**  
With Barking being East London's second busiest transport hub after Stratford, there would be real benefits for connectivity if a direct line was delivered between the two stations. The Council is exploring how this could be achieved through existing 'Forest Gate Cut' however ultimately the best direct link would be via an extension of Crossrail 2. We will work closely with TfL and Crossrail to set out the full benefits of this in terms of jobs, housing growth and improved connectivity.
- **Moving Barking Station from zone 4 to zone 4/3**  
Although not an Infrastructure project the case for amending the zoning for Barking is critically linked to changing perceptions of Barking's accessibility/distance from Central London and thereby supporting growth and intensification in Barking. As such we believe the Infrastructure Plan should address such issues.
- **Direct rail access from Stratford to Stansted**  
Alongside a direct rail link between Barking and Stratford, it is important to establish better airport links and whilst Crossrail will deliver this in relation to Heathrow, it is important to

address better rail access between Stratford and Stansted as part of improving East London's competitiveness.

- **London Overground extension to Barking Riverside and Abbey Wood Crossrail Station.**

The Plan set out proposals for a new London Orbital railway which includes the extension of the Gospel Oak to Barking line into Barking Riverside and a further extension across the river to Abbey Wood Crossrail station. We have worked closely with the Mayor of London to develop the extremely strong case for the London Overground extension to Barking Riverside and we strongly support the proposed extension under the Thames to Abbey Wood. However we would argue it should be brought forward to 2025 to help with delivering growth and the East London economy. More broadly we welcome proposals for additional orbital rail connections in outer London.

- **Barking Station Improvements**

Barking station has risen from the 79<sup>th</sup> to the 40<sup>th</sup> busiest station in the country. The Council's London Housing Zone bid for Barking identifies the potential for intensification around Barking station. This however requires the delivery of the improvements required for Barking station which will ensure it can meet the needs of additional users and provides an attractive gateway which ensures Barking becomes a more desirable residential location.

- **New road river (Thames) crossing from South Hornchurch to Belvedere followed by Gallions Reach to Woolwich. Plus Barking Riverside to Gallions Reach river (Roding) crossing.**

LBBB has formally commented on the River Crossings consultation and clearly London's growth eastwards requires new river crossings to unlock the area's full potential. It is critical that a Gallions Reach bridge accommodates East London Transit. In addition to the Thames Crossings forming part of a separate consultation, a River Roding crossing near to the mouth of the river is needed to for local traffic and public transport to improve access between London Riverside and the Royal Docks - two of the largest Opportunities areas in London.

- **Improved bus links to Royal Docks, Barking Riverside and South Dagenham/Beam Park.**

Bus routes can play a critical role in supporting growth and connectivity. Key priorities for new and improved bus links include progressing the previous ELT3 scheme from Barking Town Centre to the Royals (and travelling across a future East London crossing at Gallions Reach) – this should form part of the next Transport Strategy and Business Plan, new bus routes to unlock potential at South Dagenham/Beam Park linking up existing stations, and Barking Riverside bus routes to maximise connectivity.

- **A tram network linking Chadwell Heath to Dagenham Dock and Barking and Romford.**

Links between Barking and Romford and Chadwell Heath and Dagenham Dock (ie broadly north-south) are currently poor and the original plans for East London Transit to serve one part of this corridor were not implemented. Given East London's growth potential we would wish to encourage TfL to look at the potential for a tram service along these corridors to assist with widening the benefits of Crossrail and enabling intensification along improved a transport corridors.

- **New C2C stop at Dagenham East underground station**

A new C2C station alongside the tube station at Dagenham East would be able to support the strong potential londoneast-uk ( formerly the Sanofi site) has for employment development including a science and technology park utilising unrivalled laboratories and clean room space. This site should form a key part of the Med-City triangle and a C2C station would improve journey times to Central London and elsewhere.

- **Docklands Light Railway Extension**

Whilst delivery of the London Overground extension to Barking Riverside is the key immediate priority to unlock Barking Riverside potential, we believe there is still scope for progressing the Docklands Light Railway extension from Beckton to Dagenham Dock. This would enable further intensification (including a potential secondary hub at Creekmouth) as well as supporting growth at South Dagenham/Beam Park. It would also provide a direct line between the Royal Docks and Barking Riverside/Beam Park offering scope for housing to serve the new business developments.

## **Road Infrastructure**

Whilst recognising the importance of public transport in delivering sustainable growth it is important to recognise the critical role of strategic road networks in serving London's growth and the A13 is critical in this - particularly with the DP World/London Gateway developments and how London serving industries support the capital's growth. LBBB believe the A13 should be a priority transport corridor for investment to relieve congestion and facilitate movement. This is particularly important with additional river crossings.

The A13 is major barrier to growth in East London with a number of junctions urgently requiring significant upgrading. We would support the previously raised concept of undergrounding such significant transport routes as offering scope for much greater quality of life in the surrounding areas as well as enabling significant additional new housing which could help fund the infrastructure costs as well as delivering other benefits.

## **24 Hour Transport**

We support the proposals for creating a 24 hour transport system but are disappointed that the plans for a 24 hour tube beginning in 2015 totally exclude any service in Barking and Dagenham. We would wish to see an extension of the 24 hour tube to the Borough as soon as possible.

## **Cycle Networks**

A comprehensive network of cycle routes is critical to delivering sustainable growth and with large scale developments such as Barking Riverside and Beam Park there is potential to embed cycling at an early stage to maximum usage. With the Mayor playing a major role in both these sites it is critical they are examples of best practice in delivering sustainable infrastructure. We are disappointed with the lack of news on funding for the Council's cycling proposals following the Mini Holland bidding as the Council believes its proposals can start implementing a long term future for increased cycling movements.

## **Green Infrastructure**

We welcome the Plan's emphasis on green infrastructure including green spaces. Barking and Dagenham forms part of the East London Green Grid and we would welcome

ongoing Mayoral support and funding for this initiative particularly given the Mayor's critical land ownership role in the area.

### **Digital connectivity**

Digital infrastructure is highlighted as a key feature of infrastructure required for future productivity. With many areas existing in London with poor or no internet connectivity, the plan outlines how this need will be assessed to ensure London is well connected for the future. Barking Town Centre and Barking Riverside, are both noted to have connectivity of less than 2Mbps in the Plan and we would strongly highlight the importance of improving this given the scope for substantial housing and employment growth.

### **Energy Infrastructure**

The Infrastructure plan highlights the need to improve investment in energy infrastructure including the security and reliability of energy supply, which is within 2 years of demand differing to supply by only 2% at peak times. We would like to highlight the almost absurd situation where Barking Power Station built in 1995 at a cost of £360m is facing closure and decommissioning due to lack of contracts to supply National Grid. The operators recognise that they are likely to be essential in the future but that the current energy market means they have not been generating power since the summer and have extremely high standing costs. The company are seeking business rate discounts from the Council to address the high running costs when the station is not generating power. This is clearly a significant resource issue for a Local Authority facing unprecedented cuts - it needs to be considered at regional and national level.

The Mayor will also be aware of proposals for a London Heat Main related to Barking Power which could be implemented as part of a long term future for the plant which would be lost if a decision to close was made in within the next six months. We would request urgent intervention by the Mayor and the Government to prevent the loss of a power station that can play a critical role in ensuring power supplies to meet London's growth and provide longer term benefits in line with the Infrastructure Plan's objectives.

LBBB is committed to delivering new renewable energy sources for the benefit of the borough and is exploring scope for our own Energy company – we would be keen for financial and other support to deliver our ambition.

### **Waste Infrastructure**

LBBB and the Mayor of London have been working closely together for a number of years to deliver the London Sustainable Industries Park at Dagenham Dock. This is providing a home for a number of businesses addressing London's waste in a sustainable manner. There is scope to progress this further to fully showcase the 'circular economy' concept set out in the plan.

### **Governance**

It is important that London Borough representatives either through London Councils or Sub Regional partnerships have membership of the Infrastructure Delivery Board.

## **Social Infrastructure**

The Plan makes limited reference to social infrastructure (health, community, culture) however nevertheless it is clearly critical to ensuring London's long term growth which delivers attractive places people want to live and work and cannot be ignored. While we understand the issues of trying to clarify the long term spatial requirements in relation to health it is essential that with a substantial growth in the population that this is addressed. The Council is working with the North East London Foundation Trust around an exemplar model for improving delivery in the adult care arena know as "Care City". And concepts like this should perhaps be expanded across the Capital. In relation to schools, Barking and Dagenham has the highest birth rate in the country and is facing severe challenges in addressing school place needs - this could become a substantial barrier to sustainable growth which has the support of residents - adequate and timely funding to address school places needs is an essential for growth.

This response was agreed by the London Borough of Barking and Dagenham's Cabinet on the 21 October 2014.

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**CABINET****21 October 2014**

<b>Title:</b> Adoption of Community Infrastructure Levy Charging Schedule	
<b>Report of the Cabinet Member for Regeneration</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> yes
<b>Report Author:</b> Claire Adams, Principal Planning Officer	<b>Contact Details:</b> Tel: 020 8227 5274 E-mail: claire.adams@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director of Regeneration	
<b>Accountable Director:</b> Steve Cox, Director of Growth	
<p><b>Summary:</b></p> <p>At its meeting on 22 January 2013, the Cabinet approved the Borough's Community Infrastructure Levy (CIL) Draft Charging Schedule for consultation and for submission for examination (Minute 84 refers).</p> <p>Consultation took place for a period of six weeks from 15 March to 26 April 2013. No modifications were made to the Draft Charging Schedule following consultation, and it was subsequently formally submitted to the Planning Inspectorate on 25 February 2014 for independent public examination.</p> <p>Examination took place on 14 May 2014. On 28 May 2014 the Planning Inspectorate submitted their report to the Council recommending the LBBD Charging Schedule should be approved in its published form.</p> <p>As well as recommending that Cabinet recommend to Assembly that the LBBD Charging Schedule is adopted the report also covers other consequential issues related to the administration of the charge.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended:</p> <ul style="list-style-type: none"> <li>(i) To recommend to the Assembly that the LBBD Community Infrastructure Levy Charging Schedule is adopted</li> <li>(ii) To approve the introduction of the Community Infrastructure Levy rates from 2 March 2015</li> <li>(iii) To approve that how residents and businesses are consulted on the neighbourhood CIL allocation is agreed on a case by case basis in agreement with the Cabinet Member for Regeneration</li> </ul>	

- (iv) To agree to allow the payment in kind of CIL by land or infrastructure payments
- (v) To approve the S106/Planning Obligations Planning Advice Note.
- (vi) To delegate any final amendments permitted by the Examiner's Report to the Divisional Director for Regeneration in consultation with the Cabinet Member for Regeneration

**Reason(s)**

The Community Infrastructure Levy will help deliver the borough's growth agenda by providing funding to pay for the infrastructure to support growth and by removing the need for many S106 agreements which currently cause delay in the planning process.

**1. Introduction and Background**

1.1 Currently, contributions are sought from developers through agreements made under S106 of the Town and Country Planning Act 1990 (S106 Agreements) to mitigate the impacts of their development. The Government has recently tightened the operation of S106 agreements by making law the tests they must meet. S106 monies can now only be agreed as a reason to approve a development, if they meet all of the following three legal tests:

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

Therefore Section 106 monies can now only be used to mitigate the direct impacts of a development. From 6 April 2015 or local adoption (whichever is sooner) a maximum of five S106 contributions can be pooled for any one item of infrastructure. This includes any S106 agreements agreed since 1 April 2010. Therefore this severely restricts the use of S106 to fund wider infrastructure needs.

1.2 The Government now expects the wider infrastructure impacts of development, such as the provision of school places, to be funded not through S106 contributions but through a new mechanism called the Community Infrastructure Levy.

1.3 The Community Infrastructure Levy (CIL) is a new charge which local authorities are empowered, but not required, to levy on all net new development of 100 square metres or more or the creation of one additional residential unit in their areas. The proceeds of the levy can be spent on infrastructure to support the needs of new development anywhere in the borough.

1.4 The Planning Act 2008 provides a wide definition of the infrastructure which can be funded by the levy, including transport, flood defences, schools, hospitals, and other health and social care facilities. The implementation process is set out in the Community Infrastructure Regulations 2010 as amended. Regulation 123 of the Regulations requires the Local Planning Authority (the Council) to publish a Regulation 123 list which sets out the general infrastructure on which it will spend

CIL proceeds on. The list is exclusive to the Council so it cannot then seek additional S106 contributions for items which are listed on the 123 list.

- 1.5 Whilst S106 agreements are negotiated on a case by case basis due to the circumstances of each development being unique, CIL is an automatic non-negotiable charge which once in place applies to all eligible development.
- 1.6 The benefits of moving to a CIL regime can be summarised as follows:
- Applies to nearly all new development except affordable housing and development for charitable purposes;
  - As it is a fixed, non-negotiable charge there is greater transparency, predictability and certainty for developers;
  - It delivers additional funding to carry out a wide range of infrastructure projects that support growth and benefit the local community;
  - It gives freedom and flexibility to set priorities for what the money should be spent on, as well as a predictable funding stream that assists in planning ahead;
  - It provides developers with much more certainty 'up front' about how much money they will be expected to contribute, which in turn encourages greater confidence and higher levels of inward investment. It will therefore assist in the delivery of new homes and commercial floorspace and therefore help maximise income from other potentially more lucrative funding streams such as the New Homes Bonus and domestic and non-domestic rates;
  - Unlike S106 agreements, it will not slow down or complicate the development assessment process and will help speed up the planning system;
- 1.7 The Community Infrastructure Regulations 2010 as amended prescribe the process for a local authority to adopt a Community Infrastructure Levy. First the Council must publish a Preliminary Charging Schedule for consultation, then a Draft Charging Schedule for consultation and then submit this to the Planning Inspectorate for examination before formally adopting it.
- 1.8 This report represents the last step in the process; to adopt a Community Infrastructure Levy for Barking and Dagenham.
- 1.9 At its meeting on the 14 February 2012, the Cabinet recommended to approve the Community Infrastructure Levy Preliminary Draft Charging schedule for consultation (Minute 114 refers). Responses were received from eleven respondents. In response a number of changes to the proposed charges were made.
- 1.10 Originally a nil charge for small retail (under 370 square metres) and £10 for all other retail (shops, banks, estate agents, cafes, takeaways, restaurants and pubs) was set with the exception of supermarkets/superstores over 1500 square metres which were set a charge of £300 per square metre. This was reduced to £175 per square metre but applied to supermarkets and superstores of any size with all other retail uses paying £10 per square metre. These changes were made first of all to address uncertainty about the legality of having different charges for different sizes of shops and to ensure that the charge for supermarkets/superstores was viable under the terms of the Community Infrastructure Regulations. The charge for business uses (Use Class B1b – Research and Development, Use Class B1c - Light Industrial, Use Class B2 - General Industrial and Use Class B8 - Storage and Distribution) was also reduced. After further scrutiny it was considered that the

proposed levy for some of these uses, at £10 per square metre, was on the margins of viability and as such the charge was reduced to £5 per square metre. No other changes were made.

- 1.11 At its meeting on 22 January 2013, the Cabinet recommended to approve the Community Infrastructure Levy Draft Charging Schedule for consultation and for submission for examination. A six week consultation took place from 15 March to 26 April 2013. A total of 20 responses were received but no evidence was submitted to show that the rates proposed would render development unviable. Therefore, no modifications were made to the schedule.
- 1.12 The Draft Charging Schedule was submitted for to the Planning Inspectorate for examination on 25 February 2014 and the examination took place on 14 May 2014. One objector, the London Fire and Emergency Planning Authority, attended the examination hearing. The Planning Inspectorate's report, received on 28 May 2014, recommended that the LBBD CIL Charging Schedule (attached as Appendix 1) should be approved in its published form.

## **2. Proposal and Issues**

- 2.1 The Planning Inspectorate's report of 28 May 2014 concludes that 'the Barking and Dagenham Community Infrastructure Levy Draft Charging Schedule provides an appropriate basis for the collection of the levy in the Borough. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk. I have recommended that the schedule should be approved in its published form, without changes.' The rest of this report deals with detailed implementation issues.

### **Implementation Date**

- 2.2 The Council needs to take into account when determining the introduction of CIL the impact on outstanding planning applications. CIL will be liable on all planning permissions for qualifying development once it comes into force. To enable negotiations on current applications to be concluded under the current system it is recommend that CIL is charged from 2 March 2015.

### **Review of charges**

- 2.3 Officers recommend that the charges should be kept under review for future amendments in light of infrastructure delivery, macro economics trends and changes in local land values. Any further changes to the charging schedule will require a fresh viability study, a repeat of public consultation, and another independent examination. It is the case that development viability has improved during the process of setting the CIL charges and therefore an early review may be necessary to ensure they continue to be set at the right level.

### **Allocation of CIL and establishing priorities for spending**

- 2.4 The CIL Regulations 2010 as amended require collecting authorities to publish a Regulation 123 list which sets out a list of those projects or types of infrastructure that it intends to fund, or may fund, through the levy. This is drawn from the Council's Infrastructure Plan which identified the infrastructure spending gaps which

justified the Council setting a CIL. The Regulation 123 list therefore focuses on the infrastructure necessary to deliver the Core Strategy. The list was submitted to the Examination in Public and any future changes will need to be subject to “local appropriate consultation”

2.5 The list makes a distinction between those site specific items which will continued to be funded by S106 and the strategic infrastructure which will be funded by CIL. The following items are listed in the Regulation 123 list to be funded by CIL:

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

2.6 The following items will continue to be funded by S106 where they meet the legal tests listed earlier.

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

A draft list is attached as Appendix 3.

2.7 To help developers understand the relationship between S106 and CIL and how they will operate together a draft S106/Planning Obligations Planning Advice Note is attached as Appendix 4. This sets out where planning obligations or Section 106 will be sought following the adoption of the Council’s CIL charging schedule. This is not a statutory Local Development Document but a planning advice note.

2.8 Prior to CIL coming into force mechanisms must be put into place to deal with the distribution of funding and how infrastructure on the Regulation 123 list is prioritised. Officers recommend that this is decided through the existing Capital Programme procedures in consultation with the Lead Member for Regeneration. However alternatives include Growth Board and the Local Development Steering Group. Since payments under the LBBD CIL are unlikely to be received until Autumn 2015 there is sufficient time for the preferred mechanism to be agreed.

## **Neighbourhood Portion**

- 2.9 The Council must allocate at least 15% of levy receipts to the local area where the respective development is taking place and what they are spent on must be agreed with the local community. This rises to 25% in those areas with an adopted neighbourhood plan. Currently there are none in Barking and Dagenham. The Government does not prescribe a specific process for agreeing how the neighbourhood portion should be spent but suggests that charging authorities should use existing community consultation and engagement processes. The consultation should be proportionate to the level of levy receipts and the scale of the proposed development to which the funding relates. Officers recommend that the appropriate consultation process is agreed on a case by case basis in agreement with the Lead Member for Regeneration since the best way to do so will vary from one part of the borough to the next depending on what mechanisms already exist in each location.

## **Discretionary Relief**

- 2.10 Whilst the CIL charges have been set at a level which should not affect the viability of development it is the case that development in some parts of the borough is difficult due to low land values and low sales prices. This is evidenced by the relatively low CIL charges which are proposed in some parts of the borough. To ensure that CIL does not prevent otherwise desirable development, the regulations provide that the Council has the option to offer a process for giving relief from the levy in exceptional circumstances where a specific scheme cannot afford to pay it. Officers recommend this option is offered by the Council. The Council can then consider claims for relief on chargeable developments from landowners on a case by case basis, provided the conditions set out in Regulation 55 of the Community Infrastructure Levy Regulations 2010 (as amended) are met:

- a section 106 agreement must exist on the planning permission permitting the chargeable development; and
- the charging authority must consider that paying the full levy would have an acceptable impact on the development's economic viability; and
- the relief must not constitute a notifiable state aid.

## **Instalments**

- 2.11 Officers recommend that the Council follows the Mayor of London's instalment policy for the Mayor of London's Community Infrastructure Levy. For CIL liability of £500,000 or less the total amount is payable within 60 days of commencement of development. For CIL liability of over £500,000 the greater of £500,000 or half the value of the total amount payable is due within 60 days of commencement of development and the remainder within 240 days of development.

## **CIL Payment in Kind**

- 2.12 The CIL (Amendment) Regulations 2014 include amendments to Regulations 73 and 74, allowing the CIL levy to be paid through the provision of infrastructure or land. This must be infrastructure that is included in the Regulation 123 list. In order to implement this change, the Council must publish a notice on its website announcing the intention to accept in-kind infrastructure payments. Officers

recommend that the Council allow in-kind infrastructure payments as there may be circumstances where it will be more beneficial for a developer to provide infrastructure rather than money being paid to the Council to implement the work. Issuing this notice does not mean that the Council is obligated to accept in-kind infrastructure payments.

### **Annual CIL Monitoring Report**

- 2.13 Following the introduction of CIL, an annual monitoring report must be produced outlining how much CIL has been collected each financial year and how it has been spent on infrastructure. This will be published on the borough's website.

#### **Process**

- 2.14 Subject to Cabinet approval of the recommendations of this report, officers will carry out the necessary adoption procedures including:
- the publication of a Notice of Adoption in the local newspaper
  - placing an electronic copy of the Charging Schedule on the Council's website
  - making a copy available for inspection at all Libraries and at Barking Town Hall and the Civic Centre as required by the Regulations.

### **3. Options Appraisal**

- 3.1 Two other options were considered:

- Option 1: No CIL and maximum affordable housing via S106
- Option 2: CIL and 10% indicative affordable housing target

These were detailed in a report to 14 February 2012 Cabinet (Minute 114 refers) and are not repeated here.

### **4. Consultation**

- 4.1 Consultation on the Draft Charging Schedule took place for a period of six weeks from 15 March to 26 April 2013. Letters were sent out to the consultation bodies required by Regulation 16 of the CIL Regulations 2010 (as amended), contacts on the Local Plan database, and stakeholders which took part in earlier consultation workshops. In addition, an advert was placed in 'The Post' on Wednesday 13th March 2013. The Draft Charging Schedule, a statement of representation procedure, and supporting documents were made available on the Council's website and in Barking Town Hall, Dagenham Civic Centre and all libraries in the Borough.
- 4.2 A total of twenty representations were made in accordance with Regulation 17 of the CIL Regulations 2010 (as amended). A summary of the representations and the Council's response to these is attached as Appendix 2. No modifications were made to the Draft Charging Schedule following consultation.
- 4.3 If the Council wishes to revise the Regulation 123 list, this can be done without revising the Charging Schedule, however the changes would need to be clearly explained and subject to appropriate local consultation. Where a change to the

Regulation 123 list would have a very significant impact on the viability evidence that supported examination of the Charging Schedule, this should be made as part of a review of the Charging Schedule.

## 5. Financial Implications

Implications completed by: Carl Tomlinson Group Finance Manager

- 5.1 The CIL is expected to generate funding for the infrastructure needed to support new development. Section 106 payments will still exist but only for site specific infrastructure.
- 5.2 The main significant difference in controlling S106 and CIL proceeds is that with S106 contributions there is a legal requirement that any payment should be directly related to the development whereas with CIL the payment will go to an accumulated fund to finance infrastructure projects generally (as defined in legislation and regulation). S106 contributions are negotiated on a development-by-development basis and therefore it is not possible to say at present whether the introduction of the CIL will impose greater costs for developers. However, as the CIL is based on a charging schedule, developers will have much greater certainty in calculating their likely costs.
- 5.3 From 1 April 2012 a mayoral CIL has applied to all qualifying developments, meaning the Council collects £20 per net additional square metre of new development from the developer and passes it on to the Mayor of London. The total CIL charge, including the mayoral and Authority's own CIL will be collected as one payment, and the mayoral element will then be forwarded on. After 2019 it is anticipated that the mayoral CIL will cease, at which point the mayoral element of the charge can be incorporated into the Authority's own charge, thus leaving our charges £20/sq.m higher in each band.
- 5.4 The Council will be required to exercise proper governance and monitoring arrangements to be able to demonstrate what monies have been received and how they have been spent in line with existing reporting and accounting procedures.
- 5.6 The incremental costs of producing and consulting on the CIL have been met from within the current Regeneration & Economic Development budget, which are summarised below (some figures are approximate):

Viability study (consultants)	£32,000
Adverts	£ 2,100
Printing and postage	£ 1,000
Inspectors fees	£12,100
Room hire	<u>£ 1,000</u>
TOTAL	£48,200

- 5.8 There is also a cost in terms of the time spent by current staff. The cost of administering and collecting the CIL and setting up the systems to do this is allowed to be met from the CIL proceeds provided this does not exceed over 5% of the total CIL collected in the first three years. In year four, and each subsequent year, the total amount of CIL that may be applied to administrative expenses incurred during that year shall not exceed five per cent of CIL collected in that year.

5.9 Whether the Authority will receive considerably more funds from developers once the CIL charges are introduced is difficult to predict. Section 106 incomes will inevitably reduce as CIL income increases but the amount that will be forthcoming will depend on the scale of future development, the type and purpose of the buildings, their size, intended use and location.

## 6. Legal Implications

Implications completed by: Paul Field, Senior Lawyer

6.1 Development of land or change of use inevitably has an effect on the community. A balance has to be struck between allowing land use and mitigating negative effects of development. The historical basis for ensuring developments did not have a cost on the community was by the granting of planning permission subject to an agreement which might involve payment or works, that is to say that a development would not be agreed without a contribution from the Developer. This is referred to as S.106 Town and Country Planning Act Agreements or '*S.106 Agreements*' for short. The problem with that approach was that it could be seen as arbitrary in nature and, as it were, putting a price on the grant. As the developers' circumstances and the viability of the scheme varied, so did the contribution. In reality it meant that some developments were charged different amounts under S.106 agreements or not at all.

6.2 To address concerns about the S.106 payments, the Planning Act 2008 introduced the Community Infrastructure Levy. The application is set out in the Community Infrastructure Levy Regulations 2010 (as amended). Unlike the S106 arrangements, most new developments will be liable to pay the levy. This includes from 6<sup>th</sup> April 2013 new buildings that are granted permission by way of a general consent, such as via the General Permitted Development Order or through a Local Development Order.

6.3 The CIL regime is designed to be transparent and while it will still reflect local planning considerations the charges will be open for all to see. The proposed charges are attached as Appendix 1.

6.4 There are a broad range of measures that can be taken to ensure recovery of payment. Furthermore, late payments will incur a surcharge. Prosecution can follow if the commitment to pay is breached as effectively it will be as if a condition has not been met which means that resort can be made to stop notices and if necessary an injunction.

6.5 Finally, the CIL regime does not affect contributions secured for highways work or improvements under Section 278 Highways Act 1980. Such agreements will continue.

## 7. Other Implications

### 7.1 Risk Management

Risk	Probability	Impact	Priority	Action
Proposed charges are	Low	Medium	High	Developers and landowners were consulted in the early

challenged by developers and land owners				stages of developing the draft charging schedule to ensure that it was based on local evidence. A number of objections were received in the first stage of consultation and changes were made to the retail charges to ensure that they are legal and therefore to reduce the risk of High Court Challenge. The borough's charges have been endorsed by the Planning Inspectorate.
Levy stops development coming forward	Low	High	High	In line with the CIL Regulations 2010, the Council has not set charges at the margins of viability. However officers recommend that discretionary relief is offered.
Neighbouring Council's set Levy at lower rate	High	Medium	Low	The CIL charge can only be set on the basis of development viability. It is the responsibility of neighbouring boroughs to do likewise. With the exception of the charge for supermarket/superstores, Redbridge's charges are significantly higher than LBBD's. Newham's charges vary from £40-£80 per square metre for residential, £30 for retail and £120 for hotels. All other uses are £0. Havering currently does not have a CIL.

7.2 **Staffing Issues** – The proposals will not necessitate the need for additional staff. The Council has been collecting the Mayor of London's CIL from 1 April 2012. The Council can cover its administration costs from CIL.

7.3 **Customer Impact** – The Community Infrastructure Levy will help deliver the borough's growth agenda by providing funding to pay for the infrastructure to support growth and by removing the need for many S106 agreements which currently cause delay in the planning process. In line with the CIL regulations the charge has been set based on development viability. The charge cannot be varied to achieve policy objectives. However, it is relevant to note that a nil charge will apply to public health, schools and municipal leisure centres and residential extensions and alterations below 100 square metres. In addition, affordable housing, self-build housing and charitable development are exempt from the charge.

The CIL will have a positive impact on the local community as it will maximise developer contributions to meet the cost of new infrastructure generated by new development. The Council, will have increased flexibility to ensure that funds from CIL are spent where they are most needed in the borough; this will enable the Council to ensure that the needs of residents from different areas, age groups, incomes and equality groups, can be taken into account in deciding which infrastructure developments to support.

- 7.4 **Safeguarding Children** – The proposal will have a positive impact on the wellbeing of children as it will help provide funding for the Council's Capital Strategy which includes extensions to existing schools and new schools to meet the needs generated by new development. Monies generated by CIL can also be used to fund Children's Centres and community services which are important for family welfare, and also to provide places for young people to help reduce anti-social behaviour. Development used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institute of higher education will not pay the levy.
- 7.5 **Health Issues** – Developments used wholly or mainly for the provision of any publicly funded medical or health services will not pay the levy.
- 7.6 **Crime and Disorder Issues** – Section 17 of the Crime and Disorder Act 1998 requires local authorities to consider the crime and disorder implications of any proposals. New developments can often raise issues of concern around crime and disorder both within the development phase but also long term if due crime design advice is not given or adhered to. This proposal may therefore have a positive impact if CIL is spent on community safety initiatives which will mitigate any impact either directly on the development, or on the surrounding area, e.g. CCTV provision or better lighting. Whilst CIL is payable on new policing facilities the Council's CIL is half that of the Mayor of London's and therefore it is not considered that the Council's CIL will adversely impact on the provision of these.
- 7.7 **Property / Asset Issues** – The Council, as a landowner and developer, will be liable to pay CIL on qualifying developments. The Asset Management service is concerned about the impact on small retail businesses and considers that the charges could lead to more shops within the borough closing. It is important to clarify that the charge is only on net new development and therefore will only apply to new retail floorspace. Therefore, existing shops, or new shops taking existing space will not be affected by this charge.

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

**List of appendices:**

- Appendix 1: LBB Community Infrastructure Levy Charging Schedule
- Appendix 2: LBB CIL Consultation Statement – October 2013
- Appendix 3: Regulation 123 list
- Appendix 4: Draft S106/Planning Obligations Planning Guidance Note July 2014

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**London Borough of Barking and Dagenham**

**Community Infrastructure Levy  
Charging Schedule  
October 2014**

**1. The Charging Authority**

- 1.1 This Community Infrastructure Levy (CIL) Charging Schedule has been published by the London Borough of Barking and Dagenham. The Council will be both a Charging Authority and a Collecting Authority.

**2. The date on which the charging schedule was approved**

XXXX

**3. The date on which the charging schedule takes effect**

2 March 2015

**4. Statutory Compliance**

- 4.1 The Draft Charging Schedule has been xxxxx for publication at a meeting of the Council's Assembly on xxxxx. It is published in accordance with Part 11 of the Planning Act 2008 (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010 (as amended).

**5. Who will pay CIL?**

- 5.1 The charge will be levied on development of more than 100 sq.m of new floor space and those creating 1 or more dwellings even where the floor space is less than 100 sq.m. In principle, this affects all types of development that involve buildings 'into which people normally go'.
- 5.2 Subject to caveats the levy will not be charged on developments that do not involve a net increase in floor space. Therefore sub-divisions of existing dwellings to form other dwellings will not be charged. Structures which are not buildings, or which people do not regularly go into to use will not be liable, in accordance with the CIL regulations as amended. Affordable housing development, development for charitable purposes and self build housing, annexes and extensions will also be exempt in accordance with the regulations.

**6 Relief for Exceptional Circumstances**

- 6.1 The London Borough of Barking and Dagenham will make relief available for exceptional circumstances in its area, including Barking Riverside. The power to do this will be activated following the adoption of the Charging Schedule. The regulations on this matter make clear that relief should only be granted in truly 'exceptional circumstances'.

- 6.2 The Council will consider claims for relief on chargeable developments from landowners on a case by case basis, provided the conditions set out in Regulation 55 of the Community Infrastructure Levy Regulations 2010 (as amended) are met:
- a section 106 agreement must exist on the planning permission permitting the chargeable development; and
  - the charging authority must consider that paying the full levy would have an unacceptable impact on the development's economic viability; and
  - the relief must not constitute a notifiable state aid.

## **7 When will the levy be collected?**

- 7.1 The levy will become due from the date that a chargeable development is commenced in accordance with the terms of the relevant planning permission.
- 7.2 When planning permission is granted, LBBB will issue a liability notice setting out the amount of the levy that will be due for payment when the development is commenced, the payment procedure and the possible consequences of not following this procedure.
- 7.3 The levy's payment procedures encourage someone to assume liability to pay the levy before development commences. Payments must be made in accordance with the instalment policy published by the Mayor of London. For developments where the CIL payable is £50 - £500,000 the whole amount shall be paid not more than 60 days after commencement of the development. For developments where the CIL payable is £500,000+, developers have the option to make two installment payments:
- The greater of £500,000 or half the value of the total payable amount 60 days after commencement and;
  - The remainder 240 days after commencement.
- 7.4 The responsibility to pay the levy runs with the ownership of land on which the liable development will be situated. That benefit is transferred when the land is sold with planning consent, which also runs with the land. Although ultimate liability rests with the landowner, the regulations recognise that others involved in a development may wish to pay. To allow this, anyone can come forward and assume liability for the development.
- 7.5 There may be circumstances where it will be more desirable for a charging authority to receive land instead of monies. The regulations provide for charging authorities to accept transfers of land as a payment in kind for the whole or part of the levy. This will be subject to negotiation with the Council.

## **8 Evidence for Draft Charging Schedule**

- 8.1 The regulations require the 'Charging Authority' (LBBB) to strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential effect of the imposition of CIL on the economic viability of development across the area.

8.2 Charging authorities are therefore required to prepare evidence about the effect of the levy on economic viability in their area to demonstrate to an independent examiner that their proposed rates strike an appropriate balance.

8.3 The development of the Charging Schedule has been informed by the following pieces of evidence:

- Barking and Dagenham Local Development Framework
- LBBD Community Infrastructure Plan 2012/13 – 2025/26
- Affordable Housing and Community Infrastructure Levy/S106 Economic Viability Assessment 2011
- CIL Economic Viability Study: Addendum on Retail

### Community Infrastructure Plan

8.4 The Barking and Dagenham Community Infrastructure Plan (CIP) outlines community infrastructure provision across the borough. It is based on the London Plan housing monitoring target of 1,065 homes per year which equates to 14,910 new homes and 36,082 new residents (based on a yield of 2.42 persons per new home). The CIP looks at the impact of growth on education, transport, health, public realm, open space, allotments, leisure, play, children’s centres, cemeteries, libraries, flood defences and mitigation measures, employment and local labour and emergency and essential services

8.5 For each of these it examines:

- Current provision of facilities
- Existing shortfall or surplus
- Projected shortfall or surplus based on the demand from an additional 36,082 residents
- New facilities required to meet new demand
- Costs of meeting new demand
- Potential available funding sources

8.6 The table below summarises the overall requirement for new community infrastructure facilities to 2025, estimated costs and the responsible delivery agencies.

<b>Cost of Community Infrastructure to support growth in Barking and Dagenham to 2025.</b>	
Type of Facility	Existing shortfall
<b>Council’s and Local Education Authority’s Responsibilities</b>	
Education (incl. land for 4 additional primary schools and 2 additional 8FE secondary schools all on confined sites. Also includes 6398 primary school places and 4,570 primary school places)	£147,613,529
Transport (incl. £500m for DLR Extension, £70m for Renwick Road Junction Improvements)	£633,511,000
Public Realm (incl. London Road/North Street Market Square, A406 roundabout, BTC East Street, Street	£2,660,000

Scene Enhancement, Becontree Station Improvements, Creekmouth Industrial Area)	
Open Space (incl. Abbey Green, Mayesbrook Park)	£7,540,000
Allotments (maintenance and creation of allotment space)	£649,476
Leisure (Indoor) (Build and land costs for 2 additional 4 court leisure centres. This assumes Barking Riverside will provide land and building for 8 lane swimming pool)	£4,032,900
Leisure (Outdoor) (additional 17.76 hectares of playing pitches, 1.5 tennis courts, 1 bowling green and upgrading of sports pavilion in eight strategic parks)	£6,814,140
Play (play provision for 5-9 year olds. Under 5s to be provided through S106 agreements (doorstep play)).	£1,049,920
Children's Centres	£5,600,000
Cemeteries	No information
Libraries (Revenue costs for Barking Riverside Library, Ongoing maintenance costs of existing estate)	£3,600,000
Flood Defences (Measures to manage surface water flooding in LBBB. Does not include fluvial or tidal flooding)	£56,310,823
Employment and Local Labour (Revenue requirements for Barking Business Centre. Local Labour agreements to be provided through S106 agreements)	£2,600,000
Emergency Services	None.
<b>NHS Outer North East London's responsibilities</b>	
Health (capital requirements for 36,082 people)	£22,144,757
<b>Further Education Provider's Responsibilities</b>	
Further Education	Tbc
<b>Total</b>	<b>£894,126,545</b>

### CIL Economic Viability Assessment 2011

8.7 The Council appointed GVA Grimley in September 2011 to undertake three pieces of work:

- Preparation of a construction cost schedule
- Preparation of a land value appraisal study
- Preparation of an economic viability assessment

In September 2012 further testing was undertaken by GVA on retail development.

8.8 GVA has drawn on both primary and secondary evidence sources in order to test the viability of CIL/S106 and affordable housing delivery in Barking and Dagenham.

8.9 The work has taken the form of quantitative viability testing of a series of possible housing splits, tenure variations and CIL/S106 charging options for a range of types of development in order to identify the levels of viability for future development.

Work has also included extensive discussions with stakeholders including local authority planning officers, local landowners, developers and agents.

- 8.10 GVAs analysis suggests that Barking and Dagenham should adopt three different residential charging zones – a higher one for Barking Town Centre Leftley and Faircross (£70) a medium one for Barking Riverside (£25) and a lower charge for the rest of the borough (£10).
- 8.11 For commercial developments, the viability findings are more varied. Office schemes are unable to make any contribution, whilst retail, private leisure, industrial and waste uses can afford to contribute more. Supermarkets and superstores can afford to make a significant CIL/S106 contribution.
- 8.12 GVAs analysis shows that public health, education and municipal leisure development cannot afford any level of CIL/S106 tariff contribution.
- 8.13 These charges have been set on the basis of the Council continuing without an affordable housing target.

## 9. Proposed CIL Rates and Charging Areas

- 9.1 Having examined the findings of the evidence base, the Council consider that the most appropriate approach is to have variable rates of CIL by area and use. The proposed areas and charges per square metre are set out in the plans and tables below.

### LBBB Charging Zones – Residential

Zone	LBBB Area	Rates (£ per sq. m.)
1	Barking Town Centre, Leftley and Faircross <sup>1</sup>	£70
2	Barking Riverside <sup>2</sup>	£25
3	Rest of borough <sup>3</sup>	£10

<sup>1</sup> The area covered by the Barking Town Centre Area Action Plan plus the area bounded by the District Line, Mayesbrook Park and the London Borough of Redbridge including the former University of East London site.

<sup>2</sup> The area covered by the Barking Riverside Key Regeneration Area as shown on the adopted Local Development Framework Proposals Map.

<sup>3</sup> The London Borough of Barking and Dagenham excluding Barking Town Centre, Leftley and Faircross, and Barking Riverside.

Differential Rates: intended uses

<b>Use</b>	<b>Rates (£ per sq. m.)</b>
Supermarkets and Superstores of any size <sup>4</sup>	£175
Office (B1a)	Nil
Business (Research and Development - B1b, Light Industry - B1c, General Industrial - B2 and Storage and Distribution - B8)	£5
Municipal Leisure	Nil
Health Development used wholly or mainly for the provision of any publicly funded medical or health services except the use of premises attached to the residence of the consultant or practitioner	Nil
Education Development used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education	Nil
All other non-residential uses	£10

**10. How will CIL rates be calculated?**

- 10.1 CIL will be levied in pounds per square metre of the net additional increase in floor space of any given development. The rate will be calculated based on Regulation 40 - Calculation of chargeable amount, as set out within the Community Infrastructure Levy Regulations 2010 (as amended).
- 10.2 The chargeable rate will be indexed linked. The index referred to in the calculation formula is the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors; and the figure for a given year is the figure for November of the preceding year.

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<sup>4</sup> Supermarkets: Self-service stores selling mainly food, with a trading floorspace less than 2,500 square metres, often with car parking.

Superstores: Self-service stores selling mainly food, or food and non-food goods, usually with more than 2,500 square metres trading floorspace, with supporting car parking.

## **11. Mayor of London's Crossrail CIL**

11.1 London Boroughs are also required to collect the CIL charged by the Mayor of London. This was implemented 1<sup>st</sup> April 2012 and the charge is **£20 per sq.m** in Barking and Dagenham.

11.2 The following types of development are exempt:

- Development used wholly or mainly for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner
- Development used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education

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London Borough of Barking and Dagenham  
Community Infrastructure Levy  
Consultation Statement  
(including Regulation 19(b) Statement)  
October 2013

## **Community Infrastructure Levy Consultation Statement**

*This consultation statement was prepared in accordance with Regulations 15 and 16 of The Community Infrastructure Levy Regulations 2010(as amended).*

### **Community Infrastructure Plan**

In the preparation of this Plan, from Autumn 2010 to Summer 2011, input was provided by LBBD officers (Children's Services, Parks and Leisure Development, Transport Planning, Library Services, Area Regeneration, and Economic Development), NHS Outer North East London, and the Environment Agency.

Representations were also sought from:

- Lead Members
- Spatial Planning
- Development Management
- Regeneration and Economic Development
- Customer Services Department
- Adult and Community Services Department
- Resource Department
- Finance
- Legal Services

### **Economic Viability Stakeholder Workshops**

Stakeholder consultation was undertaken as part of the economic viability work to inform the charges set out in the Preliminary Charging Schedule. A stakeholder workshop involving developers and agents was held on 27 September 2011 to discuss the assumptions used in the viability assessment. 40 stakeholders were invited, 8 attended and 8 asked to be kept informed. Further workshops took place on 25 October (5 attendees) and 7 November 2011 to discuss the results of the viability testing and the issues around affordable housing. All attendees and interested parties continued to be consulted and kept informed via email throughout the process.

## **Preliminary Draft Charging Schedule**

Consultation was undertaken on the CIL Preliminary Draft charging Schedule for a period of six weeks from 27 February to 10 April 2012. Letters were sent out to the consultation bodies outlined in Regulation 15, contacts on the LDF database, and stakeholders from the workshops outlined above.

The Preliminary Draft Charging Schedule and the following supporting documents were made available on the Council's website and in Barking Town Hall, Dagenham Civic Centre and all libraries in the Borough:

- LBBB Community Infrastructure Plan 2012/13 – 2025/26
- Economic Viability Assessment, Affordable Housing and Community Infrastructure Levy/S106, GVA January 2012
- Plan showing the CIL charging zones.

A summary of representations about the Preliminary Draft Charging Schedule, along with the Council's responses are attached as Appendix 1.

## **Draft Charging Schedule**

Consultation was undertaken on the Draft Charging Schedule for a period of six weeks from 15 March to 26 April 2013. Letters were sent out to the consultation bodies outlined in Regulation 15, contacts on the LDF database, and stakeholders from the workshops outlined above. In addition, an advert was placed in 'The Post' on Wednesday 13<sup>th</sup> March 2013.

The Draft Charging Schedule, a statement of representation procedure, and the following supporting documents were made available on the Council's website and in Barking Town Hall, Dagenham Civic Centre and all libraries in the Borough:

- LBBB Community Infrastructure Plan 2012/13 – 2025/26
- Economic Viability Assessment, Affordable Housing and Community Infrastructure Levy/S106, GVA January 2012
- CIL Economic Viability Study: Addendum on Retail, GVA September 2012.
- Plan showing CIL residential charging zones.
- Summary of responses to Preliminary Draft Charging Schedule

### **Regulation 19(b) Statement**

A total of 20 representations were made in accordance with Regulation 17. A summary of the representations made on the Draft Charging Schedule, along with the Council's responses, are attached as Appendix 2.

Of the representations received, one requested to be heard at examination. This was Sanofi, represented by Catherine Mason of Savills.

### **Modifications**

No modifications have been made to the Draft Charging Schedule following consultation.

## Appendix 1

### London Borough of Barking and Dagenham

#### Community Infrastructure Levy Preliminary Draft Charging Schedule

#### Summary of Comments and Responses

January 2013

<b>Response No.</b>	<b>Respondent Name</b>	<b>Summary of Comments</b>	<b>Council Response</b>	<b>Charging Schedule Amendments</b>
1	English Heritage	Suggest document could benefit from reference to acknowledge that growth can have impacts on the historic environment as on other areas of planning and that heritage should be regarded as a recipient of CIL within the Council's responsibilities in relation to historic public realm, open spaces and cemeteries.	Charging schedule already refers to public realm, open space and cemeteries. Further distinction not necessary. However please note that the consultation is on the proposed charges not on what the proceeds of the levy will be spent on. The comments are noted and will be considered when the Council publishes its Regulation 123 list which lists the infrastructure types to be funded by CIL.	None

2	Brett Group	CIL does not apply to minerals extraction development and therefore Bretts do not wish to make any comments on this consultation exercise	Noted	None
3	Dron Wright Property Consultants acting on behalf of the London Fire and Emergency Planning Authority	<p>As fire stations are a vital community facility we believe that they should be excluded from payment of this levy. This is on the basis that fire stations are community safety facilities which are included within the definition of infrastructure under the Planning Act 2008</p> <p>Despite the Council's infrastructure plan saying that the borough's fire stations are not in need of investment Barking Station is in need of investment and Dagenham Station is part of a PFI project to provide nine new fire stations across London. With this in mind together with the increase in growth in the area LFEPA will be under increased financial pressure in providing the essential services that are required of</p>	<p>The levy can only be set on the basis of viability. No evidence has been presented that fire stations cannot afford to pay the modest charge of £10 per square metre that has been set. It is important to note that existing floorspace to be demolished/retained can be discounted where the building has been in continuous use for six months in the last twelve months. This is relevant to the LFEPA if they plan to invest in existing stations.</p> <p>It is also important to clarify that the consultation is on the proposed charges not on what the proceeds of the levy will be spent on. The LFEPA comments are</p>	<p>None</p> <p>None</p>

		them. It is therefore requested that consideration should be given to the provision of funding for LFEPA community facilities, from the CIL payments which are collected.	noted and will be considered when the Council publishes its Regulation 123 list which lists the infrastructure types to be funded by CIL.	
4	Highways Agency	No comment	None	None
5	Joint Nature Conservation Committee	No comment	None	None
6	Natural England	<p>Approach seems reasonable and in line with relevant legislation, therefore Natural England does not wish to offer any substantive comments in respect of the Community Infrastructure Levy rate.</p> <p>Natural England is pleased to see the inclusion of Open Space provision within the document especially section 3.5.2 which refers to the provision of new open space and links to the east London Green Grid. This is welcomed and to be encouraged.</p>	<p>None</p> <p>None</p>	<p>None</p> <p>None</p>
7	Peacock and Smith	Strongly object to proposed CIL rate of £300 sqm for large convenience retail	The levy can only be set on the basis of viability. Page 226 of the	

	<p>representing Morrison's Supermarket</p>	<p>floorspace (&gt;1500 sqm)</p> <p>It is acknowledged that the charge has been informed by viability assessments prepared by GVA Grimley, our client is gravely concerned that the suggested 'abnormal' charge will have a significant adverse impact on the overall viability of future (large) convenience retail development in the borough. A balance has not been found between infrastructure funding requirements and viability. Effectively, supermarket operators are being used as a scapegoat.</p> <p>Morrisons raises concerns that the viability analysis does not take into account all likely costs associated with developing a new foodstore. For example the potential costs associated with developing a brownfield site (e.g. site remediation and preparation) can be extortionate.</p>	<p>Council's Economic Viability Report demonstrates that large convenience retail developments (&gt;1500 sqm) can afford a levy of up to £1500 per square metre. However the Council has decided to remove the large convenience threshold and instead has tested the viability of supermarkets/superstores in general. This has evidenced that supermarkets and superstores can afford a charge of £175 per square metre.</p>	
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		<p>The draft charge will put undue additional risk on the delivery of foodstore proposals and will be an 'unrealistic' financial burden. This, in turn, poses a significant threat to potential new investment and job creation in the borough, especially in regeneration areas, at a time of economic recession and low levels of development activity.</p> <p>Furthermore, it is important to note that the proposed £300/sq m levy for convenience retail development is disproportionately higher than those being proposed by other London boroughs. By way of example, the boroughs of Lewisham, Merton and Croydon are proposing rates of £80/sq m, £100/sq m and £120/sq m respectively which, on average, are a third of the</p>		
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		charge being proposed by LB Barking and Dagenham.		
8	Savills acting on behalf of Sanofi	<p>Extremely concerned about the proposed blanket charge across the borough of £300 per square metre for 'large convenience retail' and the consequences that this would have for the viability of the recently approved Sanofi scheme. Acknowledge that approved scheme and subsequent reserved matters would not be liable to charge but are concerned about impact on any fresh applications. Sanofi consider that a charge of this level could undermine the entire proposal and would almost certainly prevent it being built. The Charging Schedule should be updated to take into account site location and other factors including:</p> <ul style="list-style-type: none"> <li>• high remediation costs associated with a development</li> <li>• where retail and other uses</li> </ul>	<p>The Council accepts that the permitted Sanofi development and any subsequent reserved matters are not liable for Mayor of London CIL as it was permitted before 1 April 2012 and therefore neither is it liable for the Council's CIL.</p> <p>Therefore Sanofi's concerns are only relevant to an entirely new planning application.</p> <p>Notwithstanding that the site already has the benefit of permission for a supermarket, no evidence has been provided that an entirely new planning permission for a supermarket could not afford the levy being proposed.</p>	

		<p>subsidises less valuable uses on a scheme which delivers important community benefits, including job creation and facilities such as health care</p> <p>The Charging Schedule should take these matters into account and should allow for a lower, if not 'nil', rate.</p> <p>The draft Residential charge takes into account the different areas within the Borough and recognises that variable rates should apply dependent on viability considerations. Our site falls within the 'Rest of the borough' which has the lowest rate. We can not understand why the same approach has not been applied for the other uses. Furthermore, we note that the charge for B1a and health uses is Nil and it is our view that the rates for retail and other non-residential uses should also be nil in certain circumstances as set out above.</p> <p>Unless changes are made to the charging schedule developments such as this, which will secure important benefits for the community, will be unviable.</p>	<p>All the employment and training uses on the sites would pay between £5 - £10 per square metre in comparison to the Mayor of London's charge of £20 per square metre. This is not considered unreasonable and again no evidence has been provided that this is not viable.</p> <p>The Council's viability work shows that whilst there is a significant difference in the viability of residential uses across the borough this is not true for non-residential uses.</p>	
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9	Gerald Eve acting on behalf of Fresh Wharf Developments limited	<p>The level at which the LBBD CIL is set must have careful regard to the area's market context. There is little development activity in the borough at the moment and the market remains in a weak condition. If the CIL is set at too high a level it will put further pressure on an already weakened property market and stifle future development.</p> <p>It is not clear from the documentation provided how the Council have set the</p>	<p>Tables 31 and 32 of the Economic Viability Report, model development viability in Barking Town Centre on the basis of 0% affordable housing. This shows that a LBBD CIL (Mayoral CIL is included as a cost) varying from £122-154 per sqm can be supported in Barking Town Centre on schemes of 250 units and below. However for a scheme of 1000 units CIL is more marginal due to the extra cost of building to Code Level 5. However Local Plan policy does not demand Code Level 5 for schemes of this size and therefore development costs should be comparable to smaller schemes and consequently similar CIL levels should be supported.</p> <p>The Council is proposing a CIL of £70 so this is not at the margins of viability. This is on the basis of 0% affordable housing.</p>	
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		<p>final rates set out in the PDCS. These are not in line with the recommendations by GVA, in particular with regard to the Barking Town Centre, Leftley and Faircross residential rate of £70 sqm. Note that the GVA recommendation is made with the assumption of 10% affordable housing delivery, but it is not clear if this is either carried over to the PDCS, or increase or indeed decreased simply the document states “without an affordable housing target”.</p> <p>GVA have used a non-specified appraisal model. We assume that this is a bespoke appraisal as there is no specific explanation of it or software which has been used. We note that there are a number of standard models for appraising residential development including Argus Developer, the GLA Three Dragons Toolkit and the HCA model in addition to bespoke models some of which are referenced. Whilst these adopt to varying degrees standard development appraisal principles, the detailed methodology does vary in some</p>	<p>The approach and methodology of the viability testing is explained in Chapter 2 of the Economic Viability Report. A market value rather than existing use value approach has been applied.</p>	
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		<p>cases considerably. We have no objection to advocating a bespoke model approach, particularly given the limitation of the GLA Toolkit, but this needs to be transparent in order to be able to examine the appropriateness in the circumstances.</p> <p>The methodology assumes that the land value is the Net Residual Land Value once all planning contributions, including affordable housing have been taken into account and this has been cross checked with benchmark land values for this area. However, there is no evidence of comparable information provided and therefore this does not conform with the recommendations of the exposure draft RICS Guidance Note on Viability in Planning. We consider that at the benchmark land value of £625,000 per acre for Barking Town Centre residential land value is low to our experience of the local property market.</p>	<p>Paragraph 2.17 of the Economic Viability Report explains that the benchmark land values reflect prevailing development values. These are sourced from analysis of the current situation in Barking and Dagenham and corroborated through Valuation Office Agency</p>	
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			data, GVA's own Agency Team knowledge of transactions in the Borough and local stakeholder discussions.	
10	Iceni Projects acting on behalf of Estates and Agency Properties Limited	<p>CIL charging regime is a one size fits all approach and provides no flexibility in the application of the identified charging regime. It must demonstrate an appropriate level of flexibility to respond to the commercial realities of development. With regard to Relief for Exceptional Circumstances the PDCS states</p> <p>"...the fact that a development might be unviable at the time a planning application is considered is unlikely to constitute an 'exceptional circumstance' in relation to the CIL Regulations".</p> <p>Such an approach is considered to be overly restrictive and contrary to directions from Central Government in particular the ministerial statement title "Planning for Growth" and the CLG CIL</p>	<p>Unlike the Mayor of London the Council has chosen to offer Discretionary Relief for Exceptional Circumstances. So the Council is being flexible. However it is important to clarify that in exercising this relief the Council will have to comply with the provisions set out in the Community Infrastructure Regulations 2010 as amended when determining whether discretionary relief can be provided.</p> <p>The regulations do provide for charging authorities to accept transfers of land as a payment 'in kind' for the whole or a part of a CIL payment, but only if this is done with the intention of using the land to provide, or facilitate the</p>	

		<p>summary document.</p> <p>The PDCS does not offer any flexibility in charging where it can be demonstrated that a development would be unviable as a consequence of the requirements of CIL. Accordingly the adoption of an onerous and overly restrictive approach to CIL has the potential to undermine schemes which could otherwise be delivered in the short term and help to meet wider regeneration aims and objectives within the Borough.</p> <p>The PDCS should be amended to reflect a degree of flexibility where issues of viability would causes undue delay to the achievement of wider regeneration aims through otherwise appropriate development. It should recognise that in certain instances the provision of on-site facilities and benefits will make the same – if not a greater – contribution to the Borough’s infrastructure provision.</p>	<p>provision of, infrastructure to support the development of the charging authority’s area.</p> <p>The levy can only be set on the basis of viability. The CIL regulations do not allow the Council to set the levy to achieve regeneration objectives.</p> <p>No evidence has been presented that large convenience retail developments (&gt;1500 sqm) or residential in Barking Town Centre cannot afford to pay the charge that has been set. However the Council has altered the retail charges, and on the basis of further testing proposes to charge £175 per square metre for supermarkets and superstores of any size.</p>	
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		<p>It is noted that there is a large disparity between the level of charging for certain uses over others and the geographical areas to which these relate.</p> <p>As acknowledged in the LDF the focus of future retail and residential development in the Borough will largely be upon Barking Town Centre with the aim of fulfilling wider regeneration aims and objectives on identified key sites. E&amp;A considers that the PDSC for convenience retail floorspace combined with the lack of flexibility proposed within the charging regime would in combination have a significant effect on development values in Barking Town Centre. This could render schemes unviable and stifle the opportunity to realise wider regeneration aims and objectives as identified in adopted policy.</p> <p>The PDSC should prioritise investment within Barking Town Centre by adopting</p>	<p>Please see response to Gerald Eve for justification of levy for residential in Barking Town Centre.</p>	
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		<p>a charging regime in the Town Centre equating to 25% of the overall charge for comparable developments in locations beyond the BTCAAP boundary. This discounted rate should apply to retail and residential floorspace on the basis that the regeneration and revitalisation of the Town Centre should be the priority within the Borough. The application of such a discounted rate would increase the viability of existing stalled schemes making it more no less likely that such schemes will materialise and would incentivise developers to pursue potentially more expensive and difficult sites over easier options beyond the Town Centre boundary.</p> <p>Having reviewed the PDCS there is a very real concern that the proposed level of contributions for both large retail development and residential development within town centres is disproportionate to developers reasonable expectations of a financial return and has the potential to impact upon the viability of such developments</p>		
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		<p>impacting upon the achievement of wider regeneration goals.</p> <p>Combined with the lack of flexibility of the proposed charging schedule, it is considered that the rigidity of the document as presented has the potential to stifle development on key sites in the short to medium term.</p> <p>In respect of the above it is considered that the proposed charging schedule would be improved with the following changes:</p> <ul style="list-style-type: none"><li>• The removal of paragraph 3.1 to improve flexibility in the application of charges</li><li>• Lowering the charge on large retail development, and spreading costs more evenly over the use classes; and,</li><li>• Lowering the charge on residential development within town centre areas to improve</li></ul>		
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		flexibility and viability			
11	CGMS on behalf of the Mayor's Office for Policing and Crime (MoPC) and the Metropolitan Police Service (MPS)	<p>The provision of effective policing is of crucial importance across London to ensure safe places to live are created as part of a sustainable community, consistent with planning policy at all levels. The MoPC and MPS provide a vital community service to Barking and Dagenham and it is essential that the required community infrastructure such as policing comes forward in line with development in order to maintain safety and security in the borough.</p> <p>It is noted the Council do not intend to impose a charge for new small retail, offices, leisure, health and education floorspace. This should be extended to include all new community infrastructure floorspace, in particular that proposed by the Metropolitan Police.</p> <p>By being subject to a CIL payment, community uses including policing are prejudiced in being able to provide</p>	<p>The levy can only be set on the basis of viability. No evidence has been presented that police stations cannot afford to pay the modest charge of £10 per square metre that has been set. It is also relevant to note that whilst the Mayor of London is responsible for supervising the Metropolitan Police the Mayor of London's CIL does apply to new policing floorspace. The Mayor of London's CIL is £20 per square metre. Therefore the Council's CIL would only represent 33% of the overall CIL charge for new policing facilities.</p>		

		<p>essential policing facilities which will impact upon the Council's ability to deliver a safe and secure environment contrary to the aims of the NPPF, London Plan and Core Strategy. It is therefore essential that CIL is not payable for new policing floorspace in the Borough.</p> <p>It should be further noted that, in providing a community infrastructure (i.e. new policing facilities) which would attract a CIL liability, the MPS contribution to infrastructure would effectively be double-counted. Therefore the MOPC/MPS strongly recommend that the draft charging schedule provides an exemption from CIL for community uses including policing facilities in addition to small retail, offices, leisure, health and education uses.</p>		
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## Appendix 2

### London Borough of Barking and Dagenham

#### Community Infrastructure Levy Draft Charging Schedule

#### Summary of Comments and Reponses

October 2013

Response No.	Respondent Name	Summary of Comments	Council Response	Charging Schedule Amendments
1	H.G. Rent & Co. (Highbury) LTD	<p>Concerned that the CIL charge, combined with the cost of implementing planning conditions, will prevent investment and drive away small businesses.</p> <p>Suggest that the charge should be related to the project build cost, the size of the business and whether it is owner occupied.</p>	<p>The Council's Economic Viability Assessment evidences that industrial uses can sustain a charge of £10 per square metre. This is based on current build costs which reflect current policy requirements and takes into account the Mayor of London's CIL which is £20 per square metre. The Council has set a charge of £5 per square metre. Varying the CIL charge on the basis of build cost, business size and ownership would be far too complex as it would result in a different rate per square metre for every single planning application. However the Council has taken a more fine grained approach than for example Redbridge who</p>	None

			charge £70 per square metre for all uses and the Mayor of London.	
2	Highways Agency	No comment on the charging schedule.		None
3	Michael Cullen	No comment on the charging schedule.		None
4	Natural England	No comment on the charging schedule, but suggest infrastructure items that they would like CIL to be spent on.	The Council will consider the infrastructure items suggested, along with those included in the community infrastructure plan, in the development of our Regulation 123 list.	None
5	Dron & Wright Property Consultants on behalf of the London Fire and Emergency Planning Authority (LFEPA)	Suggest that, as fire stations are a vital community safety facility, they should be excluded from the payment of the levy. Also say the charge would render new fire station development unviable.  Request to be considered for CIL funding.	The levy can only be set on the basis of viability and no evidence has been submitted to show that a £10 per metre charge is unviable.  No justification has been provided as to why it is legitimate for the Mayor of London to charge £20 per square metre for LFEPA but not for the Council to charge £10 per square metre.  The LFEPA request for funding is noted and will be considered in the development of our Regulation 123 list.	None
6	Barry Kitcherside on behalf of Friends Life Ltd	Suggests that the generic convenience retail tariff should be revised to reflect each individual proposal to be judged on their merits and location. £175 per square metre is still too high increasing the viability tensions.	The CIL Regulations do not allow collecting authorities to judge each planning application individually in terms of CIL. Once the CIL charging schedule is adopted is must be charged on all CIL liable	None

			<p>developments.</p> <p>No evidence has been submitted to show that a £175 per metre charge for convenience retail is unviable.</p>	
7	Peacock and Smith in behalf of WM Morrison Supermarkets Plc	<p>The property market review in respect of retail contains no supporting market evidence for supermarkets. No data is given to support rents, values, yields or land values for supermarket developments.</p> <p>The consultants have not presented any market evidence in respect of supermarket values to underpin the appraisal</p> <p>Only limited commentary is provided as to how benchmark land values have been arrived at. RICs guidance emphasises importance of comparable market evidence.</p> <p>CIL should not be set at the margins of viability.</p> <p>There is no specific market evidence of</p>	<p>Rent and yield assumptions are based on GVAs local knowledge and research including their retail agency and development teams. They have acted previously on a number of schemes in the borough.</p> <p>The benchmarks set out in table 10 of the Economic Viability Assessment report where used for retail.</p> <p>The results of the modelling presented in the Retail Addendum demonstrate that the proposed CIL of £175 per sqm is not at the margins of viability.</p> <p>The benchmarks set out in table 10 of the Economic Viability Assessment report where used for</p>	

		<p>commentary within the Property Market Review on the commercial benchmarks. A benchmark value for retail land is required.</p> <p>No allowance is made for rent free. There is no explanation for this given the strong rent and yield selected. More realistic yield of 5.5-5.75% should be selected which would significantly impact on viability. Council is effectively saying that “supermarkets can only be developed by the national retailers”.</p> <p>Assessment is made on an operator led approach. Results of the developer led approach have not been presented.</p> <p>No actual residual development appraisals have been made available and we have not been able to review such models. These should reflect appropriate timescales, land assembly costs and requirements, brownfield development remediation and site preparation costs, for larger schemes S278 and S106 costs.</p>	<p>retail.</p> <p>Rent and yield assumptions are based on GVAs local knowledge and research including their retail agency and development teams. They have acted previously on a number of schemes in the borough.</p> <p>CIL testing is intended to provide robust evidence at the point of Examination, and not rely on assumptions which reflect a snapshot of the market at the time the testing is undertaken.</p> <p>The Addendum on Retail models Developer Led and Operator Led scenarios and the proposed CIL charge has been set accordingly.</p> <p>The Retail Addendum demonstrates that for the larger schemes to which the most significant S106 often apply (D, E and F) CIL and a S106 of £100 per sqm can be supported whether developer led or operator led.</p>	
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		<p>No conclusions or recommendations are presented in the Economic Viability Assessment regarding retail development.</p> <p>Addendum No data is given to support rents, values, yields or land values for supermarket developments. No detail on build costs or any other assumptions necessary to produce the residual development appraisals. Impossible to comment on validity of potential maximum CIL charge without this information.</p> <p>Previous comments apply for Benchmark Land Values and rent free, yield and profit and viability findings.</p> <p>CIL levy rates calculating CIL as a proportion of GDV and build cost bear no resemblance to the levy proposed for supermarket development in the charging schedule. Table needs updating.</p> <p>Imposition of a high CIL levy will jeopardise the potential financial report that retail development can currently offer.</p>	<p>Recommendations are provided in the Executive Summary.</p> <p>Data on build costs is given in table D4. More detailed information requested will be published on website in advance of examination.</p> <p>See previous comments</p> <p>Table has been updated</p> <p>The addendum demonstrates that £175 sqm is affordable whether developer led or operator led.</p>	
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		<p>The build costs needs to be provided in full. Details of developers profit levels need to be provided</p> <p>Checks made that double dipping have been avoided.</p>	<p>Build costs and developer profits are provided in Table 7 of the Economic Viability Assessment.</p> <p>The retail addendum demonstrates that the CIL charge has been set at a level which also allows S106 to be afforded.</p>	
8	Sustrans	<p>No comment on the charging schedule.</p> <p>Request that funds raised through CIL are spent on improving the urban realm and improving provision for pedestrians and cyclists throughout Barking and Dagenham, whilst reducing car reliance.</p>	<p>Sustrans request for funding is noted and will be considered in the development of our Regulation 123 list.</p>	None
9	Savills on behalf of Thames Water Utilities Ltd (Thames Water) Property Services	<p>Considers that water and wastewater infrastructure buildings should be exempt from CIL because CIL would impact on the ability to deliver water and wastewater infrastructure required to support growth and because this type of development has no significant impact on wider infrastructure provision.</p>	<p>The levy is set on the basis of viability and no evidence has been presented to show that the charge is unviable.</p> <p>No justification has been provided as to why it is legitimate for the Mayor of London to charge £20 per square metre for this type of infrastructure but not for the Council to charge £5 per square metre.</p> <p>It should be noted that buildings that people do not normally go in to are exempt from CIL.</p>	

10	Savills on behalf of Sanofi	<p>Concerned about the £175 charge for supermarkets and superstores and the consequences for viability. A charge of £175 could have undermined the entire proposal and would almost certainly prevent it being built.</p> <p>Suggest the charging schedule should be updated to take into account site location and other factors including:</p> <ul style="list-style-type: none"> <li>• High remediation costs</li> <li>• Retail and other valuable uses on a scheme cross subsidise the less valuable uses which provide community benefits.</li> </ul>	<p><b>General comments</b></p> <p>It is important to stress that in setting CIL charges the Council must consider the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. The CIL guidance published by the CLG April 2013 further clarifies that in meeting the requirements of regulation 14(1), charging authorities should show and explain how their proposed levy rate (or rates) will contribute towards the implementation of their relevant Plan and support the development of their area. As set out in the National Planning Policy Framework in England, the ability to develop viably the sites and the scale of development identified in the Local Plan should not be threatened. The Council's proposed CIL rates are consistent with the regulations and guidance in this regard. The Sanofi site already has outline planning permission so only new separate applications will be CIL liable. A reserved matter planning application is due for the Sainsbury's supermarket on the</p>	
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			<p>Sanofi site. This will not be CIL liable. Therefore the proposed CIL charge has no impact on the viability of this scheme.</p> <p>Sanofi are hypothesising that if the Sanofi application were subject to the Council's proposed CIL charges that it would have undermined the entire proposal. This misses the point that the Sanofi outline was approved in March 2012 and was not liable for Mayoral or LBBB CIL and therefore was subject only to a S106. Sanofi are correct that had the outline have been submitted in March 2014 a different approach to securing the same benefits would have been necessary.</p> <p>There will be greater scrutiny in future on whether agreements satisfy the S106 tests set out in the CIL regulations 2010 as amended. CIL will change the way developments are delivered, this is not an issue though about the rate of the levy</p> <p>Reforms to CIL propose that the land or cash in kind will be able to</p>	
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		<p>Suggest that a differential retail rate should be set based on location.</p> <p>Suggests that the £5 business rate should be geographically specific. Also suggests that the rate does not take account of abnormal costs.</p>	<p>be discounted against CIL, so any benefits a supermarkets funds within the wider development will be able to be taken into account.</p> <p><b>Viability evidence</b>  <b>Retail CIL rate</b>  Sanofi have provided no evidence that the superstore/supermarket charge should be varied across the borough. Moreover page 21 of Appendix B of the GVA report shows that supermarket rents and yields are consistent across the borough. The same applies to the £5 charge for other uses.</p> <p><b>Retail CIL rate</b>  GVA did additional testing for retail charges and these are presented in the addendum to the Economic Viability Assessment. This testing tested stores from 280 square metres to 10,000 square metres in size in Barking Town Centre, Barking Riverside and the Rest of the Borough. The results of the testing show that the proposed charge of £175 per square metre is far from the margins of viability and therefore has sufficiently flexibility for</p>	
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			<p>abnormal or sunkcosts.</p> <p><b>Business CIL rate</b> Table C2 tests rents between £75 and £86 per square metre which is within the range of £65-97 per square metres advised by agents. Since the Sanofi site is within the “Rest of the Borough” rents of £75 per square would have been used. However the resultant charge is only £5 per square metre. The Council considers, that even if the evidence supported a more fine grained approach, this would be contrary to guidance published by the CLG which states that; “Charging authorities that plan to set differential levy rates should seek to avoid undue complexity, and limit the permutations of different charges that they set within their area. “</p> <p>It is also important to note that the proposed charge is a quarter of that levied by the Mayor of London.</p>	
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11	Turley Associates on behalf of Sainsbury's Supermarkets Ltd	<p>There is no adequate evidence that the sale of retail goods within a supermarket or superstore is a different intended use (Reg 13) to the sale of goods from all other class A1 to A5 uses.</p> <p>Viability evidence does not reflect the characteristics of local market conditions or variations in land values across the borough.</p> <p>Imposing a high CIL charge would</p>	<p>Paragraphs 34 and 35 of the latest CIL guidance make clear that:</p> <ul style="list-style-type: none"> <li>• differences in rates need to be justified by reference to the economic viability of development</li> <li>• the definition of use is not tied to the classes in the Use Classes Order</li> </ul> <p>The definition of superstores and supermarkets provided in the draft charging schedule is taken from Annex B of PPS4 which identified them as distinct types of development. The GVA study and addendum clearly evidences that these uses can sustain a charge of £175 per square metre.</p> <p>No evidence has been submitted to demonstrate that the charge proposed for supermarkets and superstores is not viable. Whilst the assessments are high level they are relevant to Barking and Dagenham and local market land values have been used. Table 7 shows the costs and rental values that have been used.</p> <p>The experience in LBBB has been</p>	
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		<p>lessen the financial support they could provide to other uses within scheme as a whole</p>	<p>that the value supermarket/superstore generates is captured by the S106. Since S106 has been reigned in and will be diluted further in 2015 it is entirely appropriate to set the CIL at the proposed level. Reforms to CIL propose that the land or cash in kind will be able to be discounted against CIL, so any benefits a supermarkets funds within the wider development will be able to be taken into account.</p> <p>The Council is currently dealing with three supermarket applications. An extension to the Morrison's in Wood Lane. No other uses are involved. A new Sainsbury's superstore on the Abbey Retail Park. No other uses are involved. It has recently lost a High Court challenge to approve an extension to Tesco's in London Road. No other uses were involved. It has recently approved the variance of a condition to allow an ASDA supermarket. No other uses were involved.</p> <p>Whilst the Council has recently approved an ASDA in Barking</p>	
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		<p>When applications are made, particularly for smaller retail units, the operator will not be known, so the authority will not know whether a £10 or a £175 charge should be levied.</p>	<p>Town Centre which helped fund a Skills Centre and public realm improvements and an Outline Permission for a supermarket on the Sanofi site which has helped deliver benefits for sport and recreation and employment, CIL will demand in future that such developments are dealt with differently. This is not a problem with the level at which CIL is set but is due to the realities of delivering development under the new CIL regime and the reforms to the scope of S106.</p> <p>The Council has not encountered this situation in Barking and Dagenham. Without exception all applications have either been made with a known operator or where the operator was not known, such as at Sanofi, the retail use and type was clearly stated. This was necessary in order to undertake the retail impact assessment.</p> <p>Usually smaller retail units are located in existing buildings so would not incur a CIL charge. For example none of the six Tesco</p>	
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		<p>Supermarkets and superstores sell an overlapping range of goods with many other shops and compete in the same market. There is no consideration in the available evidence on the state aid implications of this or whether it is objectively justified.</p> <p>Sainsbury consider it essential that Barking and Dagenham also prepare and adopt an instalments policy in line with Regulation 69B.</p> <p>Sainsbury's suggest the Council offer exceptional circumstances relief.</p>	<p>Metros which have recently opened in the borough would have been liable for CIL.</p> <p>The latest CIL guidance makes clear that rates must be set in such a way so as not to give rise to notifiable State aid – one element of which is selective advantage. Authorities who choose to differentiate rates by class of development or by reference to different areas, should do so only where there is consistent evidence relating to economic viability that constitutes the basis for any such differences in treatment. As previously explained LBBB's CIL charge for supermarkets and superstores is based on economic viability and appropriately evidenced.</p> <p>The Council have stated their intention on the CIL webpage to adopt the Mayoral instalment policy.</p> <p>The Council have, in the draft charging schedule, stated their intention to allow exceptional circumstances relief.</p>	
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12	Iceni Projects on behalf of Estates and Agency Properties Limited (EAPL)	<p>Highlights the current consultation on CIL reforms and advise that LBBB should take another year to better justify its CIL and take account of the reforms</p> <p>Concerned that the charging schedule is a one size fits all approach, which provides no flexibility for bespoke proposals which would deliver significant regeneration and community benefits. Paragraph 6.1 of the schedule (which offers Exceptional Circumstances Relief) does not offer any flexibility in charging where it can be demonstrated that a development would be unviable as a consequence of CIL.</p> <p>Concerned that the £175 retail charge is abnormally high and will have a significant adverse impact on the overall viability. Suggests the schedule should be updated to take into account that retail development can subsidise less valuable uses on a site. It will burden the retail proposals for Abbey Retail Park.</p>	<p>Council is satisfied that its current evidence is adequate and satisfies the CIL regulations 2010 as amended.</p> <p>The Council are being flexible by allowing exceptional circumstances relief. The Council can only operate this relief in line with the CIL Regulations which clearly specify when it can be applied.</p> <p>GVA found that supermarkets were highly viable and could afford to pay up to £1,500 per sqm. We have chosen a charge of £175 per sqm which is significantly below the margins of viability to allow for the fact retail may cross subsidise other development in mixed used schemes. Abbey retail Park could receive a discount on the CIL charge for all current retail space which is in use and being demolished (subject to CIL</p>	
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		<p>Suggest a discounted or nil rate for residential development in Barking Town Centre on the basis that regeneration and revitalisation of the Town Centre should be the priority in the borough.</p>	<p>Regulations).</p> <p>The residential rates are set based on viability evidence and cannot be set on any other basis, such as to achieve policy aims.</p>	
13	Iceni Projects on behalf of Hanbury Healthcare Limited (HHL)	<p>Highlights the current consultation on CIL reforms and advise that LBBDD should take another year to better justify its CIL and take account of the reforms.</p> <p>Of the opinion that the proposed CIL charging regime represents an inflexible approach that provides no relief for bespoke residential proposals which could deliver community benefits in their own right.</p> <p>The current approach to CIL has the potential to create unnecessary financial burdens on the delivery of residential schemes.</p> <p>Strongly disagree with the inclusion of paragraph 6.1 of the draft charging schedule as currently draft as it does not</p>	<p>Council is satisfied that its current evidence is adequate and satisfies the CIL regulations 2010 as amended.</p> <p>Rates are set on the basis of viability and once they are set there is no negotiation over payments on a case by case basis. There are, however, circumstances where relief is allowed, which is set out in the CIL Regulations. The Council must operate within the CIL Regulations.</p> <p>No evidence has been submitted to demonstrate that the rates make development unviable.</p> <p>These two statements are contradictory. Paragraph 6.1 says the LBBDD will offer exceptional</p>	

		<p>offer any flexibility in charging where it can be demonstrated that a specific development would be unviable as a consequence of CIL. Recommend that a policy providing for LBBB to offer discretionary relief from the CIL payments should be adopted.</p> <p>It is not clear how LBBB have set the final residential rates, which do not appear to be in line with the evidence of recommendations from consultants.</p> <p>There is a significant disparity between levels of charging for residential development based on geographical locations. A single low rate charge for residential development would be a more fair approach</p>	<p>circumstances relief .Exceptional circumstances relief must be operated within the confines of the CIL Regulations. LBBB cannot offer further flexibility.</p> <p>Pages 31 and 32 of the GVA study show that Scheme, 3, 4 5 and 6 all generate a CIL of over £100 per square metre. Scheme 6 does not due to the increase build costs of meeting Code Level 5. In practice Council would not require this and therefore Scheme 6 is likely to generate a similar CIL level to smaller schemes. The consultants recommendations in paragraph 5.8 are based on 10% affordable housing CIL charges have been set on basis of 0%. The rates have been set based on viability evidence and development in Barking Town Centre is more viable than other areas of the borough. Notwithstanding this the charge set for Barking Town Centre (including Mayoral CIL) is lower than neighbouring Redbridge which exhibits similar</p>	
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		Strongly recommend the adoption of an instalments policy.	development viability characteristics.  The Council have stated their intention to adopt the Mayoral instalment policy on the CIL pages of the website.	
14	Transport for London (TfL)	TfL comment on the transport projects within the Infrastructure plan and the need to understand how transport projects will be prioritized. It suggests updates to a number of the projects, including the DLR extension, Renwick Road Junction, Barking Station and East London Transit.	LBBB welcome TfLs comments and suggestions and are happy to work with them in the development of the Regulation 123 list.  LBBB will update the Infrastructure Plan in the light of their comments. TfLs comments do not alter the fact that their remains a significant funding gap which justifies LBBB proceeding with CIL.	
15	Barton Willmore on behalf of Goodman	Comments are made in relation to the development of the London Sustainable Industries Park (LSIP).  The draft charging schedule bears no clear relation to the suggested cost of required local infrastructure.  GVA are seriously inaccurate in their assumptions as to development viability.  The draft charging schedule fails to	There is no Regulatory requirement to relate the charge to the individual infrastructure impacts of a development. The funding required for infrastructure far exceeds what we will collect from CIL. The charges are based on the viability of development, not the infrastructure needs each development creates.  A minimal £5 charge has been	

		differentiate between different parts of the borough for industrial development.	<p>suggested for industrial development. Whilst each local planning authority has to determine the viability of its own CIL charges it is not true to say that no other Thames Gateway authority has adopted a CIL in respect of B class uses. Thurrock charges up to £25 per square metre and Bexley is proposing £10 per square metre</p> <p>Table 6 of the GVA report makes clear that base build costs of £700 per square metre have been used to industrial waste uses and not £450 per square metre.</p> <p>Recent planning permissions in Dagenham Dock include 11/00460/FUL where a S106 was agreed for £96,000 for a building of 5,656 square metres and 10/00287/LBBD where a S106 for £300,000 was agreed for a building of 18,296 square metres. This demonstrates that the Council's proposed CIL charges are comfortably within the margins of viability.</p>	
16	Barton Willmore	Concerned that any revised applications	S73 variations do not trigger CIL	s

	<p>on behalf of Barking Riverside Limited (BRL)</p>	<p>for Barking Riverside will mean a further cost liability.</p> <p>Suggest that a £25 per sqm CIL charge cannot be justified for Barking Riverside.</p> <p>Disagrees with the assumptions used by GVA, particularly residential sales values/rates.</p>	<p>liability unless there is a increase in floorspace.</p> <p>The £25 rate has been set on the basis of viability evidence from GVA. The only reason there is a cross against scheme 14 in Table 13 is that this includes Code Level 5 costs. In practice the Council would accept Code Level 4 as with the other schemes and therefore viability would be comparable to at least scheme 13. It is also the case that GVA have modelled without grant scenarios and the likelihood is that affordable housing could only be provided with grant. Finally the Council has varied charges across the borough. It is because the Council does not want to set charges at the margins of viability that it is proposing a far lower charge in Barking Riverside than Barking Town Centre.</p> <p>A representative from Barking Riverside Limited (Bellways) was involved in initial stakeholder meetings and inputted into discussions about the setting of the assumptions for the viability</p>	
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		<p>Argue that the CIL test should be against the full affordable housing amount of</p>	<p>study. In addition, LBBB will be offering exceptional circumstances relief in line with the CIL Regulations. Moreover the sales value suggested by Barking Riverside Limited are very low. They evidence a sales value of £168 per square foot. For an average home of 1000 square feet this gives a sales price of £168,000. This compares to the build costs of between £91-£139 per square. BRL then state a £9.30 per square metre infrastructure cost, The point is that the CIL charge will not apply to current permissions, only future permission. In this regard CIL will have a marginal impact on viability. All things being equal increasing sales value by £2.32 per square foot would cover the cost of the CIL.</p> <p>It is also important to note that the existing outline planning permission includes a £2000 per new home contribution to bus service improvements.</p> <p>LBBB does not have a 50% affordable housing policy, but</p>	
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		<p>50%, not against reduced levels.</p> <p>There does not appear to be an allowance in GVAs viability assessment for S106 costs</p> <p>Considers that with proposed CIL rate Barking Riverside is unviable and therefore should qualify for relief for exceptional circumstances. Concerned that they may be charged twice for infrastructure as they have already entered into a S106 agreement.</p>	<p>refers to the Mayor's policy which seeks the maximum amount based on viability on a case by case basis. The GLA have confirmed they are satisfied with the Council's approach in this regard.</p> <p>CIL, S106 and Affordable Housing will be drawn from value left in development once all other costs including market land value have been accounted for. GVA work demonstrates that a CIL charge of £25 per square metre can be sustained with zero affordable housing without grant.</p> <p>The fact that a development might be unviable at the time a planning application is considered unlikely to constitute an exceptional circumstance in relation to CIL regulations.</p> <p>CIL Regulations state that Section 73 applications will only create a CIL liability for additional floorspace.</p>	
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		<p>Considers it imperative that an instalments policy is outlined at the earliest opportunity.</p> <p>There are no details of when LBBB is intending to review its charging schedule and under what circumstance LBBB may reduce or increase its charge.</p>	<p>The Council has stated its intention to adopt the Mayor's instalment policy as outlined on the CIL pages of the LBBB website.</p> <p>The proposed CIL reforms propose to treat each phase as a new chargeable development.</p> <p>There is no requirement to publish a proposed review date at this time – a review will be carried out when market conditions have changed significantly enough to warrant a review of rate.</p>	
17	Greater London Authority (GLA)	<p>Have some concerns about the extent to which the proposals take full account of the CIL rates set by the Mayor as required by Regulation 14(3) of the CIL Regulations 2010 (as amended).</p> <p>They appreciate the work already undertaken to address these concerns but suggest a meeting to explore these issues further.</p>	<p>Following further discussions the Mayor of London has confirmed that the Mayor's CIL has been taken fully into account in bringing forward the Council's proposals as required by regulation 14(3) of the Community Infrastructure Regulation 2012 as amended.</p>	
18	Thomas Eggar on behalf of Asda Stores Limited	<p><b>Impact on policies promoting growth and employment opportunities</b></p> <p>Proposed rate would not ensure that the relevant retail and employment aims of the Core Strategy are met. The Council may find it difficult to attract retail development and redevelopment at</p>	<p>The CIL rates have been set on the basis of viability evidence. The CIL funds collected by the borough are only likely to represent a low percentage of the funding which is required for infrastructure.</p>	

		<p>these rates and there is a risk that the borough will lose potential developers to surrounding areas where CIL rates may be lower.</p>	<p>The Retail Addendum demonstrates that for the larger schemes to which the most significant S106 often apply (D, E and F) CIL and a S106 of £100 per sqm can be supported whether developer led or operator led.</p> <p>The example provided by Thomas Eggar proves that the CIL charge is affordable. Whilst the S106 items listed may not be affected by the inability to pool S106 in future, there will be greater scrutiny in future on whether agreements satisfy the S106 tests set out in the CIL regulations 2010 as amended.</p> <p>CIL will change the way developments are delivered, this is not an issue though about the rate of the levy but due to the reigning in of S106 and their reduced scope. The proposed reforms to CIL aim to address this inflexibility by allowing land/cash in kind improvements to be discounted against the CIL charge.</p>	
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		<p><b>The proposal to split convenience and comparison retail development</b> To date the Council only appears to have assessed the impact of CIL on one specific retail warehouse scheme. This is hardly sufficient evidence to demonstrate the comparison retail in all its possible formats and proposed locations has a different viability profile to comparable convenience stores.</p> <p><b>The financial assumptions and viability assessments contained in the Council's viability study.</b> The viability study and addendum do not make sufficient allowance for section 106 and s278 contributions or costs involved in obtaining planning</p>	<p>Government guidance is clear that a charging authority must use "appropriate available evidence" to inform its charging schedule. Due to the changing retail landscape the Council does not expect to receive many if any applications for comparison retailing which will be liable for CIL over the plan period. The Council has tested a retail warehouse scheme of 1500 but even this form of development is unlikely to materialise given that the borough's retail warehouse parks are not expanding. This is in stark contrast to the continuing pressure for new convenience floorspace in borough as epitomised by the conversion of a former B&amp;Q warehouse to an ASDA supermarket and the proposal for a Sainsbury's supermarket on the Abbey Retail Park.</p> <p>The Retail Addendum demonstrates that for the larger schemes to which the most significant S106 often apply (D, E and F) CIL and a S106/S38 of £100 per sqm can be supported whether developer led or operator</p>	
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		<p>permission for a development scheme. This underestimates true cost of retail developments and artificially inflated residual land values used and in turn inflated CIL values.</p> <p>Without evidence of how CIL compares to previous S106 it is difficult to see how the Council can be certain that the proposed CIL levy will not prohibit the viability of retail development.</p> <p><b>Concerns about the Council's approach to setting CIL charges generally</b> Concerns relating to change of use and conversion projects</p>	<p>led.</p> <p>Build cost assumptions are set out in Table 7. No evidence has been submitted to challenge these.</p> <p>Whatever S106 has been achieved historically on supermarkets has not been evidence based but the result of a negotiation process and the need to mitigate the impact of the development. CIL charges are based on viability evidence they are not moderated by the need to meet S106 tests nor are they affected by the vagaries of a negotiation process. That said the Council's CIL charges are not dissimilar to the developer contributions agreed on the Tesco's Extension on London Road, ASDA on Whalebone Lane (where incidentally there was no increase in floorspace), and on the London Road/North Street ASDA.</p> <p>The Council will need to apply the Community Infrastructure Regulations as amended when calculating CIL charges for change of use and conversion</p>	
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		<p><b>Concerns on CIL payments and the infrastructure requirements</b>  Charging schedule does not make the connection between the CIL charges proposed and the infrastructure requirements of the particular development upon which they are being levied.</p> <p><b>Exceptional circumstances policy</b>  This is supported</p> <p><b>Instalment policy</b>  Welcome the fact that the Council is considering a draft instalments policy</p> <p><b>Flat rate levy</b>  A fairer solution would be to divide the Council's estimate for infrastructure costs over the charging period by total expected floorspace and apply to all forms of development.</p>	<p>projects.</p> <p>There is no requirement to do this for each individual development but only across the area as a whole. The CIL collected in the future will only represent a very small percentage of the funding required for infrastructure.</p> <p>LBBD is proposing to adopt an exceptional circumstance policy and the Mayor's instalment policy.</p> <p>The cost of deliverable infrastructure far exceeds the funding that can potentially be achieved through CIL. A flat rate calculated on this basis would likely to be much higher than the rates currently being proposed and would render most development unviable.</p> <p>Exceptional circumstances relief is not intended to be applied in anything other than exceptional</p>	
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		<p><b>CIL reform</b> Consider delaying CIL until CIL reform consultation is finished and outcome known</p>	<p>circumstances.</p> <p>The Council is satisfied that there is nothing in the proposed CIL reforms which challenges its current CIL charges and methodology.</p>	
19	Planning Potential on behalf of Aldi Stores Ltd	<p>Consider that the proposed £175 retail rate is too high.</p> <p>Much of the infrastructure highlighted is intrinsically linked to residential development although acknowledges that a foodstore may require some highways improvements. It is confusing as to why the rates for residential development are lower than for retail</p> <p>Concerned that the viability does not appear to be based on a discount operator</p>	<p>No evidence is provided to demonstrate that this rate is unviable.</p> <p>There is no Regulatory requirement to relate the charge to the individual infrastructure impacts of a development. The funding required for infrastructure far exceeds what we will collect from CIL.</p> <p>The assumptions that the Council has used are clearly set out in the GVA Economic Viability Assessment and the Addendum on Retail. No evidence has been provided to challenge their accuracy.</p>	
20	The Theatres Trust	A nil rate for municipal leisure is supported if this includes theatres.	The nil rate does not apply to theatres but charitable relief would likely apply.	None

## Appendix 3

### Stakeholder Workshop Invite List

Mr	Neeraj	Dixit	<b>LagMar (Barking) Limited c/o CB Richard Ellis</b>	
Mr	Javiera	Maturana	<b>London Development Agency</b>	Planning Manager
Mr	Graham	Oliver	<b>Countryside Properties plc and Freshwharf Developments Ltd c/o GERALD EVE</b>	
Mr	Andrew	Boyd	<b>Savills on behalf of Swan Housing Group</b>	Associate
Mr	Steve	Flowers	<b>Swan Group</b>	
Mr	Robert	Ham	<b>HCA</b>	Planning Manager
Mr	John	Parry	<b>Glenny</b>	Partner, Professional Services
Mr	Keith	Brelsford	<b>Glenny</b>	Partner, Residential
Mr	John	Bell	<b>Glenny</b>	Managing Partner, Head of Business Space Agency
Mr	Ian	Wickerson	<b>Bidwells</b>	Director
Mr	Guy	Jenkinson	<b>Bidwells</b>	Director
Mr	Jonathan	Branch	<b>Bidwells</b>	
Ms	Alice	Leach	<b>London Thames Gateway Development Corporation</b>	Senior Planning Implementation Officer
Mr	Peter	Elliot	<b>London Thames Gateway Development Corporation</b>	Development Manager

Ms	Jennie	Bean	<b>Tesco Stores Ltd c/o GL HEARN</b>	Planning Director
Mr	Ed	Kemsley	<b>Peacock and Smith Limited (WM Morrison Supermarkets Plc)</b>	
Ms	Eilidh	Campbell	<b>Sainsbury's Supermarket Ltd c/o Turley Associates</b>	Planner
Mr	Ian	Anderson	<b>Estates and Agency c/c Icen Projects Limited</b>	Director
Mr	Paul	Gibbs	<b>Persimmon Homes</b>	Development Director
Mr	Stephen	Yates	<b>Axa Sunlife</b>	
Mr	Kevin	Sullivan	<b>LBBB Property Services</b>	Group Manager Assets
Mr	David	Evans	<b>LBBB Property Services</b>	
Mr	Neil	Rowley	<b>Savills</b>	Director, Planning
Mr	Tony	Fisher	<b>Lambert Smith Hampton</b>	
Mr	Richard	Burrows	<b>Bellway Homes Limited (Essex)</b>	Managing Director
Mr	Jim	Atkinson	<b>Bouygues UK</b>	
Mr	Guy	Price	<b>ASDA</b>	
Mr	Simon	Brown	<b>Taylor Wimpey</b>	Managing Director
Mr	Daniel	Butcher	<b>Kemsleys</b>	Commercial Agent
Mr	Colin	Herman	<b>Kemsleys</b>	Director of Agency
Mr	Richard	Payne	<b>Weston Homes</b>	Development Director
Mr	Steve	Hearn	<b>Laing O'Rourke</b>	
Mr	Lee	O'Neill	<b>Cluttons</b>	Associate, Residential Agency
Ms	Kari Trajer	Trajer	<b>Cluttons</b>	Lettings Manager, Residential Lettings

Mr	Chris	Collins	<b>Strettons</b>	Head of Retail & Residential
Mr	Ian	Stevenson	<b>Porter Glenny Estates</b>	Managing Director
Mr	Andrew	File	<b>Sandra Estate Agents</b>	Managing Director
Mr	Micheal	O'Brian	<b>Ramsey Moore Estate Agents</b>	
Ms	Melanie	Mcintosh	<b>Mace Group</b>	Marketing
Mr	Drew	Pindoria	<b>Bairstow Eves</b>	Manager

## Draft Regulation 123 List – October 2014

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

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

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

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

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

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

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

## **THE COMMUNITY INFRASTRUCTURE LEVY (AMENDMENT) REGULATIONS 2013**

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

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

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

**London Borough of Barking and  
Dagenham**

***Draft* Planning Advice Note 10**

**Section 106/Planning Obligation**

**October 2014**

# 1 Introduction

## Background

- 1.1 Barking and Dagenham has the most untapped potential for growth in the capital, has excellent accessibility and is London's next big growth story after Docklands and Stratford. Barking and Dagenham will deliver 17,000 new and 10,000 new jobs in the borough over the next 20 years, which will in turn create high-value opportunities in the manufacturing, green tech, bio tech, creative industries, health and social care, retail and leisure sectors. The Council is committed to growth, to playing its role in London and delivering for its community. The ambition and aspiration is to become a destination of choice, where people stay and feel welcome.
- 1.2 New development plays an important role in the borough in meeting current and future needs in, for example, the provision of new homes, employment or recreational facilities. However, in order to achieve sustainable growth and maximise the quality and contribution of new development and the benefit that it brings to existing and new communities, developer contributions towards community benefits will be sought wherever appropriate.
- 1.3 The Council will seek to ensure that new development contributes to a safer, healthier and more prosperous borough by ensuring that it incorporates high quality design, mitigates any adverse impact it may cause, and contributes to the needs of the local community.

## Purpose of this document

- 1.4 The main aims of this document are:
  - to set out the circumstances where planning obligations or Section 106 will be sought following the adoption of the Council's Community Infrastructure Levy (CIL) charging schedule
  - improve transparency in the calculation of planning obligations
  - provide applicants with greater certainty on when planning obligations will be sought.
- 1.5 The Community Infrastructure Levy (CIL) is a new system of developer contributions which can be spent on providing new facilities and infrastructure (such as schools and transport improvements) to support new development. CIL is set locally and will become a standard charge per square metre applied to all qualifying developments with the exception of social housing and buildings used by charities. The charge will be imposed at the time planning permission is granted and normally be paid at the commencement of development.
- 1.6 When introduced, this new CIL charge will replace many section 106 agreements as the CIL Regulations 2010 limit their use. However some S106

agreements will still be used for the specific impacts of a development (such as a new access road) and for affordable housing.

- 1.7 This document will assist prospective developers by identifying the planning obligations that will be sought by the council, through the grant of planning permission for development, where such development generates a need for new infrastructure. Acknowledgement and preparation for the required planning obligations should be integral to negotiation of land transactions, and the formulation of development proposals. The Council will expect developers to enter into discussions on planning obligation requirements at the pre-application stage. The Council's aim is to agree in principle the Heads of Terms of any planning agreement before applications are submitted.
- 1.8 This guidance aims to set out:
- the types of developments that would be subject to planning obligations; and
  - the range of likely contributions that may be sought.

## **2. Addressing the impacts of development**

- 2.1 There are five main mechanisms available to the Council to ensure that development addresses any adverse impacts as well as contributes to local infrastructure and the environment. These are:

### **Planning Conditions**

- 2.2 Where a development proposal does not meet the standards required of local planning policy, for example providing high quality design, securing planning permission may prove difficult. Developers are encouraged to engage in pre-application discussions with the Council to determine what aspects of a proposal may need to be improved to secure planning permission.
- 2.3 The Council will often grant planning permission subject to conditions. Planning conditions are usually to ensure that the proposal will be implemented in a manner consistent with the approved planning application, but they may also be used as a mechanism for the provision of essential on-site design requirements. While they mainly relate to the development and site proposed, they can also be used to secure off-site provision in some circumstances. In line with the Council's desire to speed up the delivery of development it will only impose those conditions which are absolutely necessary. Therefore the Council encourages developers to provide the necessary detail in their planning application to limit the number of conditions that are imposed.

## **Planning Obligations**

- 2.4 Planning obligations enter the developer into a legal commitment to undertake specific works, provision of land/facilities, or providing a financial contribution towards the provision of a service or piece of infrastructure. They are set out in Section 106 (S106) of the Town and Country Planning Act 1990 and are intended to secure the necessary site specific requirements to make an individual proposal 'acceptable'.
- 2.5 Planning obligations can range from the on-site drainage solutions through to provision of a road to connect a site to the local highway network. It is also the mechanism by which affordable housing is secured.
- 2.6 However, the application of S106 has not always been consistent and has created uncertainty for developers. The burden of S106 tends to fall more on larger proposals even through smaller proposals, collectively, may have more of an impact.

## **Section 278 Agreements – Highway Improvements**

- 2.7 As a Local Highway Authority, the council can also use Section 278 of the Highways Act 1980 to secure works to the local highway network where necessary to serve the proposed development. Transport for London (TfL), which is the highway authority for the 'TfL Route Network' may also require such an obligation. Examples of work covered by this type of agreement could include road safety improvements, such as traffic calming, street lighting, improved facilities for pedestrians and cyclists, roundabouts, signalised junctions, priority junctions, new accesses to development sites, and footway and carriageway resurfacing.

## **Unilateral Undertakings**

- 2.8 A unilateral undertaking is a form of Section 106 agreement where the developer submits proposals for a Section 106 planning obligation without prior agreement with the local planning authority. The undertaking is submitted unilaterally, alongside the planning application, or with planning appeal submissions. Although not generally encouraged, unilateral undertakings may be acceptable for straight forward or smaller schemes.

## **Community Infrastructure Levy (CIL)**

- 2.9 As part of the changes introduced under the Planning Act 2008, a new mechanism called the Community Infrastructure Levy was introduced to provide greater consistency in the charging of planning obligations.
- 2.10 The main concept behind CIL is to provide a standard charge, or set of charges, that can be levied on all development. It can be spent on new or improved infrastructure deemed necessary to deliver the local plan.

- 2.11 A separate CIL is charged by the Mayor of London to help pay for Crossrail, and this has been chargeable from 1<sup>st</sup> April 2012.
- 2.12 The Council's CIL becomes effective on 5<sup>th</sup> January 2015. The London Borough of Barking and Dagenham's CIL Charging Schedule can be found on the borough's website via the following link:
- <http://www.lbdb.gov.uk/Environment/PlanningPolicy/Pages/CommunityInfrastructureLevy.aspx>
- 2.13 A list of projects which may be funded by CIL is set out in the Regulation 123 list. This is published on the Council website (via above link). The 123 list will be updated from time to time, as necessary.
- 2.14 To help communities to accommodate the impact of new development and to strengthen the role and financial autonomy of neighbourhoods, at least 15% of the funds collected by the charging authority will be spent following engagement with communities where development has taken place and agree with them how best to spend the neighbourhood funding. This will be achieved through consultation with existing community groups wherever possible.

### **3. Policy Context**

- 3.1 The relevant policies for this document are as follows:
- National Planning Policy Framework (March 2012)
  - Community Infrastructure Levy Regulations 2010 (as amended)
  - The London Plan (2011) - Policy 8.2 on planning obligations
  - London Borough of Barking and Dagenham Core Strategy – Policy CC3: achieving Benefits Through Developer Contributions

#### **National Planning Policy Framework (NPPF) (March 2012)**

- 3.2 The NPPF, in paragraph 173, states:
- 'Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'
- 3.3 Paragraphs 203 to 206 of the NPPF are all that remains of Circular 05/2005. Three of the five key policy tests outlined in previous Government guidance remain. These are now enshrined in the Community Infrastructure

Regulations 2010 as amended. Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

3.4 Paragraph 205 of the NPPF states, “Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled”

#### **CIL Regulations 2010 (as amended) – pooling of S106 contributions**

3.5 Regulations 122 and 123 of the CIL Regulations 2010 (and subsequent amendments) place limitations on the use of Section 106 agreements. Regulation 122 limits the planning obligation tests to the three outlined above, while Regulation 123 only allows the pooling of contributions from up to five separate planning obligations for a particular item if it is not locally intended to be funded by the levy. The regulations state that the latter will apply from 6 April 2015 or when a charging authority’s charging schedule takes effect (if sooner). This will date back to 6 April 2010, therefore if five or more S106s have been pooled during this five year period for a particular project or type of infrastructure, no further S106s can be entered into for the same item. Instead, CIL should be used.

#### **The London Plan July 2011**

3.6 The London Plan Policy 8.2 sets out the Mayor’s strategic priorities for planning obligations, which are:

- Affordable housing;
- Supporting the funding of Crossrail\* where appropriate; and
- Other public transport improvements.

3.7 Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.

3.8 Crossrail S106 will be payable on office and retail development within 1km of a crossrail station (£31 per sqm for office and £16 for retail). In all cases, contributions should be calculated in respect of developments exceeding 500sqm with a net increase in floor area of the relevant use. For mixed use developments, contributions will be sought on any increase in floorspace for any of the uses (subject to 500sqm threshold).

## **London Borough of Barking and Dagenham Core Strategy (July 2010)**

- 3.9 Policy CC3 (Achieving Community Benefits through Developer Contributions) outlines the Council's planning obligations policy. This sets out why developer contributions may be sought and what they may be used for. This policy will need to be updated through the Local Plan review when the Council adopts its CIL Charging schedule.

### **4. Negotiating Planning Obligations**

- 4.1 The Council offers a pre-application advice service to assist potential applicants in drawing up their proposals and to encourage detailed discussion before a formal planning application is submitted.
- 4.2 During these pre-application discussions, the planning officers will, where necessary, identify the issues relevant to the development to be considered in respect of planning obligations. The scope of these obligations will be informed by comments from formal consultees, local, regional and national planning policy, and the location and characteristics of the site concerned.
- 4.3 We will negotiate draft S106 Agreement 'Heads of Terms' during this pre-application stage. The Heads of Terms should clarify what items the S106 will include and their value.
- 4.4 A fee for pre-application advice is payable for certain types of applications. There is no charge for pre-application advice for householder applications, or other minor developments such as small changes of use, shop fronts or small commercial floorspace extensions.
- 4.5 Please refer to the guidance note, 'Charging for pre-application advice', for further details. This can be found on the council's website via the link below:

<http://www.lbbd.gov.uk/Environment/planning/Pages/Pre-applicationadviceandcharging.aspx>

### **5. The Scope of Planning Obligations**

- 5.1 The broad categories for developer contributions outlined in Core Strategy policy CC3. However an updated list is provided in the Council's Regulation 123 list:
- Affordable housing
  - Local labour and local supplier contracts
  - New bus connections or services and cycle/pedestrian routes and connections through the development
  - Local junction / highways improvements and access into the site
  - On-site greenspace and public realm improvements
  - On-site drainage and flooding solutions
  - On site sustainable energy requirements

- 5.2 There may be cases where the development proposed results in a specific need for infrastructure that is not currently available, and has not been identified for investment through CIL or wider investment programmes. For example, a major junction improvement may be required to 'unlock' a site. In such circumstances, the Council would normally expect this to be addressed as part of the proposal at the time planning permission was sought. Their delivery will often be secured by a S106 agreement or other mechanisms such as Section 278 of the Transport Act.
- 5.3 S106 will continue to be used for local infrastructure requirements on development sites, such as local access or connection to services. Some of these requirements may be physically off site but, will be secured under S106 where they are clearly linked to the development site and needed to make that particular site acceptable in planning terms.
- 5.4 S106 will also be used for affordable housing provision where viable.
- 5.5 Many developments will be required to pay both CIL and enter into a S106 agreement, but a development cannot be charged twice for the same items of infrastructure through both S106 and CIL.
- 5.6 There may be cases where infrastructure provision necessary to make a development acceptable cannot be delivered on-site, in which case the Council will expect off-site contributions, whether as alternative provision or a commuted sum.

### **Affordable Housing**

- 5.7 Affordable housing will continue to be provided through S106 as there is no provision for this to be paid from CIL.
- 5.8 The Council does not have an affordable housing policy so instead defers to policies contained within the London Plan (3.8 to 3.14). Therefore, for developments of 10 or more homes, we seek to negotiate the maximum reasonable amount of affordable housing based on the viability of the scheme. The basis for viability appraisals is the 'Three Dragons model' developed and updated by the Greater London Authority or similar.
- 5.9 It is recognised that some sites within the borough will not be able to provide affordable housing. However, it will be the responsibility of the developer to provide viability evidence to justify this.
- 5.10 The NPPF definition for affordable housing includes social rented, affordable rented (up to 80% of market rent) and intermediate housing, provided to eligible households whose needs are not met by the market.
- 5.11 The London Plan tenure split of 60% social rent and 40% intermediate will be applied.

## Transport Infrastructure

- 5.12 A modern and efficient transport network is essential to growth in Barking and Dagenham. New development will place increased pressure on the existing transport system so must be delivered in parallel with improvements to transport and movement in the borough, attracting new employers and residents, as well as providing the existing population with improved access to employment opportunities within the borough and further afield.
- 5.13 From 1<sup>st</sup> April 2012, the Mayor of London's CIL came into operation. The purpose of this levy is to contribute to the funding of Crossrail, which will increase capacity across the tube network by around 10%, benefiting all of London. In Barking and Dagenham the levy is £20 per square metre and will be charged in addition to the Barking and Dagenham CIL.
- 5.14 Funding for transport infrastructure required as a result of incremental growth, in particular public transport improvements, will normally be provided through the Council as part of the standard CIL charge and other mainstream funding programmes.
- 5.15 Where development is required to make specific contributions toward improvements, amendments or additions to public transport services, not identified or expected to be met by CIL, these contributions will be secured by a legal agreement. The Council's Transport Section/Transport for London, or Network Rail, will advise on the requirements for individual applications, which may cover the following range of improvements:
- New bus connections or services through the development
  - Cycle/pedestrian routes and connections through the development
  - Local junction / highways improvements and access into the site
  - sitings of bus stops
  - Access and other improvements to rail and underground stations
  - Facilities to assist interchange between modes
  - Associated street furniture
  - Associated carriageway and pavement measures
  - Associated pedestrian and cycle links
  - Cycle parking
  - Motor cycle parking
  - Car club provision
- 5.16 Where development is expected to result in severe adverse traffic impacts on the wider highway network, measures will be secured to reduce, minimise or eliminate the impacts, which may not be met by the CIL charge. Alterations or improvements to the local highway network, necessary to promote a safe, efficient or sustainable relationship between development and the public highway, may be secured through planning and/or highway legal agreements.
- 5.17 Where development exceeds the thresholds for a travel plan set out in the Local Plan a travel plan will be secured with the objective of reducing adverse

transport impacts and will include measures required to successfully implement the plan. In addition, strategic level travel plans are required for larger scale developments that are referred to the Mayor.

- 5.18 Borough-wide Development Policies Development Plan Document policies BR10 (Sustainable Transport) and BR11 (Walking and Cycling) provide the main policy background relating to achieving a sustainable relationship between development and transport.
- 5.19 Barking and Dagenham's Local Implementation Plan highlights transport investment proposals and priorities for the borough.

### **Public Facilities – Education, Community and Health**

- 5.20 Providing education, health and community facilities is a fundamental part of the borough's growth agenda and is essential in spreading benefits to the local population.
- 5.21 The 2011 census revealed that in Barking and Dagenham there has been almost a 50% rise in 0-4 year olds between 2001 and 2011. This is the highest growth for this age group of any local authority in England and Wales. In addition, the borough has the highest population percentage of 0-19 year olds in the country at 31%. This means that there is enormous pressure on schools within the borough.
- 5.22 Where an assessment of current and future community facilities capacity shows that a major residential development scheme establishes a site-specific need for additional community facilities, accessibility to such services is required to be demonstrated as part of the planning proposal. This will also apply where land, or the provision of a new facility, is required within or nearby the proposed development site.
- 5.23 On-site provision will not forgo the need for developments to contribute to CIL.
- 5.24 In large, mixed-use developments, there may be a S106 requirement to retain a building to be used for a public facility. In some high density, high rise developments this may not be possible. The Council will accept off-site provision through a S106 in exceptional circumstances.

### **Employment, Skills and Training**

- 5.25 Development increases opportunities for local employment, particularly those facing barriers to employment. Maximising local labour also reduces the need to travel which can help to ensure that development is more sustainable.
- 5.26 The Council therefore requires that opportunities for the employment, training and support of local labour are provided throughout the construction phase of a development and for the end use of non-residential development.

- 5.27 Local supply of goods and services to development supports the maintenance of a sustainable local economy which in turn provides further employment opportunity for local labour as local contractors and suppliers are more likely to employ local labour.
- 5.28 The Council will work with developers and employers to ensure that employment, training and business opportunities are tailored to the development proposed.
- 5.29 See Planning Advice Note 2: Local Labour and Local Business Agreements.  
<http://www.lbbd.gov.uk/Environment/PlanningPolicy/Pages/Planningadvicenotes.aspx>

### **Open Space**

- 5.30 Open space in this section refers to the provision of green infrastructure, public open space, outdoor sports, playing fields, recreational land for biodiversity purposes and play space.
- 5.31 Where the development would cause a localised requirement for additional open space this is expected to be provided on-site as part of the development proposal. In exceptional circumstances open space may be provided off-site, or through payment of a commuted sum via a Section 106 agreement.
- 5.32 Play space will be required in accordance with the Mayor's Supplementary Guidance: Shaping Neighbourhoods: Play and Informal Recreation SPG.

### **Public Realm**

- 5.33 As Barking and Dagenham's population continues to grow, it is important to ensure that the spaces and places between buildings function well and are attractive and enjoyable. New development has a key role in making sure it contributes to this continued improvement in the public realm and, in doing so, support economic growth in the borough by attracting new investment, employers and residents to the area.
- 5.34 All development schemes that have a significant impact on the public realm will be assessed for appropriate public realm improvements in the vicinity of the scheme, or the adjoining area.
- 5.35 Where necessary, planning obligations will be sought for public realm works on or immediately adjacent to a development site. This will exclude more general public realm improvements that will be funded using CIL.
- 5.36 Public realm works will either be undertaken by the developer, or made through financial contributions to the Council, who will organise or undertake works directly.
- 5.37 These may include:

- New or improved footways and/or hard or soft landscaping improvements
- Replacing paving or landscape material on existing public realm including carriageways and footways
- Improvement of pedestrian and cycle links to local facilities and public transport
- Traffic management measures and initiatives
- Street Lighting
- Tree planting and biodiversity improvements
- Community safety initiatives
- Appropriate new street furniture and signage
- CCTV or other community safety measures
- Removal of street clutter

### **Historic Environment**

- 5.38 Barking and Dagenham has a rich local history, but compared to other borough's has relatively few protected historical environment assets such as listed buildings and conservation areas. With this in mind, the Council will take particular care to protect and, wherever possible, enhance the historic environment. Policies CP2 (Protecting and promoting our historic environment), BP2 (Conservation Areas and Listed Buildings) and BP3 (Archaeology) outline the Council's requirements in relation to management of the historic environment.
- 5.39 The Council will generally use conditions to ensure our policies on historic environment are adhered to but there may be circumstances where a S106 agreement may be required, for:
- Repair, restoration or maintenance of a heritage asset and its setting;
  - Increased public access and improved signage to and from heritage assets;
  - Measures for preservation or investigation and recovery of archaeological remains and sites;
  - Display of archaeological sites.

### **Sustainable Design and Construction**

- 5.40 There are a number of different policies and regulations which influence the standards of sustainability in new developments and this in an area of policy which is constantly evolving.
- 5.41 The Building Regulations Part L set out national standards for CO2 emissions in new buildings, with an aim to reach 'zero carbon' standards by 2016. The preference is for CO2 emissions to be minimised as far as possible on-site. As standards become more stringent, it will be more difficult to meet targets through building design and on-site low carbon/renewable energy alone. Beyond the on-site carbon-compliance standards, the Government is

developing an approach to ‘allowable solutions’ which will allow developers to support off-site carbon reduction measures, such as district heating schemes, and retro-fitting insulation in existing buildings, where it is not technically feasible or commercially viable to abate all carbon emissions through on-site means.

- 5.42 Alongside the policies of the London Plan, the sustainability standards the Council expects from development are set out in Core Strategy Policy CR1 (Climate Change and Environmental Management, and Borough Wide Policies Development Plan Document policies BR1 (Environmental Building Standards) and BR2 (Energy and on-site renewables). These provide detail on the appropriate standards for different types of development including BREAM and Code for Sustainable Homes, as well as standards relating to energy efficiency, decentralised energy networks and renewable energy. For major developments the Council will require developers to pay for independent assessment of their sustainability information and reports to ensure compliance with the Council’s policies. Meeting the requirements for sustainable design and construction is often achieved in the detailed design or construction phases. Normally requirements for sustainable design will be dealt with using conditions, but in some circumstances, a S106 agreement may be required to secure the highest environmental standards of development.
- 5.43 The following features may be specified through further details required to be submitted as part of a S106 agreement if they cannot be implemented through the approved design or satisfactorily secured through conditions:
- energy efficient design measures;
  - renewable energy facilities;
  - waste and recycling storage facilities;
  - water retention and recycling facilities;
  - heating or cooling systems;
  - caps on internal water consumption levels; and
  - the proportion of materials used from sustainable sources.

### **Decentralised Energy Networks**

- 5.44 In line with the London Plan, the Council is working with partners to maximise the opportunity to provide new networks supplied by decentralised energy. Developments near to a planned or potential future network should make provision for a connection to the network should one be established.
- 5.45 Where appropriate, S106 agreements will be used in relation to securing the installation of Combined Heat and Power (CHP)/Combined Cooling Heat and Power (CCHP) and the generation and use of energy.

## **Flood Risk**

- 5.46 A number of areas within the borough are at risk of flooding. This risk comes from a variety of sources including the tide, rivers, runoff, groundwater and sewers.
- 5.47 Provision of flood risk measures such as Sustainable Drainage Systems (SUDS) are expected to be provided on-site and secured through conditions or S106 agreement. Developers should refer to Council policy CR4 (Flood Management).
- 5.48 As part of the Council's requirements as contained within the Flood and Water Management Act 2010, it is anticipated that the Council will be identifying surface water flood alleviation schemes which may require contributions. Subject to negotiation and where appropriate, a planning obligation in the form of a commuted sum will be secured for off site flood risk mitigation work where a flood alleviation project directly mitigates flood risk on-site. Any such contributions will be subject to the limitations set out in Sections 122 and 123 of the CIL Regulations.

## **Biodiversity Habitats**

- 5.49 Planning obligations may be used to require developers to carry out works to secure or reinstate existing habitat features, enhance existing features, create new features or to undertake habitat creation schemes. In those very exceptional circumstances where a developer cannot protect an ecological habitat adjacent to or within the boundaries of the site and in other respects the development is acceptable, they will be required to provide an alternative compensatory measure of equal or greater value in the locality. These measures could be land off-site on which the Council or other responsible agency can carry out works and recover the reasonable costs from the developer, or assistance in enlarging or enhancing existing nature conservation assets and habitats in the locality, and make provision for maintenance of the site.

## **Air Quality**

- 5.50 Where a development is likely to have a significant negative impact on air quality, the Council will request the submission of an air quality impact assessment, in line with Borough Wide Development Policies Development Plan Document policy BR14 (Air Quality). Where necessary, a commuted sum will be sought to be used towards specific monitoring and control of air quality emissions.

## **6. Viability**

- 6.1 Developers should take potential planning obligations, and any identifiable exception site development costs, into account when acquiring land for development. If during identification of the Heads of Terms it is claimed that

the economic cost of fulfilling certain planning obligations would prevent development from occurring, it is expected that developers will also submit detailed 'open book' information about the scheme's economics to the council prior to the formal submission of a planning application. Before reviewing the nature of the planning obligations sought, the council may seek valuation advice from an independent third party. All costs incurred by the council in validating claims will have to be met by the developer.

## **7. Review of Section 106 Agreements**

- 7.1 In the event of a stalled development, the applicant/developer may wish to come back to the council seeking to review previous agreements with a view to possible deferred payment of contributions, changes to design and/or flexibility of uses. The Council will consider such a scenario on its merits and in accordance with the Viability section above.

## **8. Monitoring**

- 8.1 It is imperative that the Council has robust monitoring processes in place to ensure that S106 obligations are delivered as planned, that all monies received are accounted for and spent as intended. To resource this the Council applies a 4% monitoring charge to S106 obligations.

## **9. Indexation**

- 9.1 S106 contributions are index linked. The amount shall be increased by the percentage by which the All Items (Series CHAW) Index of Retail Prices published by the Office for National Statistics has been increased from the last published figure prior to the grant of the Planning Permission to the figure last published prior to the Implementation of the Development and subject to the following formula:

$C/B \times A = D$  where:

A = the contribution amount specified in this Deed in pounds sterling;

B = the last figure published in the All Items (Series CHAW) Index of Retail Prices prior to the grant of Planning Permission;

C = the last figure published in the All Items (Series CHAW) Index of Retail Prices prior to Implementation of Development;

D = the recalculated contribution amount in pounds sterling applying under this Deed;

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**CABINET****21 October 2014**

<b>Title:</b> Renaming of Northern Relief Road	
<b>Report of the Cabinet Member for Regeneration</b>	
<b>Open Report:</b>	<b>For Decision</b>
<b>Wards Affected:</b> Abbey	<b>Key Decision:</b> Yes
<b>Report Author:</b> Daniel Pope, Development Planning Group Manager	<b>Contact Details:</b> Tel: 020 8227 3929 E-mail: daniel.pope@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director of Regeneration	
<b>Accountable Director:</b> Steve Cox ,Director of Growth	
<b>Summary</b>	
<p>A number of options have been considered for renaming the Northern Relief Road so it has a more fitting and less perfunctory name with local meaning. Options explored in the options appraisal include Equinox Way, Northbury Way and Berica Way. However it is recommended that the Barking Northern Relief Road is renamed Gurdwara Way. This is a more fitting name for the road on which the Barking Gurdwara Singh Sabha is a prominent and well known local landmark mid way along its length. It also recognises the contribution the Sikh Community has made to the local area and to the country in both world wars.</p> <p>If agreed the Council needs to make an order to change the street name. This involves, at least one month before making the order, posting a notice of the order at either end of the Northern Relief Road with a deadline for objections of 21 days. Provided there are no objections the Order can be confirmed and major statutory authorities and the Land Registry notified of the change. Finally, following a change of name, new street signs would need to be installed.</p>	
<b>Recommendation(s)</b>	
<p>The Cabinet is recommended to:</p> <p>(i) Approve the proposed renaming of the Northern Relief Road to Gurdwara Way; and</p> <p>(ii) Authorise officers to carry out the necessary statutory procedures to confirm the change of name.</p>	
<b>Reason(s)</b>	
<p>This proposal gives the Northern Relief Road a meaningful name referenced to a well known community landmark clearly visible from the bypass and recognising the contribution the Sikh community has made to the borough and to the country in both world wars. This proposal helps deliver the Council's vision, in particular by encouraging civic pride by helping to build pride, respect and cohesion across the borough and promoting a welcoming, safe and resilient community.</p>	

## **1. Introduction and Background**

- 1.1 On 29 September 1990 the new Barking Northern Relief Road was opened by the Mayor Councillor Fred Jones MBE. This enabled East Street, Station Parade and Ripple Road to be pedestrianised. The Northern Relief Road has retained this “temporary” and perfunctory name ever since.
- 1.2 There are no properties addressed from the Northern Relief Road however three buildings, the Barking Gurdwara, Northbury Primary School and Victoria Medical Centre enjoy vehicular access from it.
- 1.3 A number of options have been considered for renaming the Northern Relief Road so it has a more fitting and less perfunctory name with local meaning. Options explored in the options appraisal include Equinox Way, Northbury Way and Berica Way. However it is recommended that the Barking Northern Relief Road is renamed Gurdwara Way. This is a more fitting name for the road on which the Barking Gurdwara Singh Sabha is a prominent and well known local landmark mid way along its length. It also recognises the contribution the Sikh Community has made to the local area and to the country in both world wars. More detail is provided in the next section of this report and this is followed by an options appraisal which looks at the other names which were considered.

## **2. Proposal**

- 2.1 The Barking Gurdwara Singh Sabha was opened 18 April 1971 serving the Sikh Community which stretched from Aldgate East to Romford. Prior to this the Sikh Community used space in Ripple School on Suffolk Road, Barking. The Barking Gurdwara Singh Sabha is a distinctive building which is locally listed. It is situated on the corner of North Street and the Northern Relief Road. It was built in 1908 in the Queen Anne Style as a Friends Meeting House for the Quakers. The Gurdwara is open daily from 6am – 9pm and as well as serving the Sikh community from across North-East London also welcomes other communities including providing free food and distributing meals to the homeless. It hosts weddings and funerals along with regular prayer services, and holds fundraising events for local hospitals, hospices and the Red Cross.
- 2.2 As the Sikh community has grown so has the Gurdwara which has been extended incrementally over the last forty years. Most recently planning permission was granted for a further extension which will provide a grand and imposing frontage to the Northern Relief Road including a 23 metre tower topped with a dome which is a modern interpretation of the elaborate ornate traditional designs of the Punjab.
- 2.3 As with other minority groups representatives of the local Sikh community have provided leadership in challenging intolerance and improving community cohesion since the 1970's through the Barking Community Relations Council and more recently the Barking and Dagenham Race Equality Council and the Mayoralty which has been held by Councillors Inder Singh Jamu, the late Councillor Nirmal Singh Gill and most recently Councillor Hardial Singh Rai.
- 2.4 2014 marks the 100 year anniversary of the First World War. In the initial stages of the First World War it was apparent that the Allies did not have enough forces to

cover all the areas of conflict from Africa, to Europe, to the Middle East. Thus soldiers were recruited from India, forming the largest voluntary force ever assembled. <sup>i</sup> Every sixth British soldier serving during the war would have been from the Indian subcontinent, making the British Indian Army as large as all the forces from the rest of the British Empire combined – including the forces of Australia, Canada, New Zealand and South Africa. Although accounting for less than 2% of the population of British India at the time, Sikhs made up more than 20% of the British Indian Army at the outbreak of hostilities numbering around 35,000 of 161,000 troops in the Indian Army. By the end of the war around 130,000 Sikh volunteers has joined the British Armed Forces fighting alongside their British, Indian and Commonwealth counterparts in many battles including Ypres, Flanders, Somme, Gallipoli, East Africa and Palestine. <sup>ii</sup> The crucial role of Sikh's in the two world wars is epitomised by quotes from Sir Winston Churchill and British General Sir Frank Messervy

"British people are highly indebted and obliged to Sikhs for a long time. I know that within this century we needed their help twice [in two world wars] and they did help us very well. As a result of their timely help, we are today able to live with honour, dignity, and independence. In the war, they fought and died for us, wearing the turbans." **Sir Winston Churchill**

"In the last two world wars 83,005 turban wearing Sikh soldiers were killed and 109,045 were wounded. They all died or were wounded for the freedom of Britain and the world, and during shell fire, with no other protection but the turban, the symbol of their faith." **British General Sir Frank Messervy**

### **3. Options Appraisal**

- 3.1 The Council has in recent years worked hard to ensure that the names of new streets and buildings are associated with the history of the borough. Examples in Barking Town Centre include Elizabeth Fry House for the new apartment block next to the Gurdwara and Bobby Moore Way next to the Abbey Leisure Centre. Elizabeth Fry was a leading prison reformer and Quaker who would have frequently visited the Society of Friends Meeting House now the site of the Gurdwara. Elsewhere in the borough literally dozens of streets and buildings have been named after people who lost their lives serving Queen and Country, the regiments they served in and the battles they fought. It is therefore consistent with the Council's desire to give streets and buildings locally meaningful names to propose to rename the Northern Relief Road.
- 3.2 The Northern Relief Road was never officially named hence its perfunctory title. In terms of alternatives names the first option is do nothing. The existing road name has endured for 24 years and has served its purpose. Equally it is a very uninspiring name for an important local road. It is very rare to rename an existing road due to the inconvenience it can cause addressees. However the Northern Relief Road is unusual in having no properties addressed off it and therefore the process of changing its name subject to the agreement of the emergency services and Cabinet is relatively straightforward.
- 3.3 In terms of alternative names one needs to consider the other buildings which are prominent on the Northern Relief Road, these are limited to some undistinguished

office blocks off Wakering Road, the Barking Foyer, Equinox House and Northbury School. Equinox House and the Barking Foyer are both high rise buildings with distinctive cladding. Both are residential blocks addressed off Wakering Road and renaming the Northern Relief Road after either of them may cause some confusion. The slip road from the Northern Relief Road to the school has recently been named Northbury Close and so it is not possible to rename the Northern Relief Road as Northbury Way as the emergency services would object. Other options include Elizabeth Fry Way but this name has recently been used for the new apartment block next to the Gurdwara so again this may cause some confusion. The final option is Berica Way. The name "Barking" is from the latin Berecingum ("Berica's people"), an early Saxon settlement. Officers consider that this is a good alternative to Gurdwara Way but clearly does not have the advantage of being named after a prominent building on the road.

- 3.4 In summary the Northern Relief Road deserves a more fitting and less perfunctory name with local meaning. In this instance the renaming process is relatively straight forward and having considered a number of options the name Gurdwara Way is recommended. The Gurdwara is a prominent local landmark half way along the Northern Relief Road and it is also an opportunity to recognise the contribution the Sikh community has made to the borough and to the country in both World Wars.

#### **4. Consultation**

- 4.1 17 January 2012 Cabinet agreed that it should be responsible for all proposals to rename roads and buildings hence the need for this report (Minute 91 refers). Regulations require that two thirds of those premises on the affected street must agree to the change. However no properties are addressed off the Northern Relief Road so this does not apply in this case. The Council however still needs to make an order to change the street name. This involves, at least one month before making the order, posting a notice of the order at either end of the Northern Relief Road with a deadline for objections of 21 days. Provided there are no objections the Order can be confirmed and major statutory authorities and the Land Registry notified of the change. Finally, following a change of name, new street signs would need to be installed.
- 4.2 The emergency services must be consulted on any name change and this is managed by the Fire Brigade. Their guidance advises that renaming / renumbering existing streets and buildings is normally only considered when changes occur which give rise (or are likely to give rise) to problems for the occupiers, Post Office, Emergency Services, etc. Having originally objected to the name change when it was first proposed several years ago the Fire Brigade have more recently confirmed that they have now no objection to the proposal to rename the Northern Relief Road Gurdwara Way.

#### **5. Financial Implications**

Implications completed by: Carl Tomlinson, Group Finance Manager

- 5.1 In changing the name of the Northern Relief Road, the Authority is likely to incur costs in respect of making the order to change the street name, this includes the traffic management order, posting of notices, dealing with any subsequent enquiries, informing the appropriate statutory authorities, notifying the Land Registry

and providing new street signs. These costs are expected to be minimal and met from existing Regeneration and Economic Development budgets.

## **6. Legal Implications**

Implications completed by: Paul Feild Senior Governance Lawyer

- 6.1 The present powers which control the naming and numbering of roads in the London Borough of Barking and Dagenham and the Greater London area are derived from Part II of the London Buildings Act (Amendment) Act 1939.
- 6.2 The original Act referred only to the inner London area and was amended by Section 43(1) of the London Government Act 1963 to include the whole of Greater London. With the dissolution of the Greater London Council in 1985 the powers held by that Council, in respect of road naming and numbering, were devolved to the London boroughs by virtue of the Local Government Act 1985.
- 6.3 During its existence the Greater London Council applied policies to regulate the naming of roads and the numbering of buildings, and adopted Regulations, formulated by the London County Council in 1952, governing the display of numbers and names on buildings. These have subsequently been adopted by the Council.
- 6.4 The Council Constitution delegates the power to name council property and roads to the Cabinet - Section B - The Cabinet Article 4 - Pages B25- B26 and Scheme of Delegation Pages C15-C16.

## **7. Other Implications**

- 7.1 **Risk Management** – Cabinet agreed on 17 January 2012 that it should be responsible for all proposals to rename roads and buildings even in those cases where no consultation is necessary because there are no residents affected to ensure the risk of inappropriate naming of roads and buildings is minimised.
- 7.2 **Corporate Policy and Customer Impact** – This proposal gives the Northern Relief Road a meaningful name referenced to a well known community landmark clearly visible from the bypass and recognising the contribution the Sikh community has made to the borough and in both world wars. This proposal helps deliver the One Borough; one community, London's growth opportunity vision, in particular by encouraging civic pride by helping to build pride, respect and cohesion across the borough and promoting a welcoming, safe and resilient community. Since no properties are addressed from the Northern Relief Road no one will have to change their address as a result of this name change.

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

**List of appendices:** None

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<sup>i</sup> The Sikhs in Britain – Peter Balance 2007

<sup>ii</sup> Empire. Faith and War – Brunei Galley 2014

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**CABINET****21 October 2014**

<b>Title:</b> Procurement of a Bespoke Children's Early Intervention Support Packages Service	
<b>Report of the Cabinet Member for Children's Social Care</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Joanne Tarbutt, Group Manager for Looked After Children	<b>Contact Details:</b> Tel: 020 8227 5998 E-mail: <a href="mailto:joanne.tarbutt@lbbd.gov.uk">joanne.tarbutt@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Ann Graham – Complex Needs and Social Care	
<b>Accountable Director:</b> Helen Jenner – Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>The Council's Access to Resources Team (ART) was established in late 2010. ART was originally established as a special intervention service focussed on preventing the breakdown of fragile placements of children in care. The Team spent time working with a range of providers on the development and co-ordination of bespoke targeted and time-limited intervention packages, enabling existing placements to be maintained and avoiding the potentially costly move of children/young people into more expensive settings, such as residential care. The role of ART has since been expanded and refined to cover a number of areas including families where children are on the edge of being taken into care and preparing children and their families for reunification and exit from the care system.</p> <p>This early intervention service which is co-ordinated by ART has, and is continuing to contain costs for the Council. When reviewing the financial impact of just 14 early cases, evidence shows that had the intervention not taken place, almost £200,000 more would have been spent by the Council on these children/families. In fact, data spanning September 2012 to April 2014 shows that approximately £1,200,000 additional expenditure would have been incurred by the Council if this early intervention service had not been delivered. It should be noted that many children entering the care system remain for a number of years, so any cost implications go beyond just the life of the intervention.</p> <p>The original funding for this service was through an Invest to Save bid and the business case and subsequent savings findings were scrutinised, and accepted, by the Modernisation and Improvement Board.</p> <p>Contracts are currently in place with three providers (CF Contact and Support Services Ltd, Potton Kare Service Ltd and The Vine Respite Services Ltd) but are due to expire at the end of April 2015.</p> <p>This report seeks authority to commence a competitive tender exercise to appoint</p>	

providers to deliver Bespoke Early Intervention Support Packages Service for Children In Need, Children In Care and Children Subject to a Child Protection Plan. Contracts are expected to commence on 1 May 2015 and will be for a period of three years, with an option to extend for a further two years.

### **Recommendation(s)**

The Cabinet is recommended to:

- (i) Agree that the Council proceeds with procurement of a three year contract, with an extension option of two years, for Bespoke Early Intervention Support Packages Service for Children In Need, Children in Care and Children Subject to a Child Protection Plan in accordance with the strategy set out in the report; and
- (ii) Indicate whether Cabinet wishes to be further informed or consulted on the progress of the procurement and /or the award of the contract, or is content for the Corporate Director for Children's Services, in consultation with the Cabinet Member for Children's Social Care, the Chief Finance Officer and the Head of Legal Services, to conduct the procurement and award the contract to the successful bidder in accordance with the strategy.

### **Reason(s)**

The procurement of a Bespoke Early Intervention Support Packages Service for Children In Need, Children In Care and Children Subject to a Child Protection Plan will support the Council's Priority of "enabling social responsibility" by protecting the most vulnerable keeping children healthy and safe.

## **1. Introduction and Background**

- 1.1 ART was originally established as a special intervention service focussed on preventing the breakdown of fragile placements of children in care. The role of ART has since been expanded and refined to cover a number of areas. The Team has so far spent time working with a small group of providers on the development and co-ordination of bespoke targeted and time-limited intervention packages, enabling existing placements to be maintained and avoiding the potentially costly move of children/young people into more expensive settings, such as residential care.
- 1.2 Contracts are currently in place with three providers (CF Contact and Support Services Ltd, Potton Kare Service Ltd and The Vine Respite Services Ltd), these contracts are due to expire at the end of April 2015.
- 1.3 When reviewing the financial impact of just 14 early cases, evidence showed that had the intervention not taken place, almost £200,000 more would have been spent by the Council on these children/families. In fact, data spanning September 2012 to April 2014 shows that approximately £1,200,000 additional expenditure would have been incurred by the Council if this early intervention service had not been delivered.

## **2. Proposed Procurement Strategy**

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

This service will provide bespoke early intervention support packages for children “in need”, “in care” and subject to a child protection plan. The intervention will be targeted and will cover:

- a) Edge of care: intervention is targeted at families who are in crisis and on the brink of having their child placed into care. Bespoke packages will be specifically focused on ameliorating familial issues, dispelling the need of children and/or young people into the care system.
- b) Rehabilitation: intervention is targeted at families who have children and/or young people that are already in the care system. Bespoke packages will be specifically focused on preparing the children/young people and their families for reunification, and thus exit from the care system.
- c) Fragile Placement/Outreach Packages: intervention is targeted at children and/or young people who are already in the care system with a placement that is on the verge of breakdown. Bespoke packages will be specifically focused on preventing placement breakdown.

Support packages could be put in place for hours, days, weeks or months. The type of support required will vary from case to case. Support packages will be tailored specifically to meet the needs of the child/young person and/or their families and will be delivered by a range of specialist external providers, under the co-ordination of the Access to Resources Team.

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

Estimated to be a maximum of £450,000 per annum. (Estimated to be £2,250,000 for the life of the contract)

It should also be noted that the option that is being considered commits the Council to no expenditure with any provider, it simply allows for contracted expenditure up to a value should it be required.

### **2.3 Duration of the contract, including any options for extension.**

Three Years with an option to extend for a further two years (five years in total).

### **2.4 Is the contract subject to the (EU) Public Contracts Regulations 2006? If Yes, and contract is for services, are they Part A or Part B Services.**

Yes the contract will be subject to the (EU) Public Contracts Regulations 2006. The service is a Part B Service.

## **2.5 Recommended procurement procedure and reasons for the recommendation.**

The procurement process will be conducted in compliance with any European Union rules and principles and the Council's Contract Rules. The tender will be advertised on the Council's website and on the Contract's Finder website. (Contracts Finder is a free service for businesses, government buyers and the public. The service comes from the government under its commitment to transparency and allows suppliers to find contract opportunities.

There is no requirement for this tender to be advertised in the OJEU as it is a Part B service and is, therefore, not subject to the full rigours of the EU Procurement Regulations. Interested parties will be invited to tender on the basis of a compliant tender process. At all stages of the process tenderers will be given clear details on price/quality and criteria weightings.

The weightings are expected to be as follows:

Overall quality/price weighting: Quality 80% / Price 20%. The procurement process to be followed will be similar to a Restricted Procedure.

### Stage One of the procurement exercise

Pre – Qualification Questionnaires to be evaluated. Providers must attain a score of 60 or above to be considered to be put forward to the tender stage. A maximum of 10 providers will be put forward to the tender stage.

### Stage Two of the procurement exercise (20% price / 45% quality)

Cost and method statements to be evaluated against the criteria below:

- price 20%
- Quality 45% will cover areas such as: service delivery, management and staffing and communication and partnership working. Tenderers will be made aware of all criteria and sub criteria in advance.

A maximum of 8 providers will be put forward to the presentation and interview stage.

### Stage Three of the procurement exercise (35% quality)

Presentation and interview session

- 35% on a presentation and interview session. Tenderers will be made aware of all criteria and sub criteria in advance.

If there are any revisions to the weightings during the tender exercise all relevant providers will be informed as soon as possible.

Contracts (call off contracts with no guarantee of any case referrals/work) will be awarded to the top scoring 6 providers at the end of Stage Three.

Each piece of work/case will be different, as every child/family will have its own individual and complex needs; this means that work/cases cannot be allocated based on lowest cost or in rotation which is why a framework contract was considered not to be a suitable option for this procurement exercise (mini competitions for work/cases would also not be viable as support sometimes needs to be in place within hours). A Dynamic Purchasing System was also

discussed with the Corporate Procurement Team as a possible option but was ruled out as cases/work would have to be advertised on OJEU before work could be allocated to providers. This would again not be viable with support sometimes needing to be in place within hours. Instead work/cases will be reviewed by the ART Manager and then allocated to a suitable (contracted) provider based on a number of variables, including but not limited to: staff specialism/skills, staff availability (locality of staff and weekend working), the ability to respond quickly (some cases require intervention within a few hours), successful work on previous cases and cost. Providers will be made aware of this throughout the tender process.

### **Expected Tender Outline**

Cabinet approval	21 October 2014
Advertise and send out Expression of Interest packs	Late October 2014
Receive Expression of Interest packs back	Late November 2014
Send out tender packs	Mid December 2014
Receive tender packs back	Mid January 2015
Presentation and interview sessions	Early/Mid February 2015
Approval and award of contracts	Mid/Late February 2015
Start of service delivery service	Beginning May 2015

### **2.6 The contract delivery methodology and documentation to be adopted.**

Service to be delivered by external providers. Documentation to be adopted will be the Council's standard terms and conditions.

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

#### **Outcomes**

- a) Reduced levels of placement disruption for those children already in care.
- b) A reduction in the number of children going into care.
- c) An increase in children, who are in care being reunified with their families/carers.

#### **Savings**

The possible financial impact over a five year period is difficult to predict. However it is likely that reduced spending will be significant and could be in the region of £500,000 less per annum than it otherwise would have been.

When reviewing the financial impact of just 14 early cases, evidence shows that had the intervention not taken place, almost £200,000 more would have been spent by the Council on these children/families, and data spanning the period September 2012 to April 2014 shows that approximately £1,200,000 additional expenditure would have been incurred by the Council if an early intervention service had not been delivered.

The £1.2m discussed above concerned a cohort of 291 children and young people. Effectively, evaluation of the individual cases – through the use of a case tracking

system – is able to evidence that the investment of this approach delivers a reduced spend of, on average, £4,123 per child, per annum through either preventing entry to the care system, reducing time spent in the care system or reducing the likelihood that a move to a more expensive placement will be required.

The notional return on investment is £3 for every £1 spent.

It should at all times be noted that absolute forecasting is difficult with this cohort, due to the proving of the counterfactual being impossible in every case i.e. it is not possible to prove absolutely what the outcome would have been were an intervention not to be made. For this reason, forecast financial impact has been confined to the short-term returns, and do not include the potential savings over the life of the child or young person were they to remain out of the care system for the remainder of their childhood. This would, clearly, only serve to increase potential savings forecast and serves as an indication of the potential long-term impact of this approach.

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

Overall quality/price weighting: Quality 80% / Price 20%.

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

The Council is committed to promoting the welfare of and protecting the most vulnerable children and young people in Barking and Dagenham. The underlying foundation of any intervention lies in a commitment to ensuring that children and young people remain within their families wherever possible. This procurement is targeted at children/young people “in need”, “in care” and subject to a child protection plan. The procurement of this service will assist in the reduction in the number of children going into care, reduced levels of placement disruption for children already in care and an increase in the number of children/young people already in care being reunified with their families/carers.

## **3. Options Appraisal**

3.1 The following options were considered.

### **Option 1 -The Council takes over the running of the service**

There would be a significant increase in costs if this service was to be run “In house”. Extra staff would have to be employed and the service would need to be closely co-ordinated and managed. It is estimated that to run the service in house this would require a minimum of fifteen Family Support Workers (FSW) and two additional Qualified Social Workers (QSW). Based on a salary of £28,000 per FSW and £36,000 per QSW this alone would be staffing costs of approximately £500,000, without on costs. Other specialist staff would also need to be employed including: Domestic Violence specialist, counselling specialists etc. Advertising for staff, training, annual leave, sickness cover, etc would all add to increasing the costs of the service if run “in house”. It should also be noted that the option that is

being considered commits the Council to no expenditure with any provider, it simply allows for contracted expenditure up to a value should it be required. For this reason option 1 is unviable.

### **Option 2 - Let the current service contracts expire and do nothing**

This would lead to a likely increase of children and/or young people being taken in to care and possibly into more expensive settings, such as residential care. There would also be further risk of an increase in placement disruption and a reduced chance of children and/or young people being reunified with their families/carers. Since September 2012 to the end of April 2014 £1,200,000 of additional expenditure would have been incurred by the Council if this early intervention service had not been delivered. If the service contracts expired and the service was not re-commissioned this would impact significantly on the Children's services budget.

### **Option 3 - Access an open framework/collaboration**

At the time of submitting this report, there are no active open frameworks or collaborative contracts that Children's Services is aware of that would be accessible to the Council.

### **Option 4 - Tender the service**

By tendering the service the Council will achieve competitive pricing for the service, and a number of children and/or young people will remain out of the care system. Those children and/or young people already in care will experience reduced levels of placement disruption and an increased chance of being reunified with their families/carers. All of these factors will lead to increased savings for the Council.

3.2 Option 4 is the recommended option.

## **4. Waiver**

Not applicable.

## **5 Equalities and other Customer Impact**

5.1 The Council continues to be committed to promoting the welfare of and protecting the most vulnerable children and young people in Barking and Dagenham. The underlying foundation of this service/intervention lies in its commitment to ensuring that children and young people remain within their families wherever possible or if already in the care system in a stable placement. The Council wants to ensure that all children and young people enjoy their childhood, transition smoothly into and succeed in adult life.

## **6. Other Considerations and Implications**

6.1 **Risk and Risk Management** - The procurement exercise will assist in assessing the financial stability of any prospective providers. Credit checks will be made and audited accounts will be reviewed. Once financial stability has been established the main risk will be the quality of the service to be delivered. Technical ability will be assessed during the all the tender stages and will cover a range of areas including: experience, management and staffing, equality and diversity and safeguarding.

Once providers have been chosen and approval has been given, written contractual arrangements will contribute to ensuring a quality service. Contracts will be monitored and managed by a dedicated Contract Manager. The Contract Manager will liaise with the Council's Legal Team in order to resolve any contractual issues that arise during the life of the contract. Quarterly monitoring meetings will be conducted with providers having to complete and submit monitoring forms before any monitoring meeting.

Quality surveys will be conducted and service users will be made fully aware of how to make a complaint about the service being delivered.

**6.2 TUPE, other staffing and trade union implications** - There will be no staffing issues in respect of the Council's workforce. However, there could be possible Transfer of Undertakings (Protection of Employment) TUPE implications for staff currently employed in delivering this service by the incumbent providers. Because of this the process that will be followed as part of this procurement exercise is as described below:

- a) the incumbent providers will be requested to provide TUPE information to the Council before the tender exercise commences. The information supplied will be included in the Council's tender pack;
- b) it will be made clear in the advert and the tender application packs that TUPE may apply. Prospective tenderers are then aware of this before they submit a tender;
- c) the Council will make it clear to prospective tenderers that TUPE will be an issue that will need to be dealt with between the incumbent provider and any new provider; and
- d) at all stages of the procurement process providers will be made aware that they should obtain their own independent legal advice around TUPE.

**6.3 Safeguarding Children** - Any chosen providers will be required to conform to all the Council's local safeguarding procedures. This will be explicitly dealt with in the contract which will be drafted by the Council's Legal Department.

## **7. Consultation**

**7.1** Consultation has taken place through circulation of the draft report. The draft report after having been circulated to the relevant Group Manager, Divisional Director, the Divisional Director for Commissioning and Safeguarding and Democratic Services, was sent to the Council's Legal, Finance and Corporate Procurement Team for comment. The draft report was then put forward and approved at the Corporate Procurement Board Meeting of 29 September 2014. Following approval by the Corporate Procurement Board the Cabinet Report was then sent out for further consultation to the required consultees as listed at the beginning of this report.

## **8. Corporate Procurement**

Implications completed by: Euan Beales, Category Manager – Finance and Resources

- 8.1 The service being proposed for tender satisfies the criteria as a Part B service under the EU Procurement Regulations, and as such does not need to conform with all of the mandatory requirements.

The report recommends a two-step process which consists of a pre-qualification stage and a formal Invitation to Tender stage. The proposal is to put forward a maximum of 10 bidders to the Invitation to Tender stage. I can confirm that this is viewed as the most preferential process due to the main focus being on the quality of delivery at 80% compared to the costing element of 20%.

## **9. Financial Implications**

Implications completed by: Jonathan Bunt, Chief Finance Officer

- 9.1 The Children's services Complex Needs and Social Care division does have budgetary pressures due to significant demand pressures of 'demographic growth' and 'need'. The savings from the 14 cases of £200k identified has been masked by reported pressures overall within the division.
- 9.2 The investment of this approach would deliver savings through prevention into the care system, reducing time spent within the care system, reducing the likelihood of a move to a more expensive placement and long term planning should deliver savings that in turn should be monitored.
- 9.3 The price/quality ratio detailed in 2.5 is more heavily weighted toward quality than would usually be expected in a regular procurement exercise where, in practice, a 60%/40% weighting should be sought, as a minimum, in all instances. Due to the nature of the service being provided, in particular the strong preventative element, the much higher weighting towards quality has been proposed based on the evidence of the early intervention work to date. That evidence indicates that there is a higher reduction in future costs to the Council through more effective, i.e. higher quality, early intervention work. This evidence of future cost avoidance acts to mitigate any financial risk from a lower than normal price weighting.
- 9.4 This Procurement Strategy highlights the need to not only issue a mandate for price/quality ratios for all future procurement exercises, but also makes clear the circumstances under which a deviation from this mandate can be justified and authorised.

## **10. Legal Implications**

Implications completed by: Daniel Toohey, Principal Corporate Solicitor, Legal and Democratic Services

- 10.1 The proposed procurement is to be in the form of separate contracts to potentially 6 separate suppliers. It is anticipated that the value of the proposed contracts will have a total value of £2,250,000 over the lifetime of the contracts. Under the Public Contracts Regulations 2006 (the 'Regulations') these services are classified as Part B Services and therefore are not subject to the full tendering requirements of the Regulations. However in conducting the procurement, the Council still has a legal obligation to comply with the relevant provisions of the Council's Contract Rules and

with the EU Treaty principles of equal treatment of bidders, non-discrimination and transparency in conducting the procurement exercise.

- 10.2 Under the Council's Constitution, (Contract Rule 28.5), contracts above £50,000 should be subject to a competitive tendering process. The process described by the report author above, should comply with these requirements.
- 10.3 Contract Rule 28.8 of the Council's Contract Rules requires that all procurements of contracts above £500,000 in value must be submitted to Cabinet for approval.
- 10.4 In line with Contract Rule 47.15, Cabinet can indicate whether it is content for the Chief Officer to award the contract following the procurement process with the approval of Corporate Finance.
- 10.5 The report author and responsible directorate are advised to keep Legal Services informed during the proposed tender exercise; Legal Services are on hand to advise and assist regarding any procurement compliance issues.

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

**List of appendices:** None

## CABINET

21 October 2014

<b>Title:</b> Re-tender of Translating and Interpreting Services	
<b>Report of the Leader of the Council</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Mark Tyson, Group Manager, Integration and Commissioning	<b>Contact Details:</b> Tel: 020 8227 2875 E-mail: mark.tyson@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Glynis Rogers, Divisional Director of Commissioning and Partnerships	
<b>Accountable Director:</b> Anne Bristow, Corporate Director of Adult and Community Services	
<p><b>Summary:</b></p> <p>The Council currently has a shared services agreement through East London Solutions with Newham Language Shop for translating and interpreting services that is due to expire in March 2015. It delivers translation and interpretation services for approximately 50 languages and British Sign Language (BSL) interpreters to departments throughout the Council costing approximately £100,000 per year. The range of services provided includes: telephone interpreting, face-to-face, translation, interpreting, large print, Braille and proofing and editing translated documents.</p> <p>The shared services agreement, held as part of East London Solutions, was extended for one year to ensure that the Council has an appropriate service in place to meet our statutory duties whilst a review of services was undertaken. The Council is currently working with key stakeholders to scope the new contract requirements in order to ensure that it will deliver both a quality and cost effective service. The service is used predominantly to support vulnerable residents to get information and to access services. It is planned that the new contract will allow all council services to access high quality cost effective services over the next five years.</p>	
<b>Recommendation(s)</b>	
The Cabinet is recommended to:	
<ul style="list-style-type: none"> <li>(i) Agree that the Council proceeds with procurement of a three year contract, with an option to extend for up to two years, for translating and interpreting services in accordance with the strategy set out in the report; and</li> <li>(ii) Indicate whether Cabinet wishes to be further informed or consulted on the progress of the procurement and /or the award of the contract, or is content for the Corporate Director for Adult and Community Services and the Head of Strategy</li> </ul>	

and Communications, in consultation with the Leader, the Chief Finance Officer and the Head of Legal Services, to conduct the procurement and award the contract to the successful bidder in accordance with the strategy.

## **Reasons**

To support the Council's aim to provide value for money services.

### **1. Introduction and Background**

- 1.1 The provision of an effective translation and interpreting service for the London Borough of Barking and Dagenham is essential in a borough where the demographics are changing so rapidly. The Council provides support for people who do not have English as their first language as well as people who are deaf, hard of hearing, blind or partially sighted in accessing services within the Council.
- 1.2 Barking and Dagenham is currently part of the East London Solutions (ELS) partnership for translation and interpreting services delivered through a shared services partnership arrangement with The Language Shop, part of London Borough of Newham. The service provides translation and interpretation services for over 100 languages and BSL interpreters to departments through the Council. The range of services provided includes: telephone interpreting, face to face interpreting, translation, British Sign Language interpreting, large print, Braille and proofing and editing translated documents.
- 1.3 Annually the London Borough of Barking and Dagenham require in excess of 2,000 translators and interpreters at a cost of £85,930 in 2012/13 and £121,592 in 2013/14. For the last financial year 2013/14, this is predominately made up of requirements from Children's Services 93%, Adult Services 4%, Housing and Environment 2% the remaining 1% comprising of the Chief Executive's department and Elevate East London.
- 1.4 Over 50 languages including BSL (British Sign Language) have been procured between April 2013 and March 2014. The top ten languages being, Lithuanian (29%), Portuguese (13%), Romanian (13%), Bengali/Sylheti (7%), Albanian (5%), Twi (4%), BSL (4%), Urdu (3%), Somali (2%), Lingala (2%).
- 1.5 The Language Shop currently delivers services to each department based on demand. The group manager establishes a Purchase order (PO) for the year and services are drawn down against that PO. Staff are provided with details of how to request the service and officers are authorised by the relevant group managers to manage the process and spend.
- 1.6 The original shared services agreement with the Language Shop for borough-wide translation and interpreting services ran for three years until 31 March 2014. It was extended for one year to ensure that the Council has an appropriate service in place to meet our statutory duties whilst a review of translating and interpreting services took place. The remaining boroughs have remained in the shared partnership arrangement.
- 1.7 The review consisted of:

- A detailed analysis of translations and interpreting services used by the Council during 2012 and 2013 is shown in Appendix 1.
- Consultation with key stakeholders to get their views on translating and interpreting services. A summary of the findings is presented in section 4 of this report and a detailed analysis of the findings presented in Appendix 2.

1.8 A notice of withdrawal from the shared service agreement was issued in June 2014 (giving the required nine months notice), for the agreement to expire on 31 March 2015 to allow an open and transparent procurement process to take place.

## **2. Proposal and Issues**

2.1 The proposal is to undertake a single stage tender process for the service on the open market to ensure the best quality and cost provision, and to enable providers in the market to tender to provide for the contract delivering the complete range of services set out in 2.3, with the new provision in place for April 1 2015 for a maximum five-year period (three year contract with an option to extend for up to two years subject to satisfactory performance). It will follow OJEU regulations, adhere to the necessary legislation and regulation including the Social Value Act 2012, as well as any applicable Council Policies.

2.2 In order to ensure the most attractive commercial outcome for the Council, it is proposed to ask capable suppliers to submit proposals for delivery of the requirement based on quality and cost. As part of the response, suppliers will be tasked to propose how to best meet the minimum requirements of the statutory obligations whilst adding value.

2.3 The successful tender will need to consider how it will deliver the following:

- a range of telephone based, video, and face-to-face interpreting services in a wide range of languages including the top ten most common in Barking and Dagenham
- written translation services in the above languages
- British Sign Language interpreting
- large print
- Braille
- proofing and editing translated documents

2.4 The successful tender will need to:

- specify payment models i.e. by event, languages, response times, specialisms
- demonstrate how the organisation will quality assure the services being delivered and that translators and interpreters are technically able to support statutory pieces of work
- include a commitment to using local interpreters for face to face interpreting services which must be adhered to except in exceptional circumstances
- demonstrate accordance with the Social Value Act
- adhere to the requirements of any regulatory or legislative bodies
- ensure all employees are DBS checked and approved before any contact

2.5 The quality of the services provided is crucial. Research amongst Primary Care Trusts<sup>1</sup> by the Race Equality Foundation (2011)<sup>2</sup> highlighted the following issues for consideration when developing a translating and interpreting service:

- **Timescales for finding interpreters** e.g. the need for interpreters who can be booked in half an hour for telephone services, 24 hours for face-to-face services and shorter in emergency situations.
- The **need for sensitive and appropriate services** in order to be effective. It was found that it was particularly important for providers to be trained specialists in relation to translating and interpreting services for mental health clients.
- Concern about **continued reliance on family and friends** to provide interpreting services. The research showed that one southeast PCT found that using *“informal interpreting can lead to misdiagnosis and abuse being missed.”*
- Concern over **restricting the translating and interpreting service to one off provision** – *“an excellent service was cut to allow for a one-off teleconference via an interpreter...which is inadequate for our needs in Oncology.”* This concern should be noted when considering services to support statutory duties such as child protection conferences.

2.6 This contract will ensure that we do not ask community groups, family members or staff to translate or interpret in sensitive or safeguarding cases.

2.7 These factors together with the results of the consultation will inform the tender specification, alongside some soft market testing will be used to inform the service specification and define targets that facilitate the delivery of a high quality service that is reflective of local needs.

### 3. Options Appraisal

3.1 The following options for delivering translation and interpreting services were considered.

- a) Option 1 - Do nothing allowing the current contract to cease on 31 March 2015. This would mean that there would be no local provision for translating and interpreting services which could lead to a challenge against our equality duty and duty of care. The Council would also breach statutory obligations to provide services. *Not Recommended.*
- b) Option 2 - Provide translating and interpreting services in house which would require the recruitment and establishment of a bank of translators and interpreters capable of dealing with all the required languages. Within this option there is no guarantee that there would be enough demand to justify a full time position and there may be times when demand exceeds capacity, hence requiring third party services to be purchased. This option would not be cost effective due to the quality control issues and demand management. Initial calculations of costs indicate that approximately 5-6 FTE's may be required for the provision of the service, which, at London Living Wage of £8.80/ph would equate to approximately £84,656, as well as approximately 30% for sickness

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<sup>1</sup> Primary care Trusts are now known as Clinical Commissioning Groups (CCGs).

<sup>2</sup> <http://www.raceequalityfoundation.org.uk/publications/downloads/interim-review-interpreting-and-translating-services-health-and-social-care>

cover and facilities, administration costs and support, would be £110,052.80 per annum, however there is also no guarantee of coverage of required languages and translation types or smoothing of workload. *Not Recommended.*

- c) Option 3 - Purchase translating and interpreting services in an ad hoc way; this option would require a centralisation of all service budgets to fund the additional administration. Provision in an ad hoc fashion is likely to lead to uncontrolled random spend and there is no guarantee of sufficient quality control which may expose the Council to risk due to mistranslation and / or subsequent consequences. *Not Recommended.*
- d) Option 4 - Access to an existing Government Framework, namely RM987, established by Crown Commercial Services. This Framework has two suppliers and expires on 31 December 2015. Whilst it is capable of providing the level of service required to a minimum standard, there are a limited number of suppliers and no decision has yet been made on the relet of any such framework once the current agreement expires. The commercial agreements and specification will be, at the time of joining, over four years old and this option is not recommended due to the aged nature of service provision. *Not Recommended.*
- e) Option 5 - Re-join East London Solutions procuring translating and interpreting services from Newham Language Shop. There is a chance that the NLS, the current provider, may win the contract, however as the borough has decided to serve notice and thus we would not be able to rejoin the agreement. However NLS have an option to win the work through a retender exercise which is the recommended option. *Not recommended.*
- f) Option 6 - Re-tender the contract for Translating and Interpreting services as described in section 2: Single stage procurement in compliance with LBBB Contract Rules for requirements, using a tender exercise that will balance quality and cost. An E-Auction is proposed, whereby all suppliers who meet the Council's quality standards are invited to bid for the services. This will provide transparent and market competitive pricing as well as being fully auditable. *Recommended.*
- g) The following options for re-tender were also considered:
- Allow organisations to offer some of the services in the tender specification – whilst this may allow some local providers to tender for the contract it is commercially more advantageous, and operationally safer and more efficient to award to one provider who can provide all likely services. *Not Recommended.*
  - Offer the contract for a shorter than a five-year period – this was rejected because of the need to ensure continuity of service and to offer training and employment opportunities for local people, as well as making the contract attractive to potential providers to offer a value for money solution. A shorter contract period would be less attractive to bidders and reduce investment, as well as have potential cost implications. *Not Recommended.*
  - Offer a development grant alongside the tender to build capacity within the community to enable people to improve spoken and written English skills,

helping to reduce the longer term need for interpreting and translation services. This option was rejected due to the lack of budget available. However, community aspiration to support people to learn English will be explored as part of the consultation to help inform future opportunities through using external funding. This would also have risk and quality implications. *Not Recommended.*

#### 4. Consultation

4.1 A four week consultation ran from 1- 26 September with:

- Key voluntary and community sector organisations locally
- Council managers who have used translating and interpreting services during 2013/14

4.2 A summary of the consultation findings and implications is presented below with full details in Appendix 2.

#### Consultation findings and implications

1. There was widespread acknowledgment of the need for translating and interpreting services to enable some residents to access council services.
2. There were a range of views expressed about the current translating and interpreting service with council managers broadly finding it effective, and mixed views amongst voluntary and community groups and service users.
3. Looking ahead there was broad agreement between the voluntary and community groups' and council managers' surveys about:
  - The languages likely to be requested
  - The services most need likely to be needed - translation, face to face, and telephone interpreting services (N.B. this could include video and Skype calls)
4. In addition to providing *a high quality cost effective translation and interpreting service*, **the tender specification should include:**
  - Producing publicity for frontline staff about clients' needs and how they can to **access translating and interpreting services including by telephone**
  - **Avoiding using family members and children** as translators/interpreters wherever possible
  - Obtaining **regular service user feedback**
  - Encouraging **employment of local people**
5. Other feedback suggests that **the Council should consider the following:**
  - Recording clients' translating and interpreting needs on their council records so that they only have to 'tell it once '

- Using new technology to support people with sensory impairment needs (as per suggestions in section 4.1)
- The role of English as a second language classes

## **5. Financial Implications**

Implications completed by: Roger Hampson, Group Manager Finance (Adults and Community Services).

- 5.1 This report sets out proposals for the retendering of translation and interpreting services for three years from 1 April 2015 with extension options up to a maximum of two years. The estimated annual cost of this contract is approximately £100,000 - £120,000, the bulk of which is charged to Children's Services as set out in Appendix 1.
- 5.2 Other options for the service have been considered, as set out in the report, but are not recommended for the reasons stated.

## **6. Legal Implications**

Implications completed by: Daniel Toohey, Principal Corporate and Commercial Lawyer

- 6.1 This report is seeking approval for the procurement of a contract for translation and interpretation Services, for an initial period of three years, with an extension option of up to two years. The Public Contracts Regulations allows local authorities to enter into contracts with a service provider, following the completion of a competitive tendering process.
- 6.2 The services to be procured are Part B services which are not subject to the strict rules of the EU public procurement regulations, however, in conducting this procurement the Council, has a legal obligation to comply with the relevant provisions of the Council's Contract Rules and with the EU Treaty principles of equal treatment of bidders, non-discrimination and transparency in procuring the contracts.
- 6.3 In keeping with the EU Treaty principles noted above it is appropriate that the contract be advertised sufficiently enough to allow potential providers to identify the opportunity and bid for the contracts should they wish to do so.
- 6.4 Cabinet is able to delegate authority to the commissioning Corporate Director to approve the award of contracts upon conclusion of a duly conducted procurement exercise.
- 6.5 Legal Services is available to provide advice to the client department on this procurement and to subsequently execute the contract following award.

## 7. Other Implications

7.1 **Risk Management** – The main risks linked to this proposal are shown below.

<b>Challenges and Risks</b>	<b>Opportunities and Mitigating Factors</b>
Unsustainable bids by providers	The tender evaluation process will be designed to emphasise the quality of service being offered rather than rewarding less experienced organisations attracting lower fees
Challenge from unsuccessful bidder	Procurement will follow well established and compliant Framework tendering procedures to mitigate risk

## 7.2 Contractual Issues

7.2.1 The average annual spend of the contract will be approx. £100,000-£120,000 per annum. The proposed contract length is five years, including 2 x 12 month extension options: therefore the total contract value will be £500,000-£600,000 dependent upon demand.

7.2.2 The contract is subject to the (EU) Public Contracts Regulations 2006 Part B, and will be advertised sufficiently in relevant trade journals, local area, and Council website and by direct communication to likely providers, and competed fairly in lines with the principles of fairness, transparency and openness as required by the regulations.

7.2.3 In order to ensure equality of opportunity in the tendering of this contract a workshop will be run in conjunction with Barking and Dagenham Council for Voluntary Services. If an E-Auction route is taken this will be fully explained at this event and interested parties given the opportunity to understand the process.

7.2.4 A single stage procurement in compliance with LBBB Contract Rules for requirements is recommended. This will enable ease of access to identified parties.

7.2.5 The contract performance will be monitored through meetings, reports, performance improvement and escalation where necessary. The standard Council terms and conditions are proposed.

7.2.6 Delivery of the expected and required services with maximum utilization of the resources, ensuring that at all times suitable and qualified translation and interpretation services appropriate for the requirement are delivered, with savings derived from a more efficient delivery from a single provider, a reduction in missed and unsuccessful appointments and reduced costs due to market competition and economies of scale.

7.2.7 The contract award criteria are:

- i) the costs of providing the service and the cost model weighted at 50% of the total award criteria
- ii) the quality of the proposal that will detail how the service will be delivered in terms of, but not limited to outputs, quality controls,

reporting, coverage of languages and translation types, customer care, and other elements. Weighted at 50% of the total award criteria.

- 7.2.8 Both areas will have a minimum acceptable threshold, meaning an acceptable price and minimum quality standard to ensure a good balance is achieved between quality and price. Whilst price is weighted at 50% of the award, a quality threshold will be set so bidders cannot underdeliver on quality and submit a poor quality, low-cost response.
- 7.2.9 The Qualitative Element will include Method Statements, Interviews, and, if appropriate, Site Visits. Evaluation will be weighted towards successful, timely, local delivery of the programme, quality of performance, flexibility of provision, acceptable working practices, and proximity to the area of delivery.
- 7.2.10 The price weighting indicates the importance of cost to the Council and the contract will be modelled to keenly minimise the cost of delivery whilst maintaining service and flexibility. An E-Auction may be used.
- 7.2.11 The contract will be awarded on the basis of the 'Most Economically Advantageous Tender'.
- 7.2.12 The Council's Social Value policies, and the Social Value Act 2012 are broadly aligned, and thus, this contract will address and implement the aims by:
- improving the economic wellbeing of the area by using local suppliers due to the geographically limited nature of provision of the service
  - improving the life quality of residents
- 7.2.13 In addition, the provision of the service will improve the economic social and environmental well being of the council's areas, by reducing mistranslation and subsequent poor or inaccurate decision making and actions by the recipients of the translation.
- 7.3 **Staffing Issues** – The report's author has sought specialist employment advice from Legal Services in relation to possible TUPE implications from the retendering of this service and based on the information provided regarding the way the service is currently provided, the initial advice is that TUPE is unlikely to apply. This position may change when detailed information is provided by the current provider. The risks to the Council are limited, in that even if TUPE does apply, the Council will never be the employer of the transferred staff, so the liability would sit elsewhere. A presumption of TUPE applying may impact on the competitiveness of the tenders received however, if tenderers build employment costs into their tenders.
- 7.4 **Corporate Policy and Customer Impact** – As part of the procurement process, potential suppliers will be assessed for adherence to the necessary legislation and regulations, as well as the Council's policies in relation to race, gender, disability, sexuality, faith, age, community impact and cohesion, the Council's legal obligations, objectives, and any other factors including DBS checking, as well as mitigating steps taken where appropriate.
- 7.5 An Equality Impact Assessment has been undertaken (see Appendix 3 of this report). It shows that the re-tendered service is likely to have a positive impact in

terms of equalities. Providers will be asked to provide the Council with robust equality information about those who use their services as well as information to allow us to monitor the quality of service provided and any issues that residents raise.

- 7.6 At award stage responsibility for this contract will be managed by the Strategy and Communications Team to ensure that this contract remains fit for purpose in line with corporate equalities expectations.
- 7.7 **Safeguarding Children** – This service is widely used by Children’s Social Care and is crucial to the safeguarding of children in cases such as child protection. It is imperative that a fully equipped service is in place to ensure that parents and carers are well informed of the processes and impact of decisions made.
- 7.8 **Health Issues** – This proposal may have a positive impact upon health issues - for example, by making it easier for residents to understand the information and services available to them. It is in line with the Care Act 2014 that requires councils to ‘empower people to be involved in decisions about their care by providing information and advice, and access to independent advice to support their choices’.
- 7.9 **Crime and Disorder Issues** – This proposal may reduce the risks of crime and disorder by promoting cohesion and hence reducing the likelihood of crime and disorder locally and contribute to delivering the new priority to: ‘Promote a welcoming, safe and resilient community’. In addition the service promotes inclusion and communication and with residents and this reduces the risk of crime and anti- social behaviour.

#### **Public Background Papers Used in the Preparation of the Report:**

- Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/enacted>

#### **List of appendices:**

- Appendix 1: Translation and Interpretation Service Data Analysis
- Appendix 2: Consultation findings
- Appendix 3: Equalities Impact Assessment

## Translation and Interpreting Service Data Analysis

### 1. Summary

- There has been an increase in the number of requests made to the service from 1688 to 2789 over 2012-13 to 2013-14. This has resulted in an increase in the total expenditure for the service from £85,930 to £121,592. This is anticipated to increase further from the Q1 2014-15 returns; however, it is worth noting that the cost may not exponentially increase as different methods are used to deliver the service. An example of this is a four-fold increase in the telephone interpreting service which has a lower unit cost.
- There has been little change in the top ten languages accessed during 2012-13 and 2013-14 with Lithuanian, Portuguese and Romanian in the top three, however Q1 2014-15 returns show that request for the languages are starting to change with Romanian (24%), Portuguese(19%) and Lithuanian (11%), reflecting the changing demands of the service with time as service user needs change.
- Children's Services has the highest use of the translation and interpreting service contract and this has increased between 2012-13 (83%) and 2013-14 (93%). There has been a significant reduction in the number of service requests by Adult and Community Services is due to a decrease in service requests by the Community Safety team from 181 to 69 over the period of two years. The Adult Social Care teams have also reduced the number of requests from 106 to 70.

### 2. Background

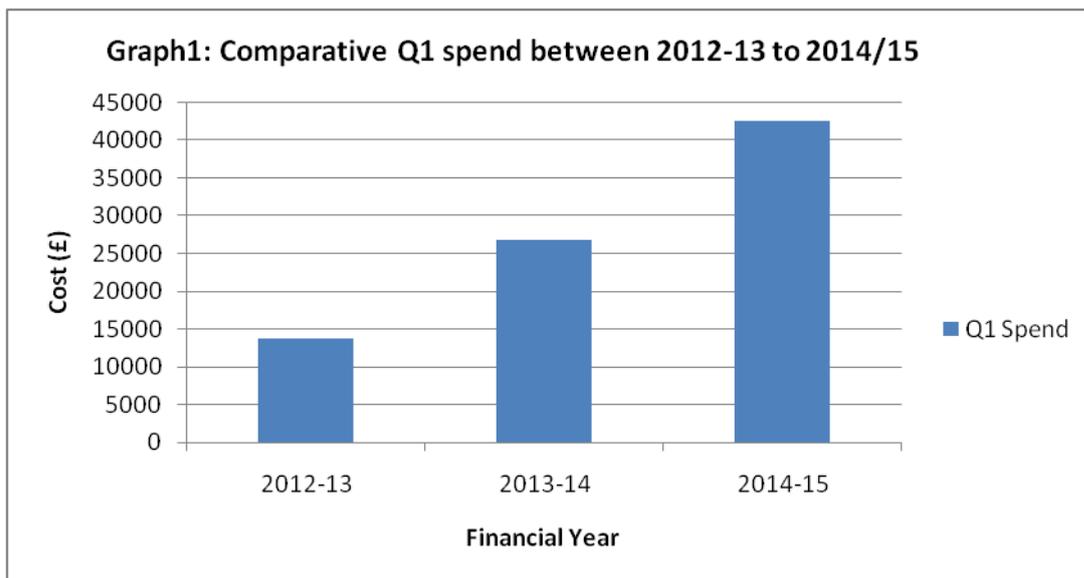
The translation and interpreting service is a borough wide service delivered through the request of services by individual group managers using locally held budgets. A data analysis exercise has been undertaken to understand the delivery of the service and identify any trends therein. The data used is taken for 2012-13, 2013-14 and Q1 2014-15.

### 3. Service Expenditure

Table 1: Service expenditure for 2012-13 and 2013-14

Year	Service Cost (£)	No. of Service Requests
2012/13	85,930	1688
2013/14	121,592	2789

There has been a significant increase in spend on the service which has an estimated budget of £100,000 per annum for the borough overall. During 2012-13 there was an underspend on the projected overall budget and an overspend on for 2013-14 as shown in Table 1. This gives an average spend of £103,761per annum over the two years. To ascertain the future demand for the service a comparison of spend for Q1 has been taken of the last three financial years and the results below show that the spend on the service is set to increase further if it continues at the current rate. The increase in expenditure for the service is reflective of the increase in demand.



#### 4. Departmental Overview

A departmental breakdown of service use, detailed in Graph 2, shows that Children’s Services have the most demand at 83% in 2012-13 and 93% in 2013-14 as the service supports residents through complex matters such as child protection. This is to be expected as there has been an increase in the number of children and young people in the borough. In comparison there has generally been a decrease in the use of the services by other departments including Adult and Community Services, and Housing and Environment as shown in Table 2. The data for the Chief Executive’s department and Elevate East London have been combined and shown under Other. This may change however moving forward as changes in legislation may increase the use of the service by other departments, for example with the Care Act and the Children’s and Families Act.

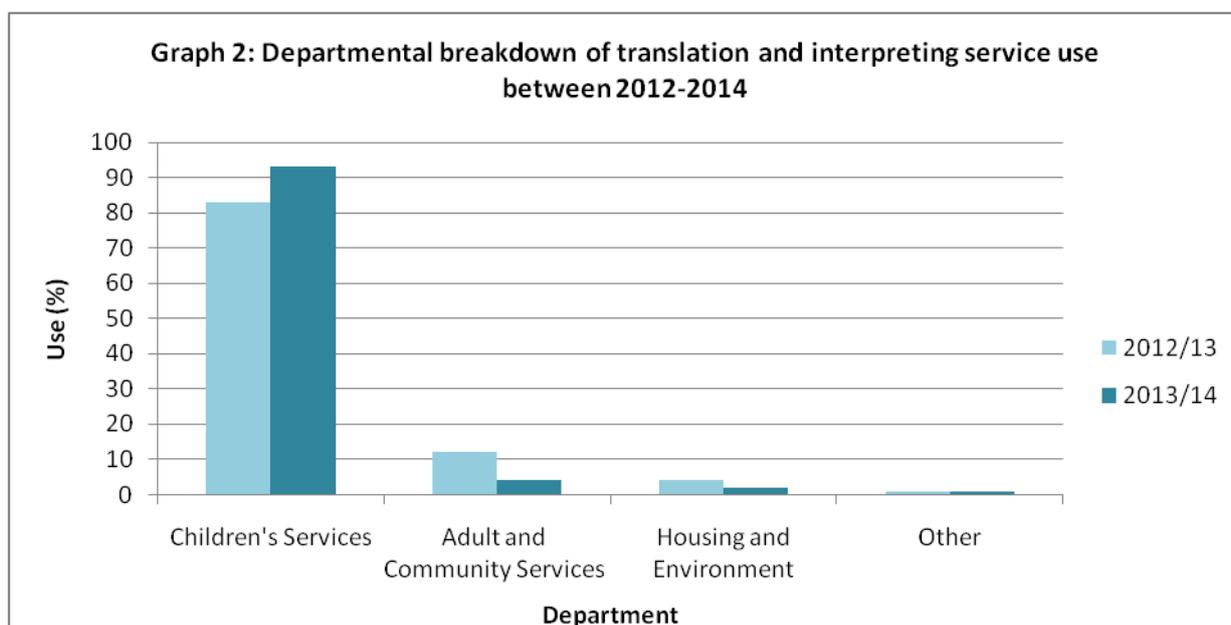


Table 2: Service request breakdown by department.

Department	Number of Service Request		
	2012/13	2013/14	Q1 (14/15)
Children's Services	1289	2557	1082
Adult and Community Services	286	139	39
Housing and Environment	94	75	11
Other	19	18	13
<b>Total</b>	<b>1688</b>	<b>2789</b>	<b>1145</b>

## 5. Language Request Overview

The top 10 languages requested for the service for 2012/13 and 2013/14 are shown in Table 3 below. The ten languages make up just over 80% of the request for translating and interpreting services. There is a similarity over the two years in the top three languages with Lithuanian, Portuguese and Romanian however early indications from Q1 2014/15 show a marked change in demand for the same three languages with Romanian (24%), Portuguese(19%) and Lithuanian (11%). As an example the number of service requests for Romanian has increased from an annual figure of 364 requests over the year in 2013-14 to 278 in the first quarter of 2014/15. The figure for Lithuanian language requests has decreased from an average of 206 per quarter in 2013/14 to 123 in the first quarter of 2014/15. This comparison reflects the changing demands of the service with time as service user needs change.

Table 3: Language Request Breakdown 2012-13 and 2013-14

Language	2012-13 (%)	2013-14 (%)
Lithuanian	34	29
Portuguese	9	13
Romanian	8	13
British Sign Language	8	4
Albanian	6	5
Bengali/Sylheti	5	7
Urdu	3	3
Lingala	3	2
Polish	3	0
Various	2	0
Somali	0	2
Twi	0	4
<b>Sub total</b>	<b>81</b>	<b>82</b>
<b>Total</b>	<b>100</b>	<b>100</b>

## 6. Service Request Overview

The current translation and interpreting service contract offers a wide variety of services to support residents. The services requested during 2012-13 and 2014-15 are shown in Table 4 below. Although face to face interpreting is the most requested service there has been a marked increase in the use of telephone interpreting service between 2012-13 and 2013-14. This is both a more efficient use of the service in terms of unit cost but also suggests that service users are accepting of this method of service delivery. There has also been a decrease in the some of the services used within this period, including a decrease in the use of British Sign Language and a decrease in the use of the translation services.

Table 4: Service Request Breakdown 2012-13 and 2013-14

Language	Service Request	
	2012-13	2013-14
British Sign Language	124	89
Interpreting	1451	2510
Relay	0	14
Telephone Interpreting	33	132
Translation	79	44
Lip Speaker	1	0
<b>Total</b>	<b>1688</b>	<b>2789</b>

## Consultation findings

### 1. Introduction

- 1.1 This report sets out findings from Barking and Dagenham Council's consultation with key stakeholders to get their views to inform the retender of translating and interpreting services.

### 2. Background information

- 2.1 The Council currently commissions a range of translating and interpreting services from Newham Language Shop including telephone interpreting, face-to-face interpreting, translation, large print, Braille, and proofing and editing translated documents.
- 2.2 The service is used predominantly to support residents to get information and to access services.
- 2.3 It is planned that the new contract will allow all council departments to access high quality cost effective translation and interpreting services over the next five years.

### 3. Consultation methods

- 3.1 A four week online consultation was undertaken in September 2014.
- 3.2 Surveys were sent electronically to voluntary and community organisations and council managers asking for their:
  - perceptions of existing translating and interpreting services over the last 12 months
  - views about how they would like translating and interpreting services to operate in the future
- 3.3 Other voluntary/ community sector and service user feedback was gathered through meetings with the voluntary and community organisations.
- 3.4 During September – October:
  - Council officers attended scheduled voluntary and community group meetings to discuss the forthcoming re-tender and to hear their views
  - Council managers who have used the existing translating and interpreting services in the last year, were invited to attend a workshop to give their views on the draft specification
- 3.5 In addition in order to provide further relevant information for consideration when developing the tender specification, this report summarises a survey carried out in October 2010 by an independent researcher for the current provider Newham Language Shop, into the impact of being employed locally as a translator or interpreter.

## 4. Key findings

### Service users' views

4.1 The Independent Living Agency (ILA) collated feedback from 18 service users; six with language translation needs and 12 service users needing sensory support. All of the service users had accessed support through Newham Language Shop.

#### Summary of key findings from service users

##### Difficulty accessing the translating and interpreting service

Service users felt it was difficult to access support and were dissatisfied with the service they received. Three way meetings with (service user, professional and translator) - were difficult to set up as translators were not available when service user and professionals were available, leading service users give up and not request support i.e. Service user felt their availability took the least priority.

##### Unreliability of translators and interpreters

Face to face interpreting seen as unreliable; some translators for both language and sensory support needs do not turn up for the appointment.

**Difficult for service users with sensory support needs to access papers** on time and in a format they need.

##### Suggestions for future

- Would like a note out on service users files indicating that they need translation and interpreting services
- Would like council to consider use of new technology to support people with sensory impairment: suggestions include:
  - Using JAWS - software that reads forms for visually impaired people. Forms need to be sent by professionals and partners at least three days in advance so service user has the opportunity to read them prior to meeting.
  - Support with reading texts
  - Using Facetime and Skype for hearing impaired people

### Voluntary and community groups' views

4.2 An online questionnaire was sent to voluntary and community groups on the council's database which have contact with service users who might need translating and interpreting services. To get as many completed questionnaires as possible groups were asked to circulate it to the voluntary and community groups in their networks. A reminder was sent to encourage as many organisations as possible to complete the questionnaire. A total of nine questionnaires were completed.

## Summary of key issues from voluntary and community groups' consultation

### Access to interpreters and translators

- *'Lack of translating and interpreting services availability negatively affects LBBB's service delivery.'*
- *'Front line LBBB staff either don't seem to know that customers can require translating and interpreting services or perhaps they may know but don't actively facilitate access to them to support service delivery.'*
- *'Independent advice agencies find that LBBB customer service is quite poor vis a vis secondary English language speakers. They have asked for translating and interpreting services particularly re: Revenues and Benefits and it has not been available (or offered).'*
- *'A drain on the resources of independent Advice services to have to intervene because of poor translating and interpreting services accessibility'*
- *'If it can be as appropriate about more efficient and effective to provide e.g. telephone translating and interpreting services than face to face then that would be acceptable.'*
- *'We have speakers of 24 community languages. The problem is that they are not all available all the time we need them. Professional translating and interpreting services resources are expensive and there is no professional free resource available except that VCS organisations often try to help where they can. On any given day therefore requests for translating and interpreting services can be difficult to accommodate.'*
- *'Only with using council service providers/Newham language shops. Using local Barking and Dagenham interpreting charities or other similar orgs was much better they provided more in house interpreting or found rare languages'*
- *'BSL difficult to accommodate due to cost'*
- *'Would like MEPS programme which translates any language online even signing translation app'*
- *'Our clients would like telephone interpreting in areas of the council services as it is good for them to make the initial contact and communication and if the officers feel they need to use interpreter to clarify things they can use them over the phone.'*
- Future need likely to be face to face, telephone interpreting, and translation services (including video interpreting)

### Importance of English as a second language classes raised

- *'We have a lot of Volunteers who need help with form filling because they are not fluent with reading or writing English.'*
- *'More free classes that teach ESOL such as run by small local interpreting charities. Advertise these free opportunities better'*

### Too much reliance on family and friends

- *'Are often told to bring a friend or someone who speaks English'*
- *'We do not like to use family members due to confidentiality and the freedom for the individual to speak freely'*
- *'We have been told that they do not know if the friend or relative has interpreted properly as they are not professionals and also it is not confidential'*
- *'Inappropriate for customers to rely on their family members particularly minor children for translating and interpreting services for many reasons including lack of privacy, trust, particularly as regards financial, family and health issues. It can affect the quality of information if a family member or friend or an untrained voluntary and community sector worker translates and therefore the quality of service delivery.'*

### Possible future languages

- The most commonly mentioned were: Lithuanian, Romanian, Urdu, Arabic, Polish
- Other languages mentioned included: Bengali, Russian, Panjabi, Portugese, Turkish, Tamil, Somali, Albanian, Swahili, Turkish, Hungarian and Bulgarian

4.3 Verbal feedback received from voluntary and community groups at the Black, Asian, Minority Ethnic and Refugee (BAMER) Forum on 10/9/14 is presented below. (N.B. Not all voluntary and community groups present used the existing provider for translating and interpreting services.)

#### **Key issues raised at BAMER Forum**

- Would have been more beneficial to look at random survey with end users\*
- Many individuals are currently being asked to bring along their own private interpreter notably within Public health and CCGs
- Elevate – one stop shops are not using the interpreting services to support customer care and equal access to services
- Satisfaction levels with the end users should be worked into the specification
- Use of local interpreter – should be build into the specification

\* This was not possible due to the logistics of interviewing service users in their own languages without using the interpreters they would be asked about. Instead voluntary and community groups were asked to gather service users' views (see section 4.1) and these were fed into the tender specification.

#### **Council managers' views**

4.4 A total of 18 questionnaires were sent to council managers using Translating and Interpreting services who have used the existing translating and interpreting service in the last 12 months. Seven questionnaires were returned from a range of services including: Children's Services, Adult and Community Services, Housing, Community Safety and Environmental Health.

#### **Summary of key findings from council managers consultation**

##### **Council managers were broadly happy with the existing service.**

- Easy to book face to face, telephone interpreting and translation services
- No problems with accessing translating and interpreting services
- No problems with availability of interpreters '*Easily accessible with wide choice of languages and people arrive on time*' (Environmental Health services).
- No requests for common languages that existing service was unable to meet; where the language has been outside of the pool of the established interpreters getting an interpreter has been challenging
- Future need likely to be face to face, telephone interpreting, and translation services
- No sense of future volume of need  
Most popular languages were: Urdu, Lithuanian, Punjabi, Romanian, Bengali
- Possible future most popular languages: Punjabi, Urdu, Turkish, East European; French was added to the list by two services
- Community Safety and Children's services had used the telephone service – quite satisfied; two other services would in future
- Satisfied with invoicing system

## Employment Impact Study commissioned by Newham Language Shop

4.5 This survey carried out by an independent provider for Newham Language Shop in October 2010, was sent to 603 interpreters/translators. 243 replies were received giving a high response rate for postal surveys of 40%. Two thirds of those who responded were female, three quarters were aged 25-54; respondents had a range of ethnic group backgrounds reflecting the language offered.

### Key highlights from the employment impact survey

- **A significant proportion of the income generated from interpreting is retained within the local economy.** (72% of respondents said that they spent over 70% of their earned income on local purchases.)
- **The Language Shop created and provided a pathway into employment for interpreters.** (The majority of interpreters (70%, n 170) worked for other agencies and many interpreters/translators felt The Language Shop was important in securing this additional employment. (28% (n.64) of people stated that the Language Shop provided them with the skills or experience to be able to work for other agencies; 12% (n. 29) stated the Language Shop provided them with a reference to work with other agencies.)
- **Interpreters and translators gave overwhelmingly positive feedback about working for the Language Shop.** (85% of interpreters/translators either agreed or strongly agreed that they would recommend the Language Shop as a good provider of translation and interpreting services. 89% either agreed or strongly agreed with the statement 'I would still like to be working for the Language Shop in three years time'. 81% agreed that working for the Language Shop had helped them to develop skills as an interpreter. 79% either agreed or strongly agreed that the Language Shop provides a useful income.)
- **Respondents felt that the household income from work was important to them.** Freelance staff stated: 32% (n. 75) that it was a welcome extra; 28% (n. 65) that they could afford things they wouldn't otherwise have and 26% (n. 61) that this was the only household income and couldn't manage without it.
- **Interpreters/translators were positive about working for Newham Language Shop.** They were asked '*How does your experience of working for The Language Shop differ from that with other organisations?*'

*'More training sessions with Language Shop and a touch of humanity.'*

*'It has given me the opportunity to become a Translator and Interpreter. Through the agency I have obtained lots of experience and techniques of interpreting in the field of NHS and Mental Health including public services.'*

*'Language Shop has given me the chance to interpret in different settings and of course for different people. Unlike other organisations, Language Shop is very good at payment i.e.: pay you on time and I would also stress here Language Shop sends the invoices(working hours) by post which is very important to keep the working hours in your record and such, most organisations don't. I seriously consider The Language Shop as one of the best organisations so far.'*

## 5. Main findings and implications for the retender of translating and interpreting services

5.1 There was widespread acknowledgment of the need for translating and interpreting services to enable some residents to access council services.

5.2 There were a range of views expressed about the current translating and interpreting service with council managers broadly finding it effective, and mixed views amongst voluntary and community groups and service users.

5.3 Looking ahead there was broad agreement between the voluntary and community groups' and council managers' surveys about:

- The languages likely to be requested
- The services most need likely to be needed - translation, face to face, and telephone interpreting services (N.B. this could include video and Skype calls)

5.4 In addition to providing a *high quality cost effective translation and interpreting service*, **the retender specification should include:**

- Producing publicity for frontline staff about clients' needs and how they can to **access translating and interpreting services including by telephone**
- **Avoiding using family members and children** as translators/interpreters wherever possible
- Obtaining **regular service user feedback**
- Encouraging **employment of local people**

5.5 Other feedback suggests that **the Council should consider the following:**

- Recording clients' translating and interpreting needs on their council records so that they only have to 'tell it once '
- Using new technology to support people with sensory impairment needs (as per suggestions in section 4.1)
- The role of English as a second language classes

## Equalities Impact Assessment

### Section 1: General information

#### 1a) Name of service being procured

Re-tender of translating and interpreting services

#### 1b) Services Area

All council services

#### 1c) Divisional Director

Glynis Rogers, Commissioning and Partnerships, Adult and Community Services

#### 1d) Name and role of officer/s completing EIA

Monica Needs Market Development Manager, Integration and Commissioning, Adult and Community Services

### Section 2: Information about changes to the services

#### 2a) In brief please explain the scope of the service being procured

The Council is preparing to retender the translation and interpretation service which delivers over 50 languages and British Sign Language (BSL) interpreters to departments throughout the Council, at a cost of approximately £100,000 per year. Translating and interpreting services are needed because one in ten households in the borough has no-one in the household for whom English is their main language. For the remainder, at least one person in the household speaks English as their main language, although in about one in 30 households this person is a child under the age of 16<sup>1</sup>.

The retendered service will need to meet the changing demands for translating and interpreting services as there has been an increase in the number of requests made to the service from 1688 in 2012-13 to 2789 in 2013-14. The intention is to procure a range of services for the next five years including: telephone interpreting, video, face-to-face, translation, interpreting, large print, Braille and proofing and editing translated documents.

Locally the biggest change in the way the service is delivered from 2012-2014 has been the four fold increase telephone interpreting. Telephone interpreting allows the Council to respond quickly to residents' needs in a cost effective way. We recognise that telephone interpreting is not suitable when one or more the participants are hard of hearing. Nationally video interpreting is becoming more common.

#### 2b) What are the equality implications of your proposals?

The purpose of providing translating and interpreting services is to enable residents with translating and interpreting needs to get easier access to information and services. Hence overall the re-tendered service will have a positive impact on people

<sup>1</sup> Public Health Annual Report 2012

with protected characteristics under the Equality Act 2010.

Using data from April 2012 – March 2014 it is estimated that the retender will cover the services below with an average of 2,000 people<sup>2</sup>. During 2013-14 the existing provider delivered interpreting and translation services across approximately 50 different languages and dialects and British Sign Language (BSL) interpreters. A summary of service requests is given below.

Service Requests 2013/14	Number	%
British Sign Language	89	3
Interpreting	2510	90
Relay	14	1
Telephone Interpreting	132	5
Translation	44	2
<b>Total</b>	<b>2789</b>	<b>100</b>

There was a wide range of languages requested with the most common being Lithuanian, Portuguese and Romanian. The majority of service requests (92%) came from Children’s Services.

Therefore in terms of the Equality Act 2010 the new service will impact in particular on people with the protected characteristics of race (as language is an indication of a person’s race/ethnic group), disability (requests for BSL signal use amongst people with disabilities) and age (as the majority of service requests come from children’s services, children and young people are likely to be affected).

### Section 3 Equality Impact Assessment

With reference to the analysis above, for each of the equality strands in the table below please record and evidence your conclusions around equality impact in relation to the service your are procuring.

Race	Will the service have a positive / adverse impact on specific ethnic groups?
<i>Identify the effect of the policy on different racial groups</i>	<p><i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>According to the 2011 Census just over half (50.5%) of the population in Barking and Dagenham are from Black and Minority Ethnic (BME) groups.<sup>3</sup> The largest single BME category in Barking and Dagenham is Black African at 15.4% of the population. The next largest is Other White (7.8%), followed by Pakistani (4.3%), Bangladeshi (4.1%) and Indian (4.0%). Black/Black British categories make up 20.0% of the population, and are the largest non-White group, followed by Asian/Asian British (15.9%).</p> <p>Whilst speaking a particular language is not directly correlated with ethnicity it can be a proxy measure. The data below indicates that It is likely that the</p>

<sup>2</sup> A full data analysis exercise has been undertaken to understand the delivery of the existing service and identify any trends therein; it is included in the Cabinet Report Appendix 1 (21 October 2014).

<sup>3</sup> BME includes White Irish, Gypsy and Irish Traveller, and Other White categories

people using LBBD's translating and interpreting services are from the BME groups listed above. During 2013/14 the Council provided translating and interpreting services in approximately 50 languages. The top ten language requests (excluding BSL) are:

Language	Number	%
Lithuanian	822	29
Portuguese	368	13
Romanian	364	13
Bengali/Sylheti	200	7
Albanian	135	5
Twi	119	4
Urdu	76	3
Somali	62	2
Lingala	52	2
Arabic	48	2

As the intention is that the retendered service will deliver a translation or interpreter where we need to communicate with a resident/service user, **the proposal will have a positive impact on people with the protected characteristic of race.**

**Disability**

*Identify the effect of the policy on different disability groups*

**Will the service have a positive / adverse impact /adverse impact on disabled people?**

*Please describe the analysis and interpretation of the evidence to support your conclusion*

The 2011 census indicated that 30,460 people described themselves as having a long term health problem or disability which limits their day-to-day activities either a little (14,876) or a lot (15,584). Barking and Dagenham has the second highest rate of the four Outer North East London boroughs. Hearing impairment is included in these figures.

Action on Hearing Loss estimate that 1 in 7 of the UK population has some level of hearing impairment, suggesting there are likely to be approximately 24,000 people in the borough with hearing loss. 847 people who use adult social services provided by the Council are known to have some level of hearing loss, 516 of whom are registered with the Council as being deaf or hard of hearing (19% from BME backgrounds) and 133 are known to use BSL (British Sign Language)<sup>4</sup>. During 2013/14 there were 89 requests for BSL.

Feedback from service users with sensory impairment has suggested that services need to ensure that information is presented in an appropriate format; this will be addressed through the retender which will include access to a wider variety of methods to deliver information and support.

As the retendered service will continue to provide British Sign Language interpreters as well as other services to help meet the needs of disabled people, it will have a **positive impact on people with disabilities.**

<sup>4</sup> Barking and Dagenham Joint Strategic Needs Assessment 2012/13

<p><b>Gender</b></p> <p><i>Identify the effect of the policy on different gender (inc Trans) groups</i></p>	<p><b>Will the service have a positive / adverse impact on men or women?</b>  <i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>The 2011 Census shows that 48.5% of the local population are male and 51.5% are female. Using 2011 Census data the London Poverty Profile<sup>5</sup> shows that women are generally more likely to be unable to speak English well or at all, particularly in older age groups.</p> <p>Although translating and interpreting services are available to all residents irrespective of gender, it is anticipated that there will there is <b>positive impact in terms of gender</b> on how the service is delivered.</p>
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<p><b>Sexual orientation</b></p> <p><i>Identify the effect of the policy on members of the LGB community</i></p>	<p><b>Will the service have a positive / adverse impact adverse impact on gay, lesbian or bisexual people?</b>  <i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>There is no information LGB community requesting translating and interpreting services; however as these services are available to all residents irrespective of their sexual orientation; it is anticipated that there will there is <b>a positive impact in terms of sexual orientation</b> on how the service is delivered to our clients.</p>
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<p><b>Religion and belief / those of no belief</b></p> <p><i>Identify the effect of the policy on different religious and faith groups</i></p>	<p><b>Will the service have a positive / adverse impact on people who practice a religion or belief?</b>  <i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>According to the 2011 Census the people living in Barking and Dagenham identify themselves to be predominantly Christian (56.0%). Those with no religion make up 18.9% of the population and 13.7% are Muslim. The remaining 11.4% includes those who prefer not to say (6.4%), Hindu (2.4%), Sikh (1.6%), Buddhist (0.5%), other religions (0.3%) and Jewish (0.2%).</p> <p>There is no information regarding the religion or belief of people requesting translating and interpreting services, however given the demographic characteristics of the borough and that we know that religion is associated with languages spoken it is likely that there this service will have a <b>positive impact on people with the full range of religions and beliefs locally.</b></p>
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<sup>5</sup> <http://www.londonpovertyprofile.org.uk/indicators/>

<p><b>Age</b></p> <p><i>Identify the effect of the policy on different age groups</i></p>	<p><b>Will the service have a positive / adverse impact on specific age groups?</b></p> <p><i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>There are 185,911 people living in Barking and Dagenham based on the latest population estimates, of whom 10.4% (19,321) are aged 65 plus.<sup>6</sup> Barking and Dagenham has the highest proportion of children aged 0 to 4 years and 0 to 14 years in England with one in four of the population under the age of 15, and one in ten under the age of five years.<sup>7</sup></p> <p>Language is an important factor to consider when providing services, as the primary language used by the child is most likely to be the primary language used in the family home. This needs to be taken into account when providing information and communications to parents. (The 2011 Census shows that only a very small proportion of those under 19 are not able to speak English well or at all.)</p> <p>Bearing this in mind it is unsurprising that the majority of translating and interpreting service requests come from Children’s Services, followed by Adult and Community services (approximately 70% of client group are people aged 65 and over).</p> <table border="1" data-bbox="320 972 1155 1220"> <thead> <tr> <th>Service requests 2013/14</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Children’s Services</td> <td>2557</td> <td>91.7</td> </tr> <tr> <td>Adult and Community Services</td> <td>139</td> <td>5.0</td> </tr> <tr> <td>Housing and Environment</td> <td>75</td> <td>2.7</td> </tr> <tr> <td>Other</td> <td>18</td> <td>0.6</td> </tr> <tr> <td><b>Total</b></td> <td><b>2789</b></td> <td></td> </tr> </tbody> </table> <p>Feedback from council officers and voluntary and community groups suggests that it is inappropriate to rely on children to provide translating and interpreting services for their family members.</p> <p>This will be taken on board in the retender suggesting that the new translating and interpreting service will have a <b>positive impact on people with the protected characteristic of age.</b></p>	Service requests 2013/14	Number	%	Children’s Services	2557	91.7	Adult and Community Services	139	5.0	Housing and Environment	75	2.7	Other	18	0.6	<b>Total</b>	<b>2789</b>	
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Housing and Environment	75	2.7																	
Other	18	0.6																	
<b>Total</b>	<b>2789</b>																		

<p><b>Socio-economic</b></p> <p><i>Identify the effect of the policy in relation to socio economic</i></p>	<p><b>Will the service have a positive / adverse impact on people with low incomes?</b></p> <p><i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>Using 2011 Census data, the London Poverty Profile shows that the proportion of people living in poverty varies considerably between ethnic groups. Among London's Indian population, it is no higher than among the White population, but it is twice as high among Black Africans and higher still among Bangladeshis</p>
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<sup>6</sup> Mid-2012 Population Estimates (ONS, 2013)

<sup>7</sup> Public Health Annual Report 2012

<i>inequalities</i>	<p>and Pakistanis. These groups are likely to have translating and interpreting needs.</p> <p>As these BME groups make up a significant proportion of the local population (see section on race above), it is likely that the re-tendered translating and interpreting services will have a <b>positive impact on people living on low incomes.</b></p>
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<p><b>Other</b></p> <p><i>Identify if there are groups other than those already considered that may be affected by the policy e.g. Carers</i></p>	<p><b>Will the service have a positive / adverse impact on any other people (e.g. carers)</b></p> <p><i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>Commissioning a reliable translation and interpreting services will potentially have a positive impact on carers as they are less likely to be used as interpreters for the family member/s they are caring for.</p>
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<p><b>Staff</b></p> <p><i>Identify if there are any staff groups that maybe affected by the policy</i></p>	<p><b>Will the procured service have a particular adverse impact on staff from any of the equalities categories?</b></p> <p><i>Please describe the analysis and interpretation of the evidence to support your conclusion</i></p> <p>Not applicable.</p>
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#### Section 4: Equality Impact Assessment Action Plan

Please list in the table below any adverse impact identified and, where appropriate, steps that could be taken to mitigate this impact.

If you consider it likely that your proposal will have an adverse impact on a particular group (s) and you cannot identify steps which would mitigate or reduce this impact, you will need to demonstrate that you have considered at least one alternative way of delivering the service which has less of an adverse impact. You will be required to provide updates on the actions until they are completed, so it is important they are SMART.

<b>Adverse impact</b>	<b>Please describe the actions that will be taken to mitigate impact</b>	<b>Outcomes</b>
None		

## **Section 5: Future Review and Monitoring**

Please explain how and when the impact of the procured service will be reviewed  
The successful contract will be monitored regularly.

Providers will be asked to provide the Council with robust equality information about those who use their services as well as information to allow us to monitor the quality of service provided and any issues that residents raise.

Residents will have access to the Council's formal complaints procedure which is monitored to make sure that services are accessible to all.

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## CABINET

21 October 2014

<b>Title:</b> Procurement of Contract for the Supply of Security Industry Authority (SIA) Licensed Security Personnel	
<b>Report of the Cabinet Member for Crime and Enforcement</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Karen Proudfoot, CCTV & Security Manager, Community Safety and Offender Management, Commissioning and Partnerships	<b>Contact Details:</b> Tel: 020 8227 2938 E-mail: <a href="mailto:karen.proudfoot@lbbd.gov.uk">karen.proudfoot@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Glynis Rogers, Divisional Director for Commissioning and Partnerships	
<b>Accountable Director:</b> Anne Bristow, Corporate Director Adult and Community Services	
<p><b>Summary:</b></p> <p>The Council currently has a contract for the supply of Security Personnel licensed by the Security Industry Authority (SIA) which expires on 15 June 2015. The contract supplies SIA licensed security officers to Housing block concierges, homeless hostels, corporate reception areas, libraries and one stop shops, vacant buildings, events and in response to ad hoc security issues. The contract does not have any retention fee, therefore if there is no use of contract services there is no charge to the Council.</p> <p>The primary purpose of this contract is to assist the Council to reduce the opportunities for crime and disorder. The Security Contract assists the Council to:</p> <ul style="list-style-type: none"> <li>• reduce the risks of damage, theft and unauthorised use of Council properties, particularly vacant properties;</li> <li>• improve the safety of Council staff working in customer facing services such as the Housing Advice Centres and Hostel;</li> <li>• contribute to crime reduction in parks;</li> <li>• improve the management and response to crime and disorder incidents within Council Housing sites.</li> </ul> <p>This report asks for authority to seek tenders in accordance with the European Procurement Directives, for a four year term contract with the possibility of a one year extension, subject to satisfactory performance of the nominated contractor.</p>	
<b>Recommendation(s)</b>	
The Cabinet is recommended to:	
(i) Agree the procurement of a new four year term contract, with the possibility to extend for a further one year subject to satisfactory performance, for the supply of	

Security Industry Authority (SIA) licensed security personnel in accordance with the strategy set out in the report;

- (ii) Agree not to require the London Living Wage to be applied to services provided by the successful tenderer; and
- (iii) Indicate whether Cabinet wishes to be further informed or consulted on the progress of the procurement and /or the award of the contract, or is content for the Corporate Director for of Adult and Community Services, in consultation with the Cabinet Member for Crime and Enforcement, the Chief Finance Officer and the Head of Legal Services, to conduct the procurement and award the contract to the successful bidder in accordance with the strategy.

#### **Reason(s)**

To reduce the opportunities for theft and damage to Council buildings and assets, to provide reassurance to residents and to assist the Council in achieving its Corporate Objective of reducing crime and fear of crime.

To reduce the risk of financial outlay due to prevention of damage to Council owned property either inhabited or void.

## **1. Introduction and Background**

- 1.1 On 9 November 2004 a report was tabled before the Executive (Executive Minutes 184 refers) that included proposals on concierge charges and associated security requirements of Council departments. The Executive authorised officers to jointly contract with other departments and, if practical, with other London boroughs, for the externalisation of the concierge provision, static security guards, night-time mobile patrol security provision and responsive security dog patrols for the whole Council.
- 1.2 Following a competitive tender process the first contract was awarded in 2007 and following a subsequent competitive tender process, including an e-Auction, the current contract for the provision of Security Industry Authority (SIA) Licensed Personnel was awarded to the current provider (Manpower Direct UK).
- 1.3 The current provider supplies Security Industry Authority Licensed security personnel to thirteen regular sites, which including three Housing concierge offices at Sebastian Court, Highview House and Thaxted House, three Homeless Hostels, Barking Learning Centre, Dagenham Library, Housing Advice Centre and Castle Green and also various short term security requirements such as event security. The types of role are detailed below.

<b>Job Title</b>	<b>Use</b>
Event Guard	Providing security and crowd management at any event
Concierge Officer	Access control and security in high rise Housing blocks with Concierge services
Security Guard	Vacant building security for the protection of the building
CCTV Operator	Monitoring of Housing SAMS CCTV system

Customer Service Attendant	Security with some facilities duties in public buildings with high level of public contact
Door Supervisor	Security at hostels with vulnerable residents
Dog Handler	Security of buildings and regeneration areas with large external spaces

- 1.4 The contractor also provides a 24 hour a day, 365 day a year mobile security response service that provides a varied service as dictated by the needs of the council. The service includes:
- response to intruder, panic and fire alarms at over two hundred council sites around the borough, including schools, libraries, Children’s Centres, pavilions;
  - park and cemetery locking and unlocking;
  - health and safety checks on vacant buildings and land;
  - out of hours emergency lift and plant room access for engineers;
  - incident response support for security personnel at regular sites.
- 1.5 The current contract does not require the contractor to pay the London Living Wage of £8.80 and only requires the legal minimum wage (£6.31) to be paid. Agency Worker Legislation does not apply to staff providing services via this contract.
- 1.6 The current security contract is managed and monitored by Adult and Community Services, Commissioning and Partnerships. The processes in place to monitor and manage the current contract include monthly requests for service user feedback, random site checks, daily checks of officer’s paperwork, complaint tracking and monthly operational meetings to which service users are invited to discuss issues directly with the contractor contract monitoring issues. Furthermore the service monitors the contractors’ compliance with Security Industry Authority licensing requirements, staff training and development, equalities and diversity, insurances and health and safety. It is proposed that although the contract may vary the way in which security is delivered that these monitoring processing will remain in place for the new contract.
- 1.7 A monthly Service User Feedback process is in place which encourages those who use the security services to advise if they are satisfied with the service they are receiving, or not. The process also enables early discussion of issues which if left un-managed may become more serious.
- 1.8 The current monitoring processes would continue with any new contracts awarded.
- 1.9 Following agreement of the one year extension the current contract expires on 15 June 2015.

## **2. Proposed Procurement Strategy**

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

To seek tenders in accordance with the European Procurement Directives, for a four year term contract with the possibility of a one year extension subject to satisfactory performance of the nominated contractor.

It is proposed that the new contract will work on a 'Call Off' basis from a priced schedule of rates for the duration of the contract. This will ensure that the Council benefits from economies of scale. The 'Call Off' arrangement does not commit the Council to a guaranteed payment to the contractor by way of a retention fee or stand-by arrangement. However it will allow for the supply of security personnel as risks are identified.

It is proposed that the contract will meet all the Council's needs for Security Industry Authority licensed security personnel.

It is proposed that the contract will give fixed costs for the duration of the contract. This will enable the Council to budget its resources effectively. Costs may reduce further if the need for dedicated security personnel is reduced through other solutions or assets are disposed of.

Regular reviews of the Council's requirement for dedicated security personnel are undertaken with site managers and consider the following:

- opportunities to incorporate some security duties into the job descriptions of existing staff;
- reducing opening hours of some non-essential sites;
- amalgamating the security provision from multiple sites to provide better value for money and use of resources;
- new access control technology to reduce the opportunities for unauthorised access;
- opportunities to work with other local authorities and agencies such as the Metropolitan Police to share resources and address identified risks and needs.

The tender will be advertised in the Official Journal of the European Union (OJEU), on the Councils website, on Bravo Solutions website (e-portal provider) and Contracts Finder. The applicants will be asked to submit a wide variety of information, including environmental and equality information, references and financial accounts.

The applicants will be assessed on their economic and financial standing, health and safety standards, relevant British Standard (BS) and International Organisation for Standardisation (ISO) (or equivalent) standard achievements and corporate human resource policies, particularly in relation to recruitment and selection procedures and training, and customer references. Applicants whose submissions are assessed as meeting the criteria will be offered the opportunity to tender for this work via a 'Schedule of Rates' based on a minimum person requirement for staff undertaking designated positions, such as Concierge Officer, Event Security Officer and Security Dog Handler.

Applicants will be assessed on a range of criteria relevant to the contract tender process based on a 60% price 40% quality basis. The quality assessment will include:

- Contract Management and control
- Contract Implementation
- Equipment, uniforms, recording and reporting systems
- Risk Management
- Complaints managements

- Customer references

The above list is not exhaustive and may be added to during finalisation of the tender documentation.

The commercial element will be conducted through an e-auction.

Following tender evaluation and in line with the Council's constitution, unless otherwise instructed by the Cabinet, a recommendation report in the form a Delegated Decision will be submitted to the Corporate Director of Adult and Community Services, in consultation with the Corporate Director of Finance and Resources, to award the new term contract following the conclusion of the procurement process

Suggested timetable for tender process (all dates are provisional and subject to change)

Action	Date
Cabinet Approval	21 October 2014
Advertise	22 October 2014
Tenders to be returned	06 December 2014
Tender Evaluation	08 December 2014 to 12 December 2014
Interviews to be conducted	15 December 2014 to 17 December 2014
Approval of the Award Report Recommendations	05 January 2015 to 09 January 2015
Approval from Chief Officers and 10 day standstill period	12 January 2015 to 22 January 2015
Contract Award	23 January 2015
Mobilisation and implementation	21 April 2015 to 15 June 2015

The above lifecycle has been developed based on the assumption that an Open process is used. The timeline allows for any required changes in the evaluation process, approval process and agreeing a full mobilisation and implementation process.

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

Approximately £5.2 million for four years or £6.5m if the contract is extended to five years.

## **2.3 Duration of the contract, including any options for extension.**

Initial term of 4 years.

Additional extension period of 1 year.

**2.4 Is the contract subject to the (EU) Public Contracts Regulations 2006? If Yes, and contract is for services, are they Part A or Part B Services.**

Yes, Part A Services.

**2.5 Recommended procurement procedure and reasons for the recommendation.**

The recommended procurement procedure to be used for this project is the "Open" process.

This route is recommended as the supply base is fairly limited, and generation of competition is a key factor in obtaining value for money as well as a quality service.

**2.6 The contract delivery methodology and documentation to be adopted.**

The Council's standard terms and conditions for services will be applied to this project.

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

The main outcomes are as follows;

- Fixed costs for the duration of the contract to enable effective budgeting.
- To ensure suitably qualified staff are deployed at all times in varying locations and capacities.
- To operate on a "draw down" process, which allows flexibility in numbers of staff required, without committing the Council to any block fees?

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

Applicants will be assessed on a range of criteria relevant to the contract tender process based on a 60% price 40% quality basis. The quality assessment will include:

- Contract Management and control
- Contract Implementation
- Equipment, uniforms, recording and reporting systems
- Risk Management
- Complaints managements
- Customer references

The above list is not exhaustive and may be added to during finalisation of the tender documentation.

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

The provision of services via this contract will assist the Council to provide a security response service to civic and community buildings to provide a safer

environment for people using the facilities, including libraries and community centers. Security services are also provided to schools to reduce the opportunities for damage to schools which would interrupt the education of young people in the borough.

The quality assessment of the tenders will seek to ensure that the company has robust processes in place to deliver the services required, particularly in relation to the provision of 24 hour services and robust recruitment and training. This will ensure that the successful company have the right staff in the right jobs with the necessary support and training to provide the services to the level required

### **3. Options Appraisal**

#### **3.1 To let the current contract expire and not re-tender**

The current contract expires on 15 June 2015. It is known that the Council requires a level of security personnel provision as referred to in this report, therefore, if the decision is taken not to re-tender it would be necessary to find an alternative way of meeting these needs. This may include investment in physical security measures and directly employing staff to deliver the provision. Cost comparisons demonstrate that a like for like staff provision use directly employed staff would double the cost of provision due to LBBD staff terms and conditions and employer on-costs. TUPE may also apply to at some sites.

This option would also leave the Council without any contractor to respond to urgent emerging security issues, such as illegal traveller encampments where security staff are employed to protect community assets.

EU Procurement legislation prevents the Council disaggregating the provision to award smaller service specific ad hoc contracts. It will therefore be necessary to procure these services in compliance with the requirements of the EU Procurement legislation.

#### **3.2 To use a Framework Agreement**

This option was considered and it was assessed that this would not be economically advantageous to the Council due to the increased costs associated with the management and administration. It was also assessed that there would be significant logistical difficulties with using multiple contractors, for example establishing physical work boundaries and areas of responsibility when dealing with large sites and incidents.

The re-tender process will allow for consortia to submit bids, however, they will be treated as a single supplier.

#### **3.3 To procure separate contracts for specific services as required**

This option was not considered viable as it is the Council's policy to consolidate contracts. Also EU Procurement aggregation rules require the Council to aggregate the value of all its service requirements of a similar nature. This means that the Council cannot avoid the application of the EU regime by letting a series of low value contracts for similar services. If it does this, all of the contracts will have to be let as above threshold contracts and will each be subject to the full requirements of the EU regime.

This option was considered and it was assessed that this would not be economically advantageous to the Council due to the increased costs associated with the procurement management and administration of the several contracts. It was also assessed that there would be significant logistical difficulties with using multiple contractors, for example establishing physical work boundaries and areas of responsibility when dealing with incidents.

#### **3.4 To access existing framework agreements**

This option was investigated. However, no suitable existing agreements are available.

The Official Contract Notice will be worded in such a way as to allow other local authorities to utilise this contract at a future date should they wish to do so.

#### **3.5 To consider an in-house service**

This option was assessed and it was not considered a viable option. The main reason for this is due to the costs and the continuously changing requirements for personnel with different security skills. The need for security personnel is often identified following an incident and needs to be established quickly, often within 24 hours. Security is also often cancelled at short notice, usually following the introduction of physical or technical risk reduction equipment or disposal of sites.

The costs associated to using directly employed staff were also assessed and it was established that providing the service in-house would substantially increase the costs to the Council. For example current security provision at Barking Learning Centre if provided by directly employed staff would amount to approximately 25% more than current costs, due to more favourable Council terms and conditions and council on-costs/overheads.

Such on-costs would include the management and administration associated with the provision of security personnel, particularly in relation to the day to day management of staff, for example training, annual leave, sickness, appraisals, scheduling duties and monitoring working hours. All these costs currently are incurred by the Security provider.

#### **3.6 To use the Adecco contract**

The Council has an existing contract with Adecco to provide agency staff. It was considered whether this contract could be utilised to provide Security Personnel. This option, would require similar management structures as direct recruitment in terms of training, annual leave, sickness, appraisals, scheduling duties and monitoring working hours.

The Council would also need to invest further into resources such as vehicles and fleet management to provide the mobile security service.

Using an existing security company with the appropriate resources to manage 24 hour, 365 day staffing provision, such as a staffed control room to manage lone working, short notice requests, etc will provide a more cost effective service.

This option was discounted

### **3.7 To tender for one service provider to deliver all security personnel services**

The current contract works with one service provider. This adheres to the Council's contract rules and is consistent with the provision of EU legislation. This option has been assessed and is considered viable. It allows for cost efficiency in terms of management costs and also allows for clarity of reporting lines and processes for ensuring contract compliance.

Bids will be invited from 'coalitions'. However in the event such a bid was to be successful the contract would be with a nominated single provider in terms of contract management.

## **4. Waiver**

Not Applicable

## **5 Equalities and other Customer Impact**

### **5.1 Customer Impact**

The Council Security Contract Management team request monthly satisfaction feedback from regular service users. Site Managers for the sites which receive regular services from the current contractor have been consulted on whether they are satisfied with the service they receive from the current contract and they have confirmed they are. No issues have been raised by site managers in relation to the proposed extension of the current contract.

Regular security service users will be consulted on the development of the specification for the new contract and some will be involved on the Procurement Board.

The service specification, once detailed, will be subject to a full Equalities Impact Assessment (EIA). It is believed that no specific equalities group will be adversely affected by the delivery of the security contract, though as public spending is cut any reduction in provision should be considered in terms of equality to ensure that those no longer receiving a service are not adversely affected in terms of their ability to feel safe. The service currently delivers security to a range of Council-run and public buildings and open spaces. Older people often feel more vulnerable and value the services of a security officer. Low level crime and disorder, which are often issues a contractor would deal with, are often perceived to be perpetrated by young people and it may be that, in delivering such a service, targeted enforcement action is directed at that group. However, as part of the EIA we will consider mechanisms for collection of data with the contractor to ensure that no group suffers a negative impact. For example we will be requesting that the contractor collects information on the profile of those people that are challenged by the security staff, which will be monitored through the contract monitoring process.

## 6. Other Considerations and Implications

- 6.1 **Risk and Risk Management** - If the contract tender is not approved it will be necessary to make alternative arrangements for sites with identified security needs by the completion of the current contract in June 2015. If the alternative arrangements involve the direct employment of staff the cost of the provision is likely to be substantially higher due to the Council's employment terms and conditions and the need to provide specific equipment such as vehicles to undertake duties and Personal Protective Equipment for staff, which is all currently provided by the contractor.

The service that is most likely to require continuous provision due to the varied duties undertaken, including locking and unlocking parks and Council offices and depot and responding to intruder and panic alarms, is the Mobile Security Response Service. A cost comparison has been undertaken and it is estimated that to provide this service by directly employed staff, including all associated equipment, would be approximately double the cost of a contracted service.

- 6.2 **TUPE, other staffing and trade union implications** - The current provider supplies regular security personnel to thirteen sites. These sites may be considered their primary place of work. Therefore, contractor to contractor TUPE may apply.

The proposal does not require the contractor to pay the London Living Wage of £8.80 and only requires the legal minimum wage (£6.31) to be paid. Members will recall the recommendations made to the Living and Working Select Committee on 17 December 2012. Were the London Living Wage be applied to this contract it is expected that the cost of provision would increase by an additional 20% over and above the current expected market price mark.

The current contractor has been audited by the contract monitoring team and external agencies such as HMRC and UKBA to ensure compliance with all employment law and no issues have been identified. The same checks will be undertaken as part of the tender process and the same contractor monitoring processes will be applied to the successful tendered to ensure compliance with all relevant legislation continues.

Agency Worker Legislation does not apply to staff providing services via this contract

- 6.3 **Safeguarding Children** - In 2013 -14, forty-three (43) schools subscribed to receive the mobile security response service provided by the security contractor to respond to their alarms and undertake patrols. The effective provision of this service reduces the opportunities for significant damage or theft from schools, ensuring the uninterrupted learning of children in the borough. In addition all staff are Security Industry Authority (SIA) trained and certified and have criminal record checks undertaken prior to a license being issued.

Security personnel deliver a range of services which impact favourably on vulnerable adults. Training will be undertaken with staff within the new contract to ensure that they are aware of the issue of vulnerable adults and know how to refer.

- 6.4 **Health Issues** - Feeling safe brings a sense of wellbeing and ensures that residents, particularly older residents, use public space and enjoy their homes. Provision of security ensures that vandalism and the lack of physical guardianship does not adversely impact on that sense of wellbeing.
- 6.5 **Crime and Disorder Issues** - Section 17 of the Crime and Disorder Act requires the Council to have regard to crime reduction and prevention in its service delivery and design. The primary purpose of this contract is to assist the Council to reduce the opportunities for crime and disorder. The Security Contract assists the council to:
- reduce the risks of damage, theft and unauthorised use of Council properties, particularly vacant properties;
  - improve the safety of Council staff working in customer facing services such as the Housing Advice Centres and Hostel;
  - contribute to crime reduction in parks;
  - improve the management and response to crime and disorder incidents within Council Housing sites.
- 6.6 **Property / Asset Issues** - The Council is keen to improve the efficiencies of building use and the turn around of vacant properties. However, as above a primary function of this contract is to reduce the risk of damage, theft and unauthorised use of Council buildings, particularly vacant properties.

## 7. Consultation

- 7.1 All regular users of the security contract have been consulted, this includes Housing, Arts and Leisure, Asset Management and Capital Delivery and Children's Services. No issues were raised as part of the consultation. Many service users will also be represented on the Tender Evaluation Panel.
- 7.2 Housing are currently undertaking Leaseholder Consultation as required by Section 20 of the Landlord and Tenant Act 1985

## 8. Corporate Procurement

Implications completed by: Euan Beales, Category Manager – Finance and Resources

- 8.1 Under EU Procurement Directives the service is required to be formal tendered under OJEU Part A Services and exceeds the £172k threshold. The Open process will be the route market, which allows each bid to be evaluated. This will enable SME's the opportunity to bid and ensures that the competition is open, fair and transparent.
- 8.2 The Open process will be competed utilising an evaluation split of 40% Technical and 60% Commercial. Special consideration will need to be given to the financial assessment of the potential providers based on 2 times turnover to contract value or each bidder will need to have a turnover of £14.9m, which will restrict the market, so an alternative model will be required for this process.

- 8.3 This project will be conducted with gain share being applicable. In order to establish a reflective baseline it has been agreed to use the current hourly pay rates from commencement of the service in 2011 and increase by the value of RPI from each June, in addition to ensure the wage values remain transparent, the minimum wage increase scheduled for 1 October 2014 will be applied (3% increase).

## **9. Financial Implications**

Implications completed by: Roger Hampson, Group Manager Finance (Adult and Community Services)

- 9.1 This report seeks authority to seek tenders for a four year term contract with the possibility of a one year for the supply of Security Industry Authority licensed security personnel.
- 9.2 Budget provision for security costs is held by a number of directorates within the Council, and by the Housing Revenue Account. The expenditure on security is variable. The need varies depending on identified risks, removal of assets and regeneration of the Borough. The need is also likely to vary over the life of the proposed contract for any service changes which impact upon security costs as a result of budgetary reductions.
- 9.3 There is currently a levy of £1.50 per hour for every security officer hour provided, which is estimated to generate circa £225k per annum, which is levied by the Council's CCTV and Contract Security Monitoring team. This levy covers the management and administration costs of the security contract and subsidizes the cost of providing the Council's mobile security response service which is not site-specific and provides security to all sites across the Borough.
- 9.4 Any procurement savings arising from a new contract would be subject to a gainshare split with Agilisys, the current arrangement being 80% to the Council and 20% to Agilisys

## **10. Legal Implications**

Implications completed by: Kayleigh Eaton, Solicitor (Contracts and Procurement)

- 10.1 The proposed procurement being considered is estimated at £6.5m over the lifetime of the contract and is therefore above EU thresholds for supplies and service contracts (currently set at £172,514). This means that there is legal requirement to competitively tender the contract in the Official Journal of the European Union (OJEU). Legal Services note that in compliance with the Public Contract Regulations 2006 this report states that the proposed procurement will be conducted using the open procedure and will be advertised in OJEU, on the Council's website, on Bravo Solutions and on Contract Finder.
- 10.2 Further there is a requirement to comply with the EU Treaty principles of equal treatment of bidders, non-discrimination and transparency in conducting the procurement exercise. The process described by the report author above, should comply with these requirements.

- 10.3 Contract Rule 28.8 of the Council's Contract Rules requires that all procurements of contracts above £500,000 in value must be submitted to Cabinet for approval.
- 10.4 In line with Contract Rule 47.15, Cabinet can indicate whether it is content for the Chief Officer to award the contract following the procurement process with the approval of Corporate Finance.
- 10.5 Legal Services note that it is the intention of the responsible directorate to permit this contract to be utilised by other local authorities. Legal Services would advise that the OJEU Contract Notice must be specific as to the potential local authorities (or group of local authorities) who may use this contract. Potential spend must also be forecast for the Council and other potential users of the contract so as not to fall foul of the Public Contract Regulations 2006.
- 10.6 The report author and responsible directorate are advised to keep Legal Services fully informed at every stage of the proposed tender exercise. Legal Services are on hand and available to assist and answer any questions that may arise.

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

**List of appendices:** None

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## CABINET

21 October 2014

<b>Title:</b> Domestic and Sexual Violence Provision in the London Borough of Barking and Dagenham	
<b>Report of the Cabinet Member for Adult Social Care and Health</b>	
<b>Open Report</b>	<b>For Information</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Phoebe Pluckrose-Oliver, Criminal Justice Service Improvement Officer	<b>Contact Details:</b> Tel: 020 227 2596 E-mail: phoebe.pluckrose-oliver@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Glynis Rogers, Divisional Director Commissioning and Partnerships	
<b>Accountable Director:</b> Anne Bristow, Corporate Director Adult and Community Services	
<b>Summary</b>	
<p>Reducing Domestic and Sexual Violence (DSV) is a responsibility shared by the Council and partner organisations. In addressing this responsibility the Council has a number of statutory duties to fulfil.</p> <p>Following a detailed report to the Health and Wellbeing Board last year, this report updates Cabinet on the prevalence of Domestic and Sexual Violence in Barking and Dagenham and highlights local performance against key indicators. The report also outlines the current provision of services to support victims and children.</p>	
<b>Recommendation(s)</b>	
The Cabinet is asked to note the report.	

## 1. Introduction and Background

- 1.1 *A Review of Services for Those Affected by Domestic Violence*, a report presented at the LBBB Health and Wellbeing Board on 16 July 2013 (included in background papers) detailed the Government definition of Domestic Violence published on 24 February 2013 and defines it as:

*“Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:*

- *psychological*
- *physical*

- *sexual*
- *financial*
- *emotional*

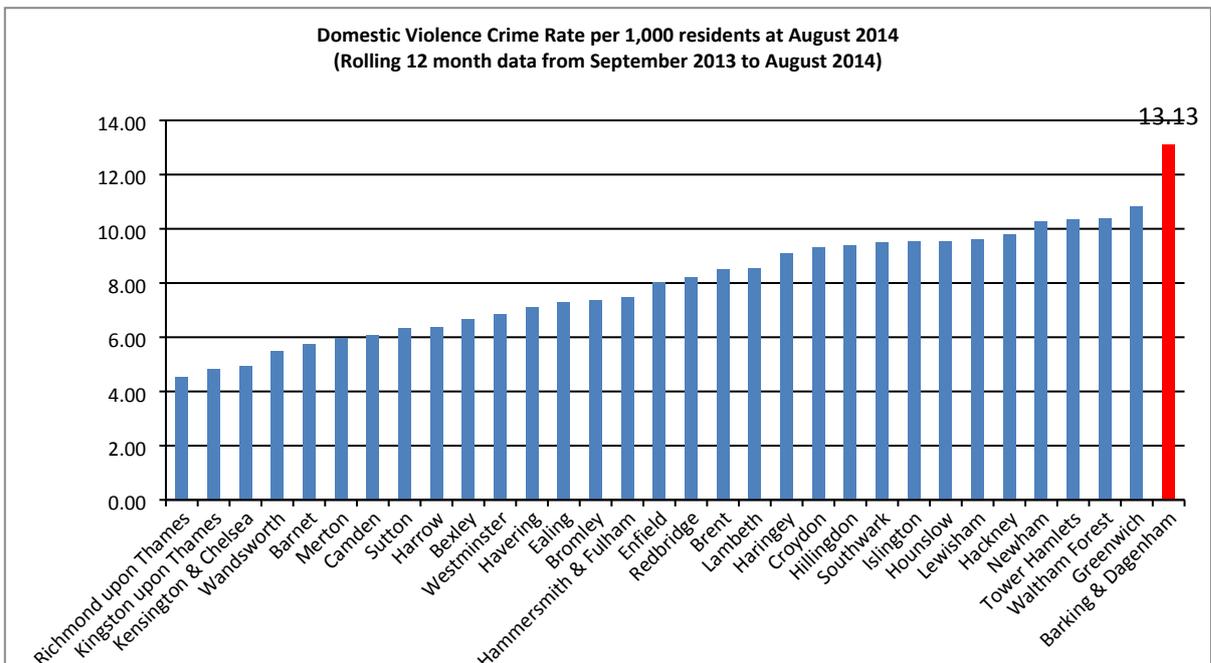
*Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.\*\**

\*This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

- 1.2 The Crime and Disorder Act 1998 places a statutory requirement on local authorities to monitor the level of domestic abuse in their communities and establish partnerships in order to reduce the problem as well as to work together with other agencies to highlight the issue and co-ordinate a response. The Community Safety Partnership brings together the representatives of statutory, voluntary and private organisations which deal with crime reduction, including domestic violence.
- 1.3 In LBBD, domestic and sexual violence is a priority for the Community Safety Partnership (CSP) and strategic and operational delivery is provided by a number of internal and external partners including: Public Health, Community Safety, Housing, Children's Services, the Police and Victim Support. The CSP is also responsible for co-ordinating reviews of Domestic Violence Homicides, developing action plans from lessons learned and for feeding back formally via the CSP to the Home Office.
- 1.4 The Borough commissions a number of services to fulfil the above statutory requirement, addressing the needs of victims of D&SV and working with offenders to reduce incidence of D&SV. More detail on the services provided is given at Appendix A.

### **Local prevalence and performance**

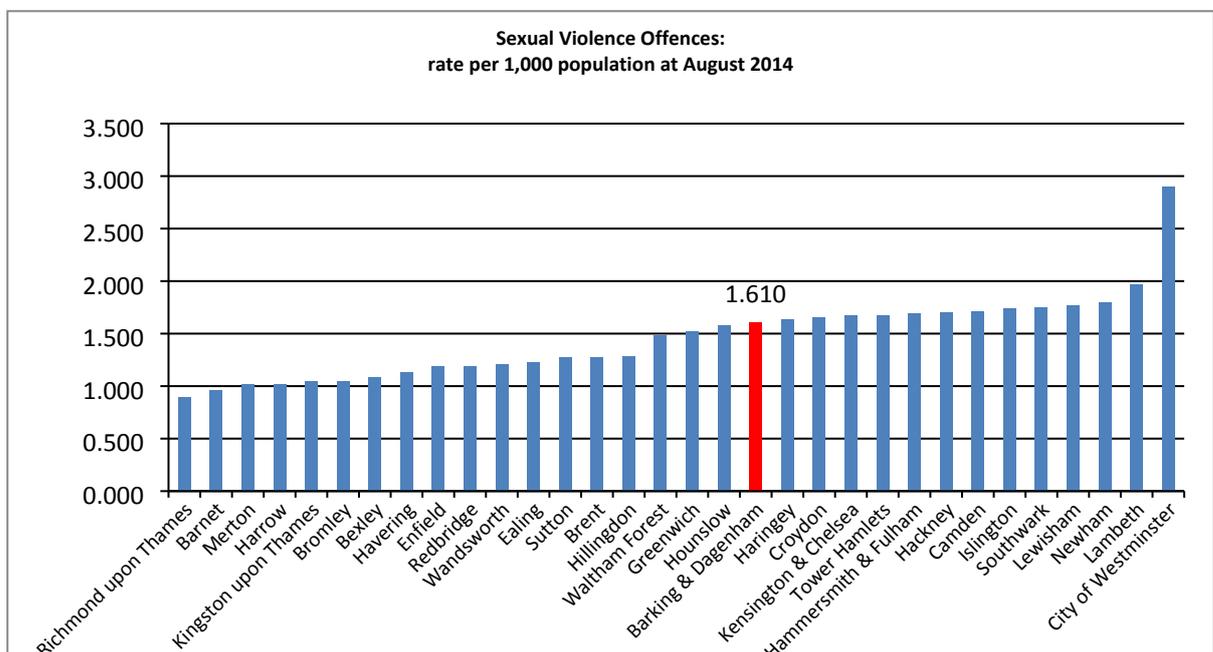
- 1.5 Prevalence of domestic and sexual violence and performance of local services are measured based on the number of crimes reported, the number of referrals to the Borough's Independent Domestic and Sexual Violence Advocacy (IDSVA) service and the number of repeat referrals to the Borough's Multi-Agency Risk Assessment Conference (MARAC).
- 1.6 As indicated in the graph below, Barking and Dagenham has the highest reported domestic abuse offences across the area covered by the Metropolitan Police Service, at 13.1 per 1000 of the population.



1.7 According to local police data there were 989 Domestic Violence offences reported between April 2014 and August 2014 compared with the London average of 834. This is an increase of 200 cases (25%) when compared with the same period in 2013. Barking and Dagenham has a higher increase in reported Domestic Violence offences compared to the average across London for the same period (+18%).

1.8 Year to date at August 2014 there have been a total of 150 sexual offences reported to the police in Barking and Dagenham. This is a 13% increase on the same period the year before. Across London there has been an increase of 24%, therefore we are below the London average.

1.9 At August 2014 Barking & Dagenham had 1.59 sexual offences per 1,000 residents and is ranked 19<sup>th</sup> out of the 32 London boroughs. The graph below shows sexual violence offences across all 32 boroughs.



- 1.10 It is important to note that although the proportion of violent crime attributed to domestic violence is high in Barking and Dagenham, the issue may not necessarily be more commonplace than elsewhere. An increase in reporting can be seen as a willingness of victims to come forward because of confidence that the issue will be addressed or because of availability and awareness of service provision. Despite this, we continue to monitor increases and analyse changes in order to appropriately target resources to manage the risks around domestic and sexual violence.
- 1.11 Performance is also measured against the number of repeat referrals to the Multi-Agency Risk Assessment Conference (MARAC). Year to date at August 2014 there have been a total of 34 repeat referrals to the MARAC service out of the 146 referrals received, this equates to 23% which is below the 28%-40% range expected by Coordinated Action Against Domestic Abuse (CAADA). Barking and Dagenham is in line with the London and national benchmarks (19% and 24% respectively).

### **Local governance and service provision**

- 1.12 The LBBD Health and Wellbeing Board (HWBB) has prioritised Domestic Violence. A range of services which are provided to victims and children are funded through the Public Health Grant and through its coordination role, the HWBB ensures that the issue of Domestic Violence is recognised and addressed across both the wider health and social care economy.
- 1.13 The LBBD Community Safety Partnership (CSP) is made up of the responsible authorities (Police, Local Authority, Fire and Rescue Authority, Probation Service and Health) and works to protect local people from crime and to support victims. The CSP is the main accountable body for domestic violence in terms of crime reduction and the response to the Home Office around domestic violence homicide reviews (a statutory requirement where there has been a DV murder).
- 1.14 The Domestic and Sexual Violence Strategic Group, a subgroup of the CSP, meets quarterly to monitor progress against the Borough's Domestic and Sexual Violence Strategy. The Group includes representatives from Community Safety, Public Health, Children's Services, North East London Foundation Trust (NELFT), Mental Health Services, Hestia (commissioned provider) Victim Support, Housing, Police and Probation, and reports regularly to both the CSP and the Health and Wellbeing Board.
- 1.15 A Domestic and Sexual Violence Forum meets quarterly which allows specialist local providers to network, share good practice and advise of gaps in service delivery or concerns about service delivery that clients may encounter. This forum is chaired by Alison Lines, Parent Support Advisor of Godwin Primary School. Reports from the forum are reported upwards to the Domestic and Sexual Violence Strategic Group quarterly and used to inform strategic decisions.
- 1.16 In LBBD there are a number of commissioned services which seek to support victims of DSV in the Borough in line with the key priorities of the Domestic and Sexual Violence Strategy:

- to prevent domestic and sexual violence from happening in the first place
- to provide support to victims where violence does occur;
- to reduce the risk of domestic and sexual violence and bring perpetrators to justice; and
- to work in partnership locally to achieve the best outcomes.

1.17 As identified in the report to the Health and Wellbeing Board on 16 July 2013 Health and Wellbeing Board Report, services fall into three categories:

- **core** – a service which is essential for the protection of individuals;
- **supporting** – a service which is necessary to support one of the core services; and
- **supplementary** – a service that while valuable, is not essential to protecting individuals or preventing immediate harm.

1.18 Funding for services comes from the Council and external agencies including the Mayor's Office for Policing and Crime (MOPAC). Some of the key services are detailed below. A full list of local DSV services is given at Appendix A.

### **Independent Domestic and Sexual Violence Advocacy Service**

1.19 Barking and Dagenham Public Health commissions a specialist Independent Domestic and Sexual Violence Advocacy Service (currently provided by Hestia) which provides crisis and emergency support to high risk victims of domestic violence. This service provides specialist advocacy to victims ensuring that they access services including: housing, benefits, criminal justice services, education for children, employment and health services. In addition Health deliver advocacy in the maternity setting through mainstream resources.

1.20 In addition to the community IDSVVA service, the service provides a Children's IDSVVA co-located in the Children's Services Multi-Agency Safeguarding Hub. It also now provides a Young Person's IDSVVA (working with young victims aged 11-18) funded by the Mayor's Office for Policing and Crime (MOPAC).

### **Supported accommodation for women and children fleeing domestic abuse**

1.21 Hestia also provide the Borough's supported accommodation scheme for women and children fleeing domestic abuse. Barking and Dagenham have two borough refuge accommodation sites with a total of 12 bed spaces providing medium to long term accommodation support to victims of domestic violence and their children. This provision is funded by Public Health. The general premise is that women are placed outside of their borough to avoid the risk of future victimisation. This means that boroughs fund provision in their own borough on the assumption that their residents will be able to access other boroughs' provisions.

### **Victim Support**

1.22 Victim Support, funded by Public Health, provides a low to medium risk IDSVVA Support Service in the community. This provides support to victims who do not meet the threshold for the above services and takes referrals automatically from the Police and via the IDSVVA service.

## **Domestic Violence and Hate Crime**

- 1.23 These services are coordinated within Adult and Community Services and are funded by Public Health. The service both develops and ensures the delivery of a strategic and coordinated response to domestic violence. Work includes the delivery of domestic violence awareness raising projects, commissioning of external domestic violence services and contract monitoring of existing commissioned services.

## **MARAC**

- 1.24 A Multi Agency Risk Assessment Conference (MARAC) has been running in Barking and Dagenham since June 2008. The panel is held monthly to discuss high risk domestic violence cases and is chaired by the Metropolitan Police Community Safety Unit Detective Inspector. MARAC partners share up-to-date case risk information at the conference with a timely assessment of a high risk victim's needs, in order to link clients directly to the provision of appropriate services. A safety plan is implemented for all clients and onward referrals are made where appropriate.
- 1.25 The MARAC operates within a coordinated response model. MARAC data monitoring is maintained locally to record repeat victimisation and domestic violence homicide and is provided quarterly to Coordinated Action Against Domestic Abuse (CAADA).

## **Children's Services Domestic Violence and Troubled Families**

- 1.26 Children's services coordinate the response to domestic violence and child sexual exploitation through the Multi-Agency Sexual Exploitation (MASE) and Child Sexual Exploitation (CSE) group. The group meets on a monthly basis to discuss high profile cases and to review the implementation of the Borough's CSE Strategic and Operational Plan.
- 1.27 As part of the Troubled Families programme, a dedicated resource within Victim Support work with a cohort of 40 families identified by Children's Services where domestic violence is prevalent alongside further complex and multiple needs. This project commenced locally on 1<sup>st</sup> August 2014 and is funded by the Department for Communities and Local Government on a payment by results basis.
- 1.28 Barking and Dagenham Children's Services are coordinating delivery of a Domestic Violence Children's Treatment Programme endorsed by Against Violence and Abuse (AVA). This programme is aimed at families where domestic violence is no longer present and the non-abusing parent is no longer residing in the family home. The programme is being delivered by Children's Services officers with support from colleagues in partner agencies.

## **Metropolitan Police**

- 1.29 The Metropolitan Police have a number of operations targeted at reducing domestic and sexual violence and bring perpetrators to justice. The 'supporting' operations include:

- Operation Dawn Thunder, a Metropolitan Police Service initiative, is conducted daily to arrest wanted domestic violence suspects in early morning raids;
- a Domestic Violence Crime Advisor (Detective Sergeant) initiative working within a Emergency Response Patrol Team 24/7, which is currently being piloted in Barking and Dagenham; and
- the Police in Barking and Dagenham have also negotiated with the Association of Chief Police Officers to gain lead pilot status for Domestic Violence Protection Orders (DVPO's). The first DVPO in London was issued by Barking and Dagenham and offender breached the Order and was consequently remanded for six weeks. Work to issue further DVPO's is underway.

A full list of Police domestic violence operations is provided at Appendix A.

### **Awareness Raising – White Ribbon Day**

- 1.30 In addition to the programmes above, the Council coordinates awareness raising and learning events across the partnership. Part of this is the high profile White Ribbon Day event held every year in November.
- 1.31 A detailed programme for delivery of awareness raising and learning events is under development for 16 days of action which will be launched at an event in the Town Square on 25th November. LBBDD is an active supporter of the White Ribbon Campaign UK, working to involve men in opposing violence against women. The partnership ensures annual publicity and awareness raising campaigns as part of White Ribbon Day, including:
- 'Walk a Mile in her shoes' event on the 25 November 2014 at 10.30am at Barking Town Hall led by the Leader of the Council; Councillor Darren Rodwell. A just giving page has been set up for the walk to raise money for the local refuge and Victim Support
  - Business Breakfast on the 27 November at 8.30am at Barking Learning Centre with the support of Corporate Alliance Against Domestic Violence (CAADV) to educate local businesses on the impact of domestic violence on business.
  - Plans for awareness raising across Council staff groups supported by portfolio holders
  - On line e-learning module
  - Sessions for front line workers on why victims stay with their abusers

## **2. Proposal and Issues**

- 2.1 This report is for information only, to inform Cabinet of the current level of domestic violence and the services currently available to victims

## **3. Financial Issues**

- 3.1 The current total annual spend for domestic and sexual violence services in the Borough is £650,500.

## **4. Legal Issues**

- 4.1 As explained in the main body of this report, the Council as a Local Authority is required under the Crime and Disorder Act 1998 to work with other agencies for the

purpose of co-ordination and development of strategies and implementation of those strategies for the reduction of crime and disorder. The Government's definition has its limitations as acts are likely to be criminal in whether taking place in a domestic setting or not and girls under 16 in particular are at risk of forced marriage and genital mutilation, which is of course child abuse.

- 4.2 The Council and its partners intervene addressing those issues for example using their direct powers such as the Children Act 1989, Female Genital Mutilation Act 2003 and the Family Law Act as amended by the Anti-Social Behaviour, Crime and Policing Act 2014.

## 5. Other Issues

- 5.1 **Corporate Policy and Customer Impact** - Domestic and Sexual Violence service provision in the London Borough of Barking and Dagenham contributes to delivery of the Community Strategy 13/16 and Corporate Plan 13/14 with the vision to 'Encourage growth and unlock the potential of Barking and Dagenham and its residents'

The priorities strands are:

1. Ensure every child is valued so that they can succeed
2. Reduced crime and the fear of crime
3. Improve health and wellbeing through all stages of life
4. Create thriving communities by maintaining and investing in new and high quality homes
5. Maximise growth opportunities and increase the household income of Borough residents

In addition, the service provision supports the priorities in the Domestic & Sexual Violence Strategy:

1. **PREVENT** domestic and sexual violence from happening in the first place.
2. **PROVIDE SUPPORT** to victims where violence does occur.
3. **REDUCE THE RISK** and **BRING PERPETRATORS TO JUSTICE**.
4. **WORK IN PARTNERSHIP** locally to achieve the best outcomes for victims

- 5.2 **Safeguarding Children** - Domestic Violence effects children as victims and witnesses. This is recognised in the strategic and operational delivery of services across the Council and with its partners.

In terms of Council delivery outside of Children's Social Care, the Multi Agency Risk Assessment Conference (MARAC) is a process which contributes to the wellbeing of children. The MARAC case list is emailed electronically to all MARAC members a week in advance of the panel meeting to enable partners to conduct research on all members of the family; victim, perpetrator and children. This research is then shared at the MARAC panel meeting and any children's safeguarding issues identified result in a referral to children's services.

The Multi Agency Safeguarding Hub (MASH) receives children's safeguarding referrals. This team is supported by an Independent Domestic and Sexual Violence

Advocate who can support families where domestic violence is disclosed as part of the referral.

- 5.3 **Health Issues** - The HWBB recognises that domestic violence impacts negatively on the health and wellbeing of both adults and children. The provision of the services detailed impacts positively on the community by ensuring provision of specialist services within all settings, including front line health care settings.
- 5.4 **Crime and Disorder Issues** - Barking and Dagenham generally experience one of the highest per thousand population number of DV referrals in London month on month. It is a priority with B&D Metropolitan Police and for the Community Safety Partnership. The provision of services detailed contributes to the delivery of the borough Domestic and Sexual Violence Strategy and Delivery Plan.

**Public Background Papers Used in the Preparation of the Report:**

- Health and Wellbeing Report *A Review of Services for Those Affected by Domestic Violence*, 16<sup>th</sup> July 2013 (<http://moderngov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=669&Mid=7075&Ver=4>)
- LBBD Domestic and Sexual Violence Strategy 2012-15 and plan on a page (<http://moderngov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=180&MID=6397#A141976>)

**List of appendices:**

- **Appendix A** - List of DV provision in the borough

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**List of local LBBB domestic and sexual violence services**

**Core**

**Hestia Independent Domestic and Sexual Violence Advocacy Service**

Barking and Dagenham Public Health commissions a specialist Independent Domestic and Sexual Violence Advocacy Service (currently provided by Hestia) which provides crisis and emergency support to high risk victims of domestic violence. This service provides specialist advocacy to victims ensuring that they access services including: housing, benefits, criminal justice services, education for children, employment and health services.

In addition to the community IDSVVA service, the service provides a Children's IDSVVA co-located in the Children's Services Multi-Agency Safeguarding Hub. It also now provides a Young Person's IDSVVA (working with young victims aged 11-18) funded by the Mayor's Office for Policing and Crime (MOPAC).

**Hestia supported accommodation for women and children fleeing domestic abuse**

Hestia also provide the Borough's supported accommodation scheme for women and children fleeing domestic abuse. Barking and Dagenham have two borough refuge accommodation sites with a total of 12 bed spaces providing medium to long term accommodation support to victims of domestic violence and their children. This provision is funded by Public Health. The general premise is that women are placed outside of their borough to avoid the risk of future victimisation. This means that boroughs fund provision in their own borough on the assumption that their residents will be able to access other boroughs' provisions.

**Victim Support domestic violence case worker**

Victim Support, funded by Public Health, provides a low to medium risk IDSVVA Support Service via one full time worker based in the community. This worker provides support to victims who do not meet the threshold for the above services and takes referrals automatically from the Police and via the IDSVVA service.

**Metropolitan Police Operations**

The Metropolitan Police have a number of operations targeted at reducing domestic and sexual violence and bring perpetrators to justice. The 'core' operations include:

- Community Safety Unit - a specialist unit that investigates reports of domestic violence; and
- Sapphire Unit - a specialist unit that investigates reports of sexual violence.

## **Supporting**

### **Domestic Violence and Hate Crime Manager**

LBBD employs a Domestic Violence and Hate Crime Manager based in Adult and Community Services. This role is funded by Public Health in order to develop and deliver a strategic and coordinated response to domestic violence. Work includes the delivery of domestic violence projects, commissioning of external domestic violence services and contract monitoring of existing commissioned services.

### **MARAC and MARAC Coordinator**

A Multi Agency Risk Assessment Conference (MARAC) has been running in Barking and Dagenham since June 2008. The panel is held monthly to discuss high risk domestic violence cases and is chaired by the Metropolitan Police Community Safety Unit Detective Inspector. MARAC partners share up-to-date case risk information at the conference with a timely assessment of a high risk victim's needs in order to link clients directly to the provision of appropriate services. A safety plan is implemented for all clients and onward referrals are made where appropriate.

Public Health also fund a MARAC Coordinator to ensure that the MARAC operates within a coordinated response model. MARAC data monitoring is maintained locally to record repeat victimisation and domestic violence homicide and is provided quarterly to Coordinated Action Against Domestic Abuse (CAADA).

### **Children's Services Domestic Violence and Child Sexual Exploitation Coordinator**

The London Borough of Barking and Dagenham Children's Services department employs a Domestic Violence and Child Sexual Exploitation Coordinator who is funded by Public Health. This worker is located with the Adult Services department alongside the Domestic Violence and Hate Crime Manager and MARAC Coordinator to ensure a coordinated response.

### **Troubled Families Domestic Violence Coordinators**

Troubled Families Domestic Violence Coordinators (1.5 FTE) have been commissioned and are currently seconded from Victim Support to work with a cohort of 40 families identified by Children's Services where domestic violence is prevalent alongside further complex and multiple needs. They are based across the Council Adult and Community Services and Children Services departments. This project commenced locally on 1<sup>st</sup> August 2014 and is funded by the Department for Communities and Local Government on a payment by results basis.

## **Metropolitan Police**

The Metropolitan Police have a number of operations targeted at reducing domestic and sexual violence and bring perpetrators to justice. The 'supporting' operations include:

Operation Dawn Thunder, a Metropolitan Police Service initiative, is conducted daily to arrest wanted domestic violence suspects in early morning raids;

a Domestic Violence Crime Advisor (Detective Sergeant) initiative working within a Emergency Response Patrol Team 24/7, which is currently being piloted in Barking and Dagenham; and

the Police in Barking and Dagenham have also negotiated with the Association of Chief Police Officers to gain lead pilot status for Domestic Violence Protection Orders (DVPO's). The first DVPO in London was issued by Barking and Dagenham and offender breached the Order and was consequently remanded for six weeks. Work to issue further DVPO's is underway.

## **London Probation Integrated Domestic Abuse Programme**

London Probation delivers an Integrated Domestic Abuse Programme for perpetrators of domestic violence who have been ordered via the courts to attend the programme as part of their conviction. This is a nationally funded programme.

## **RESPECT Perpetrator programme**

A non court ordered perpetrator programme can be sought via Respect which is a national charity. London based programmes include a non court ordered perpetrator programme delivered by the Domestic Violence Intervention Programme (DVIP).

## **Victim Support Witness Service**

Victim support delivers a Witness Service to support victims of domestic violence attending court in relation to the prosecution of their abusers. This is a nationally funded service.

## **Victim Support and Hestia – Special Measures provision at court**

Victims are also supported through the court system via IDSVVA support from Victim Support and Hestia. Work includes the use of Special Measures (such as separate entrances to the Court and screens while testifying) for victims of domestic violence in the criminal justice system. Victim attrition has been an issue in Barking and Dagenham and this initiative has seen victim non-attendance at court fall from 40% to 3%.

## **East London Rape Crisis Centre**

The East London Rape Crisis Service is commissioned by MOPAC with contributions from the seven East London Quadrant boroughs; London Borough of Tower Hamlets, London Borough of Hackney, London Borough of Waltham Forest, London Borough of Redbridge, London Borough of Newham, London Borough of Barking and Dagenham and London Borough of Havering. This service is delivered by the Nia Project across two sites based at a hub in the London Borough of Hackney and in the London Borough of Redbridge from the Loxford Lane Polyclinic in Ilford Lane. The service comprises telephone support and counselling for victims of rape, as well as signposting to other available services.

## **LBD Children's Services – Domestic Violence Children's Treatment Programme**

Barking and Dagenham Children's Services are coordinating delivery of a Domestic Violence Children's Treatment Programme endorsed by Against Violence and Abuse (AVA). This programme is aimed at families where domestic violence is no longer present and the non-abusing parent is no longer residing in the family home. The programme is being delivered by Children's Services officers with support from colleagues in partner agencies.

## **Domestic and Sexual Violence Forum**

A Domestic and Sexual Violence Forum meets quarterly which allows specialist local providers to network, share good practice and advise of gaps in service delivery or concerns about service delivery that clients may encounter. This forum is chaired by Alison Lines, Parent Support Advisor of Godwin Primary School. Reports from the forum are reported upwards to the Domestic and Sexual Violence Strategic Group quarterly and used to inform strategic decisions.

## **LBD Youth Offending Service Girls Group**

The London Borough of Barking and Dagenham Youth Offending Service delivers a girls group which delivers a domestic violence awareness session during to female young offenders. Girls are given the opportunity to talk to a specialist and signposted to confidential support services should they need them. This delivery is funded by the Council.

## **Metropolitan Police**

The Metropolitan Police have a number of operations targeted at reducing domestic and sexual violence and bring perpetrators to justice. The 'supplementary' operations include:

All Metropolitan Police Barking & Dagenham teams are being enhanced with a rolling programme of attachments for Emergency Response Policing Team (ERPT)

and officers are being attached to the Community Safety Unit for a month at a time, with the ambition to expose all officers to seeing enhanced victim care and investigative process; and

Operation Dauntless - a pan-London, multi-strand project which is owned by the local Senior Management Team to look at all aspects of domestic abuse and improve performance. Repeat and prolific perpetrators will be reviewed as part of this operation.

### **Victim Support – Sanctuary Project**

The Sanctuary project is delivered by Victim Support and provides target hardening for homes of residents experiencing domestic violence regardless of housing tenure. Target hardening helps to make the home secure and prevent perpetrators from entering the property. This service is funded by the Council.

### **Arc Theatre – Sexual Exploitation Project in Schools**

Community Organisation Arc Theatre is commissioned by MOPAC to deliver a sexual exploitation awareness project in secondary schools in Barking and Dagenham. Over 400 young people have received delivery of the project in 2014/15 to date, with over 90% of these young people rating the project as informative.

### **Shpresa**

Shpresa, an Albanian speaking community group, delivers a domestic violence women's support group locally in Barking and Dagenham to raise awareness of domestic violence and to provide a support network for Albanian women experiencing domestic violence.

### **Kiran Woman's Aid**

Kiran Women's Aid, an Asian speaking voluntary sector organisation, delivers a weekly domestic violence support drop in service at Gascoigne Children's Centre. This complements existing service provision in the community for women wishing to access specialist support in Asian languages.

### **The Daniel Project Cherished Girls Mentoring programme**

The Cherish Girls Mentoring programme is delivered by The Daniel Project for girls aged 11 to 18 years old who may be at risk of sexual exploration, who have low self esteem or who need extra help or support. The programme is funded by MOPAC.

### **Training**

Domestic Violence training is delivered via the Local Safeguarding Children's Board for all staff to access and is funded within council training provision.

## **Publicity**

Local domestic and sexual violence publicity materials are renewed periodically and are available from the Community Safety and Offender Management team. An online Domestic and Sexual Violence Directory of Services has been drafted for publication during White Ribbon events 2014.